

SUBURBAN AND URBAN RESIDENTIAL LAND USE

GOAL 1

DISCOURAGE URBAN AND SUBURBAN DEVELOPMENT OUTSIDE INCORPORATED AREAS IN WHITMAN COUNTY, EXCEPT WITHIN DESIGNATED UNINCORPORATED COMMUNITIES, AND THOSE AREAS DESIGNATED BY THE PLAN AS SUITABLE FOR CLUSTER RESIDENTIAL ZONING DISTRICTS.

GOAL RATIONALE

The original policy is based on a number of conclusions made during the 1978 Plan Revision concerning suburban density development outside incorporated areas was stated as follow: 1) that concentrations of residential units adjacent to croplands are one of the conditions leading to serious land use conflict; 2) that land users at suburban densities have expectations of public service levels which are not and cannot be provided by a rural county; 3) that the assumption that suburban development adjacent to city boundaries can later be annexed is misleading, because rural subdivision would typically be constructed to standards different than those of the city to which it may be annexed; and 4) that growth is occurring at a slow enough rate to be absorbed by existing urban places.

Since the mid 1990's, the Planning Commission has held public input meetings in every one of the county's incorporated cities and towns, and also in many of the county's unincorporated communities. In addition, special meetings with various focus groups have been held, in an attempt to find ways to allow more non-farm rural residential places while at the same time protecting the ability of other, neighboring agricultural producers to continue farming and raising livestock. In 1997, a group of citizens appointed half by the Board of County Commissioners and half by the Pullman City Council formed the Joint Planning Area Committee. In several meetings over a 6-month period, this Committee acknowledged the demand for a rural non-farm lifestyle close to the city that was not addressed by either the city or the county. This committee also learned about the experience of other area jurisdictions including the problems and pitfalls of unplanned, incrementally-developed subdivisions.

As a result of the cumulative assembly of all of these comments from residents and from the Joint Planning Area Committee, the Planning Commission met frequently in January, February and March of 2003 to find ways to allow this type of housing lifestyle while at the same time protecting the ability of agricultural producers to continue operations.

Therefore, the Planning Commission has found 1) that because residential units adjacent to cropland remains as a potential for serious land use conflict, it is better to group residences in a cluster of land rather than allow for spotted housing development scattered over the countryside; 2) that although it is likely that these new residents will have urban expectations, the land use codes will require that people who create the zones, the subdivisions, and/or build there-on, will be made aware of the fact that urban services will not be provided, and that they acknowledge via a filed document running with the land that they are aware they are located in an agricultural area so they know that their property and lives will be subject to the impacts from surrounding

agricultural operations; 3) that the Plan policy and land use codes can assure that while the development may not be constructed to city standards, it will be possible to upgrade to those standards as well as providing adequate area for the city to grow through such zones when they are annexed; 4) that this Plan revision is providing for a kind of growth of a lot size and zoning use that is not available within the city and has not been easily available in the county, and 5) the incentive for the development of Cluster Residential zones is the permission to convert commercial productive agricultural ground to non-agricultural use sooner than is otherwise allowed within the Agricultural District.

PLANNING GUIDELINES

1. URBAN and SUBURBAN development include residential subdivisions, residential development which creates new roads serving multiple residences, or residential development which creates more than two adjacent building lots at the same time (not including the parent parcel of land). This kind of development is intended for the existing Plan-designated unincorporated communities.
2. CLUSTER RESIDENTIAL development includes a grouped residential subdivision that is either a short plat with four lots or a long plat with five six or more lots. A zone change to Cluster Residential is a prerequisite for this development.

IMPLEMENTATION GUIDELINES FOR URBAN AND SUBURBAN DEVELOPMENT WITHIN THE AGRICULTURAL DISTRICT

1. Prohibit urban and suburban development outside incorporated areas (except within designated rural communities) through:
 - a. Prohibiting all long plats for residential land use (subdivision) within the Agricultural District.
 - b. Prohibiting short plats (land partitions) which create more than two parcels of land for new rural residential use (not including the parent parcel of land) within the Agricultural District.

IMPLEMENTATION GUIDELINES FOR CLUSTER RESIDENTIAL DEVELOPMENT

1. Cluster Residential Districts are eligible for consideration on land that is within quarter sections (160 acres) that are within one half (1/2) mile of the city limits of Pullman, Washington, as defined on the date of adoption of this Plan amendment, excepting:
 - a. Other existing zoning districts, such as Heavy Commercial, Light Industrial, Heavy Industrial, and the Pullman-Moscow Corridor District, and,
 - b. Within the City of Pullman.

