

TITLE 17

ZONING CODE

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Chapter 17.01

PREFACE AND PURPOSE

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17.01.010 Title.

Title 17 (Title) will be known as the Zoning Code of the City of Pullman (City). (Ord. 25-08 §1, 2025).

17.01.020 Authority.

This Zoning Code is adopted under the authority of Article XI, Section 10 of the Washington State Constitution and Chapter 35A.63 of the Revised Code of Washington (RCW). (Ord. 25-08 §1, 2025).

17.01.030 Zoning Code Structure.

This Title is divided into chapters, sections, subsections, paragraphs, and subparagraphs that are numbered as shown in the example below:

Title	Chapter	Section	Subsection	Paragraph	Subpara.
17.	25.	040.	(1)	(a)	(ii)

(Ord. 25-08 §1, 2025).

17.01.040 Scope.

The Zoning Code of the City of Pullman consists of all of the provisions described or incorporated by reference in this Title, including both text and maps. (Ord. 25-08 §1, 2025).

17.01.050 Purposes.

This Zoning Code has the following purposes:

- (1) to promote the public health, safety, order, convenience, and general welfare;
- (2) to facilitate adequate provisions for public services such as transportation, police and fire protection, water supply, sewage treatment, and parks;
- (3) to assist in the implementation of the Comprehensive Plan for the physical development of the City by regulating and providing for existing and future uses; and

- (4) to protect the character and the social and economic stability of residential, commercial, industrial, and other uses within the City, and to ensure the orderly and beneficial development of these uses by:
- (a) reserving and retaining appropriate areas for each type of use;
 - (b) preventing encroachment into these areas by incompatible uses; and
 - (c) regulating the use of individual parcels of land to prevent unreasonable detrimental effects on nearby uses. (Ord. 25-08 §1, 2025).

17.01.060 Minimum Requirements.

The regulations and provisions of this Title will be held to be the minimum requirements necessary for the promotion of the public health, safety, and general welfare. (Ord. 25-08 §1, 2025).

17.01.070 Conflict of Provisions.

If the provisions of this Title conflict one with another, or with the provisions of another ordinance of the City, or with the laws, regulations, codes, or rules enacted by another authority having jurisdiction within the City, the most restrictive provisions or the provision imposing the highest standard will prevail, except when constrained by federal or state law. (Ord. 25-08 §1, 2025).

17.01.080 Regulated Actions.

Whenever this Title applies to a specific act or type of action, the same provisions apply to all later changes, unless this Title specifically provides otherwise. For example, a permit is required to establish a conditional use. This requirement also applies to any changes or expansions of a conditional use. (Ord. 25-08 §1, 2025).

17.01.090 Section Headings Not Part of Law.

Section headings as used in this Title do not constitute any part of the law. (Ord. 25-08 §1, 2025).

17.01.100 Severability.

The provisions of this Title are hereby declared to be severable. If any section, subsection, sentence, clause, or phrase of this Title or its application to any person or circumstance is for any reason held to be invalid or unconstitutional, the remainder of this Title will not because of said section, subsection, sentence, clause, or phrase be held unconstitutional or invalid. (Ord. 25-08 §1, 2025).

Chapter 17.05 DEFINITIONS

Sections:

- 17.05.010 General
- 17.05.020 Definitions.

17.05.010 General.

Words used in this Title will have their normal and customary meaning, unless specifically defined otherwise.

- (1) *Rules.*
 - (a) Words used in the present tense include the future.
 - (b) The plural includes the singular, and vice versa.
 - (c) The words “will” and “must” are mandatory.
 - (d) The word “may” indicates that discretion is allowed.
 - (e) The word “should” indicates direction and obligation, but is not mandatory.
 - (f) The word “used” includes “designed, intended, or arranged” to be used.
 - (g) Distances will be measured horizontally unless otherwise specified.
 - (h) The word “building” includes a portion of a building.
 - (i) The word “day” means calendar day unless otherwise specified.
- (2) *Adopted Codes.* If a code that has been adopted contains a definition that conflicts with the one in this Title, the definition in that code will take priority for that specific code section. (Ord. 25-08 §1, 2025).

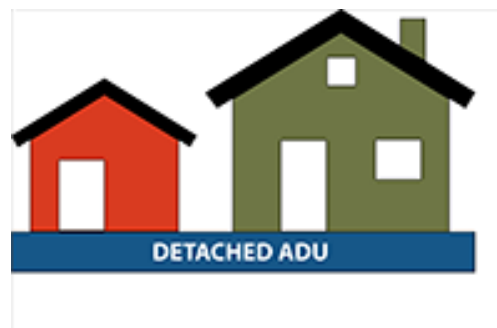
17.05.020 Definitions.

The following definitions will be used in the interpretation and administration of this title:

- (1) *Accessory Building.* An additional building, the use of which is secondary and customary to that of the principal building including a private garage and which is located on the same lot. If any accessory building is attached to the principal building by a common wall or roof, such accessory building will be considered a part of the principal building.
- (2) *Accessory Use.* A use secondary and additional to the principal use which is located on the same lot.
- (3) *Accessory Dwelling Unit, Attached.* A secondary dwelling unit located within or attached to another dwelling unit.

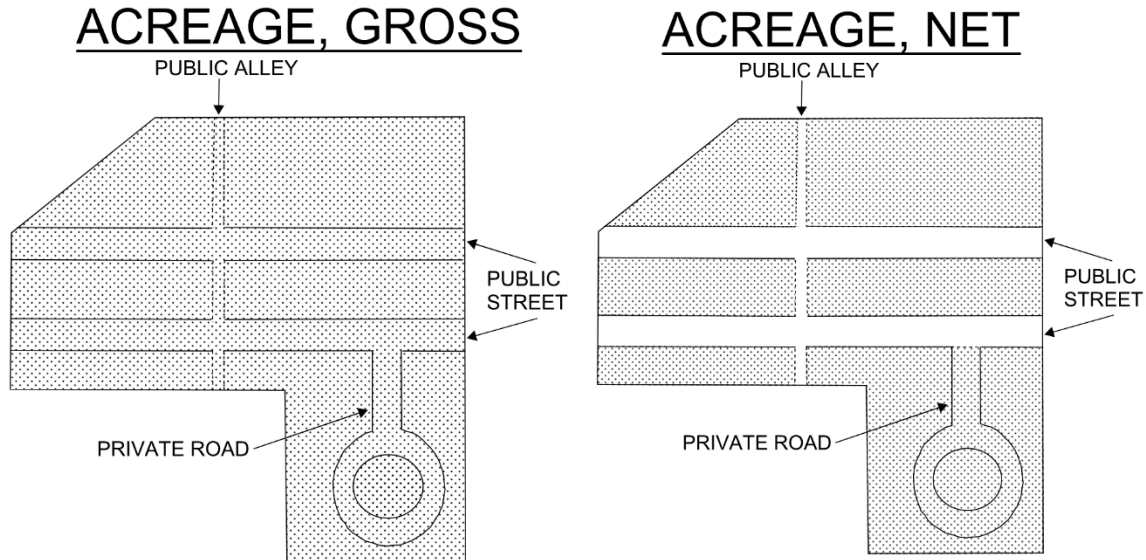


- (4) *Accessory Dwelling Unit, Detached.* A detached dwelling unit located on the same lot as another dwelling unit.



- (5) *Accessory Living Quarters.* Living quarters, which may include kitchen facilities, located within the principal building, and not otherwise used as a separate dwelling.
- (6) *Acres or Acreage, Gross.* The total area of a parcel of land expressed in square feet or fractions of an acre.

- (7) *Acres or Acreage, Net.* The area of a parcel of land, excluding the area dedicated to public streets, roads, or alleys, expressed in square feet or fractions of an acre. The area devoted to private streets, roads, and alleys is included when computing net acreage.



- (8) *Addition.* An extension or increase in floor area or height of a building or structure.
- (9) *Adult Family Home.* A residential home in which a person or persons provide personal care, special care, room, and board to more than one (1) but not more than seven (7) adults who are not related by blood or marriage to the person or persons providing the services. An adult family home may provide services to up to eight (8) adults upon approval from the department under RCW 70.128.066.
- (10) *Alley.* A public right-of-way, usually at the rear or side of a lot(s), that provides a means of vehicular or pedestrian access to a lot(s).
- (11) *Alteration.* A change or rearrangement of the structural parts of existing facilities or an enlargement by extending the sides or increasing the height or depth or the moving from one location to another.
- (12) *Amendment.* A change in the wording, context, or substance of this Title, including any change in or addition to the Official Zoning Map; or, a change in the wording, context, or substance of the Comprehensive Plan, including any change in or addition to the Comprehensive Plan Land Use Map.
- (13) *Animal, Large.* Any domestic animal over six (6) months of age having a size equal to or greater than a goat or sheep including the infants of such animals as regulated in PCC 17.35.050, Animals and Fowl.
- (14) *Animal, Small.* Any domestic animal having a size smaller than a goat or sheep over six (6) months of age, not classified as a household pet, and as regulated in PCC 17.35.050, Animals and Fowl.

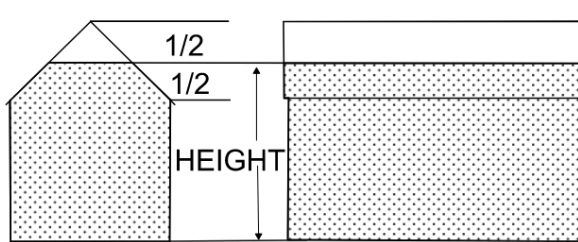
- (15) *Arterial Street: Major, Secondary, Collector.* Street classification, as defined and designated in the Comprehensive Plan and its accompanying arterial street map.
- (16) *Assisted Living Facility.* Any home or other institution, which is advertised, announced, or maintained for the express or implied purpose of providing housing, basic services, and assuming general responsibility for the safety and well-being of the residents, and may also provide domiciliary care, consistent with chapter 142, Laws of 2004, to seven (7) or more residents. This does not include facilities certified as group training homes pursuant to RCW 71A.22.040, nor any home, institution, or section thereof which is otherwise licensed and regulated under the provisions of state law providing specifically for the licensing and regulation of such home, institution, or section thereof. Nor will it include any independent senior housing, independent living units in retirement communities, or other similar living situations including those subsidized by the department of housing and urban development.
- (17) *Automobile Repair, Major.* General repair, engine rebuilding, rebuilding, or reconditioning of motor vehicles or trailers; collision service, including body, frame, or fender straightening or repair; overall painting or paint shop.
- (18) *Automobile Salvage or Wrecking Yard.* Any open area where more than two (2) unlicensed and/or inoperable motor vehicles, or motor vehicle parts, are stored or parked for a period exceeding 30 days.
- (19) *Balcony.* An elevated platform, enclosed by a railing, that projects from the side of a building. The term “balcony” does not include any part of a stairway or walkway used as general access to habitable space within a building.
- (20) *Basement.* Any floor level below the first story in a building.
- (21) *Buffer.* An area of land or structure intended to insulate or separate a structure or land use from adjacent uses or structures in such a manner as to reduce or mitigate adverse impacts of one on the other.
- (22) *Buildable Area.* That portion of a lot within which a structure may be built, bounded by the required yards.
- (23) *Building.* Any structure having a roof, used, or intended for supporting or sheltering any use or occupancy, and permanently affixed to the ground.
- (24) *Building Coverage.* The portion of the lot area expressed as a percentage that may be occupied by buildings or structures. Building coverage includes eaves, bay windows, and similar structures, as well as decks, balconies, stairs, and landings more than 30 inches (2.5 feet) in height above grade.
- (25) *Building Height.* The vertical distance above a reference datum measured to the highest point of a flat roof, to the deck line of a mansard roof, or to the average height of the highest gable of a pitched or hipped roof, with the reference datum selected by either of the following, whichever yields a greater height of building.

- (a) The elevation of the highest adjoining sidewalk or ground surface within a five (5) foot horizontal distance of the exterior wall of the building when such sidewalk or ground surface is not more than 10 feet above lowest grade.
- (b) An elevation 10 feet higher than the lowest grade when the sidewalk or ground surface described in 25(a) is more than 10 feet above lowest grade.

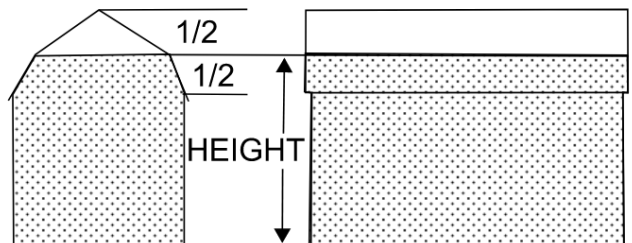
The height of a stepped or terraced building is the maximum height of any segment of the building.

BUILDING HEIGHT

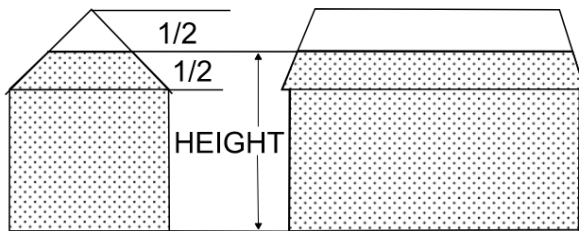
THE SHADED PORTION OF THE BUILDING IS CALCULATED FOR BUILDING HEIGHT



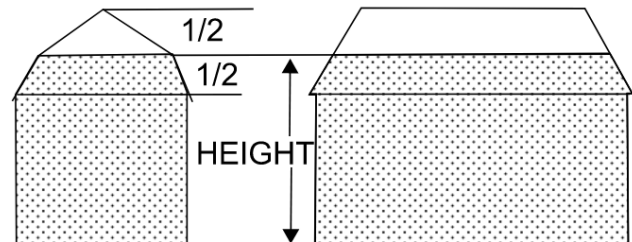
PITCHED ROOF



GAMBREL ROOF



HIP ROOF



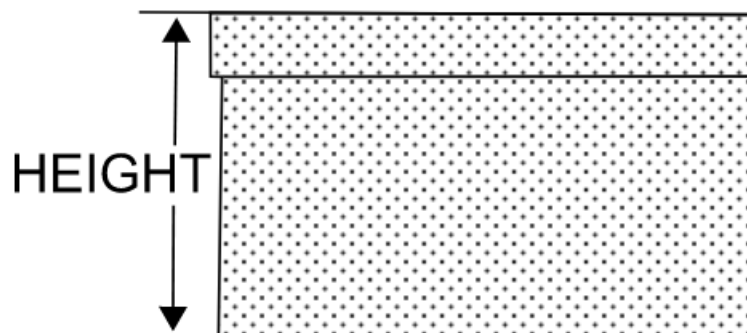
MANSARD ROOF

END VIEW

SIDE VIEW

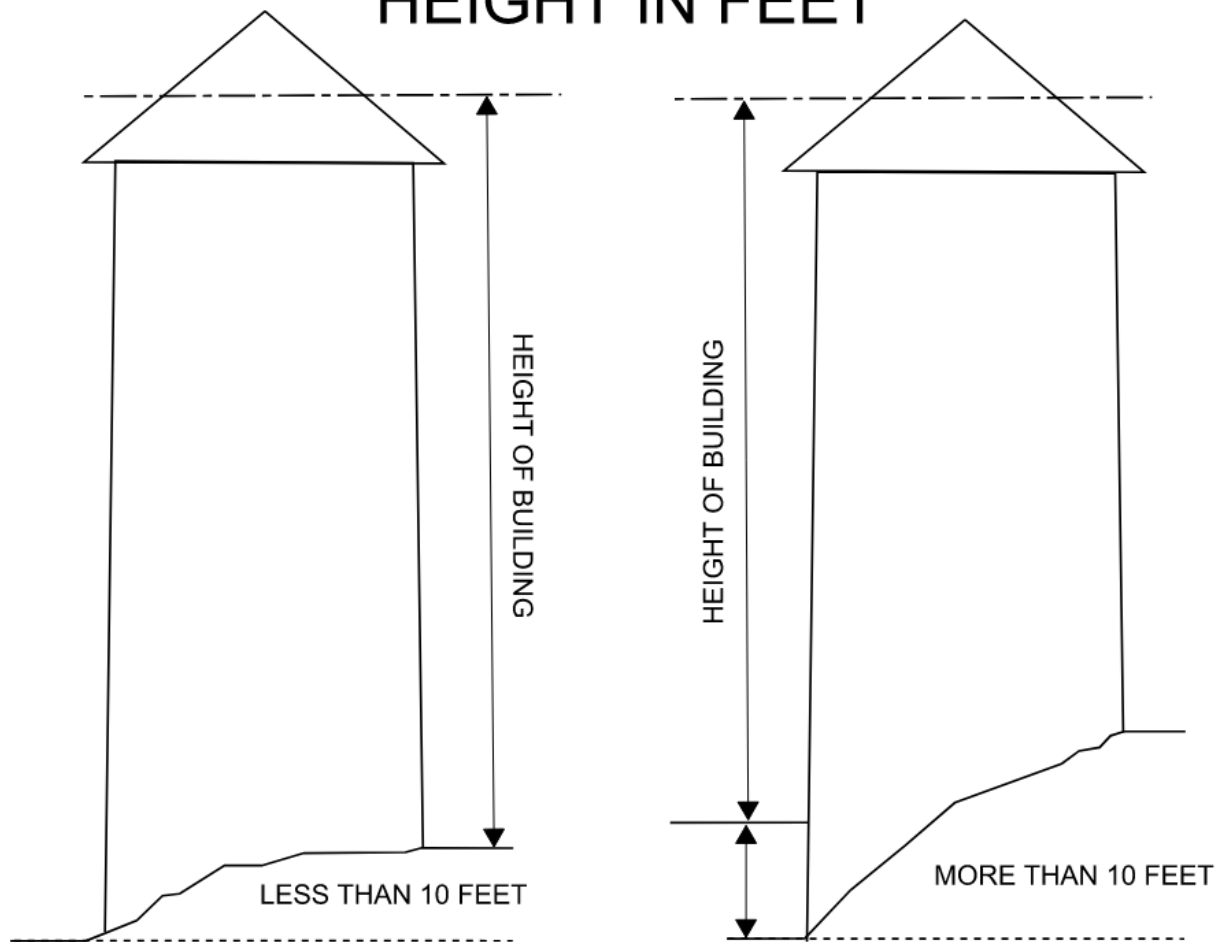
END VIEW

SIDE VIEW



FLAT ROOF

DETERMINATION OF BUILDING HEIGHT IN FEET



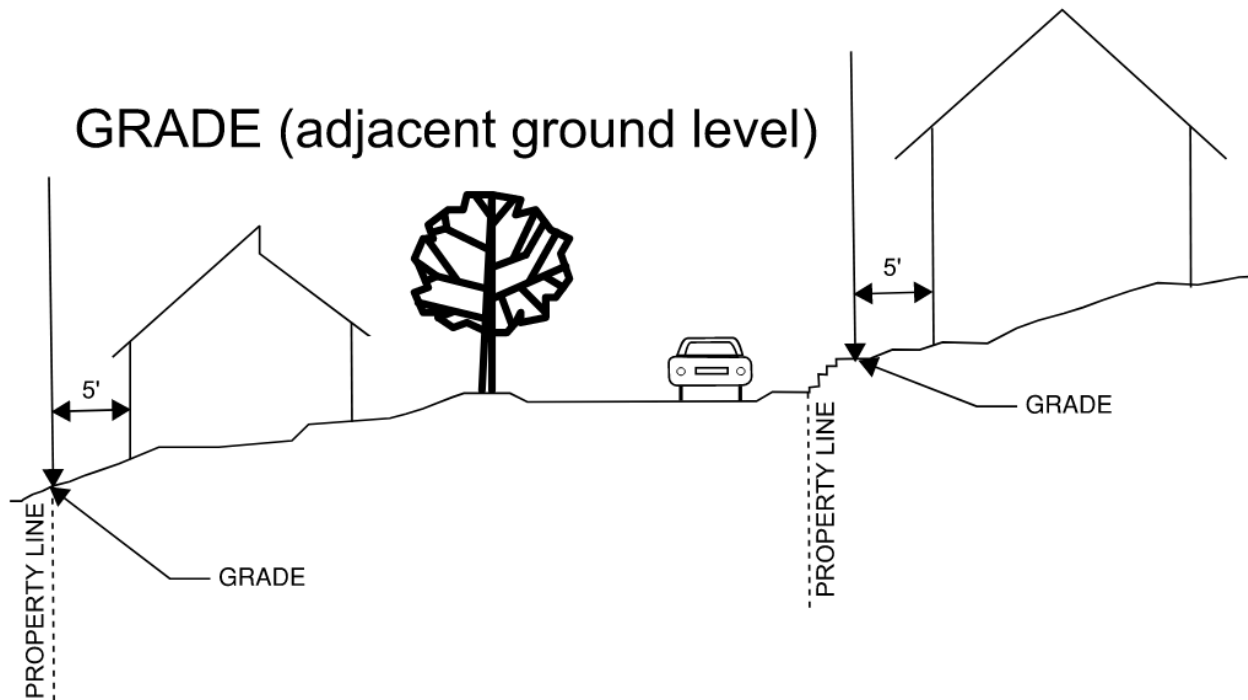
- (26) *Building Line.* A line established as the minimum distance a building may be located from any property line as determined by the minimum yard requirements of this Title.
- (27) *Building Official.* The Building Official is responsible for the administration and enforcement of the Construction Code or any codes adopted by reference therein. The Building Official will be the head of the Protective Inspections Division, will serve as the Building Official pursuant to the Construction Code (Title 2) and will report to the Director of Community Development.
- (28) *Cannabis.* “Cannabis” as defined in RCW 69.50.101, as it now exists or may hereafter be amended.
- (29) *Cannabis-Infused Products.* “Cannabis-infused products” as defined in RCW 69.50.101, as it now exists or may hereafter be amended.
- (30) *Cannabis Processing Facility.* An establishment licensed by the Washington State Liquor and Cannabis Board to process cannabis into useable cannabis and cannabis-infused products, package and label usable cannabis and cannabis-infused products for sale in

- cannabis retail facilities, and sell useable cannabis and cannabis-infused products at wholesale to cannabis retail facilities.
- (31) **Cannabis Production Facility.** An establishment licensed by the Washington State Liquor and Cannabis Board to produce and sell cannabis at wholesale to cannabis processing facilities and other cannabis production facilities.
 - (32) **Cannabis, Recreational.** Cannabis as administered under the provisions of RCW 69.50 and WAC 314-55, as they now exist or may hereafter be amended.
 - (33) **Cannabis Retail Facility.** An establishment licensed by the Washington State Liquor and Cannabis Board for the retail sale of useable cannabis and/or cannabis-infused products.
 - (34) **Cannabis, Useable.** “Useable cannabis” as defined in RCW 69.50.101, as it now exists or may hereafter be amended.
 - (35) **Child Day Care Facility.** A facility licensed by the State in which an agency or person(s) regularly provides child care for a group of children aged 12 years or less for periods of less than 24 hours per day. There are two separate categories of child day care facilities:
 - (a) **Family Day Care Home.** A facility in which child day care is furnished in the provider’s home to 12 or fewer children, including the provider’s own and foster children.
 - (b) **Child Day Care Center.** A facility for child day care of 13 or more children.
 - (36) **Church.** A place of assembly, the principal purpose of which is religious worship, and for which the principal building or other structures contain the sanctuary or principal place of worship, and which may include related accessory uses in the principal building or in other separate structures.
 - (37) **City.** The City of Pullman, Washington.
 - (38) **Code.** The Pullman City Code (PCC) as most recently amended.
 - (39) **Commercial Parking Area or Garage.** A parking area or garage in which vehicles park in exchange for a fee or paid permit, including any permit parking facilities operated, for example, by Washington State University (WSU).
 - (40) **Commercial Vehicle.** Any motor vehicle having a gross vehicular weight of more than 14,000 pounds.
 - (41) **Common Open Space.** Open space, including landscaped and recreational areas, in which residents of the development own an undivided interest and which is managed jointly by those owners through a property owners’ association. (See illustration accompanying definition of “Planned Residential Development.”)
 - (42) **Comprehensive Plan.** The official document adopted by the Council as authorized by Chapter 35A.63 RCW, that sets forth goals, policies, and standards to guide decisions about the future development of the City.

- (43) *Conditional Use.* A use which because of special requirements, unusual character, size or shape, infrequent occurrence, possible detrimental effects on surrounding property, or other similar reasons, may be allowed in certain zones only after review by the Hearing Examiner and the granting of a conditional use permit imposing such performance standards as will make the use compatible with other permitted uses in the same vicinity or zone.
- (44) *Condominium.* An ownership arrangement of single units or apartments in a building containing two (2) or more dwelling units or two (2) or more buildings each containing one (1) or more dwelling units, with common areas and facilities, as regulated by Chapter 64.32 RCW. The term “Condominium” refers to an ownership arrangement, not a land use. The unit may be any permitted dwelling type.
- (45) *Conforming Building.* A building that accommodates uses permitted in the zoning district it is located and that also conforms to the requirements of this Title in the matter of use, height, yards, area coverage, and density.
- (46) *Contiguous.* Sharing a common boundary.
- (47) *Convenience Store.* A retail store with a net floor area of 2,500 square feet or less that offers easy access for short shopping trips to purchase frequently needed items. Convenience stores may include gasoline sales only in districts where gasoline service stations are permitted.
- (48) *Council.* The elected governing body of the City.
- (49) *Crisis Residential Center.* A place of temporary refuge for victims of domestic violence, operated by a public or private nonprofit group or organization on a 24-hour basis; or a temporary residential facility operated by the State Department of Social and Health Services.
- (50) *Density, Basic.* The average number of dwelling units per net acre that may be developed in a zoning district.
- (51) *Density, PRD Bonus.* The basic density plus an increase of up to an additional 20 which may be earned by taking advantage of the bonus density allowances as described in PCC 17.107.040(2)(b), PRD Bonus Density.
- (52) *Director of Community Development.* An employee of the City who administers the Department of Community Development. The Director of Community Development may indicate a designee for projects.
- (53) *Director of Public Works.* An employee of the City who administers the Department of Public Works. The Director of Public Works may indicate a designee for projects.
- (54) *Driveway.* A vehicular access way leading from a public right-of-way or private road to a garage, carport, or other off-street parking area. “A driveway” is accessed from a public right-of-way or private road by means of a curb cut or, where there is rolled curb or no constructed curb, a connection to a public right-of-way or private road authorized by the Director of Public Works.

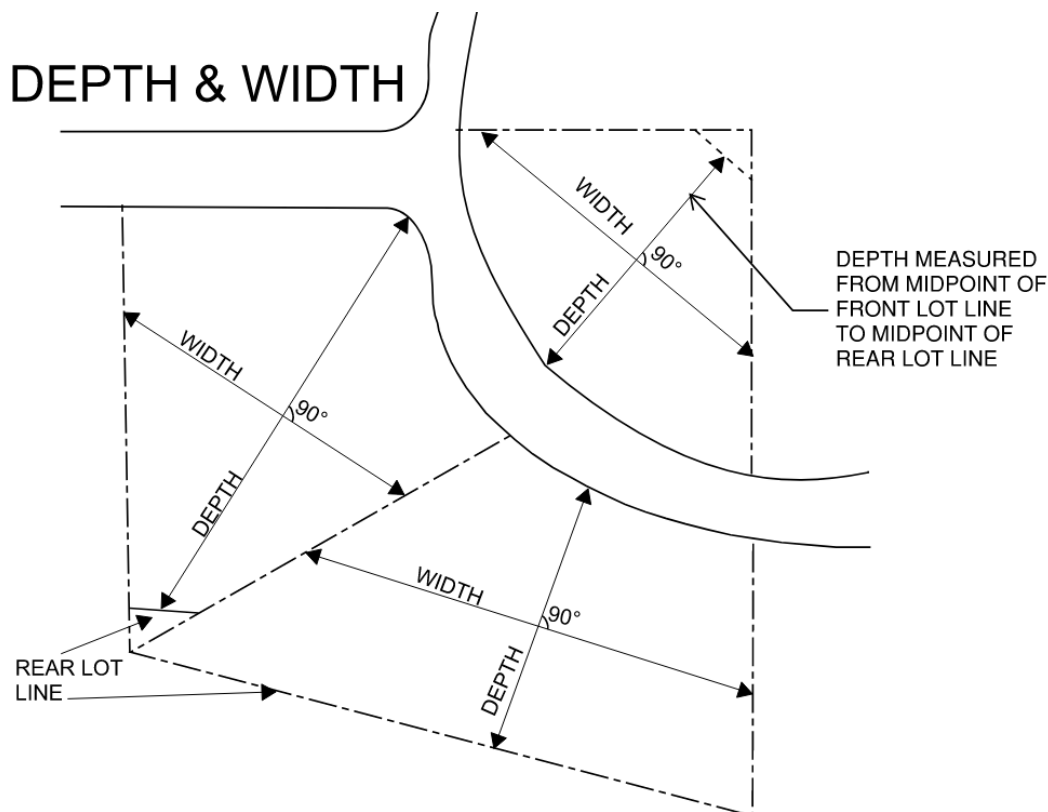
- (55) *Dwelling, Duplex.* A building containing two (2) dwelling units.
- (56) *Dwelling, Multifamily.* A building containing three (3) or more dwelling units including an “apartment house.”
- (57) *Dwelling, Single-Family.* A detached dwelling containing only one (1) dwelling unit.
- (58) *Dwelling Unit.* Any building or portion thereof which contains living facilities including provisions for sleeping, eating, cooking, and sanitation.
- (59) *Easement.* A grant by a property owner to another party to use designated land for a specific purpose.
- (60) *Educational Service.* An educational or related service offered by an organization for children or adults, including a kindergarten, elementary school, middle school, high school, and vocational school. The term “Educational Service” does not include “Child Day Care Facility,” “Nursery School or Preschool” or “University Facility.”
- (61) *Family.* A “family” means a collective group of one (1) or more persons living together as a single housekeeping unit, and sharing and operating a unified and common household.
- (62) *Floodplain.* See PCC 16.60, Floodplain Management District, for all definitions relevant to the Floodplain Management District.
- (63) *Floor Area, Net.* The floor area of a building, except areas used exclusively for the service of a building such as: mechanical equipment spaces and shafts; elevators; stairways; hallways; escalators and ramps; restrooms; wall thicknesses; loading docks and ramps.
- (64) *Foster Family Home.* A foster family home as defined in RCW 74.15.020(1)(f), licensed in accordance with the laws of the State of Washington.
- (65) *Fowl.* Any domestic bird commonly raised for meat or eggs, including, but not limited to, chickens, ducks, turkeys, and geese.
- (66) *Fraternity.* See “Membership Lodging.”
- (67) *Garage, Private.* An accessory building or portion of principal building intended to be used for the storage of vehicles or boats by the occupants of the principal building.
- (68) *Grade (adjacent ground level).* Either
 - (a) the lowest point of elevation of the finished surface of the ground, paving, or sidewalk within the area between the building and the property line if the property line is within five (5) feet of the building; or

- (b) when the property line is more than five (5) feet from the building, then the lowest point between the building and a line five (5) feet from the building.



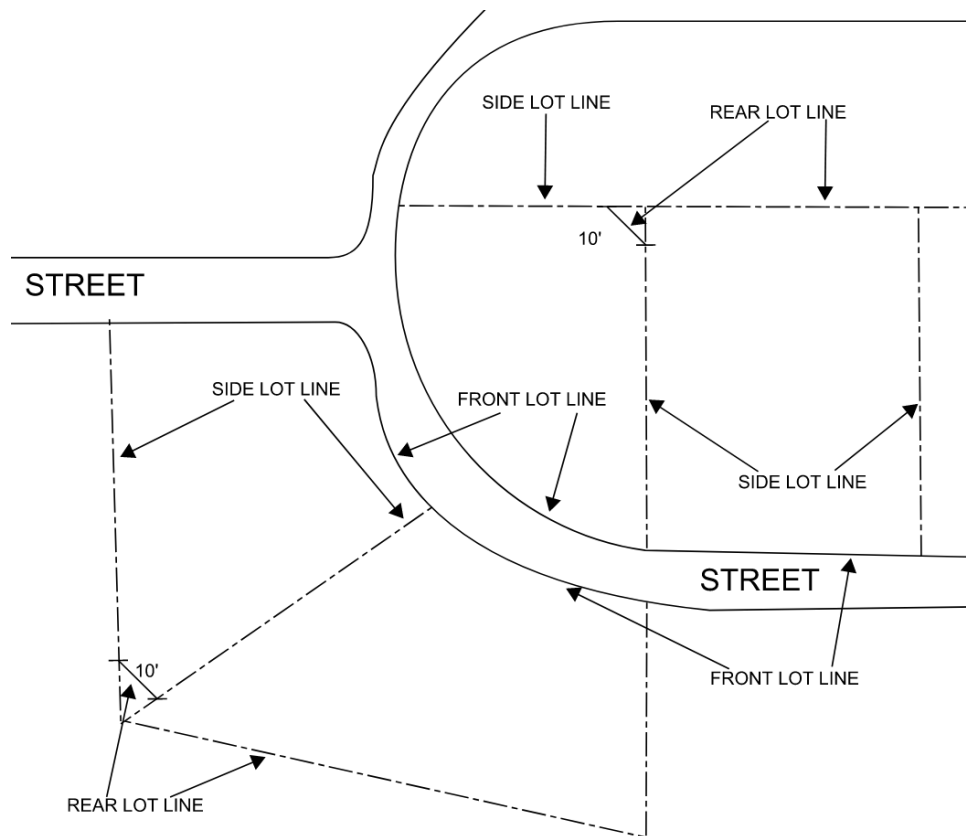
- (69) *Group Care Facility*. A group care facility as defined in RCW 74.15.020(1)(g), licensed in accordance with the laws of the State of Washington.
- (70) *Hearing Examiner*. The Hearing Examiner for the City.
- (71) *Hen*. A female chicken (*Gallus gallus domesticus*).
- (72) *Historic Preservation Commission (HPC)*. The HPC created by Section 17.15.040 and acting as the “Local Review Board (Board)” as used in RCW 84.26 and WAC 254-20 for the special valuation of historic properties.
- (73) *Home Occupation*. See PCC 17.55, Home Occupations, for all definitions relevant to home occupations.
- (74) *Household Pet*. Small domestic creatures including dogs, cats, rabbits, gerbils, guinea pigs, hamsters, domestic rats and mice, caged birds, non-venomous reptiles, fish, and amphibians as regulated in PCC 17.35.050, Animals and Fowl.
- (75) *Infill Development*. Original construction of a duplex, multifamily dwellings, townhouses, and/or a membership lodging facility on a lot that, prior to further subdivision for individual townhouses or other dwelling units, contains 10,000 square feet or less of lot area and that abuts one (1) or more other lots occupied by a dwelling(s).
- (76) *Kennel, Commercial*. Any premises or building in which four (4) or more dogs, four (4) or more cats, or five (5) or more dogs and cats over six (6) months of age are kept commercially for board, breeding, or sale.

- (77) *Limited (L) Zone.* A portion of a zoning district to which the Council has added conditions intended to limit or govern the use of a parcel(s) of land in the public interest, as specified in PCC 17.115.030, “Limited” Zone.
- (78) *Lot.* A recorded lot, occupied or intended to be occupied by a principal use or building and its accessory buildings, together with all required yards and open spaces, except the following special lot types:
- (a) A PRD lot.
 - (b) An open space lot which is a parcel used for provision of open space, as provided for in a legal document filed with the Whitman County Auditor, on which no more than 5% of the parcel is covered by structures and said structures are no more than four (4) feet in height.
- (79) *Lot Area and Dimensions.*
- (a) *Lot Area.* The total area within the lot lines of a lot.
 - (b) *Lot Depth.* The length of a line extending from the midpoint of the front lot line to the mid-point of the rear lot line.
 - (c) *Lot Width.* The distance between the side lot lines measured at right angles to the lot depth at a point midway between the front and rear lot lines.



- (80) *Lot Lines.*

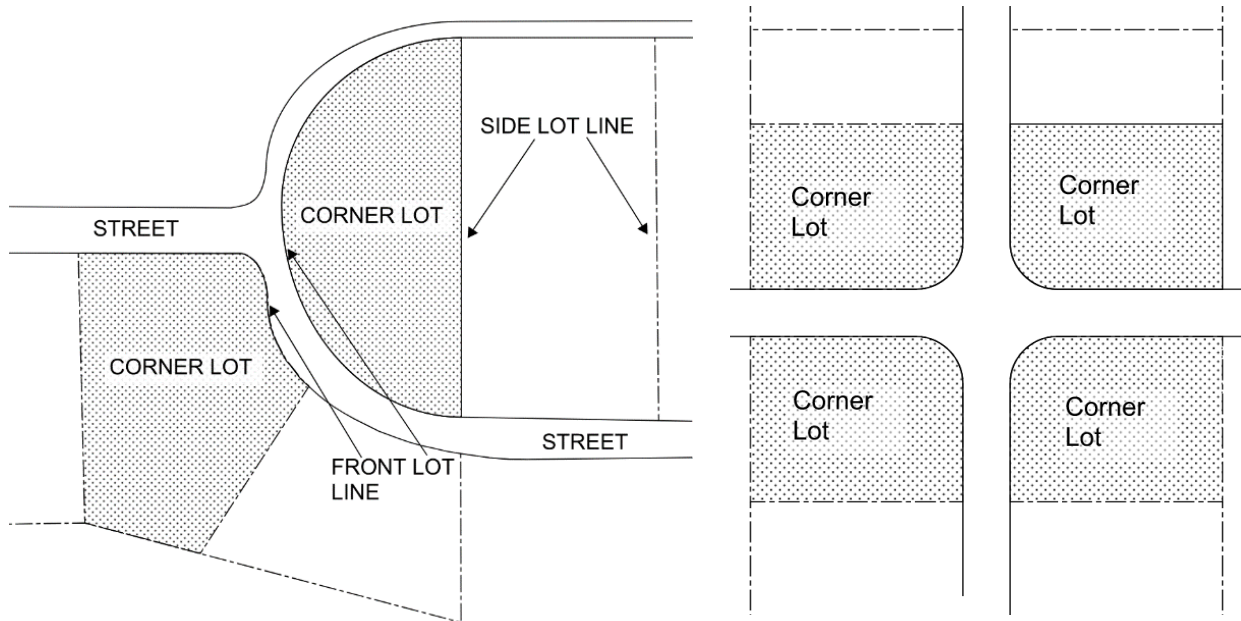
- (a) *Front.* The property line of a lot bordering on the street. In the case of a corner lot, the front lot line is the property line to which the main entrance of a structure is oriented. In the case of a through lot, both property lines bordering on a street will be considered front lot lines.
- (b) *Rear.* The boundary line of a lot which is opposite and most distant from the front lot line. For establishing the rear lot line, the following will apply:
 - (i) In the case of a lot with a rear boundary formed by a single line that is parallel to the front lot line, such rear boundary is the rear lot line.
 - (ii) In the case of a lot with a rear boundary formed by two (2) or more lines, the rear lot line will be a line 10 feet in length within the lot and farthest removed from the front lot line and at right angles to the lot depth.
 - (iii) In the case of a trapezoidal lot with the rear boundary not parallel to the front lot line, the rear lot line will be deemed to be a line at right angles to the lot depth and drawn through a point bisecting the recorded rear lot line.



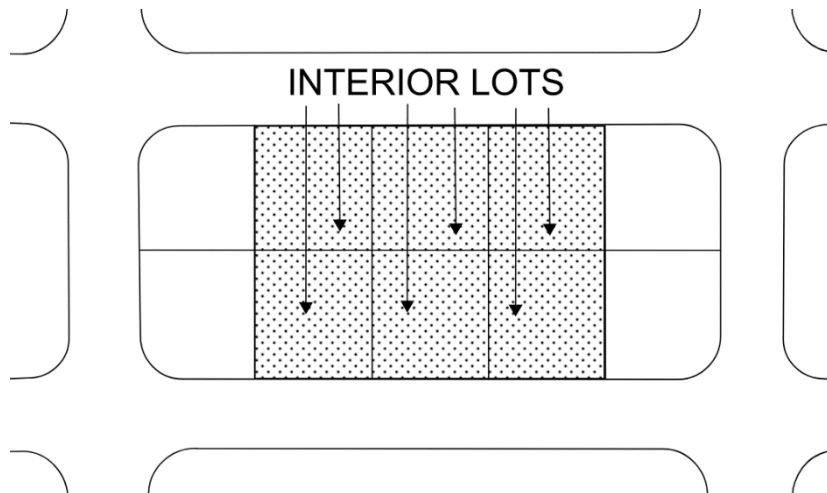
- (iv) In no case will the application of the above be interpreted as permitting a main building to locate closer than five (5) feet to any property line unless such building portion is below grade with no visible portion above grade.
- (c) *Side.* Any property line not a front or rear lot line.

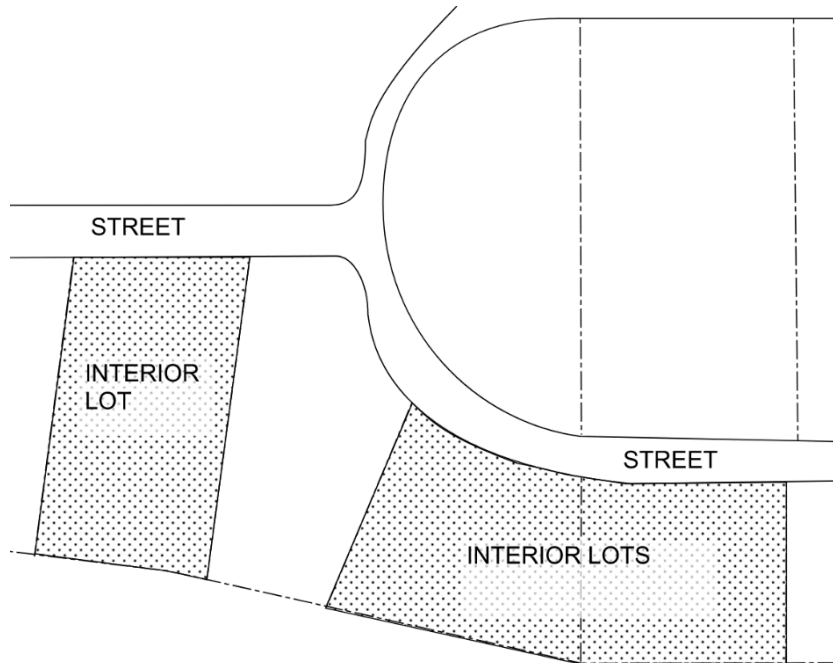
(81) *Lot Types.*

- (a) *Corner.* A lot located at the intersection of two (2) or more streets.



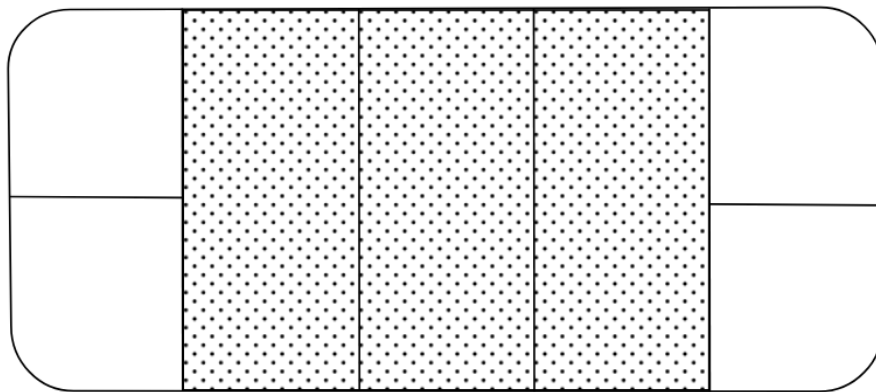
- (b) *Interior.* A lot with frontage on one (1) street only.





- (c) *Through.* A lot having frontage on two (2) parallel or nearly parallel streets, also referred to as a “double frontage” lot.