- c. Within the tax sharing area agreed upon by interlocal agreement between the County and the City of Pullman filed by the County Auditor's Office on July 7, 2015 under file number 730608.
2. The applicant is required to hold a meeting, with County Planning staff present, to discuss concerns with these neighboring land owners prior to the hearing. Planning staff shall take notes at this meeting.
3. ~~An area may be considered eligible for approval as a Cluster Residential District if it meets any of the following criteria:~~
 - a. ~~Being at least 1,000 feet distant from any commercial agricultural land and any other commercial or industrial zone, existing conditional use, or grandfathered use that is in different ownership, that may have compatibility issues with the proposed residential use, or;~~
 - b. ~~Receiving a written waiver from all the owners of said lands that they do not object to the establishment of a Cluster Residential District, or;~~
 - c. ~~Applicant proves satisfactorily to the Planning Commission [if the applicant has been unable to obtain waiver(s)], that said Cluster Residential development would not hamper or curtail current agricultural, commercial or industrial practices, such as but not limited to:
 - i. ~~Prevailing wind problems~~
 - ii. ~~Aerial applicator flight patterns required by topography or structures~~
 - iii. ~~Odor~~
 - iv. ~~Noise~~
 - v. ~~Livestock~~
 - vi. ~~Hours of operation~~~~
43. If the Pullman City Council and the Board of County Commissioners agree through an interlocal agreement, certain areas currently within county jurisdiction may be prohibited from rezoning and development until said area is annexed into the city of Pullman.
54. A person, persons, party or parties who apply for a Cluster Residential zone change shall agree that their submission of the zone change application legally binds them as well as all successors to recognition of normal, on-going agricultural operations and practices, effective at the point the zone change is approved by the Board of County Commissioners. This recognition will take the shape of language on the plat and a signed easement by each future owner, filed with the County Auditor, that the owner understands where they live and the activities that will normally occur around them. This recognition shall also be referenced in any rental contract, so that all occupants shall be aware of and will accept agricultural operations and practices. The kinds of operations and practices that shall be listed in the deed restriction or easement include, but are not limited to expect and not complain about:
 - a. Periods of dust (soil and chaff);

- b. Aerial application of chemicals (fertilizer and pesticides), occasionally early in the morning;
- c. Movement of slow and large agricultural equipment on the roads;
- d. Noise of agricultural machinery;
- e. Odor from livestock;
- f. Early and late hours of operations

65. The Cluster Residential zones shall be subdivided according to the following policies:

- a. The minimum acreage for a Cluster Residential zone shall be 20 acres that is suitable for division into ~~to~~ four lots that meet standards for residential construction;
- b. There is no maximum acreage for a Cluster Residential zone;
- c. Platting into a minimum of four lots on 20 acres is required, even if the owner intends to build on only one lot. The platting assures that the subdivision will hold for the future adequate building sites and lots for up to three more homes;
- d. For a Cluster Residential subdivision of four lots, the minimum ratio of land area per house is five acres per residential unit. Individual lot sizes within the cluster can be as small as ½ acre as long as this ratio is maintained. This land division shall be approved administratively as a Short Subdivision, (short plat);
- e. For a Cluster Residential subdivision of ~~five~~ six or more lots, the minimum ratio of land area per house is ten acres per residential unit. Individual lot sizes within can be as small as ½ acre as long as this ratio is maintained. This land division shall be approved via the Planning Commission and Board of County Commissioners as a long plat;
- f. The buffer from the perimeter of the Cluster Residential zone to the lots or the development envelopes within each lot shall be a horizontal 200-foot distance of pasture, hay or native vegetation in those cases where the exterior Cluster Residential zone is adjacent to lands ~~zoned other than cluster residential in commercial agricultural use. Aside from buffering normal agricultural practices,~~ The maintenance of pasture, hay or native vegetation shall protect and enable recharge to the aquifer.