THROUGH LOTS



- (82) *Manufactured Home (MH).* A dwelling unit built according to the United States Department of Housing and Urban Development Manufactured Home Construction and Safety Standards Act (42 U.S.C Chapter 70), as it exists now or may be amended. A MH also:

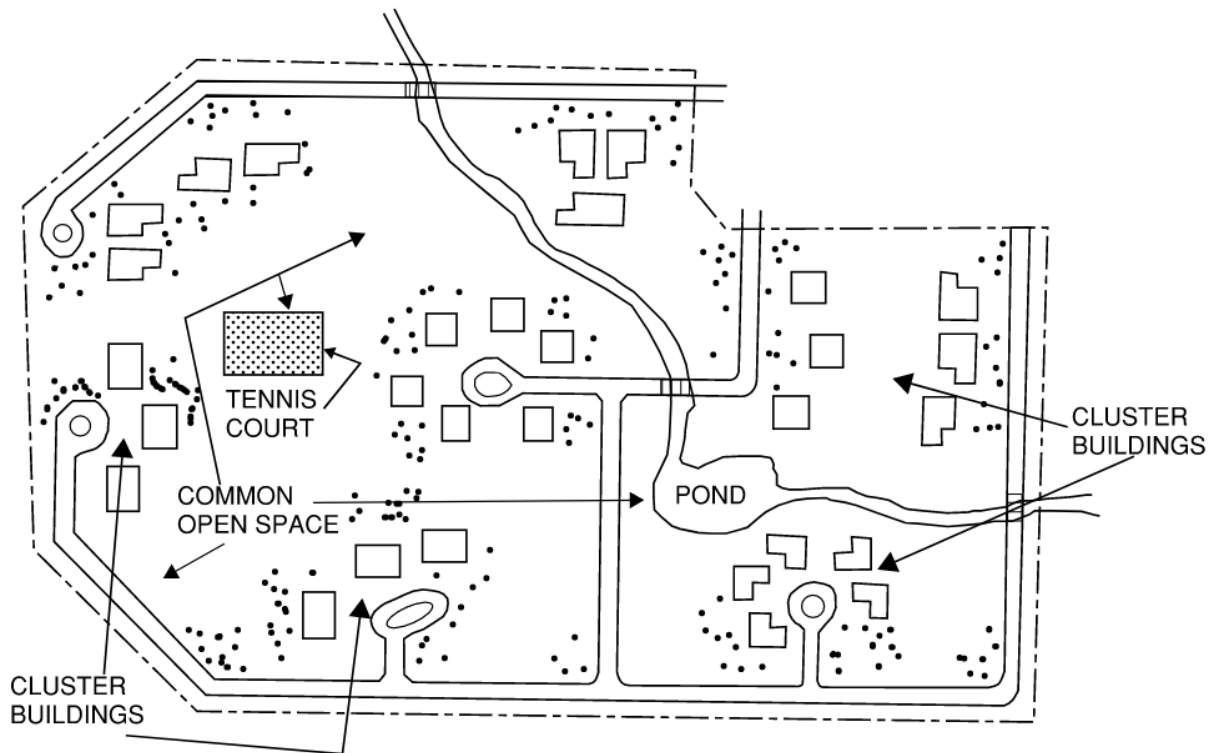
- (a) includes plumbing, heating, air conditioning, and electrical systems;

- (b) is built on a permanent chassis; and
 - (c) can be transported in sections of at least eight (8) feet wide and 40 feet log when transported, or when installed on the site in 320 square feet or greater.
- (83) *Manufactured Home Park (MHP)*. Real property under single ownership and management, or multiple ownerships and a single management, that is used as the location for two (2) or more manufactured or mobile homes that are, or are intended to be, occupied as dwellings. See PCC 17.105 for additional definitions related to Manufactured Home Parks.
- (84) *Maternity Service Agency*. A maternity service agency as defined in RCW 74.15.020(1)(h) licensed in accordance with the laws of the State of Washington.
- (85) *Membership Lodging*. A building or portion thereof having only one (1) kitchen and occupied by six (6) or more persons, not related by blood or marriage living together as a single nonprofit housekeeping unit. The term will include dormitories, fraternities, sororities, and other similar group living quarters, but will exclude “hotels” and “motels.”
- (86) *Nonconforming*. See PCC 17.30, Nonconforming Uses, Buildings or Structures, and Lots, for definitions relevant to this subject.
- (87) *Nursery School or Preschool*. A public or private agency, school, or institution engaged in educational work with preschool children and in which no child is enrolled on a regular basis for four (4) or more hours per day. Enrollment for four (4) or more hours per day will classify the facility as a “Child Day Care Facility.”
- (88) *Nursing Home*. A home, place, or institution that provides long-term care for people who are unable to care for themselves due to illness or frailty is defined here. This care is for three (3) or more patients who are not related to the operator by blood or marriage. The care can last more than 24 hours and may include things like giving medicine, preparing special diets, providing bedside nursing care, applying bandages, and following medical treatments prescribed by a licensed doctor. It can also include care for people with mental disabilities and community-based care.
- However, this definition does not include general hospitals, which treat people with serious, acute illnesses or perform major surgeries or obstetrics. It also does not apply to assisted living facilities, guest homes, or hotels that only provide food, shelter, and laundry services, unless someone is temporarily ill. Just calling a place a hospital or sanatorium doesn’t automatically mean it’s exempt from these rules, especially if it doesn’t provide care for the acutely ill or have surgery and obstetrics facilities. If the nursing home provides psychiatric treatment, it must follow specific rules for such care.
- (89) *Open Space*. The unoccupied portion of a lot or building site that is open to the sky and which may or may not contain landscaping, landscaping structures, or outdoor recreational facilities.
- (90) *Overlay Zone*. A set of zoning requirements described in this Title and imposed in addition to those of the underlying zoning district.



- (91) *Owner.* The recorded owner as determined by the records of the County Auditor. The owner under a real estate contract is the purchaser.
- (92) *Parking Space.* A hard surface or porous pavement space meeting the design standards in PCC 17.40.040, that is reserved for vehicle parking purposes.
- (93) *Permitted Use.* An activity permitted by right in a given zone which may occur without special action by the Hearing Examiner or Commission, subject to the development regulations of the zoning district in which it is located.
- (94) *Pig, Miniature.* Swine that has a maximum weight of 150 pounds and a maximum height of 22 inches at the shoulder.
- (95) *Planned Residential Development (PRD).* A parcel of land which is planned and developed as a unit under single or common ownership or control, and which generally includes clustered buildings, common open spaces, and a mix of building types.

PLANNED RESIDENTIAL DEVELOPMENT



- (96) *Planned Unit Development (PUD)*. A parcel of land which is planned and developed as a unit under single or common ownership or control and includes a mix of commercial and residential uses, common open spaces, and various building types.
- (97) *Planning Commission (Commission)*. The Planning Commission of the City as provided for in PCC 17.20, Planning Commission.
- (98) *Principal Use*. The primary or predominant use to which the property, land, or structure is or may be devoted, and to which all other uses on the premises are secondary or accessory.
- (99) *Prohibited Use*. Any use not specifically listed as a permitted use, conditional use, or nonconforming use, including but not limited to the listed “prohibited uses” within each zoning district.
- (100) *Property Line*. Any line bounding the ownership of a parcel of land.
- (101) *Public Utility*. A public or private business or organization performing some public service paid for directly by the recipients of such service and having appropriate approval from the State. Such services will include, but are not limited to, water supply, electric power and gas supply, transportation for persons and freight, and communications.
- (102) *Public Utility Facility*. Any building, structure, or device which transfers to the public the service or supply provided by a public utility.

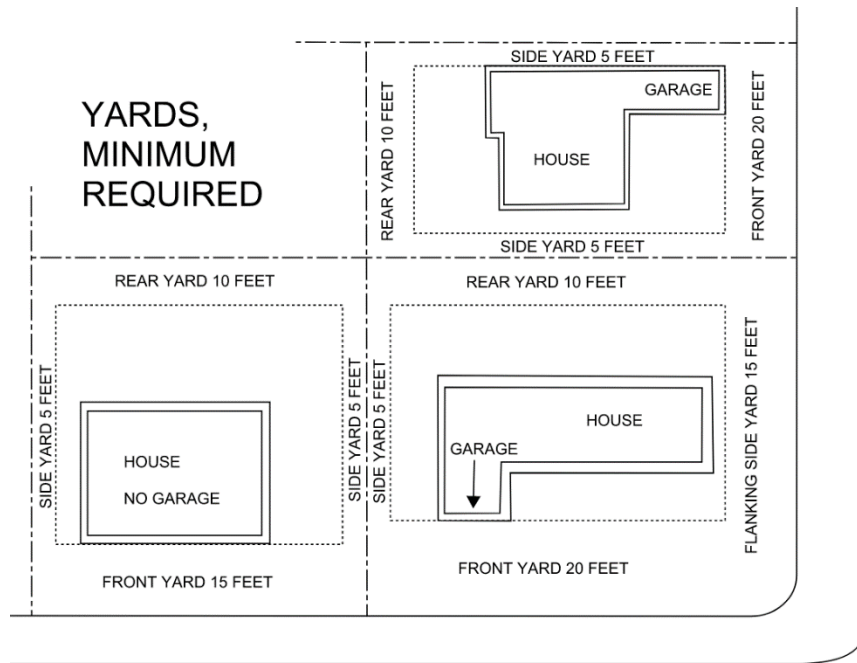
- (103) *Recorded Lot*. A lot as shown on an official recorded plat or subdivision, or any parcel of land described by meets and bounds in a recorded deed, record of survey or other appropriate document filed with the County Auditor.
- (104) *Recreational Vehicle*. A motor home, travel trailer, truck camper, or camping trailer with or without motor power, built on a single chassis, and having a living area of less than 220 square feet.
- (105) *Recreational Vehicle Park (RVP)*. Real property under a single ownership or management that is used as the location for the temporary occupancy of two (2) or more recreational vehicles and/or tents.

See PCC 17.105 for additional definitions related to Recreational Vehicle Parks.

- (106) *Residential Care Facility*. A facility licensed by the State for the care of children under 18 years of age, expectant mothers regardless of age, or persons with developmental disabilities on a 24-hour basis. It will include group care facilities, maternity service agencies, and foster family homes.
- (107) *Retirement Home*. A residential building for residents 50 years and older, which does not include care by nursing staff. Retirement home does not include an assisted living facility licensed under RCW 18.20.
- (108) *Screening or Screen*. A continuous fence, wall, earth berm, landscaping, or any combination thereof that provides a sight-obscuring and sound-absorbing buffer around the property it encloses. See PCC 17.45, Landscaping and Screening, for further clarification.
- (109) *Short-Term Rental (STR)*. A lodging use, that is not a hotel or motel, in which a dwelling unit, or portion thereof, is offered or provided to a guest for a fee for fewer than 30 consecutive nights. STRs are not allowed in buildings with three (3) or more units.
- (110) *Sign*. See PCC 17.50, Sign Regulations, for all definitions relevant to signs.
- (111) *Story*. That portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story will be that portion of a building included between the upper surface of the topmost floor and the ceiling. If the finished floor level directly above a basement is more than six (6) feet above grade, as defined herein, for more than 50% of the total perimeter or is more than 12 feet above grade at any point, such basement will be considered as a story.
- (112) *Story, First*. The lowest story in a building which qualifies as a story, as defined herein, except that a floor level in a building having only one (1) floor level will be classified as a first story; provided, that such floor level is not more than four (4) feet below grade for more than 50% of the total perimeter, or more than eight (8) feet below grade at any point, in which case it will be classified as a basement.
- (113) *Street*. The entire width between the boundary lines of every right-of-way, except alleys, that provides for public use of vehicular and pedestrian traffic and the placement of utilities and including the terms “road,” “highway,” “lane,” “place,” “avenue,” and other similar designations.

- (114) *Street, Flanking.* A street other than the one on which a corner lot has its main frontage. Main frontage is determined by the orientation of the main entrance of a structure.
- (115) *Structure.* A building of any kind, or any piece of work artificially built up or composed of parts joined together.
- (116) *Temporary Use.* A use permitted for a restricted period as specified in PCC 17.35.040, Temporary Uses.
- (117) *Townhouse.* A dwelling containing one (1) dwelling unit exclusively occupying a space from the ground to the roof and not lying vertically over or under another dwelling unit or part thereof, having direct access to private open space, and attached to one (1) or more other such dwelling units by common walls which may be located on lot lines.
- (118) *University Facility.* A facility or service operated by or within a university institution involving education, research, administration, public safety, athletics, medical services, places of assembly, university housing, retail and service businesses, parking facilities, public works improvements, and other university support facilities and services.
- (119) *Use.* The nature of the occupancy, the type of activity, or the character and form of improvements to which land is devoted or may be devoted.
- (120) *Variance.* A modification of the terms of this Title that may be granted pursuant to the provisions of PCC 17.130, Variances.
- (121) *Vehicle.* Any motorized apparatus capable of being moved upon a public way and in, upon, or by which any persons or property is or may be transported or drawn upon a public way, except railroad trains.
- (122) *Wireless Communication Attached Facility.* A wireless communication transmission and/or reception device that is affixed to an existing structure such as an existing building, tower, water tank, or utility pole; an equipment structure; and connecting appurtenances.
- (123) *Wireless Communication Facility.* An unstaffed public utility facility for the transmission and/or reception of radio frequency signals usually composed of an equipment structure; a support structure; transmission and/or reception devices, consisting of linear and/or parabolic antennas; and related equipment. This definition does not include ancillary antennas that individual businesses and residences use and which conform to height limits and other development standards in the zoning district in which such antennas would be located, nor does it include radio and television transmitting stations and towers, accessory TV reception or amateur radio/citizens radio antennas, or their respective support structures.
- (124) *Wireless Communication Freestanding Facility.* A wireless communication transmission and/or reception device(s) that is affixed to a structure erected to support said transmission and/or reception device(s), an equipment structure, and connecting equipment. Support structure types include, but are not limited to, metal poles, lattice towers, wood poles, and guyed towers.

- (125) *Yard*. An open space, other than a court, on the same lot with a building, unoccupied and unobstructed by a portion of a structure from the ground upward, except as otherwise provided within this Title.
- (126) *Yard, Front*. A yard extending across the full width of a lot on which a building is located, and between the front lot line and the building line.
- (127) *Yard, Minimum Required*. That minimum yard, either front, side, or rear, the dimensions of which are set by various sections of this Title.



- (128) *Yard, Rear*. A yard extending across the full width of a lot on which a building is located and situated between the rear lot line and the building line.
- (129) *Yard, Side*. A yard extending from the front yard to the rear yard of a lot on which a building is located and situated between the side lot line and the building line; in the case of a corner lot, the side yard on the flanking street will extend to the rear lot line. (Ord. 25-08 §1, 2025).

Chapter 17.10

GENERAL ADMINISTRATION AND ENFORCEMENT

Sections:

- 17.10.010 Purpose.
- 17.10.020 Duties of Officials.
- 17.10.030 Interpretations of this Title.
- 17.10.040 Building Permits.
- 17.10.050 Building Permits.
- 17.10.060 Fees.
- 17.10.070 Right of Entry.
- 17.10.080 Violations.
- 17.10.090 Enforcement and Penalties.

17.10.010 Purpose.

This Chapter is to establish provisions pertaining to the administration and enforcement of this Title. It is the intent that all questions of interpretation and enforcement will first be presented to the Director of Community Development for resolution prior to seeking enforcement through litigation. (Ord. 25-08 §1, 2025).

17.10.020 Duties of Officials.

- (1) Director of Community Development.
 - (a) The Director of Community Development or their designee is responsible for the administration, interpretation, and enforcement of all parts of this Title.
 - (b) The Director of Community Development is also the Chair of the Site Plan Review Committee.
- (2) *Director of Public Works.*
 - (a) The Director of Public Works or their designee is responsible for providing engineering review of permit applications when such a review is needed, and for such other duties as described in this Title.
- (3) *Building Official.* The Building Official is responsible for assuring that all building permits and Certificates of Occupancy are referred to the Director of Community Development, as required by PCC 17.10.030 and PCC 17.10.040.
- (4) *General Duty.* None of the provisions of this Title are intended to create a cause of action or provide the basis for a claim against the City, its officials, or employees for the performance or failure to perform a duty or obligation running to a specific individual or specific individuals. Any duty or obligation created herein is intended to be a general duty or obligation running in favor of the general public. (Ord. 25-08 §1, 2025).

17.10.030 Interpretations of this Title.

The Director of Community Development may, acting on their own initiative or in response to an inquiry, issue interpretations of any provision of this Title. The Director of Community Development will base their interpretations on the following:

- (1) the defined or common meaning of the words of the provision;
- (2) the general purpose of the provision; and
- (3) the meaning of the provision in relation to the Comprehensive Plan. (Ord. 25-08 §1, 2025).

17.10.040 Building Permits.

Building permits are required by PCC Title 2: Construction Code.

- (1) The Building Official will refer to the Director of Community Development all applications for building permits for new construction and for additions which increase the square footage of usable space.
- (2) Upon receiving an application for a building permit, the Director of Community Development will review it and make any necessary field inspections to determine whether the proposed construction or addition complies with the Zoning Code. (Ord. 25-08 §1, 2025).

17.10.050 Certificate of Occupancy.

- (1) No building hereafter erected, moved, enlarged, or changed in use will be occupied until a Certificate of Occupancy has been issued by the Building Official.
- (2) *Certificates of Occupancy for Conforming Uses, Buildings, and Structures.*
 - (a) A Certificate of Occupancy will be issued only after such building, enlargement, or relocation has been completed in conformity with the provisions of this Title and any applicable permits and plans.
 - (b) Any use legally occupying an existing building at the time this Zoning Code becomes effective may be continued but must not be changed, unless a Certificate of Occupancy for the new use will have been issued by the Building Official after finding that the new use conforms to any required conditions of any applicable permits and plans, and the Director of Community Development finds that the new use conforms to this Title.
 - (c) Any transfer of ownership of the building or structure which does not involve a change of use will automatically transfer the Certificate of Occupancy to the new owner.
- (3) *Certificates of Occupancy for Nonconforming Uses, Buildings and Structures.*
 - (a) The owner or authorized agent of any legal nonconforming use, building, or structure may, at any time, apply for a Certificate of Occupancy to continue as a nonconformity under the provisions of PCC 17.30.

- (b) No Certificate of Occupancy for a nonconforming use, building, or structure will be issued until the applicant demonstrates that the nonconformity existed on the effective date of this Title, or on the date when preceding versions of the City's zoning regulations became effective as to such building, structure, land or use, or that the building, structure, land, or use was rendered nonconforming by an amendment to this Title subsequent to its effective date.
- (c) A Certificate of Occupancy for a nonconformity will state how the property is nonconforming and the date when the property became nonconforming.
- (d) Any transfer of ownership of the building or structure which does not involve a change of use will transfer the Certificate of Occupancy to the new owner. (Ord. 25-08 §1, 2025).

17.10.060 Fees.

All applications for permits, rezones, variances, site plan approvals, and appeals will be accompanied by the fees established by resolution of the Council. (Ord. 25-08 §1, 2025).

17.10.070 Right of Entry.

- (1) *Application Constitutes Permission for Entry.* Application for any permit, Certificate of Occupancy, rezone, variance, site plan approval, or appeal grants permission for representatives of the City to enter on the property involved to make inspections necessary to permit review.
- (2) *Investigation of Potential Violations.* The Director of Community Development may enter upon private property to investigate potential violations of this Title if they have a good faith belief that a violation exists on the property. Before entering upon private property, the Director of Community Development will present credentials to the owner or person in possession or charge of the property and request entry. If entry is refused, the Director of Community Development may use any lawful means to obtain entry. (Ord. 25-08 §1, 2025).

17.10.080 Violations.

- (1) It is illegal for anyone to do something that goes against the rules in this Title, or for a property owner to allow anything that violates these rules to happen.
- (2) It is also unlawful for any applicant or permittee to fail to perform any activity or obligation required by this Title.
- (3) If a use or activity was allowed under old laws listed in Ordinance No. 87-9 §2, any current violation of the rules for that use or activity that is less strict than today's laws will still be enforced according to the rules in this Title. (Ord. 25-08 §1, 2025).

17.10.090 Enforcement and Penalties.

When the Director of Community Development determines that a violation of this Title exists, they may proceed against that violation using the procedures provided in this Section.

- (1) *Initiation of Review.* A review under this subsection may be initiated by:
 - (a) the Director of Community Development;
 - (b) a motion of the Council;
 - (c) any aggrieved person believing that a violation or violations of this Title is occurring by making a written complaint to the Director of Community Development.
- (2) *Review Procedure.*
 - (a) The Director of Community Development within 60 days after the written complaint or motion of the City Council complete an investigation of the alleged violation(s) to determine the merits thereof.
 - (b) Within 14 days after the Director of Community Development has completed the investigation, they will take the following action:
 - (i) If the Director of Community Development determines that no violation as alleged or otherwise is occurring, then notification of that decision will be given to the complaining person or a spokesperson for the complaining person, or in a written report to the Council.
 - (ii) If the Director of Community Development determines that a violation is occurring or has occurred as alleged, a Notice of Violation and Order to Correct or Cease Activity will be sent as specified in PCC 17.10.090(3).
 - (c) If the Director of Community Development determines that the way to correct a violation is for the property owner or violator to cease the activity, or for the City to impose new or changed conditions on a permit or plan that has been issued or approved, the Director of Community Development will refer the matter to the Hearing Examiner, Commission, or staff for review depending upon which entity made the final decision on the matter under review.
 - (i) The Hearing Examiner or Commission will hold a public meeting to review the permit or approval, using criteria required for the original.
 - (ii) If the Hearing Examiner or Commission finds that a violation exists, and that it can be reasonably resolved by imposing new or changed conditions on the permit or plan, the conditions may be changed. The Hearing Examiner's action will be final as provided under PCC 1.22.090, whereas the Commission's action will be a recommendation to the Council to be considered under PCC 17.180.040.
 - (iii) If the Hearing Examiner or Council determines that the way to correct the violation is for the permittee to cease the violation, and the permittee fails or refuses to cease the violation, the Hearing Examiner or Council may revoke the permit or approved plan and may order the activity allowed by the permit or plan to cease.

- (iv) If the violation is of a condition which was imposed by staff and staff finds that the violation can be reasonably resolved by imposing new or changed conditions on the permit or plan, conditions may be changed by staff.
 - (v) If the staff determines that the way to correct a violation is for the permittee to cease the violation and the permittee fails or refuses to cease the violation, the staff may revoke the permit or plan and may order activity allowed by the permit or plan to cease.
- (3) *Notice of Violation and Order to Correct or Cease Activity.*
 - (a) *General.* If the Director of Community Development determines that any activity, condition, structure, or use exists that does not conform to this Title, they may issue a Notice of Violation and Order to Correct or Cease Activity. This Notice will specifically indicate the following:
 - (i) the name and address of the person(s) charged with the violation;
 - (ii) what provision of this Title is being violated;
 - (iii) the street address and a brief legal description of the site on which the violation has been determined to exist;
 - (iv) what is necessary to correct the violation;
 - (v) the time by which the violation is to be corrected or activity ceased; and,
 - (vi) a statement that the civil penalties established in PCC 17.10.090(5) will be assessed against the person(s) cited if the violation is not corrected within the specified time period.
 - (b) *Notice to Occupant and Owner.* The Director of Community Development will deliver or cause to be delivered the Notice of Violation and Order to Correct or Cease Activity by U.S. postal mail, or certified mail return receipt requested, or personal service to: the occupant or person in charge of the property if the occupant or person in charge of the property is the violator; or, the owner of the property if the owner of the property is the violator.

A copy of the Notice of Violation and Order to Correct or Cease Activity will be sent to the complaining person or a spokesperson for complaining person.

- (4) *Appeals.* Any Notice of Violation and Order to Correct or Cease Activity issued by the Director of Community Development will be appealable to the Hearing Examiner under PCC 17.185.
- (5) *Penalties.*
 - (a) Any violation for which a Notice of Violation and Order to Correct or Cease Activity has been issued but which has not been corrected within the time specified will incur a civil penalty of \$250 per day up to a sum of \$5,000,

beginning on the day the correction was to be completed. The cumulative penalty provided for in this paragraph will not accrue while an appeal is pending, nor will the penalty preclude the initiation of appropriate legal action to correct the violation.

- (b) If a penalty has been assessed pursuant to PCC 17.10.090(5)(a), a Court will assess that penalty and any additional penalty the Court considers appropriate plus court costs and attorney's fees.
- (6) If the Director of Community Development determines that the property owner or violator could reasonably correct the violation, but fails to do so within the time specified in the Notice of Violation and Order to Correct or Cease Activity, the Director of Community Development may refer the matter to the City Attorney for civil enforcement by injunction or other appropriate action.
- (7) *Compromise, Settlement, and Disposition of Disputes or Litigation.* The Director of Community Development and the City Attorney may negotiate a settlement or compromise, or otherwise dispose of a dispute or litigation when to do so would be in the best interests of the City. (Ord. 25-08 §1, 2025).

Chapter 17.15

HISTORIC PRESERVATION

Sections:

17.15.010	Purpose.
17.15.020	Authority and Applicability.
17.15.030	Definitions.
17.15.040	Historic Preservation Commission.
17.15.050	Pullman Register of Historic Places.
17.15.060	Review of Alterations to Register Properties.
17.15.070	Demolition Permit Applications for Properties 45 Years Old or Older.
17.15.080	Special Property Tax Valuation.

17.15.010 Purpose.

This Chapter is to provide for the identification, evaluation, designation, and protection of significant historic and prehistoric resources within the City and preserve and rehabilitate eligible historic properties for future generations through special valuation, a property tax incentive, as provided in RCW 84.26 to:

- (1) safeguard the heritage of the community as represented by those buildings, districts, objects, sites, and structures which reflect significant elements of its history;
- (2) foster civic and neighborhood pride in the beauty and accomplishments of the past, and a sense of identity based on the community's history;
- (3) encourage the stabilization or improvement of the aesthetic and economic vitality and values of such sites, improvements, and objects;
- (4) assist, encourage, and provide incentives to private owners for preservation, restoration, redevelopment and use of outstanding historic buildings, districts, objects, sites, and structures;
- (5) promote and facilitate the early identification and resolution of conflicts between preservation of historic resources and alternative land uses; and
- (6) promote and facilitate the conservation of valuable material and energy resources through ongoing use and maintenance of the existing built environment. (Ord. 25-08 §1, 2025).

17.15.020 Authority and Applicability.

- (1) The Director of Community Development is authorized to administer the provisions of this Chapter.
- (2) The provisions of this Chapter will be held to be the minimum requirements necessary for the promotion of the public health, safety, and general welfare, and said provisions will be liberally construed to serve this Chapter.
- (3) If the provisions of this Chapter conflict one with another, or with the provisions of another ordinance of the City, or with the laws, regulations, codes, or rules enacted by

another authority having jurisdiction within the City, the most restrictive provision or the provision imposing the highest standard will prevail, except when constrained by federal or state law. (Ord. 25-08 §1, 2025).

17.15.030 Definitions.

Words used in this Chapter will have their ordinary and customary meaning, unless specifically defined otherwise. The definitions below will be used in the interpretation and administration of this Chapter.

- (1) *Actual Cost of Rehabilitation.* Costs incurred within 24 months prior to the date of application and directly resulting from one or more of the following:
 - (a) improvements to an existing building located on or within the perimeters of the original structure; or
 - (b) improvements outside of but directly attached to the original structure which are necessary to make the building fully useable but will not include rentable/habitable floor space attributable to new construction; or
 - (c) architectural and engineering services attributable to the design of the improvements; or
 - (d) all costs defined as “qualified rehabilitation expenditures” for purposes of the Federal Historic Preservation Investment Tax Credit.
- (2) *Adverse Effect.* Alteration, directly or indirectly, to any of the characteristics of a historic property that qualify the property for inclusion in a historic register by diminishing the property’s historic integrity. Adverse effects may include reasonably foreseeable effects caused by the undertaking that may occur later in time, be farther removed in distance, or be cumulative.
- (3) *Certificate of Alteration.* The document indicating that the HPC has reviewed the proposed changes to an individual property on the Register or any property within an Historic District on the Register and certified the changes as not adversely affecting the historic characteristics of the property which contribute to its designation, in accordance with the provisions of PCC 17.15.060.
- (4) *Certificate of Demolition.* The document indicating that the HPC has reviewed the proposed whole or partial demolition of a structure(s) on an individual property on the Register or any property within an Historic District on the Register and, failing to find alternatives to demolition, allows the Building Official to issue a permit for demolition, in accordance with the provisions of PCC 17.15.060.
- (5) *Certified Local Government (CLG).* The designation reflecting that the local government has been jointly certified by the State Historic Preservation Officer and the National Park Service as having established its own Historic Preservation Commission and a program meeting Federal and State standards.

- (6) *Consultation.* A process to seek, discuss, and consider the views of all participants in a review.
- (7) *Consulting Party.* A person, entity, or organization that has consultative standing regarding the identification, evaluation, registration, or treatment of historic properties under the provisions of this Title, including the HPC and the Washington State Department of Archaeology and Historic Preservation.
- (8) *Cost.* The actual cost of rehabilitation, which cost will be at least 25% of the assessed valuation of the historic property, exclusive of the assessed value attributable to the land, prior to rehabilitation.
- (9) *Cumulative Effect.* Adverse effects may be cumulative. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time. An individual action may not have much effect, but it may be part of a pattern of actions whose combined effects on a resource are significant. See also Adverse Effect.
- (10) *Distinct Property.* A parcel of land that is separate from other parcels of land by means of a designated lot shown on an official recorded subdivision, a recorded deed, or other appropriate document filed with the Whitman County Auditor.
- (11) *Disturbance.* An adverse effect to the historic value or historic significance of a property or site.
- (12) *Emergency Measures.*
 - (a) Work necessary to prevent destruction or dilapidation to real property or structural accessories thereto immediately threatened or damaged by fire, flood, earthquake, or other disaster; or
 - (b) Work necessary to abate an unsafe condition associated with a structure formally determined by the Building Official to be an unsafe structure pursuant to PCC Title 2.
- (13) *Historic District.* Historic property consisting of multiple buildings, sites, structures, or objects located in proximity to one another and related in historic period or theme and listed on the Register.
- (14) *Historic Integrity.* The ability of a property to convey its significance. The National Register of Historic Places identifies seven aspects of historic integrity: location, design, setting, materials, workmanship, feeling, and association.
- (15) *Historic Property.* Real property together with improvements thereon which is listed on the Register.
- (16) *Incentives.* Certain rights or privileges which the City Council, or other local, state, or federal public body, by virtue of applicable present or future legislation, may be authorized to grant or obtain for the owner(s) of Register properties, including, but not limited to, tax relief, conditional use permits, rezoning, street vacation, planned unit

development, transfer of development rights, facade easements, gifts, preferential leasing policies, or beneficial placement of public improvements or amenities.

- (17) *Indirect Effect*. An effect that may change the character of the property's use or of physical features within the property's setting that contribute to its historic significance, or introduce visual, atmospheric, or audible elements that diminish the integrity of the property's significant historic features. See also Adverse Effect.
- (18) *Minimization*. An alternative and/or measure that reduces the magnitude of the scale or nature of an effect on a historic property.
- (19) *National Register of Historic Places*. The national listing of properties significant to our cultural history because of their documented importance to our history, architectural history, engineering, or cultural heritage.
- (20) *Object*. A thing of functional, aesthetic, cultural, historical, or scientific value that may be, by nature or design, movable yet related to a specific setting or environment.
- (21) *Ordinary Repair and Maintenance*. Work for which a permit is not required under PCC Title 2, as it now exists or may hereafter be amended, and where the purpose and effect of such work is to correct any deterioration or decay of or damage to the real property or structure appurtenance therein and to restore the same, as nearly as may be practicable, to the condition prior to the occurrence of such deterioration, decay, or damage; the term includes painting or repainting of interior or exterior surfaces of structures.
- (22) *Professional Staff*. The Director of Community Development or their designee(s).
- (23) *Pullman Register of Historic Places (Register)*. The listing of locally designated historic properties provided for in PCC 17.15.050.
- (24) *Recognized Historical Significance*. A building or structure eligible for listing on a local, state, or national historic register. Pursuant to WAC 197-11-800(2)(g), demolition of a building of recognized historical significance will require a SEPA review.
- (25) *Rehabilitation*. The process of returning a property to a state of utility through repair or alteration, which makes possible an efficient contemporary use while preserving those portions and features of the property which are significant to its architectural and cultural values.
- (26) *Review*. A process where feedback and recommendations regarding the identification, evaluation, registration, or treatment of historic properties are sought with a person, entity, or organization that has consultative standing.
- (27) *Secretary of the Interior's Professional Qualifications Standards*. Requirements set by the National Park Service (NPS) to define the minimum education and experience required to perform identification and evaluation of historic properties, among other associated tasks. Qualified professionals in the relevant historic preservation fields apply the National Register of Historic Places Criteria for Evaluation to determine the significance of a property.

- (28) *Significance or Significant.* A property with local, state, or national significance which helps in the understanding of the history or prehistory of the local area, state, or nation by illuminating the local, statewide, or nationwide impact of the events or persons associated with the property, or its architectural type or style in information potential. The local area can include the City of Pullman, Whitman County, or southeast Washington, or a modest geographic or cultural area, such as a neighborhood. Local significance may apply to a property that illustrates a theme that is important to one (1) or more localities; state significance to a theme important to the history of the state; and national significance to property of exceptional value in representing or illustrating an important theme in the history of the nation.
- (29) *Site.* A place where a significant event or pattern of events occurred, and may include the location of prehistoric or historic occupation or activities that may be marked by physical remains, or a place that is the symbolic focus of a significant event or pattern of events and may not have been actively occupied, or the location of a ruined or now non-extant building or structure if the location itself possesses historic cultural or archaeological significance.
- (30) *Special Valuation.* The local option program which when implemented makes available to property owners a special tax valuation for rehabilitation of historic properties under which the assessed value of an eligible historic property is determined at a rate that excludes, for up to ten years, the actual cost of the rehabilitation under the provisions of PCC 17.15.080 and Chapter 84.26 RCW.
- (31) *State Register of Historic Places.* The State listing of properties significant to the community, state, or nation but which may or may not meet the criteria of the National Register.
- (32) *State Review Board.* The advisory council on historic preservation established under Chapter 27.34 RCW, or any successor agency designated by the State to act as the State Historic Preservation Review Board under federal law.
- (33) *Universal Transverse Mercator (UTM).* The grid zone in metric measurement providing for an exact point of numerical reference. (Ord. 25-08 §1, 2025).

17.15.040 Historic Preservation Commission.

- (1) *Creation.* There is hereby established an Historic Preservation Commission, as provided in PCC 17.15.040(2) below. Said HPC will serve as the local review board pursuant to Chapter 84.26 RCW.
- (2) *Organization.* The HPC will be organized in accordance with the following provisions.
 - (a) The HPC will consist of seven (7) members appointed by the Mayor and confirmed by the Council. All members of the commission will have a demonstrated interest and/or competence in historic preservation and possess qualities of impartiality and broad judgment.

- (b) Members of the HPC will either be residents of the City or own real property within the City.
 - (c) A minimum of three (3) positions on the HPC will be reserved for people who have experience in identifying, evaluating, and protecting historic resources and are selected from among the disciplines of architecture, history, architectural history, planning, prehistoric and historic archaeology, folklore, cultural anthropology, curation, conservation, and landscape architecture, or related disciplines. The HPC action that would otherwise be valid will not be rendered invalid by the temporary vacancy of any or all of the three (3) positions, unless the HPC action is related to meeting CLG responsibilities cited in the Certification Agreement between the Mayor and the State Historic Preservation Officer on behalf of the State.
 - (d) The original appointment of members to the HPC will be as follows: two (2) members for two (2) years, two (2) members for three (3) years; and three (3) members for four (4) years. Thereafter, appointments will be made for a three (3) year term. Members may be appointed to successive terms. Vacancies will be filled for the unexpired term in the same manner as the original appointment. Members may be removed by the Mayor with the approval of the Council for inefficiency or neglect of duty.
 - (e) In making HPC appointments, the Mayor may consider names submitted from any source, but the Mayor should notify history and community development related organizations of vacancies so that names of interested and qualified individuals may be submitted by such organizations for consideration along with names from any other source.
- (3) *Duties and Responsibilities.* The primary responsibilities of the HPC are to identify and actively encourage the conservation of the City's historic resources by initiating and maintaining a register of historic places and reviewing proposed changes to register properties; to raise community awareness of the City's history and historic resources; and to serve as the City's primary resource in matters of history, historic planning, and preservation.

In carrying out these responsibilities, the HPC will engage in the following activities:

- (a) conduct and maintain a comprehensive inventory of historic resources within the boundaries of the City and adopt standards in its rules to guide this activity;
- (b) initiate and administer the Register as described in PCC 17.15.050 and adopt standards in its rules to guide this activity;
- (c) review proposals to construct, modify, remodel, move, demolish, or significantly affect properties or districts on the Register as provided in PCC 17.15.060 and adopt standards in its rules to guide this review and the issuance of a Certificate of Alteration or Certificate of Demolition;

- (d) serve as the local review board for special property tax valuation in accordance with the provisions of PCC 17.15.080 and adopt standards in its rules to guide this activity;
 - (e) review nominations to the State and National Registers of Historic Places;
 - (f) provide for the review either by the HPC or its Professional Staff of all applications for approvals, permits, environmental assessments or impact statements, and other similar documents pertaining to identified historic resources or adjacent properties;
 - (g) conduct and promote public educational and interpretive programs regarding historic and prehistoric resources, addressing such topics as maintenance and rehabilitation of historic properties to encourage appropriate use and preservation of historic resources and discourage the deterioration of historic properties due to neglect, abandonment, or other cause;
 - (h) cooperate with federal, state, and other local government entities on matters that further historic preservation objectives in the community;
 - (i) advise the Mayor and Council on matters pertaining to history and historic preservation, including recommendations on land use, housing, and capital improvement proposals that may affect local historic resources, and communication about various federal, state, local or private funding sources available to promote historic preservation in the community;
 - (j) officially recognize excellence in the rehabilitation of historic buildings, structures, sites and districts, and new construction in historic areas, and encourage appropriate measures for such recognition;
 - (k) conduct all HPC meetings in compliance with Chapter 42.30 RCW, Open Public Meetings Act, to provide for adequate public participation, and adopt standards in its rules to guide this action; and
 - (l) perform such other duties and responsibilities as may be conferred by City ordinance or as directed by the Council.
- (4) *Rules of Procedure.* The HPC will adopt, by resolution, rules for its own self-government, including provisions regarding:
- (a) rules of procedure to address the activities described in PCC 17.15.040(3)(a)-(d);
 - (b) compliance with the Open Public Meetings Act (Chapter 42.30 RCW);
 - (c) rules of parliamentary procedure; and
 - (d) frequency of meetings.
- (5) *Minutes.* The HPC will keep minutes of its proceedings showing the action of the commission upon each question. Such minutes will include the names of interested persons who provide comments regarding a matter under consideration and the respective

position of each. In addition, the minutes will document the HPC's decisions and reference any conditions imposed by the commission. These minutes will be filed with the City Clerk and will be public records. (Ord. 25-08 §1, 2025)

17.15.050 Pullman Register of Historic Places.

- (1) *Criteria for Determining Designation in the Register.* Any building, structure, site, object, or district may be designated for inclusion in the Register if it is significantly associated with the history, architecture, archaeology, engineering, or cultural heritage of the community; if it has integrity; is at least 50 years old, or is of lesser age and has exceptional importance; and if it falls in at least one of the following categories:
 - (a) is associated with events that have made a significant contribution to the broad patterns of national, state, or local history;
 - (b) embodies the distinctive architectural characteristics of a type, period, style, or method of design or construction, or represents a significant and distinguishable entity whose components may lack individual distinction;
 - (c) is an outstanding work of a designer, builder, or architect who has made a substantial contribution to the art;
 - (d) exemplifies or reflects special elements of the City's cultural, special, economic, political, aesthetic, engineering, or architectural history;
 - (e) is associated with the lives of persons significant in national, state, or local history;
 - (f) has yielded or may be likely to yield important archaeological information related to history or prehistory;
 - (g) is a building or structure removed from its original location but which is significant primarily for architectural value, or which is the only surviving structure significantly associated with an historic person or event;
 - (h) is a birthplace or grave of an historical figure of outstanding importance and is the only surviving structure or site associated with that person;
 - (i) is a cemetery which derives its primary significance from age, from distinctive design features, or from association with historic events, or cultural patterns;
 - (j) is a reconstructed building that has been executed in an historically accurate manner on the original site; or
 - (k) is a creative and unique example of folk architecture and design created by persons not formally trained in the architectural or design professions, and which does not fit into formal architectural or historical categories.
- (2) *Process for Designating Properties or Districts to the Register.*
 - (a) Any person may nominate a building, structure, site, object, or district for inclusion in the Register. Members of the HPC or the HPC as a whole may

generate nominations. In its nomination decision, the HPC will consider the Pullman inventory of historic resources and the City comprehensive plan.

- (b) In the case of individual properties, the nomination will include the written consent of the owner(s) of the subject property. The nomination documentation will also include the UTM reference and all features – interior and exterior – of principal structures and accessory buildings that contribute to its significance.
 - (c) In the case of districts, the nomination will include a description of the boundaries of the district; the characteristics of the district which justify its inclusion on the Register; and a list of all properties including features, structures, sites, and objects which contribute to the significance of the district. The nomination documentation will also include the written consent of the owners of at least 60% of the total number of distinct properties located within the proposed district.
 - (d) The HPC will consider the nomination at a public meeting. Notice of the nomination will be given to the public, the owner(s) of all properties that are the subject of the nomination and the authors of the nomination, if different, and lessees, if any, of any subject property, at least 30 days prior to the public meeting in accordance with rules established by the HPC pursuant to PCC 17.15.040(4). Such notice will include publication in a newspaper of general circulation in the City and posting of the property.
 - (e) The HPC will consider the merits of the nomination, according to the criteria in PCC 17.15.050(1), and according to nomination review standards that may be established by the HPC pursuant to PCC 17.15.040(4). If the HPC finds that the nominated property or district is eligible for the Register, the HPC will list the property or district in the Register. The public, the authors of the nomination, and the owner(s) of the subject property(ies) will be notified of the listing.
- (3) *Effects of Listing on the Register.*
- (a) Listing on the Register is an honorary designation denoting significant association with the historic, archaeological, engineering, or cultural heritage of the community. Properties are listed individually or as located within an historic district.
 - (b) Prior to the commencement of any work on an historic property as defined herein or any property located within an historic district as defined herein, excluding ordinary repair and maintenance and emergency measures defined in PCC 17.15.030, the owner or their authorized agent must request and receive a Certificate of Alteration from the HPC for the proposed work. Violation of this provision will be grounds for the HPC to review the historic property or historic district for removal from the Register.
 - (c) Prior to whole or partial demolition of an historic property as defined herein or any property located within an historic district as defined herein, the owner must request and receive a Certificate of Demolition.

- (d) Only historic properties listed on the Register are eligible for special tax valuation in accordance with the provisions of PCC 17.15.080.
- (4) *Process for Removing Properties or Districts from the Register.* Any property or district that is no longer deemed appropriate for designation on the Register, the HPC, the owner of the subject property, or any owner within the subject district may propose the removal of that property or district from the Register by the same procedure described in PCC 17.15.050(2) for designating a property or district on the Register. Owner consent for removal of a property or district from the register is not required.
- (5) *Appeal of Decisions to Designate or Remove Properties on Register.* Any aggrieved party may appeal a decision of the HPC to designate or remove a property or district on the Register. Said appeal will be filed with the City Clerk and will be accompanied by an appeal fee, the amount of which is set by resolution of the Council. An appeal of such a decision will be heard by the Hearing Examiner in accordance with the procedures described in PCC 16.39.170. (Ord. 25-08 §1, 2025).

17.15.060 Review of Alterations to Register Properties.

Except as otherwise provided in this section, no person will alter an individual property on the Register or any property within an historic district on the Register without receipt from the HPC of a Certificate of Alteration, or in the case of demolition, a Certificate of Demolition. The review process will apply to all features of the property, interior and exterior, that contribute to the designation of the property or an historic district as listed on the nomination form. The requirements below will apply to review of property alterations or demolitions under this Section.

- (1) *Requests for Review.* The Building Official will notify the HPC or Professional Staff of any application for a permit to work on an individual property on the Register or any property within an historic district on the Register. If the activity is not exempt from review, the HPC or Professional Staff will notify the applicant of the review requirements. The Building Official will not issue any such permit until a Certificate of Alteration or Certificate of Demolition is received from the HPC but will work with the HPC as appropriate to provide information regarding applicable building and fire code regulations. Said regulations will include provisions authorized in Chapter 19.27.120 and the International Existing Building Code Chapter 12: Historic Buildings. Applications for a Certificate of Alteration or a Certificate of Demolition will be filed with the Director of Community Development.
- (2) *Review of Applications for Certificate of Alteration.*
 - (a) *Application Materials.* Applications for a Certificate of Alteration will include the following information and materials:
 - (i) the applicant's name and address, and the owner's name, address, and written consent if the applicant is not the owner;
 - (ii) proof of ownership of the property;

- (iii) a legal description of the property;
 - (iv) comprehensive exterior and interior photographs of the property;
 - (v) a scaled plot plan exhibiting dimensions and orientation of the property, location and dimensions of existing and proposed structures, and location and layout of parking areas, walkways, and landscaping, provided the proposal involves alterations to the exterior dimensions of any structure on the property;
 - (vi) architectural plans or other legible drawings, drawn to scale, depicting the proposed alteration activity, including a description of existing and proposed building materials and colors; and
 - (vii) an application fee, the amount will be set by resolution of the Council.
- (b) *Exemptions.* The following activities do not require a Certificate of Alteration or review by the HPC:
 - (i) ordinary repair and maintenance, as defined in PCC 17.15.030;
 - (ii) emergency measures, as defined in PCC 17.15.030; or
 - (iii) work involving interior features of a property that the HPC has not designated as historic features unless the interior work is being considered for Special Tax Valuation.
- (c) *HPC Review.*
 - (i) The HPC will meet with the applicant and review the proposed work according to the design review criteria in its rules established pursuant to PCC 17.15.040. Unless legally required, there will be no notice, posting, or publication requirements for action on the application, but all such actions will be made at regular or special meetings of the HPC. The HPC will complete its review and make its recommendations within 45 calendar days of the date of receipt of a complete application. If the HPC is unable to process the request, the HPC may ask for an extension of time.
 - (ii) The HPC's recommendations will be in writing and will state the findings of fact and reasons relied upon in reaching its decision. Any conditions agreed to by the applicant in this review process will become conditions of approval of the permits granted. If the owner agrees to the HPC's recommendations, a Certificate of Alteration will be granted by the HPC according to standards established in the HPC's rules.
 - (iii) The HPC recommendations and, if granted, the Certificate of Alteration will be transmitted to the Building Official. If a Certificate of Alteration is granted, the Building Official may then issue the permit.

(3) *Review of Applications for Certificate of Demolition.*

- (a) *Application Materials.* Applications for a Certificate of Demolition will include the following information and materials:
 - (i) the applicant's name and address, and the owner's name, address, and written consent if the applicant is not the owner;
 - (ii) proof of ownership of the property;
 - (iii) a legal description of the property;
 - (iv) comprehensive exterior and interior photographs of the property;
 - (v) a scaled plot plan exhibiting dimensions and orientation of the property; location and dimensions of existing structures, with an indication of which structure(s) is proposed to be demolished; and location and layout of parking areas, walkways, and landscaping; and
 - (vi) an application fee, the amount will be set by resolution of the Council.
- (b) *Exemption.* Emergency measures, as defined in PCC 17.15.030, do not require a Certificate of Demolition or review by the HPC.
- (c) *HPC Review.*
 - (i) The HPC will meet with the applicant in an attempt to find alternatives to demolition. Unless legally required, there will be no notice, posting, or publication requirements for action on the application, but all such actions will be made at regular or special meetings of the HPC. Negotiations between the HPC and applicant may last no longer than 45 calendar days from the initial meeting of the HPC, unless the applicant requests an extension of time. If no request for an extension is made and there is no agreement on an alternative to demolition, the HPC will act to approve or deny the Certificate of Demolition.
 - (ii) The HPC's decision to approve or deny a Certificate of Demolition will be in writing and will state the findings of fact and reasons relied upon in reaching its decision. When issuing a Certificate of Demolition, the board may require the owner to mitigate the loss of the structure(s) by means determined by the HPC at the meeting including the possible requirement to deconstruct and salvage building materials as part of the demolition process.
 - (iii) The HPC's decision and, if granted, the Certificate of Demolition will be transmitted to the Building Official. If a Certificate of Demolition is granted, the Building Official may then issue the permit.
 - (iv) After the demolition is accomplished, the HPC will review the property to determine if it should be removed from the register.