76. The Cluster Residential zones shall meet the following road policies:

- a. Cluster Residential Districts must access from an improved county road or state highway. Whitman County will not improve roads for this zone, but the applicant may seek to improve it;
- b. The internal road that serves the lots shall be a shared private drive. In general, this road shall be designed to stay on one of the land's contours. The road shall be engineered and shall meet fire code requirements;
- c. Private internal roads shall be either held in common, or shall be allowed by easements across private lots. A private road construction and maintenance agreement is required;
- d. The private road must be built to any residence according to the approved engineering standards prior to the issuance of a building permit for that lot;
- e. All plats will show the location of these roads, but platting alone within a short subdivision does not require the construction of these internal roads. Within a long subdivision, the roads must be completed prior to approval of the Final Plat, although long plats may be phased over time.

87. Subdivisions and potable water policies are:

- a. State Health Department and Department of Ecology regulations govern the requirements for potable water;
- b. For a 4-lot subdivision, an exempt well or wells will allow withdrawal of 5,000 gallons per day, or 1,250 gallons per residence. (The residence to area ratio must be a minimum of 5 acres per residence, for a total of 20 acres.)
- c. For a subdivision of ~~five~~ six or more lots, each residence is allotted 1,200 gallons of water per day. (The residence to area ratio must be a minimum of 10 acres per residence, beginning with a minimum subdivision size of ~~560~~ acres. There is no maximum.)
- d. State law requires proof of an adequate amount of potable water prior to approval of the plat.
- e. Water conservation is encouraged, through the planting of drought-tolerant plants that do not need irrigation and the capture of rooftop rainwater, and so forth.

98. Environmental concerns:

- a. The suitability of terrain shall be a factor in the criteria regarding the approval of the zone and the location of lots and building sites within such an approved zone. The county critical areas ordinances will direct development away from flood hazard and wetland areas, and will protect the aquifers and wildlife habitat. Building and Fire Codes will guide development with regards to steep slopes and geologically hazardous soils;
- b. In addition to the current Plan requirements that encourage preservation of existing natural vegetation for the purpose of erosion control, maintenance of wildlife habitat, and protection of the natural landscape, it is Plan policy that construction disturbance to vegetation and soils be minimized within lots and common areas, including lands being cropped or formerly cropped;
- c. New Washington State Department of Ecology forthcoming stormwater requirements are anticipated. Although this is not expected to be a county regulation, since this involves land use, the details of that development and/or the structures that Ecology will require, shall be provided to Whitman County. In some cases, it may be possible to combine stormwater control features with, for example, a fire flow and/or irrigation storage system.

109. Wildfire concerns:

- a. Fuel breaks around buildings shall be designed to protect structures in case of wildfire. In consultation with the appropriate Fire District, fuel breaks shall be designed around the "development envelope" within each lot, identified prior to issuance of the building permit. It shall be the responsibility of each home owner and/or resident to maintain the fuel break in such condition as to protect structures from wildfire damage. Those who choose to develop and live in the country, surrounded at certain times of the year by dry grass or crop stubble, take full responsibility for that choice and for the possibility of loss by wildfire;
- b. Fire flow requirements shall be per Whitman County Fire Code.

140. Aesthetics:

- a. It is intended that Cluster Residential development shall protect the aesthetic quality of Whitman County for its residents and visitors. Visual impact created by the development can either sustain or negate the current quality of life. Therefore, this Plan intends that structures be located so that no part of the living space of a structure shall be higher than the highest part of the landform on which it will be built. A landform is described for the purpose of this chapter as the natural topographic high point separated from other topographic high points by a drop of at least 40 feet. ~~their highest point shall be lower than the elevation of the highest ridgeline or hilltop within one half mile of the building site.~~ This goal encourages energy efficiency and allows many of the current landscape and long-distance views to stay unobstructed. While it will not necessarily allow a 360-degree hilltop view, it will still allow a view from the residences, and it will allow views from the surrounding areas to be less obstructed;
- b. Since appearance of structures also is a factor in quality of life aesthetics, the zoning ordinance shall specify design standards to ensure this quality and require that the homes be constructed on-site.

121. Covenants, Agreements and Easements:

- a. Agreements shall be written to govern construction and maintenance of shared internal roads, any common area and buffer area vegetation maintenance, the water system (if shared), and any other site specific restrictions from the zoning ordinance and any other land use codes;
- b. Easements shall be required for roads and utilities and common areas
- c. Acknowledgement of agricultural practices shall be affirmed;
- d. Easements shall be shown on the plats. Agreements may be included on the plat or may be referenced on the plat to a document filed with the County Auditor. The existence of covenants filed with the Auditor shall be referenced on the plat.