- (4) *HPC Rules.* The HPC is authorized to establish rules to guide its review of applications for a Certificate of Alteration or Certificate of Demolition.
- (5) *Appeal of Decisions on Certificates of Alteration or Demolition.* Any aggrieved party may appeal a decision of the HPC regarding a Certificate of Alteration or Certificate of Demolition to the Council within 10 calendar days after the date of the decision being appealed. The appeal must state the grounds upon which the appeal is based. The appeal will be reviewed by the Council solely on the appeal documentation and the records of the HPC. Appeal of the Council's decision regarding a Certificate of Alteration or Certificate of Demolition may be made pursuant to Chapter 36.70C RCW, the Land Use Petition Act, in compliance with the statute and through the Whitman County Superior Court. (Ord. 25-08 §1, 2025)

17.15.070 Demolition Permit Applications for Properties 45 Years Old or Older.

- (1) *Images Required.* For properties that require a demolition permit and are not listed on the Register as provided in 17.15.060, any application for a demolition permit must be accompanied by digital images as specified below, unless the property has been previously inventoried through the City's Comprehensive Inventory of Historic Resources as described in 17.15.040(3)(a).

Images of each entire elevation must be focused and of sufficient resolution so that details of the building or structure are clear.

- (2) *Evaluation.* Eligibility for local register listing of buildings or structures proposed for demolition must be determined by the HPC, or on its behalf by individuals with professional qualifications that meet the Secretary of the Interior's Standards. Criteria for evaluation will be those defined in 17.15.050(1). Eligibility for listing at the State and/or National levels will be evaluated by the Washington State Department of Archaeology and Historic Preservation, unless the property has been previously inventoried through the City's Comprehensive Inventory of Historic Resources as described in 17.15.040(3)(a).
- (3) *Environmental Review.* Per WAC 197-11-800(2)(g), a property that is eligible for listing on a Local, State, or National Historic Register may be considered to have recognized historic significance and demolition there of potentially subject to State Environmental Policy Act Environmental Review.
- (4) *Mitigation.* Options such as allowing the structure to be moved, salvaging historic and/or reusable building materials, and documentation and interpretation of the structure may be required as conditions of approval for a demolition permit.
- (5) *Exemption.* Emergency measures, as defined in PCC 17.15.030, are exempt from this procedure. (Ord. 25-08 §1, 2025).

17.15.080 Special Property Tax Valuation.

- (1) *Eligible Property.* To be eligible to apply for special valuation in accordance with the provisions of this Chapter, a property must be individually listed on the Register or must

be certified by the HPC as a contributing property within an historic district on the Register and said property must have undergone qualifying rehabilitation work within the standards described in this Section. The actual cost of rehabilitation work will be calculated based on expenses incurred for improvements or work elements completed during the 24-month period prior to the date of application. Properties subject to ongoing or phased rehabilitation work will be eligible for special valuation so long as the property meets the criteria of Paragraph 17.60.080(3)(a).

- (2) *Application Requirements.* The requirements below will apply to applications for special valuation.
 - (a) The owner of an historic property desiring special valuation will apply to the Whitman County Assessor on forms provided by the Department of Revenue and supplied by the County Assessor.
 - (b) To be eligible for special valuation, applications must be filed by October 1 of the calendar year prior to the assessment year for which special valuation is sought.
 - (c) Applications for special valuation must be accompanied by fees established for such applications, provided a resolution and/or interlocal agreement(s) has been approved by the Council for this purpose.
 - (d) Applications for special valuation will include the following information and materials:
 - (i) the applicant's name and address, and the owner's name, address, and written consent if the applicant is not the owner;
 - (ii) proof of ownership of the property;
 - (iii) a legal description of the property;
 - (iv) comprehensive exterior and interior photographs of the property before and after rehabilitation;
 - (v) architectural plans or other legible drawings, drawn to scale, depicting the completed rehabilitation work, including a description of applicable building materials and colors; and
 - (vi) documentation as to the actual cost of the rehabilitation project and the period during which the rehabilitation took place, and a notarized affidavit attesting to the accuracy of this information.
 - (e) The HPC is authorized to examine the applicant's records and may require the applicant to provide information in addition to the material required in PCC 17.15.080(2)(d) to assist in its review.
- (3) *Application Procedures.* The procedures below will be followed regarding applications for special valuation.

- (a) Following receipt of an application for special valuation from the county assessor, the HPC will conduct a public meeting to review the application consistent with the provisions of this Section and the HPC's rules. At said public meeting, the HPC will determine if the application is complete and if the property in question meets the following criteria:
 - (i) the property is historic property;
 - (ii) the property is included within a class of historic property determined eligible for special valuation by the provisions of this Section;
 - (iii) the property has been rehabilitated at a cost which meets the definition of "cost" described in PCC 17.15.030; and
 - (iv) the property has not been altered in any way that adversely affects those elements that qualify it as historically significant, utilizing for this purpose the Washington State Advisory Council's Standards for the Rehabilitation and Maintenance of Historic Properties described in WAC 254-20-100.
 - (b) If the HPC determines that the application for special valuation is complete and the property in question satisfies all the criteria described in PCC 17.15.080(3)(a), it will, on behalf of the City, enter into an agreement with the owner that meets the specifications of WAC 254-20-120. Upon execution of said agreement between the HPC and the owner, the HPC will approve the application for special valuation.
 - (c) If the HPC determines that the property in question does not meet all of the requirements for special valuation, including the criteria described in PCC 17.15.080(3)(a), it will deny the application.
 - (d) The HPC will certify its decision in writing and state the facts upon which the approval or denial is based. Within 10 days of issuing a decision, the HPC will file a copy of its certified written decision, all application materials, and any pertinent agreement(s) with the county assessor for recording. The HPC will also transmit a copy of the certification to the applicant. If the HPC has approved an application for special valuation, the HPC will notify the State Review Board of such approval.
 - (e) Complete applications for special valuation filed on or before October 1 will be approved or denied by the HPC before December 31 of the calendar year in which the application is made.
- (4) *Monitoring and Disqualification.*
- (a) Following the execution of a special valuation agreement between the HPC and the property owner, no changes in standards of maintenance, public access, alteration, report requirements, or any other provisions of the agreement will be allowed during the special valuation period without the approval of all parties to the agreement.

- (b) The HPC will monitor properties for which special valuation has been approved, and, if it suspects any irregularities, it will conduct a public meeting in accordance with its rules to determine whether or not a property is disqualified from special valuation due to:
 - (i) the owner's failure to comply with the terms of the agreement, or
 - (ii) a loss of historic value resulting from physical changes to the building or site, utilizing for this purpose the Washington State Advisory Council's Standards for the Rehabilitation and Maintenance of Historic Properties described in WAC 254-20-100.
 - (c) In the event that the HPC concludes that a property is no longer qualified for special valuation, it will notify the owner, the county assessor, and the State Review Board in writing and state the facts supporting its findings.
- (5) *Appeals.*
 - (a) Any decision of the HPC acting on an application for classification as historic property eligible for special valuation may be appealed to Superior Court of Whitman County under Chapter 34.05.510 through RCW 34.05.598 in addition to any other remedy of law.
 - (b) Any decision on the disqualification of historic property eligible for special valuation, or any other dispute, may be appealed to the County Board of Equalization in accordance with 84.40.038 RCW.
- (6) *Intergovernmental Agreement.* The City may enter into an agreement with Whitman County to establish specific procedures by which applications for special valuation will be processed. This agreement may include, but will not be limited to, provisions regarding fees and administrative responsibilities. (Ord. 25-08 §1, 2025)

Chapter 17.20

PLANNING COMMISSION

Sections:

- 17.20.005 Purpose.
- 17.20.010 Planning Commission Establishment.
- 17.20.020 Membership and Term of Office.
- 17.20.030 Residence of Members.
- 17.20.040 Instruction of Members.
- 17.20.050 Vacancies and Removal.
- 17.20.060 Appearance of Fairness.
- 17.20.070 Duties and Responsibilities of the Commission.
- 17.20.080 Meetings of the Commission.
- 17.20.090 Officers of the Commission.
- 17.20.100 Rules and Regulations.
- 17.20.110 Minutes and Records.

17.20.005 Purpose.

This Chapter is to establish the body to serve in an advisory capacity to the Council on matters related to land use; and to describe the duties, responsibilities, and procedures for the operation of the Commission. (Ord. 25-08 §1, 2025).

17.20.010 Planning Commission Establishment.

Pursuant to the authority conferred by RCW 35A.63, a Planning Commission is created. (Ord. 25-08 §1, 2025).

17.20.020 Membership and Term of Office.

The Commission will consist of seven (7) members, who will serve terms of four (4) years, subject to resignation or removal. The members will be appointed by the Mayor and confirmed by the Council. Commission members may be appointed to successive terms. No member of the Commission may simultaneously be a member of the Council. (Ord. 25-08 §1, 2025).

17.20.030 Residence of Members.

All members of the Commission will be residents of the city. (Ord. 25-08 §1, 2025).

17.20.040 Instruction of Members.

During the first six (6) months of their initial term, members of the Commission should take instruction for a minimum of three (3) hours, consisting of lectures, seminars, or other presentations designed to afford an understanding of:

- (1) the general principles of land use planning as applied to the City, its environs, and the region;
- (2) the nature and elements of the Comprehensive Plan for the City;
- (3) the duties, responsibilities, scope of authority, and limitations on discretion of the Commission with emphasis on constitutional and other legal aspects thereof;

- (4) appropriate standards to be applied in arriving at findings of fact and formulating recommendations. (Ord. 25-08 §1, 2025).

17.20.050 Vacancies and Removal.

- (1) Vacancies occurring other than through the expiration of terms will be filled for the unexpired terms by appointment by the Mayor with confirmation by the Council.
- (2) Members may be removed for inefficiency or neglect of duty by the Mayor with approval of the Council. (Ord. 25-08 §1, 2025).

17.20.060 Appearance of Fairness.

If any member of the Commission concludes that they have an appearance of fairness conflict with respect to a matter pending before the Commission such that they cannot discharge their duties on the Commission, they will disqualify themselves from participating in the deliberations and the decision-making process with respect to the matter. If this occurs, the Mayor with the approval of the Council may appoint a person to serve as an alternate on the Commission to serve for the disqualified member regarding such a matter. (Ord. 25-08 §1, 2025).

17.20.070 Duties and Responsibilities of the Commission.

The Commission will serve in an advisory capacity to the Council and will have the following advisory duties and responsibilities:

- (1) To hear and make recommendations on amendments to the Official Zoning Map (rezones);
- (2) To hear and make recommendations on the text of Zoning Code (PCC Title 17);
- (3) To hear and make recommendations on amendments to the Comprehensive Plan;
- (4) To hear and make recommendations on PRDs, PUDs, MHPs, RVPs, and any accompanying applications for conditional use permits;
- (5) To review and make recommendations on land use management ordinances and regulations of the City;
- (6) To meet with Department of Community Development staff of the City as requested by the chairperson of the Commission with the concurrence of the Director of Community Development to review land use decisions and to determine if the City's Comprehensive Plan and land use management ordinances and regulations are promoting orderly and coordinated development within the City. Where development or the absence of development indicates a condition, a problem, a new element, or expansion unforeseen and not anticipated by the Plan, the Commission will study the subject; and if the Commission determines that an amendment, refinement, or clarification of the Plan may be advisable, the Commission may initiate an amendment to the Plan as provided in PCC 17.175.030(4) and PCC 17.110, Changes to the Comprehensive Plan;
- (7) To review and make recommendations on pending annexations to the City;
- (8) To perform design review and make recommendations when required by this Title;

- (9) To recommend, establish priorities for, and review studies of geographic subareas in the City;
- (10) To submit an annual report to the Council on work completed during the past fiscal year;
- (11) To review and make recommendations to the City Council concerning the City's Capital Improvements Program, Six-Year Transportation Improvement Plan, and other planning studies and analyses, as they relate to land use or the Comprehensive Plan;
- (12) To review all private projects requiring City review and approval for consistency with the Comprehensive Plan, unless that review is delegated to some other appointed body or City staff;
- (13) To review and report to the Council on the location, extent, and consistency with the Comprehensive Plan regarding proposals for the establishment, improvement, abandonment, construction, authorization, vacation or dedication of any street, park, or other public way, public building, or structure. The Commission may recommend such conditions as are considered appropriate for the proposal to be consistent with the Comprehensive Plan; and
- (14) To perform such other duties and responsibilities as may be conferred by City ordinance or as directed by the Council. (Ord. 25-08 §1, 2025).

17.20.080 Meetings of the Commission.

- (1) The Commission will meet once a month on the fourth Wednesday at 7:00 pm in the Council Chambers of Pullman City Hall, but if there is no scheduled business to come before the Commission, the meeting may be cancelled.
- (2) Four (4) members will constitute a quorum for conducting business. A favorable vote of the majority of the members present will be required to recommend a decision in favor of the applicant. Failure to obtain favorable votes from the majority of the members present will constitute a denial recommendation. A tie vote will be reported to the Council with no recommendation. (Ord. 25-08 §1, 2025).

17.20.090 Officers of the Commission.

The Commission will elect a chairperson and vice-chairperson, and the Director of Community Development will serve as technical advisor and secretary of the Commission. The Department of Community Development staff of the City and City Attorney will provide staff assistance necessary to carry out the functions of the Commission. (Ord. 25-08 §1, 2025).

17.20.100 Rules and Regulations.

The Commission will adopt, by resolution, rules and regulations for its own self-government. (Ord. 25-08 §1, 2025).

17.20.110 Minutes and Records.

- (1) The Commission will keep minutes of its proceedings showing the action of the Commission upon each question. Such minutes will include the names of interested

persons and the respective position of each. The minutes will include the reasons for the Commission's decision, reference to any conditions imposed, and reference to specific findings of fact and conclusions upon which the action is based in quasi-judicial matters. These minutes will be filed with the Director of Community Development and will be public records.

- (2) A sound recording or other verbatim recording of the proceedings of any Commission meeting will be made. Such recording will be retained by the Director of Community Development for seven (7) years, or, until pending litigation, if any, is finally concluded, whichever occurs last. (Ord. 25-08 §1, 2025).

Chapter 17.25

ASSURANCES

Sections:

- 17.25.010 Purpose.
- 17.25.020 Site Improvement Assurance.
- 17.25.030 Maintenance Assurance.
- 17.25.040 Release of Assurances.
- 17.25.050 Assurance Administration.

17.25.010 Purpose.

This Chapter is to establish the requirements and procedures for assurances when required to ensure compliance with the completion and maintenance of MHPs, RVPs, PUDs, and PRDs. (Ord. 25-08 §1, 2025).

17.25.020 Site Improvement Assurance.

Before the Building Official approves the issuance of a Temporary Certificate of Occupancy for a MHP, RVP, PUD, or PRD for which the Council has required site improvements, the developer or owner of the property involved will provide the City with a bond or other similar security adequate to ensure that the required site improvements will be completed before a Final Certificate of Occupancy is issued. The bond will be based on the full cost of the uncompleted required site improvements, including drainage and landscaping. (Ord. 25-08 §1, 2025).

17.25.030 Maintenance Assurance.

Before the Building Official approves the Final Certificate of Occupancy, the developer or owner will provide a bond, or other similar security, for 10% percent of the cost of the site improvements including drainage which will be adequate to ensure the maintenance of the site improvements for one (1) year after the site improvements are completed, provided, however, that a prorated security to ensure the maintenance of landscaping improvements will be retained for two (2) years after the landscaping improvements are completed. (Ord. 25-08 §1, 2025).

17.25.040 Release of Assurances.

The Director of Community Development will release the site improvement assurance only after the site improvements are complete and satisfactory, and the developer or owner has provided the required maintenance assurance. The Director of Community Development will release the maintenance assurance or portions thereof not obligated to ensure maintenance not performed at least one (1) year after the effective date of the assurance, except in the case of a landscaping assurance which will be two (2) years. (Ord. 25-08 §1, 2025).

17.25.050 Assurance Administration.

The Director of Community Development will consult with the City Attorney and Director of Public Works to determine the amount of the assurance, time limits, alternate acceptable assurances, release of portions of assurances on completion of phases of work, additional assurances for extensions of time, and related matters. Assurances will be kept in the custody of the Director of Finance and Administrative Services. (Ord. 25-08 §1, 2025).

Chapter 17.30

NONCONFORMING USES, BUILDING OR STRUCTURE, AND LOTS

Sections:

- 17.30.010 Purpose.
- 17.30.020 Nonconforming Uses.
- 17.30.030 Nonconforming Buildings or Structures.
- 17.30.040 Nonconforming Lots.

17.30.010 Purpose.

This Chapter is to allow certain nonconforming uses, buildings, and lots to continue while prohibiting further nonconformity. (Ord. 25-08 §1, 2025).

17.30.020 Nonconforming Uses.

- (1) *Definition.* A nonconforming use is a use that was once allowed by applicable land use regulations, but is no longer allowed due to the passage or later change of this Title, or where applicable of prior land use regulations of the City.
- (2) *Continuation.* Except as allowed in PCC 17.30.020(3), a nonconforming use can continue, but it cannot be changed or altered in any way unless specifically permitted. The building it is located in cannot be expanded or extended, such as by adding square footage, increasing the building's height, or adding accessory buildings. However, changes to the nonconforming use, like hiring more employees, adding better equipment, extending hours of operation, or other changes that increase the use, are allowed. These changes do not require a conditional use permit.
- (3) *Nonconforming Single-Family Dwellings in the C2 and C3 Districts.* Nonconforming single-family dwellings in the C2 and C3 districts may be enlarged or expanded provided that the setback requirements for residences in the R4 zoning district are observed.
- (4) *Lapse of Time.*
 - (a) If any nonconforming use is not occupied or operated for a continuous period of one (1) year, any later use of the property occupied by the former nonconforming use must conform to all provisions of this Title.
 - (b) If any nonconforming use is not occupied or operated because its building has sustained damage amounting to less than 75% of its value, that use may be reestablished if construction of a new or repaired building begins within one (1) year of the date the damage occurred.
- (5) *Conditional Uses.* A legal use doesn't become nonconforming if the zoning district changes to one where a conditional use permit is required for that use. However, the use cannot be changed, and the building cannot be expanded or altered without first getting a conditional use permit. Any use that was legally in place before the effective date of this Title or its amendments, and is allowed under a conditional use permit in the new zoning

district, will be treated as a conditional use without needing to apply for a permit. However, if the use is expanded or altered, it must follow all rules for conditional uses.

- (6) *Conversions.* A nonconforming use may be converted to another nonconforming use if the Hearing Examiner issues a conditional use permit for the conversion, pursuant to the procedures of PCC 17.125. The Hearing Examiner may issue such a conditional use permit only after finding that
- (a) the structure housing the existing nonconforming use cannot reasonably be used for any permitted use because of its design; and,
 - (b) the proposed use will be as compatible with uses permitted in the zoning district as the existing nonconforming use; and,
 - (c) measures will be taken, where necessary, to protect the neighborhood from any detrimental effects to the public health and welfare that will or probably will result from the conversion of the nonconforming use.

In cases involving the conversion of nonconforming uses, it is not necessary for the Hearing Examiner to make the findings as described in PCC 17.125.020 in addition to the findings required by this subsection. (Ord. 25-08 §1, 2025).

17.30.030 Nonconforming Buildings or Structures.

- (1) *Definition.* A nonconforming building or structure is one that was once allowed by applicable land use regulations, but no longer would be allowed, due to the passage or later change of this Title or, where applicable, prior land use regulations of the City.
- (2) *Continuation.* A nonconforming building or structure may be continued, but it may not be altered, enlarged, or extended unless this alteration, enlargement, or extension fully conforms with existing standards. The terms “enlarged and extended” means the enlargement of a building or structure by increasing square footage, increasing building or structure height, or the extension thereof by the addition of accessory buildings or structures or other similar extensions.
- (3) *Value.* The value of a nonconforming building or structure will be determined from the International Code Council (ICC) building valuation data tables in use on the date the damage occurs. The owner of a damaged building or structure may obtain an independent appraisal. Any discrepancies as to value between the two (2) appraisals will be referred to the Hearing Examiner for resolution.
- (4) *Maintenance and Alterations.*
 - (a) Ordinary maintenance and repair of a nonconforming building or structure are allowed.
 - (b) Alterations which conform to all provisions of this Title, do not result in any enlargement or extension of a nonconforming use, building, or structure are allowed.
 - (c) Alterations required by law to meet health and safety regulations are allowed.

(5) *Damage and Reconstruction.*

- (a) If any nonconforming structure located in a nonresidential zone is destroyed or sustains damages amounting to 75% or more of its value, then any future use of the property formerly occupied by that building or structure will conform to all requirements of this Title.
- (b) If a nonconforming structure in a nonresidential zone is damaged by less than 75% of its value, it can be rebuilt and used for the same nonconforming purpose as before, as long as the reconstruction starts within one (1) year of the damage. The rebuilt structure can have the same zoning issues it had before, but no more. The damage must be caused by an unexpected event like a fire, flood, or natural wear, not by the owner's decision to demolish part of the structure.
- (c) If a nonconforming residential structure in a residential zone is destroyed or damaged up to 100% of its value, it can be rebuilt with the same zoning issues it had before, but no more. However, parking must meet the current Zoning Code requirements when applying for a building permit to repair or replace the structure. The damage must be caused by an unexpected event like a fire, flood, or natural wear, not by the owner's decision to demolish part or all of the structure. (Ord. 25-08 §1, 2025).

17.30.40 Nonconforming Lots.

- (1) *Definition.* A nonconforming lot is one that was once allowed by applicable land use regulations but is no longer allowed, due to the passage or later change of this Title or, where applicable, prior land use regulations of the City.
- (2) *Continuation.*
 - (a) For five (5) years after a long plat is approved, lots in any subdivision can be developed according to the uses and densities allowed when the final plat was approved, even if the lots are owned separately or under single ownership. During this five-year period, any new development rules, except for changes in use and density, will apply to the subdivision as soon as the new rules are adopted. However, these rules do not apply to parcels created through the short plat process.
 - (b) Any nonconforming lot that isn't covered by the exception in PCC 17.30.040(2)(a) and isn't next to other lots in the same ownership can still be used for any purpose allowed in the zone it's in, even if it doesn't meet the size, width, or other dimensional requirements. However, all other rules must be followed, or a variance must be obtained. "Other rules" include things like density, building height, required yards, open space, landscaping, and parking. The person claiming these rights must provide proof that the lot existed when this Title was passed.

- (c) Notwithstanding the provisions of this subsection, the establishment of one (1) single family house on a nonconforming lot in a residential zoning district is allowed.
- (3) *Lot Line Adjustments.* When an existing lot is subdivided or is the subject of a lot line adjustment, the new lot lines will not make any existing improvements nonconforming to the regulations of this Title. (Ord. 25-08 §1, 2025).

Chapter 17.35

EXCEPTIONS AND SPECIAL PROVISIONS PERTAINING TO USES, DEVELOPMENT REGULATIONS, AND PERFORMANCE STANDARDS

Sections:

- 17.35.010 Purpose.
- 17.35.020 General Exceptions.
- 17.35.030 Fences.
- 17.35.035 Pedestrian Walkways.
- 17.35.040 Temporary Uses.
- 17.35.050 Animals and Fowl.
- 17.35.060 Bees.
- 17.35.070 Swine.
- 17.35.080 Special Use Provisions.
- 17.35.085 Grading.
- 17.35.090 Light and Glare.
- 17.35.100 Hazardous Waste Treatment and Storage Facilities.

17.35.010 Purpose.

This Chapter is to establish provisions for exceptions to standards and requirements imposed by this Title to afford the flexibility necessary to make this Zoning Code as broadly applicable as possible, and to establish provisions for certain uses which are supplementary or in addition to other standards and requirements imposed by this Title. (Ord. 25-08 §1, 2025).

17.35.020 General Exceptions.

- (1) To Building Height Limitations. Except for the height limitations established for Airport Area Height Limitation Overlay Districts, which apply to all structures and structural elements as described in PCC 17.95.050, the building height limitations established in this Title do not apply to the following structures or structural parts:

- (a) tanks;
- (b) church spires, belfries, or domes;
- (c) flagpoles;
- (d) fire training and hose towers;
- (e) smokestacks, chimneys, and vents;
- (f) cooling towers;
- (g) skylights;
- (h) public utility towers and poles when erected and maintained by a public utility which has as its primary purpose the provision of a public service to the general public, not including wireless communication facilities.

The height of these structures may be limited by the City's building codes; in which case the provisions thereof will control.

- (2) *To Yard Requirements.* The following structures or improvements may be allowed in required yards as follows, subject to the provisions of PCC 17.35.020(3):
- (a) Cornices, eaves, sills, awnings, canopies, bay windows, greenhouse windows, and similar ornamental or structural features may extend no more than 24 inches (2 feet) into any required yard.
 - (b) Balconies, stairs, ramps, landings, and fire escapes more than 30 inches (2.5 feet) in height above grade that are not covered by a roof may extend:
 - (i) no more than 36 inches (3 feet) into any required front or side yard, and
 - (ii) no more than 48 inches (4 feet) into any required rear yard.
 - (c) Porches, decks, ramps, or landings less than 30 inches (2.5 feet) in height above grade that are not covered by a roof may extend:
 - (i) no more than 60 inches (5 feet) into any required front or rear yard, and
 - (ii) no more than 36 inches (3 feet) into any required side yard.
 - (d) Hard-surfaced areas 30 inches (2.5 feet) or less in height may extend into required yards except so much thereof as may be required to be landscaped or maintained as open space under the provisions of this Title.
 - (e) Fences may be in required yards subject to the provisions of PCC 17.35.030.
 - (f) Rockeries and retaining walls may be in required yards if:
 - (i) the rockery or retaining wall is not being used as a direct structural support for a major structural improvement; and
 - (ii) the rockery or retaining wall is reasonably necessary to provide support to a cut or slope.
 - (g) Trellises or support structures for plant material, flagpoles, birdbaths, birdhouses, decorative pools and fountains, decorative lights, and structures required by the City for public safety may be located in required yards.
- (3) *To Vision Clearance at Intersections.* Except in C2, C3, I1, and I2 zoning districts, vision clearance areas must be set up at the intersection of two (2) streets, a street and an alley, or a street and a railroad. The size of the vision clearance area is usually at least 45 feet along the curb line, measured at street level. However, this distance can be reduced to 30 feet on streets with a stop or yield sign, or 15 feet on the alley portion of an intersection. If the angle between streets, alleys, and railroads is less than 30 degrees, the distance for the street should be increased by 10 feet.

A vision clearance area must be kept free of structures, landscaping, or fences between 3 feet and 8 feet tall, measured at street level. However, street signs, traffic signs, utility poles, utility boxes, and retaining walls are allowed in these areas. Buildings built before July 1, 1991, can also be in the vision clearance area. Tree trunks are allowed if the Director of Community Development determines that enough visibility is maintained for

vehicles and pedestrians to safely enter and exit the intersection while following traffic rules. If the curb lines at intersections are rounded, the curb lines will be extended in a straight line to the point where they meet.

See Figures 17.35.1 and 17.35.2.

FIGURE 17.35.1

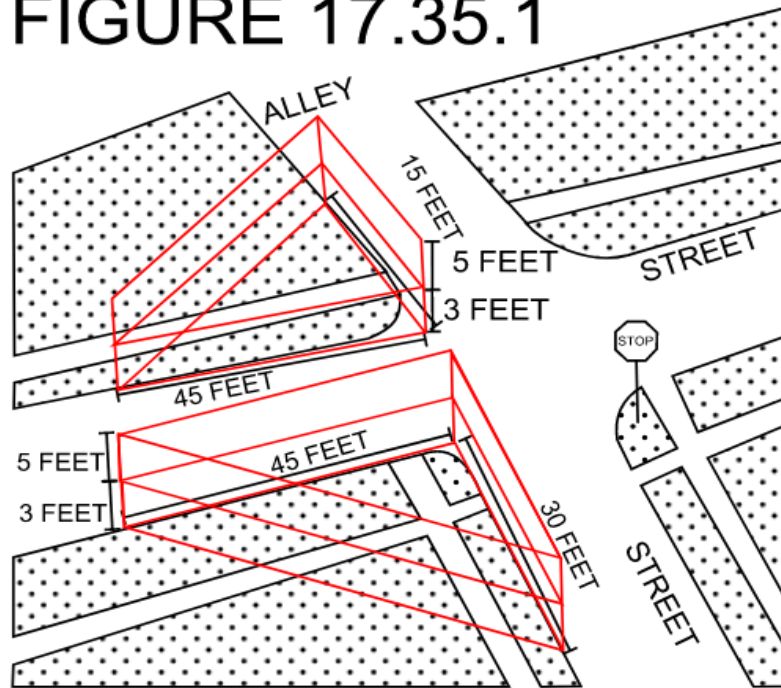
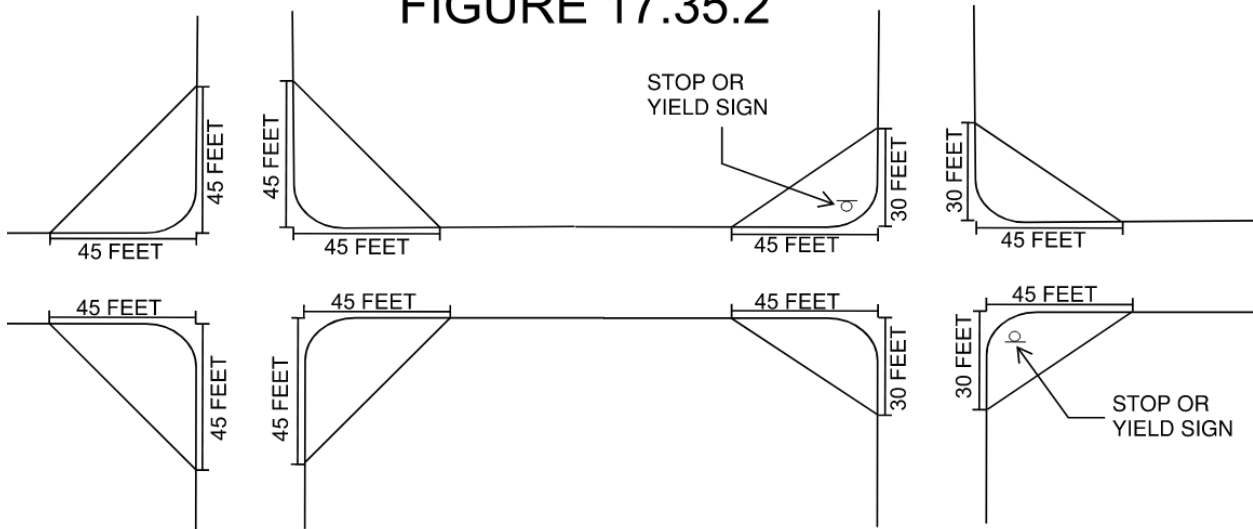


FIGURE 17.35.2



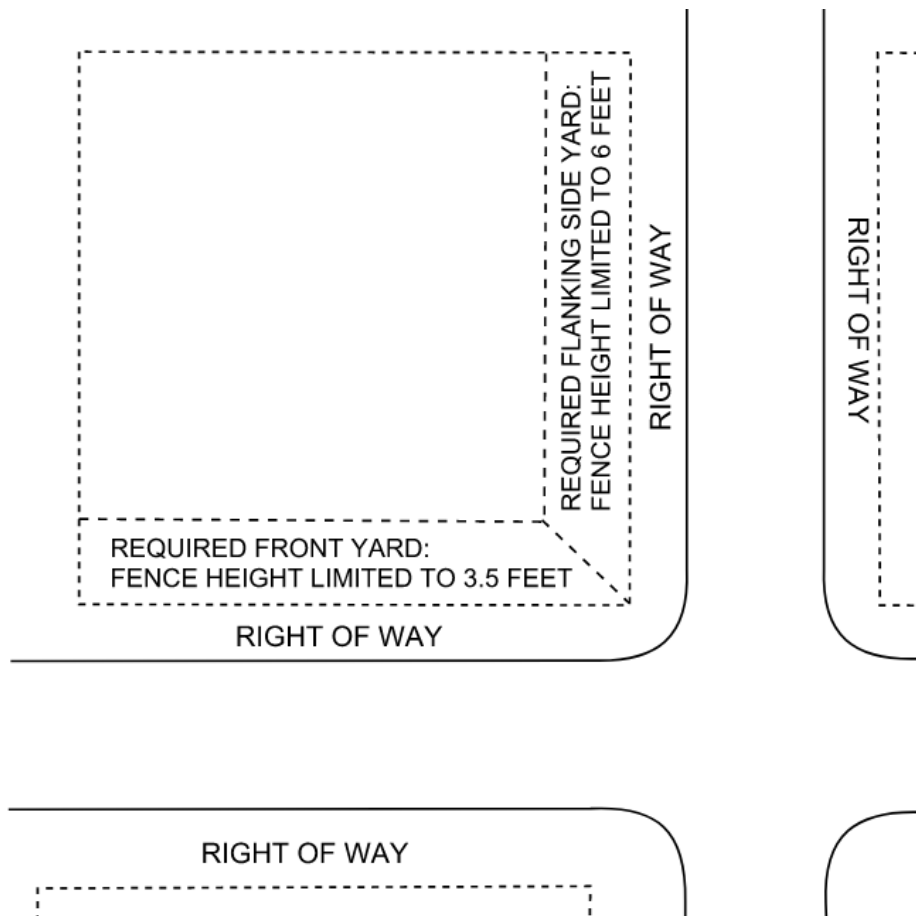
EXAMPLE A: Vision clearance area at intersection without stop or yield signs

EXAMPLE B: Vision clearance area at intersection with stop or yield signs at two intersections

(Ord. 25-08 §1, 2025).

17.35.030 Fences.

- (1) *Electric Fences.* Electric fences are prohibited in the City, except under the following circumstances:
 - (a) the lot area is at least 20,000 square feet;
 - (b) the electric fence is completely contained within a double-fence assembly consisting of a non-electric fence on the outside and an inside electric fence located a minimum of 24 horizontal inches (2 feet) from the outside fence; and,
 - (c) the electric fence must use a charger listed by Underwriters Laboratories (UL).
- (2) *Fence Height.* Except as otherwise required by this Title, fences composed of constructed materials will not be more than 42 inches (3.5 feet) in height in required front yards or 72 inches (6 feet) in height in required flanking street side yards. (Ord. 25-08 §1, 2025).



17.35.035 Pedestrian Walkways.

- (1) *Walkways Required.* Unless otherwise provided in this Title, any development that requires site plan review in accordance with PCC 17.135 will conform to the following standards:

- (a) Each development must provide a direct and continuous pedestrian walkway between the main entrance of each building and/or dwelling unit on the property and a public sidewalk or street adjacent to said property;
 - (b) The required pedestrian walkway must be paved, with a minimum unobstructed width of four and one-half (4.5) feet, except within off-street parking areas the minimum unobstructed width of the required pedestrian walkway will be three (3) feet; and
 - (c) If a pedestrian walkway is within an off-street parking area, it must be raised above the parking area, except where the walkway crosses a driveway, traffic aisle, or any area where vehicles can drive. In these cases, the walkway can be at the same level as the parking area or driveway, as long as it is marked as a crosswalk using paint, stripes, or different pavement materials.
- (2) *Modification of Requirements.* The Director of Community Development may waive or modify the requirements of this section when any of the following conditions apply:
 - (a) The pedestrian walkway would create an unsafe condition or security concern;
 - (b) There are topographical constraints, or existing or required structures effectively blocking access; or
 - (c) The development would not generate the need for pedestrian access, or the public would not be allowed access to the development.
- (3) *Exempt Developments.* The following developments are exempt from the provisions of this Section:
 - (a) single family dwellings;
 - (b) manufactured homes on lots outside of an MHP;
 - (c) duplex dwellings; and
 - (d) MHP and RVP, provided these developments must comply with the pedestrian circulation standards contained in PCC 17.105. (Ord. 25-08 §1, 2025).

17.35.040 Temporary Uses.

- (1) *Contractors Offices and Equipment Storage.* Contractor offices, including accessory living quarters for security personnel, and equipment storage are permitted on the premises of the construction site in any zoning district for the period of construction. Such offices and accessory living quarters will be connected to city utilities or have otherwise adequate arrangements for sewage disposal.
- (2) *Emergency Housing.* Emergency housing is permitted in a manufactured home during reconstruction of a dwelling following damage from earthquake, fire, storm, or other natural disaster in any zoning district for two (2) years or for the period of construction, whichever is less. (Ord. 25-08 §1, 2025).

17.35.050 Animals and Fowl.

This section establishes special regulations that govern the keeping of animals and fowl in any zoning district where a dwelling unit is permitted but nothing in this section eliminates the need to comply with any other regulations of the state, county, or city pertaining to the keeping of animals and fowl. Service animals and emotional support animals do not count as pets under federal guidelines and do not count toward overall limits of animals and fowl.

(1) *Household Pets.* The following are categorized as household pets and will be regulated as followed:

(a) *Household Pets Category.* Three (3) dogs or less per dwelling unit; three (3) cats or less per dwelling unit; four (4) rabbits or less per dwelling unit; six (6) hens or less per dwelling unit.

Gerbils; guinea pigs; hamsters; caged mice or rats; caged birds; non-venomous reptiles, amphibians, and fish; and such other pets as are normally associated with a dwelling unit, and which are generally housed within the dwelling unit, but excluding wild or exotic animals.

(b) *Household Pet Regulation.* Household pets are regulated as follows:

(i) The keeping of household pets categorized in subsection (1)(a) of this section does not require approval from the City.

(ii) The maximum number of household pets over six (6) months of age allowed per dwelling unit is as follows: three (3) dogs; three (3) cats; four (4) rabbits; and six (6) hens; provided the total number does not exceed eight (8) pets. There is no limit on the number of other household pets.

(iii) Rabbit pens, dog runs, hen coops, and similar structures will conform to the minimum required yard standards described in PCC 17.75.070(7) and said structures must be located at least 20 feet from any perennial or intermittent watercourse.

(iv) Household pets, excluding dogs, cats, rabbits, and hens, must be housed within the dwelling unit.

(2) *Small Domestic Animals and Fowl.* The following are categorized as small domestic animals and fowl and will be regulated as provided herein:

(a) *Small Domestic Animal and Fowl Category.* More than three (3) dogs; three (3) cats; four (4) rabbits; six (6) hens; and one (1) or more miniature pigs per dwelling unit.

(b) *Small Domestic Animal and Fowl Regulations.* The Director of Community Development will review applications for the keeping of small domestic animals and fowl as described in PCC 17.175.050 in accordance with the following standards:

(i) Proximity to dwelling units both on and off the subject property;

- (ii) Lot size of at least 10,000 square feet and isolation of the lot;
 - (iii) A minimum of 1,000 square feet of land per hen, and 2,000 square feet of land per other animal;
 - (iv) Structures or pens used to house animals or fowl will conform to the minimum required yard standards described in PCC 17.75.070(7), and said structures or pens will be located at least 20 feet from any perennial or intermittent watercourse;
 - (v) Potential noise impacts; and
 - (vi) Compatibility with surrounding uses.
- (3) *Large Domestic Animals and Fowl*. The following are categorized as large domestic animals and fowl and will be regulated as followed:
 - (a) *Large Domestic Animal and Fowl Category*. Fowl, horses, cattle, sheep, goats, and other grazing or foraging animals.
 - (b) *Large Domestic Animal and Fowl Regulations*. The Director of Community Development will review applications for the keeping of large domestic animals and fowl as described in PCC 17.175.050 in accordance with the following standards:
 - (i) Proximity to dwelling units both on and off the subject property;
 - (ii) Lot size of at least 20,000 square feet and isolation of the lot;
 - (iii) A minimum of 10,000 square feet of land per horse or cow, 5,000 square feet of land per goat or sheep, and 1,000 square feet of land per individual fowl;
 - (iv) Structures or pens used to house animals will be located at least 40 feet from property lines, and said structures or pens will be located at least 20 feet from any perennial or intermittent watercourse;
 - (v) Roaming or grazing areas will be at least 20 feet from property lines, unless an abutting property owner files a signed statement in support of a smaller distance, in which event the City may permit roaming or grazing areas to extend to the property line in common with the abutting property;
 - (vi) Provision of a suitable structure or pen to house the animal(s);
 - (vii) Potential noise impacts; and
 - (viii) Compatibility with surrounding uses. (Ord. 25-08 §1, 2025).

17.35.060 Bees.

Beekeeping is permitted in the City provided that

- (1) the number, location, and ownership of the hives will be recorded with the Washington State Department of Agriculture; and,

- (2) hives will be at least 50 feet from an inhabited residence other than the residence occupied by the beekeeper, a public sidewalk, or a public street.
- (3) a source of water must be set out on the property where the hives are located. (Ord. 25-08 §1, 2025).

17.35.070 Swine.

The keeping of any swine that does not meet the definition of “miniature pig” in PCC 17.05.020 is prohibited in the City. (Ord. 25-08 §1, 2025).

17.35.080 Special Use Provisions.

- (1) *Purpose.* In addition to other standards and requirements imposed by this Title, all uses included in this Section must comply with the provisions stated herein. Should a conflict arise between the requirements of this Section and other requirements of this Title, the more restrictive provisions will control.
- (2) *Gasoline Service Stations.* Service station pump islands will be set back at least 15 feet from any property line.
- (3) *Residential Care Facility.* Residential care facilities are permitted in all residential zoning districts and the C1 zoning districts. In addition to all other requirements of this Title, a residential care facility must obtain all necessary state licenses and permits.
- (4) *Retirement Homes, Convalescent, and Rest Homes.* Retirement homes, convalescent, and rest homes located in residential districts will be buffered from contiguous residential uses with a Type I buffer as described in PCC 17.45, or with a sight obscuring fence.
- (5) *Professional Offices in Residential Districts.* Professional offices except those that qualify as home occupations may be permitted in designated residential districts only when their scale and hours of operation are reasonably compatible with the surrounding neighborhood. Offices requiring parking areas with more than five (5) spaces or operating earlier than 7 a.m. or later than 6 p.m. will not be located in any residential district. See PCC 17.45.050(1).
- (6) *Schools in Residential Districts.* Schools located in residential districts should be on a site of at least one (1) acre. School buildings, playgrounds, and parking areas should have a minimum setback of 15 feet from property lines. See PCC 17.45.050(1).
- (7) *Churches in Residential Districts.* Church buildings, playgrounds, and parking areas should have a minimum setback of 15 feet from property lines. See PCC 17.45.050(1).
- (8) *Greenhouses, Hothouses, and Sunspaces.* Greenhouses, hothouses, and sunspaces intended for the collection of passive solar heat may be maintained as accessory structures to a dwelling.
- (9) *Accessory TV Reception or Amateur Radio/Citizens Radio Antennas.*
 - (a) *Definition.* The following definitions will apply in the interpretation and enforcement of this subsection:

- (i) *Antenna.* The arrangement of wires, metal rods, or other equipment used in the sending and receiving of electromagnetic waves, including satellite dishes.
 - (ii) *Antenna Support Structure.* Any structure, mast pole, tripod, or tower utilized for supporting an antenna or antennas for transmission or reception of electromagnetic waves by federally licensed amateur radio or citizen band radio operators or the reception of television electromagnetic waves.
 - (iii) *Antenna Height.* The overall vertical length of the antenna and antenna support structure above grade. If such system is located on a building, then the overall vertical length includes the height of the building upon which the structure is mounted.
 - (b) Antenna support structures including guy wires will not be in front yards, flanking street side yards, required side yards, or required rear yards.
 - (c) Antennas and antenna support structures are allowed as described in the Use Chart in PCC 17.70.030.
 - (d) No person will install, construct, or increase the height of any antenna support structure without first obtaining a building permit, except that no permit will be required if the height of the antenna support structure (excluding the height of any building to which the antenna support structure is attached) is 15 feet or less.
- (10) *Commercial Parking Areas and Commercial Parking Garages in Residential Zones.* Commercial parking areas and commercial parking garages are permitted with a conditional use permit in all residential zoning districts on land which has existing parking facilities. In addition to all other requirements of this Title, a commercial parking area or commercial parking garage in a residential zone must comply with all of the following conditions:
- (a) the existing parking facility must have been legally established to serve a permitted use within the residential zoning district prior to the application for conditional use permit for commercial parking; and,
 - (b) it must be paved; and,
 - (c) it must be on College Hill bordered by the City limits on the north and east, east Main Street on the south, and north Grand on the west; and,
 - (d) the applicant must meet the requirements of PCC 17.40.070(2) Joint Use of Parking; and,
 - (e) the applicant will demonstrate that the use of the parking area or parking garage for commercial purposes will not impair the use for which the parking facility was originally established; and,

- (f) the Hearing Examiner will review the conditional use permit at a public meeting approximately one (1) year from the date of issuance and may vote to continue, revise, or revoke the permit; and,
- (g) the permittee will notify the Director of Community Development of an anticipated transfer of the permit at least 45 calendar days prior to the anticipated date of transfer.

The provisions contained within this subsection do not apply to interim use of land for parking that meets the requirements of PCC 17.35.080(12).

(11) *Wireless Communication Facilities.*

- (a) Wireless communication facilities are allowed as described in the Use Chart in PCC 17.70.030.
- (b) Unless otherwise stated, the provisions contained in this subsection apply to any wireless communication facility regardless of whether it is a permitted use or conditional use in the zoning district in which it is proposed to be located.
- (c) Unless waived wholly or in part by the Director of Community Development, an applicant for a wireless communication facility must submit with the application the following information in addition to other application materials required for said facility by this Title:
 - (i) precise drawings, in plan and profile view, of all proposed components of the facility, including, but not limited to, equipment structures, support structures, and transmission and/or reception devices, which display proposed heights, materials, colors, and lighting;
 - (ii) documentation from a licensed professional engineer demonstrating the proposed facility's compliance with applicable building code standards, and describing the general structural capacity of the proposed facility, including the number and type of transmission and/or reception devices that can be accommodated and the basis for the calculation of capacity;
 - (iii) a description of the expected noise level from the proposed facility along with any proposed noise abatement measures;
 - (iv) a description of the need for the proposed facility at the proposed location, the procedures involved in site selection, and an evaluation of alternative sites and existing structures on which the proposed facility could be located or attached.
- (d) The height of wireless communication facilities will be measured as follows:
 - (i) For a wireless communication attached facility, the height will be the overall vertical length of the transmission and/or reception device above the highest point of the building or support structure to which it is attached.

- (ii) For a wireless communication freestanding facility, the height will be the overall vertical length of the transmission and/or reception device combined with the support structure to which it is attached, as measured from the existing grade prior to construction.
- (e) The minimum required setbacks for wireless communication facilities will be as follows:
 - (i) A wireless communication freestanding facility will have a minimum setback of 15 feet from all property lines; provided that, when a wireless communication freestanding facility exceeds 30 feet in height, said facility will be set back at least one (1) additional foot from each 15-foot setback line for every five (5) feet in height by which said facility exceeds 30 feet (for example, a wireless communication freestanding facility of 80 feet in height would have a minimum required setback of 25 feet from all property lines).
 - (ii) For an equipment structure associated with either a wireless communication attached facility or a wireless communication freestanding facility, the minimum setbacks will be the same as the minimum required yard dimensions for any building in the zoning district in which said equipment structure is located.
 - (iii) Transmission and/or reception devices for a wireless communication attached facility may be attached on an existing structure regardless if the structure meets the minimum required yard dimensions for the zoning district in which said structure is located.
- (f) Screening requirements for wireless communication facilities will be as follows:
 - (i) The base of any wireless communication freestanding facility, or any equipment structure associated with either a wireless communication attached facility or a wireless communication freestanding facility, must be screened around its entire perimeter with a minimum six (6) foot high screening device such as a sight-obscuring fence or a minimum five (5) foot wide planting area with Type I landscaping as described in PCC 17.45.080.
 - (ii) If a security fence or wall is used to prevent access into a wireless communication freestanding facility or any equipment structure associated with either a wireless communication attached facility or a wireless communication freestanding facility, and landscaping is chosen as the screening method in accordance with PCC 17.35.080(11)(f)(i), said landscaping will be placed outward of such security fence or wall.
 - (iii) The screening requirements of this paragraph may be waived if the existing topography of the subject property decreases or eliminates the need for screening, if existing vegetation at the subject property would

result in as good or better satisfaction of the provisions of this paragraph, or if, in the opinion of the Site Plan Review Committee, screening should not be required.

- (g) Wireless communication facilities will be designed to be compatible with the natural and built environment. This includes, but is not necessarily limited to, building and structure design and the use of exterior materials and colors harmonious with the character of the surrounding neighborhood. All radio electronics equipment and associated cabling will be enclosed within a structure or will be concealed, camouflaged, or placed underground.
- (h) Parabolic antennas that are a component of a wireless communication facility will not exceed a diameter of six feet.
- (i) A wireless communication attached facility will not be allowed to be attached to any building which has a dwelling unit in it whether occupied or not.
- (j) Wireless communication facilities will conform to the light and glare standards described in PCC 17.35.090.
- (k) Wireless communication facilities must comply with State noise level standards under WAC 173.60, as they exist now or may be amended. For purposes of this subsection, wireless communication facilities will be considered a Class B noise source pursuant to WAC 173-60-040. The City may require noise attenuation devices or other noise mitigation measures to implement the standards of this subsection. Generators associated with wireless communication facilities may be permitted only for emergency operation purposes.
- (l) Wireless communication facilities may be attached on an existing support structure. Where a wireless communication freestanding facility requires a conditional use permit, attachment of an additional transmission and/or reception device(s) on said freestanding facility will be permitted without an additional conditional use permit, provided there are no substantial changes made to the existing support structure and provided the additional transmission and/or reception device(s) does not increase the height of said freestanding facility.
- (m) The site plan review provisions of PCC 17.135 will apply to all wireless communication facilities.
- (n) Minor modifications of existing wireless communication facilities, whether emergency or routine, are allowed, provided there is no remarkably significant change in the visual appearance of the facility. Minor modifications are those modifications, including the addition of transmission and/or reception device(s), to conforming wireless communication facilities that meet the provisions of this subsection.
- (o) A wireless communication facility will be removed by the facility owner within six months of the date it ceases to be operational.

- (12) *Interim Use of Land for Parking.* Interim use of land for a commercial parking area or other forms of parking may be permitted for a maximum of 10 years, provided the following requirements are met:
- (a) the property must be located on College Hill, bordered by the city limits on the north and east, east Main Street on the south, and North Grand on the west; and,
 - (b) the maximum size of the parking area will be 20 parking spaces or 6,000 square feet, whichever is less; and,
 - (c) the parking surface must either be paved or graveled to the specifications described in PCC 17.40.040(2); and,
 - (d) none of the parking spaces may be established as required parking to serve a use in the area; and,
 - (e) prior to establishment of the interim use, the owner will apply for site plan review as described in PCC 17.135; and,
 - (f) prior to establishment of the interim use, the owner will enter into a written agreement with the Department of Community Development to address such matters as the duration of the interim use and the owner's plans for permanent use of the property; this agreement will be renewed every two (2) years up to the maximum 10-year limit.

Any violation of the provisions of this subsection, including interim use beyond the maximum 10-year period, will be enforced in accordance with PCC 17.10.

- (13) *Recreational Cannabis.*
- (a) No property, building, or structure may be used for the production, processing, or retailing of recreational cannabis unless compliant with RCW 69.50, WAC 314-55, and the Pullman City Code, as they now exist or may hereafter be amended.
 - (b) A cannabis production, processing, or retail facility will only be established or conducted within a fully-enclosed and secure structure that complies with PCC Title 2: Construction Code and PCC Title 3: Fire.
 - (c) Each cannabis retail facility is limited to 6,000 square feet of net floor area.
 - (d) Cannabis retail facilities will not include as part of their operation drive-through sales, exterior sales, or off-site sales.
 - (e) Cannabis retail facilities will not be open to the public between the hours of 12:00 a.m. and 8:00 a.m.
 - (f) No cannabis production, processing, or retail facility will be established or conducted in a building that contains a dwelling unit.
 - (g) Signs and advertising for cannabis production, processing, or retail facilities will be allowed only in accordance with PCC 17.50 and the additional standards described in WAC 314-55, as they now exist or may be amended.

- (h) Displays for cannabis production, processing, or retail facilities will not include any form of cannabis or cannabis paraphernalia against or within 10 feet of exterior windows.
- (i) No cannabis production, processing, or retail facility may be established within 1,000 feet of the following “sensitive uses”:
 - (i) elementary or secondary school;
 - (ii) playground;
 - (iii) recreation center or facility;
 - (iv) child care center;
 - (v) public park;
 - (vi) public transit center;
 - (vii) library;
 - (viii) any game arcade where admission is not restricted to persons age 21 and older; or
 - (ix) any entity described in WAC 314-55-050(10), as it now exists or may be amended.

Distance will be measured in a straight line between the nearest property line of a sensitive use and the nearest property line of the cannabis production, processing, or retail facility.

- (j) The subsequent establishment of a sensitive use listed in Paragraph (i) within 1,000 feet of a legally established and licensed cannabis production, processing, or retail facility will not render the cannabis production, processing, or retail facility nonconforming regarding location under this subsection.
- (k) Cannabis production, processing, and retail facilities will comply with all applicable development and administrative standards contained in the Pullman City Code.
- (l) Cannabis production, processing, and retail facilities will be designed to include controls and features to prevent odors from traveling off-site and being detected from a public place, the public right-of-way, or properties owned or leased by another person or entity.
- (m) Cannabis production, processing, and retail facilities will not adversely affect the health or safety of the community and will be operated in a manner as to not create or be considered a nuisance. Nothing in this subsection will be construed as a limitation on the City’s authority to abate any nuisance under PCC Title 5: Health and Sanitation which may exist from the production, processing, or retailing of recreational cannabis at any location, including from within a fully enclosed and secure building.

- (n) No use that constitutes or claims to be a cannabis production, processing, or retail facility for recreational cannabis, which was engaged in that activity prior to the adoption of these regulations, will be deemed to have been a legally established use under the provisions of the Pullman City Code and that use will not be entitled to claim legal nonconforming status.
- (o) The production, processing, and retailing of cannabis for any purpose is and remains illegal under federal law. Nothing herein or as provided elsewhere in the Pullman City Code is an authorization to circumvent federal law or provide permission to any person or entity to violate federal law. Only state-licensed cannabis production, processing, or retail facilities may locate in the City and then only pursuant to a license issued by the State of Washington. These provisions are to acknowledge the enactment by Washington voters of Initiative 502 and a state licensing procedure and to permit, but only to the extent provided by state law, cannabis production, processing, or retail facilities to operate in designated zones within the City. (Ord. 25-08 §1, 2025).

17.35.085 Grading.

Developments should incorporate as nearly as possible the existing grades in the overall design of the project. Large grade changes should be divided by a series of benches and terraces, and individual retaining walls should be limited to eight (8) feet in height wherever possible. Buildings with multiple stories should be designed with both uphill and downhill floor plans if the site involves significant slopes. (Ord. 25-08 §1, 2025).

17.35.090 Light and Glare.

- (1) All sources of illumination will be directed and, when necessary, shielded so as not to produce directed glare on adjacent properties.
- (2) No industrial or commercial use will cause a level of illumination exceeding 60 nits in a contiguous or adjacent residential district.
- (3) No source of intense light or glare, such as arc welding will be visible from any point beyond the property line of the use generating the light or glare. Construction welding is exempt from this standard. (Ord. 25-08 §1, 2025).

17.35.100 Hazardous Waste Treatment and Storage Facilities.

- (1) *Definitions.* The following definitions will apply in the interpretation and enforcement of this section:
 - (a) *Hazardous Substances.* Any liquid, solid, gas, sludge, including any material, substance, product, commodity, or waste, regardless of quantity that exhibits any of the characteristics or criteria of hazardous waste as defined in RCW 70A.300.010 as now existing or amended.
 - (b) *Hazardous Waste.* All dangerous and extremely hazardous waste as defined in RCW 70A.300.010 as now existing or amended.

- (c) *Hazardous Waste Storage.* The holding of dangerous waste for a temporary period. Accumulation of dangerous waste by the generator or the site of generation is not storage if the generator complies with the applicable requirements of WAC 173-303-200 and 173-303-201 as now existing or amended.
 - (d) *Hazardous Waste Treatment.* The physical, chemical, or biological processing of dangerous wastes to make such wastes nondangerous or less dangerous, safer for transport, amenable for energy or material resource recovery, amenable for storage, or reduced in volume.
 - (e) *Hazardous Waste Storage and Treatment Facilities (Off-site).* Facilities that treat and store wastes from generators on properties other than those on which the off-site facilities are located.
 - (f) *Hazardous Waste Storage and Treatment Facilities (On-site).* Facilities that treat and store wastes generated on the same property.
- (2) Off-site and On-site Hazardous Waste Treatment and Storage Facilities are allowed as described in the Use Chart in PCC 17.30.030.
 - (3) All Hazardous Waste Treatment and Storage Facilities must comply with the State Location Standards for Siting Hazardous Waste Management Facilities as adopted pursuant to the provisions of RCW 70A.300.320. (Ord. 25-08 §1, 2025).

Chapter 17.37

ADULT ENTERTAINMENT BUSINESS

Sections:

- 17.37.010 Purpose.
- 17.37.020 Definitions.
- 17.37.030 Applicability.
- 17.37.040 Limitations.
- 17.37.050 Separation Standards.
- 17.37.060 General Provisions.

17.37.010 Purpose.

- (1) *Objective.* The objective of this Chapter is to provide for regulation of adult entertainment establishments in a manner that fosters land use compatibility within the City.
- (2) *Findings.* The Council has found, based on evidence from other jurisdictions that is believed to be relevant, that while adult entertainment businesses have some legal protection, they often cause or worsen negative effects in the community. These negative effects include illegal activities such as prostitution, drug and alcohol violations, disturbances, assaults, sexual offenses, and other crimes. Additionally, having many of these businesses in one area can lower property values nearby and lead to the decline of the area.
- (3) *Intent.* The intent of this ordinance is not to suppress any speech activities protected by the First Amendment or RCW 4.105, but to enact a content-neutral ordinance which addresses the adverse secondary effects of adult entertainment businesses. (Ord. 25-08 §1, 2025)

17.37.020 Definitions.

- (1) *Adult Entertainment.* Adult entertainment is defined as:
 - (a) Any exhibition, performance, or dance held at a location where a person is either completely unclothed or wearing clothing that reveals “specified anatomical areas”, as defined in PCC 17.37.020(4);
 - (b) Any exhibition, performance, or dance held at a location that focuses mainly on showing, describing, simulating, or relating to “specific sexual activities”, as defined in PCC 17.37.020(5); or
 - (c) Any exhibition, performance, or dance at a location where it is performed for, arranged with, or engaged in by fewer than all the people present, and where a separate fee is paid (either directly or indirectly) for the performance. This includes situations where the performer is either completely unclothed or wearing clothing that exposes “specified anatomical areas”, as defined in PCC 17.37.020(4). Examples of this include, but are not limited to, activities like table

dancing, couch dancing, taxi dancing, lap dancing, private dancing, or straddle dancing.

(2) *Adult Entertainment Business.* Adult entertainment business means the following establishments:

- (a) *Adult Cabaret.* A nightclub, bar, restaurant, theater, or auditorium, or similar commercial establishment, whether or not alcoholic beverages are served, which presents adult entertainment.
- (b) *Adult Motel.* A hotel, motel, or similar commercial establishment which:
 - (i) a business that offers sleeping accommodations to the public for payment and, as a main part of its service, provides customers with closed-circuit TV, films, videos, slides, or other types of media that show or describe “specified anatomical areas”, as defined in PCC 17.37.020(4), or “specific sexual activities”, as defined in PCC 17.37.020(5), and that are not rated G, PG, PG-13, NC-17, or R by the Motion Picture Association of America; or
 - (ii) rents sleeping rooms for less than 10 hours; or
 - (iii) allows a tenant or occupant of a sleeping room to sub-rent the room for less than 10 hours.

A hotel or motel providing overnight accommodations is not considered an adult motel merely because it provides adult closed-circuit television programming in its rooms for its registered overnight guests.

- (c) *Adult Motion Picture Theater.* A business or drive-in theater where a significant portion of the films, videos, slides, or similar media shown for payment feature the depiction or description of “specified sexual activities”, as defined in PCC 17.37.020(4), or “specific sexual activities”, as defined in PCC 17.37.020(5), and are not rated G, PG, PG-13, NC-17, or R by the Motion Picture Association of America.
- (d) *Adult Retail Store.* An enclosed building, or part of a building, that for money or other consideration, spends a significant amount of its business on the sale, exchange, rental, trade, transfer, or viewing of "adult-oriented merchandise" as defined in PCC 17.37.020(3). A retail store is considered to spend a significant portion of its business on adult-oriented merchandise if selling or offering it is important to the store's financial success. It is assumed that adult-oriented merchandise plays a key role in the store's success if it makes up a certain percentage of the store's total business.:
 - (1) 30% or more of the display area of the store open to the public;
 - (2) 30% or more of the retail dollar value of all merchandise displayed in the store; or

- (3) 30% or more of the store's inventory (whether measured by retail dollar value or number of items). A store will not be considered an adult retail store if its sales of adult-oriented merchandise are only a small or minor part of its business.
 - (e) *Other Adult Entertainment Establishment.* Any business where customers are invited or allowed in, and where adult entertainment makes up a large part of what the business offers. This includes, but is not limited to, escort agencies, semi-nude or nude modeling studios, or similar businesses.
- (3) *Adult-oriented Merchandise.* Any items, such as videos, DVDs, magazines, books, posters, cards, or novelty items, that show, describe, or imitate "specified anatomical areas", as defined in PCC 17.37.020(4) or "specified sexual activities" as defined in 17.37.020(5).
- (4) *Specified Anatomical Areas.* Specified anatomical areas means:
 - (a) Human genitals, pubic area, buttocks, and the lower part of the female breast, just above the areola, when these areas are not fully and clearly covered; and
 - (b) human male genitals in a discernibly turgid state, even if completely and opaquely covered.
- (5) *Specified Sexual Activities.* Specified sexual activities means:
 - (a) human genitals in a state of sexual stimulation or arousal;
 - (b) acts of human masturbation, sexual intercourse, or oral or digital stimulation; and
 - (c) fondling or other erotic touching of human genitals, pubic region, buttock, or female breast. (Ord. 25-08 §1, 2025).

17.37.030 Applicability.

The standards established in this Chapter apply to all adult entertainment businesses as defined herein. (Ord. 25-08 §1, 2025)

17.37.040 Limitations.

This Chapter does not apply to or restrict the following activities or products: expressive dance; plays, operas, musicals, or other dramatic performances; educational or scientific classes, seminars, or lectures; printed materials or images for educational or scientific purposes; women breastfeeding; nudity in locker rooms or places used for changing clothes during exercise or sports; nudity in hospitals, clinics, or medical facilities for health reasons; and movies or videos rated G, PG, PG-13, NC-17, or R by the Motion Picture Association of America. (Ord. 25-08 §1, 2025)

17.37.050 Separation Standards.

- (1) As described in PCC 17.70.030, an adult entertainment business is allowed to locate only in a C2 or C3 zoning district. Adult entertainment businesses will not be permitted to locate within 500 feet of any of the following sensitive zoning districts or sensitive uses:

- (a) any residential zoning district;
 - (b) a C1 zoning district;
 - (c) a WSU zoning district;
 - (d) a child day care facility;
 - (e) a public or private nursery school, preschool, or educational service;
 - (f) a public park;
 - (g) a church or other similar religious facility; and
 - (h) any other adult entertainment business.
- (2) Distance will be measured in a straight line between the nearest property line of a sensitive zoning district or sensitive use and the nearest property line of the adult entertainment business.
- (3) The Director of Community Development may grant an administrative variance in accordance with PCC 17.130 to modify the separation standards of this Section if the applicant can demonstrate that the following criteria are met:
- (a) the physical features of the land and/or the manner in which the proposed adult entertainment business is to be designed would result in an effective separation between the proposed adult entertainment business and any sensitive zoning districts or uses in terms of visibility and access;
 - (b) the proposed adult entertainment business is compatible with surrounding uses; and,
 - (c) the proposed adult entertainment business otherwise complies with this Title.
- (4) An adult entertainment business will be considered a nonconforming use if a sensitive zone or use is established within 500 feet of it after the adult entertainment business has already been set up following the rules in this Chapter. (Ord. 25-08 §1, 2025)

17.37.060 General Provisions.

- (1) Advertisements, displays, signs, or other promotional material depicting or describing adult entertainment will not be visible from any public right-of-way or other public space.
- (2) All entries, windows, and other openings in a building containing an adult entertainment business will be located or screened to prevent a view of adult entertainment activity or material from any public right-of-way or other public space. No adult entertainment activity or material will be visible from any public right-of-way or other public space.
- (3) An adult entertainment business may not be operated or open to the public between the hours of 2:00 a.m. and 10:00 a.m. (Ord. 25-08 §1, 2025).

Chapter 17.40

OFF-STREET PARKING AND LOADING

Sections:

- 17.40.010 Purpose.
- 17.40.020 Applicability.
- 17.40.030 Permit Review Requirements.
- 17.40.040 Off-street Parking Area Design.
- 17.40.050 Off-street Parking Area Location.
- 17.40.060 Off-street Parking Space Requirements.
- 17.40.070 Mixed Uses and Joint Use of Parking.
- 17.40.080 Off-street Loading Requirements—Freight Vehicles.
- 17.40.090 Pedestrian Loading Areas.

17.40.010 Purpose.

This Chapter is to assure the provision of adequately sized and designed off-street parking and loading areas and, by so doing, to reduce traffic congestion, reduce the crowding of on-street parking spaces, enhance traffic and pedestrian safety, enhance the appearance of parking areas, and protect adjacent properties from the adverse impacts of uses with inadequate off-street parking. (Ord. 25-08 §1, 2025).

17.40.020 Applicability.

Except as otherwise provided in this Title, off-street parking and loading spaces will be provided in conformance with the provisions of this Chapter.

- (1) *New Structure or Use.* At the time a new structure is erected or a new use is established, off-street parking will be provided.
- (2) *Change in Use.* Where a change in the use of a structure results in an increased requirement for parking spaces, additional spaces must be provided.
- (3) *Expansion or Enlargement.* Where the square footage of a structure is enlarged or the square footage of the use within a structure is expanded, parking spaces in addition to existing spaces will be required for the expansion or enlargement only.
- (4) *Other Parking Areas.* All new parking areas or additions to existing parking areas will be constructed in accordance with the provisions of this Chapter.
- (5) *Alterations.* Alterations to parking lots must be made in conformance with the provisions of this Title. Alterations may be made to nonconforming lots where there is no reduction in the number of parking spaces provided.
- (6) *Nonconformities.* Any use which, on the effective date of this Title or any amendments hereto, is nonconforming in terms of required off-street parking and loading spaces and design may continue in the same manner as if it were conforming.
- (7) *C2 Central Business District.* The C2 District will be exempt from the provisions of this Title as they relate to the number of off-street parking spaces or loading berths, but all

other requirements of this Title will apply. (Ord. 25-08 §1, 2025).

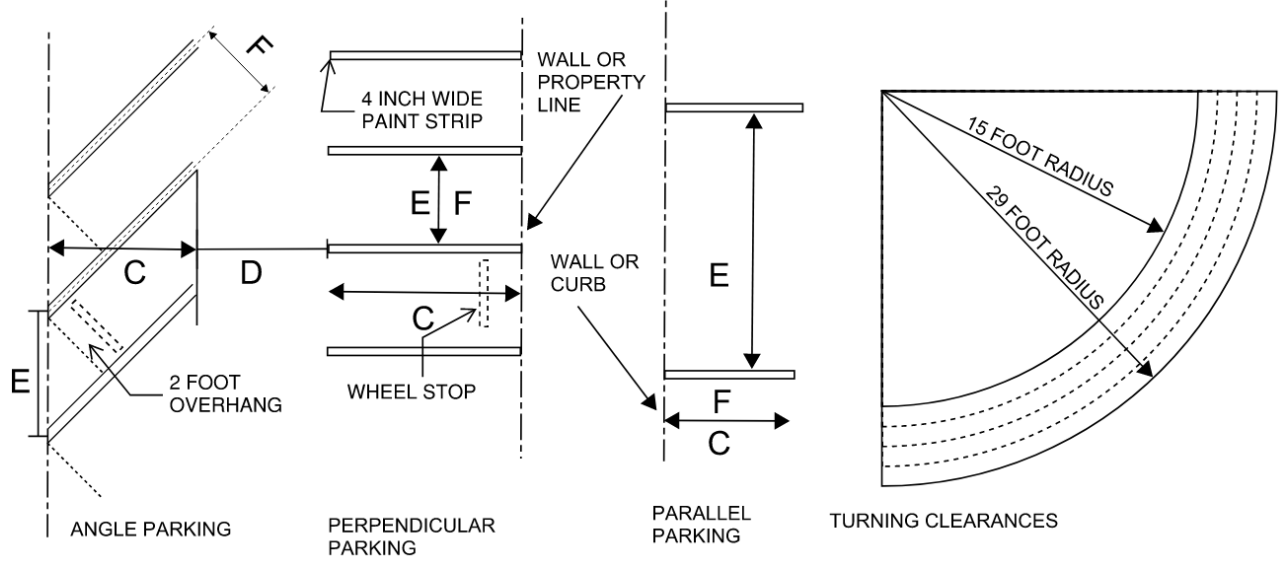
17.40.030 Permit Review Requirements.

- (1) *When Review is Required.* All applications for building permits, conditional use permits, zone changes, and site plan approvals will include a determination of the proposed use's compliance or failure to comply with the parking provisions of this Title.
- (2) *Application Contents.* All applications for any permit or plan approval made pursuant to this Title will indicate how applicable requirements of this Chapter will be met, including the location and dimensions of the following:
 - (a) individual parking and loading spaces;
 - (b) circulation area necessary to serve spaces;
 - (c) access to streets and property to be served;
 - (d) curb cuts;
 - (e) areas reserved for landscaping, types of plants, and any other materials or improvements;
 - (f) continuity and substance of fencing or other types of screening;
 - (g) grading, surfacing, drainage, and subgrading details;
 - (h) obstacles, if any, to parking and traffic circulation in the finished parking area;
 - (i) signs, wheel stops, and markings to identify individual spaces;
 - (j) lighting.
- (3) *Certificate of Occupancy.* All required off-street parking and loading areas must be completed in accordance with the provisions of this Title before any Final Certificate of Occupancy is issued. (Ord. 25-08 §1, 2025).

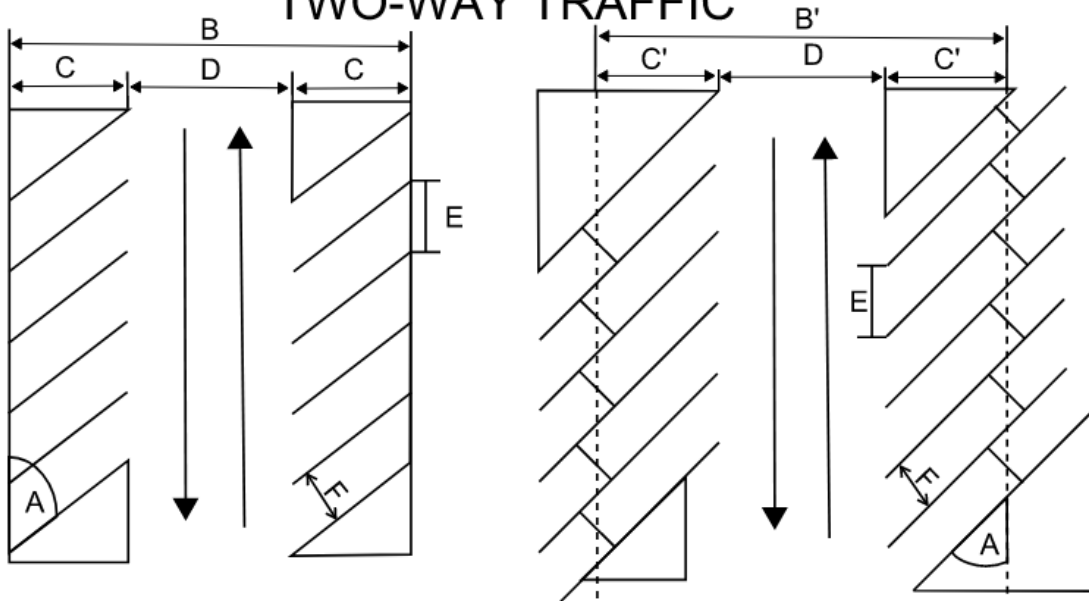
17.40.040 Off-street Parking Area Design.

- (1) *Off-street Parking Space and Area Dimension.* Except as otherwise provided in this Title, off-street parking spaces and areas will be designed and constructed in accordance with the standards of Figure 17.40.1. In commercial and industrial zones, up to 25% of the spaces provided in any parking area of more than five (5) spaces may be sized for compact cars. In residential zones, up to 50% of the spaces provided in any parking area of more than five (5) spaces may be sized for compact cars.

FIGURE 17.40.1

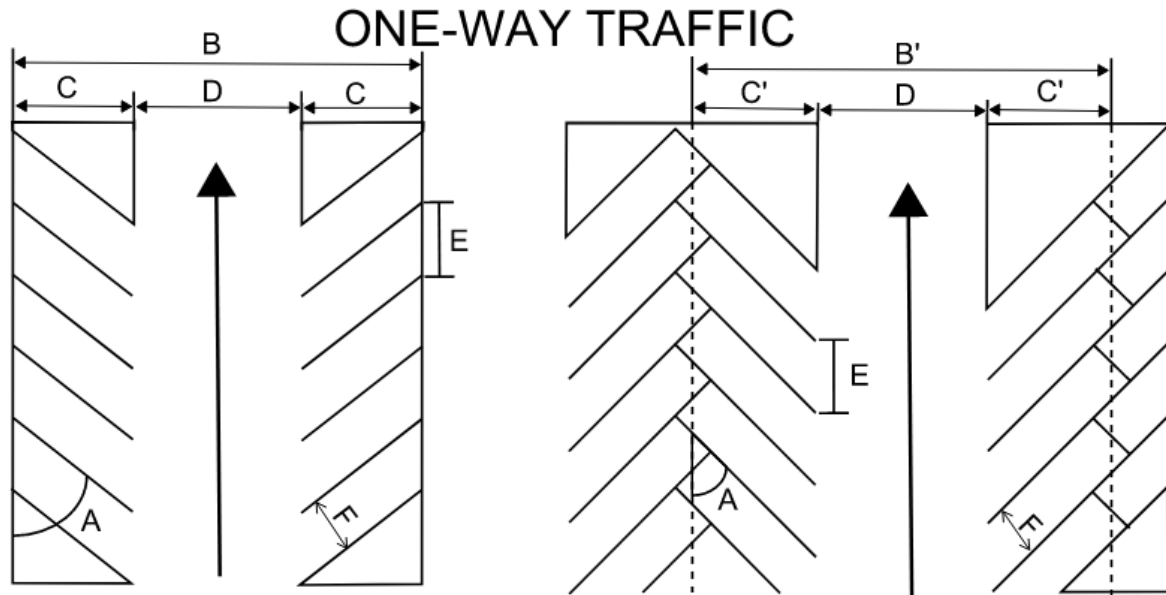


TWO-WAY TRAFFIC



A	B	C	D	E	F	B'	C'
PARKING ANGLE (DEGREE)	PARKING SECTION WIDTH	PARKING BANK WIDTH	TRAFFIC AISLE WIDTH	CURB LENGTH PER CAR	CAR STALL WIDTH	PARKING SECTION WIDTH	PARKING BANK WIDTH
STANDARD VEHICLES							
0	36'	8'	20'	23'	8'		
45	58'	19'	20'	12'	8.5'	51'	15.5'
60	60'	20'	20'	9.8'	8.5'	55'	17.5'
90	64'	20'	24'	9'	9'		

COMPACT VEHICLES							
0	35'	7.5'	20'	15'	7.5'		
45	52'	16'	20'	11.3'	8'	47'	13.3'
60	53.6'	16.8'	20'	9.2'	8'	50'	14.9'
90	50'	15'	20'	8'	8'		



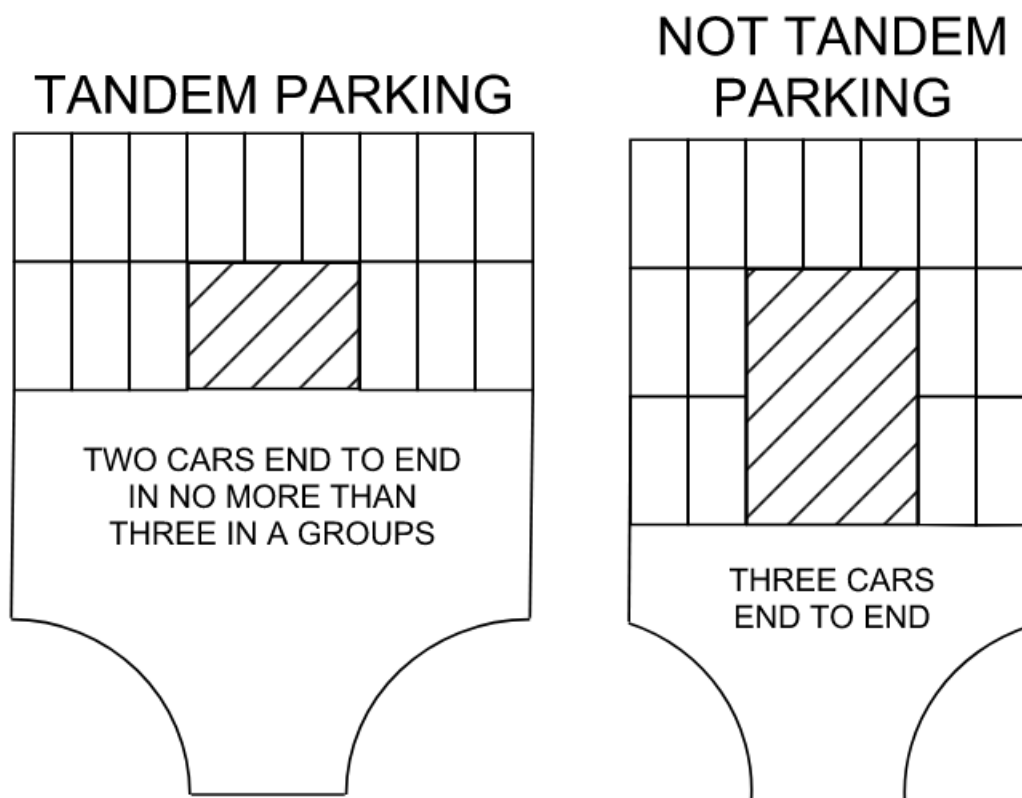
A	B	C	D	E	F	B'	C'
PARKING ANGLE (DEGREE)	PARKING SECTION WIDTH	PARKING BANK WIDTH	TRAFFIC AISLE WIDTH	CURB LENGTH PER CAR	CAR STALL WIDTH	PARKING SECTION WIDTH	PARKING BANK WIDTH
STANDARD VEHICLES							
0	28'	8'	12'	23'	8'		
45	58'	19'	12'	12'	8.5'	43'	15.5'
60	55	20'	12'	9.8'	8.5'	50'	17.5'
COMPACT VEHICLES							
0	27'	7.5'	12'	15'	7.5'		
45	44'	16'	12'	11.3'	8'	39'	13.3'
60	48.6'	16.8'	15'	9.2'	8'	45'	14.9'

- (2) **Off-street Parking Area Surface.** Except as otherwise provided in this Title, off-street parking areas which include five (5) or more spaces and their attendant driveways will be paved with a minimum of two (2) inches of asphalt over eight (8) inches of gravel base or, five and one half (5.5) inches of portland cement concrete over four (4) inches of gravel base, or a similar impermeable or suitable permeable surface approved by the Director of Public Works. All gravel bases must be compacted to 95% maximum density as determined by a modified Proctor analysis (ASTM D1557). Parking areas of fewer than five (5) spaces and their attendant driveways must either be paved in the manner described above or be surfaced with four (4) or more inches of gravel compacted to 95%

maximum density as determined by a modified Proctor analysis (ASTM D1557). Suitable substitutes for compacted gravel to control dust and erosion may be approved by the Director of Public Works.

- (3) *Wheel Stops.* All parking spaces located along the outer boundary of any parking area must be equipped with wheel stops to prevent vehicles from extending over the property line. Wheel stops will also be installed wherever necessary to protect parking area landscaping and screening.
- (4) *Marking and Signs.* In parking areas with five (5) or more spaces, each parking spot must be clearly marked with pavement lines. Signs or markings to help with traffic and pedestrian movement in and out of the area must also be provided. Special parking spaces, such as those for handicapped individuals, compact cars, RVs, and other large vehicles, must also be clearly marked.
- (5) *Drainage.* All parking lots with five (5) or more spaces must be properly graded and drained to collect all surface water on-site. They must also include systems to manage stormwater so that the amount of runoff does not increase, as required by the city's design standards. The grading and drainage systems should be designed to prevent water from flowing across sidewalks as much as possible.
- (6) *Accessible Parking.* Accessible parking must be provided in accordance with WAC 51-50 as it now exists or may be amended.
- (7) *Screening and Landscaping.* Screening and landscaping of off-street parking areas are required as described in PCC 17.45.030.
- (8) *Lighting.* Lighting must be deflected to not shine directly on any contiguous residentially zoned lot or residential use.
- (9) *Access and Circulation in Off-street Parking Areas.*
 - (a) *Access Points.* All access points to off-street parking areas must be designed and built according to the City of Pullman Design Standards. The number, location, and design of these access points may be limited if needed to protect the safety of drivers and pedestrians on public roads. If the Director of Public works deems it's suitable, access to the parking area from a nearby alley is encouraged.
 - (b) *Internal Circulation.* The circulation pattern of off-street parking areas, except driveways serving single or two-family dwellings, will not have backing or parking maneuvers on a public sidewalk, highway, road, or street.
 - (c) *Driveways.*
 - (i) Driveways serving loading areas and fire access lanes will have a minimum width of 20 feet, all of which must be paved.
 - (ii) A driveway may straddle the lot line of abutting lots in separate ownership if it leads to required parking spaces or loading berths on both lots.

- (iii) Driveways serving drive-in windows such as for restaurants and banks will have a minimum of 80 feet of waiting space for each drive-in window.
- (10) *Tandem Parking.* Tandem parking, where parking spaces are arranged one behind the other and one (1) car may block another, is allowed for single-family homes, manufactured homes, individual units in duplexes, and individual townhouse units to meet parking requirements. Tandem parking is not allowed for other uses unless the Director of Community Development decides it won't negatively affect the property or nearby properties. Tandem parking cannot exceed three (3) groups of two (2) cars end to end.



- (11) *Off-Street Parking Areas in Required Yards.* Unless stated otherwise, any new or expanded off-street parking areas and driveways in residential zones can cover no more than 50% of the required front yard and required flanking side yard. However, if the required front or side yard along the street is less than 36 feet wide, the amount of the yard that can be covered by parking areas and driveways can increase by 3% for every foot the yard is narrower than 36 feet (e.g., a 25-foot lot dimension along the street would limit coverage of parking areas and driveways in the required yard to 83 percent). (Ord. 25-08 §1, 2025).

17.40.050 Off-street Parking Area Location.

- (1) *Maximum Distance to Use Served.* The nearest parking space in the required off-street parking area will be located within the distance of the use served shown in Table 17.40.1.

Table 17.40.1. DISTANCE TO NEAREST REQUIRED OFF-STREET PARKING SPACE

Use Served	Maximum Distance to Parking
Detached dwellings, including manufactured homes, townhouse dwellings, duplex units	On the same lot
All other living quarters except membership lodging	Within 200 feet
All other uses, including membership lodging and extra guest parking in residential developments	Within 500 feet

- (2) *Access to Off-street Parking.* Off-street parking will not be located across an arterial or collector street from the use it serves except where a pedestrian overpass or underpass or signal-controlled crosswalk is available or provided to allow pedestrians to cross safely from the parking area to the use.
- (3) *Garage Structure.* In all zoning districts, if the required off-street parking spaces for a single-family dwelling or a duplex are not provided in a garage or carport, one (1) space will be located so that a future garage structure may be constructed in accordance with the provisions of this Title. (Ord. 25-08 §1, 2025).

17.40.060 Off-street Parking Space Requirements.

PCC 17.70.030, Use Chart, shows the required number of parking spaces per type of use. Any fractional space required will be rounded up to the next whole number. For uses not listed in the chart, the Director of Community Development will decide how many spaces are required by comparing the proposed use to similar uses that have space requirements. The Community Development Director's decision can be appealed to the Hearing Examiner, as outlined in PCC 17.185. (Ord. 25-08 §1, 2025).

17.40.070 Mixed Uses and Joint Use of Parking.

- (1) *Mixed Use.* In cases of multiple types of uses, the number of required parking will be the total of all required parking per each use. Buildings containing multiple uses may qualify for joint use of parking area as specified below.
- (2) *Joint Use.* Requests for joint use of parking areas will be processed by the Director of Community Development as provided in PCC 17.175.050. Upon application, the Director of Community Development may authorize joint use of parking areas, provided:
- (a) the applicant shows that there is no substantial conflict in the operating hours of the buildings, structures, or uses;
 - (b) the property owners sharing in a joint use of an off-street parking area will submit a written agreement signed by both parties to be recorded in the office of the Whitman County Auditor and a copy thereof filed with the Community Development Director;

- (c) if there is a change in the uses involved in the joint use of parking areas during the term of the written agreement cited in PCC 17.40.070(2)(b), a new application for joint use of parking areas will be submitted in the manner described in PCC 17.40.070(2). (Ord. 25-08 §1, 2025).

17.40.080 Off-street Loading Requirements—Freight Vehicles.

- (1) *Applicability.* All new buildings and uses must meet the berthing requirements for freight hauling vehicles herein specified except in the C2 Central Business District. All off-street loading berths and access, whether required by this Chapter or not, must be designed and constructed in accordance with its provisions.
- (2) *Minimum Number Required.*
 - (a) Any building intended for retail, wholesale, warehouse, freight, hospital, industrial, or manufacturing uses must be provided with off-street loading berths as specified below:
 - (i) one (1) berth for each building containing 10,000 to 35,000 square feet of net floor area;
 - (ii) two (2) berths for each building containing more than 35,000 square feet of net floor area.
 - (b) Any building intended to be used for a hotel, food and beverage business, community center, convention hall, membership lodging, or other similar use must be provided with off-street loading berths according to this schedule:
 - (i) one (1) berth for each building containing 20,000 to 50,000 square feet of net floor area;
 - (ii) two (2) berths for each building containing more than 50,000 square feet of net floor area.
- (3) *Loading Design Standards.* Off-street loading facilities must be designed and maintained in accordance with the following standards:
 - (a) Each loading berth will be at least 10 feet wide and 45 feet long.
 - (b) Loading berths must not be located within any required yard except in a required rear yard.
 - (c) Loading berths must be located entirely on the property they are intended to serve and designed in such a way that the street does not serve as a maneuvering area.
 - (d) Access to loading berths must be from an alley when possible and designed to minimize the potential for congestion and to ensure traffic and pedestrian safety.
 - (e) If desirable, two (2) or more buildings having a common wall may locate their required loading berths together in a single location, provided that the number of berths must not be less than the sum of the required berths for all the buildings

concerned, and that there be access from each building to the loading berth. (Ord. 25-08 §1, 2025).

17.40.090 Pedestrian Loading Areas.

Uses such as hospitals, schools, churches, government buildings and similar uses which serve many people and have their principal access on collector or arterial streets, must provide at least one (1) safe off-street pedestrian loading areas. (Ord. 25-08 §1, 2025).

Chapter 17.45

LANDSCAPING AND SCREENING

Sections:

- 17.45.010 Purpose.
- 17.45.020 Applicability.
- 17.45.030 Landscaping and Screening Requirements for Parking Areas and Loading Berths.
- 17.45.040 Landscaping of Required Open Space.
- 17.45.050 Screening Between Uses and Districts.
- 17.45.060 Outdoor Storage—Commercial and Industrial Districts.
- 17.45.065 Scrap and Waste Material—Industrial Districts.
- 17.45.067 Screening of Solid Waste Dumpsters and Self-contained, Liquid-tight, Compacting Solid Waste Containers.
- 17.45.070 Definition and Retention of Significant Trees.
- 17.45.080 Types of Landscaping Requirements.
- 17.45.090 Modification of Landscaping Requirements.
- 17.45.100 Landscaping Plan Requirements.
- 17.45.110 Installation and Maintenance Standards.

17.45.010 Purpose.

This Chapter is to:

- (1) establish minimum requirements for the landscaping and screening needed to increase compatibility between different intensities of land use;
- (2) provide visual relief from the barren expanse of paved parking lots;
- (3) screen undesirable views that have a blighting impact on surrounding properties; and
- (4) provide a visual separation and physical buffer between incompatible abutting land uses.

It is the intent of these requirements to:

- (1) encourage the retention of existing vegetation including significant trees to the extent feasible and to require replacement if significant existing trees are removed;
- (2) reduce erosion and storm water runoff;
- (3) preserve and promote urban wildlife habitats;
- (4) minimize the impacts of noise, light and glare;
- (5) aid in regulating vehicular circulation; and
- (6) make the City a more aesthetically pleasing place to live, shop, and work.

In all cases, low water use landscaping is preferred over more significant amounts of irrigation. (Ord. 25-08 §1, 2025).

17.45.020 Applicability.

Except as otherwise provided in this Title, the provisions of this Chapter will apply to:

- (1) all new developments;
- (2) any addition to an existing structure when the cost of the addition exceeds 50% of the current assessed valuation of the existing structure;
- (3) any expansion of a MHP in which the number of new manufactured home lots exceeds 50% of the number of existing manufactured home lots;
- (4) situations where this Chapter imposes a requirement for buffering or screening between two (2) uses, one of which is existing and the other new. The responsibility for satisfying this requirement rests entirely on the new use. (Ord. 25-08 §1, 2025).

17.45.030 Landscaping and Screening Requirements for Parking Areas and Loading Berths.

Parking areas and loading berths will comply with the following requirements:

- (1) Parking areas with 20 or more spaces will have at least 10 percent of the total parking area landscaped. Parking areas with 100 or more spaces will have at least 25% of the required 10% to be landscaped located in the interior of the lot.
- (2) No required planting areas will be less than 24 square feet in area, except for raised planter boxes around or in close proximity to buildings.
- (3) When landscaping is required as described in subsection (1), then an average of at least one (1) tree will be planted for every 10 single row parking stalls or every 20 double row parking stalls within the parking area.
- (4) Landscaping materials should consider the future size and spread, resistance to disease and pests, durability, adaptation to the current soil and climate, and the ability to grow with minimal watering.
- (5) Landscaping in the interior of the parking area will be contained by a bumper rail or curb which is at least four (4) inches high.
- (6) All off-street parking areas which include five (5) or more parking spaces and all loading berths will be screened from a contiguous residentially zoned lot or residential use. Screening will be in a wall, fence, or earth berm or slope at least four (4) feet in height and dense enough to shield from direct lighting, including automobile headlights. A Type I landscape strip as defined in PCC 17.45.080 may be substituted for such wall, fence, or berm.
- (7) All off-street parking areas which include five (5) or more parking spaces and all loading berths will be screened from a residentially zoned lot or residential use that is located across a street from said parking area or loading berth. Screening will be in the form of a Type I landscape strip as described in PCC 17.45.080. Breaks or modifications in required screening may be permitted to provide vehicular or pedestrian access to a public right-of-way and to conform with the vision clearance area provisions defined in PCC 17.35.020(3). (Ord. 25-08 §1, 2025).

17.45.040 Landscaping of Required Open Space.

All required open spaces must be landscaped with plants, except for areas covered by sidewalks or recreational facilities like pools or tennis courts that need a special surface. The plants can include grass, shrubs, flowers, decorative rocks, bark chips, and both deciduous and evergreen trees.

Existing plants can be included in the landscape design instead of new plants, as long as they help meet the goals of this chapter. It is also encouraged to use landscaping that requires less water. (Ord. 25-08 §1, 2025).

17.45.050 Screening Between Uses and Districts.

The following screening requirements will be applicable:

- (1) When a nonresidential use except a park abuts a residentially zoned property or a residential use, the following screening provisions will apply to the nonresidential use:
 - (a) a minimum six (6) foot high screening device, such as a sight-obscuring fence or wall will be installed along the abutting property line between the nonresidential use and the residentially zoned property or residential use; or
 - (b) a landscape strip of evergreen trees and/or evergreen shrubs, a minimum height of eight (8) feet at time of planting and spaced to grow together within three (3) years of planting in a manner sufficient to screen views along the length of the landscape strip.
- (2) When a high-density residential zone (R3 or R4) abuts a low-density residential zone (R1 or R2), the following screening provisions will apply to any development in the R3 or R4 zone that requires site plan review in accordance with PCC 17.135:
 - (a) a minimum six (6) foot high screening device, such as a sight-obscuring fence or wall will be installed along the abutting property line between the R3 or R4 zone and the R1 or R2 zone; or,
 - (b) a landscape strip of evergreen trees and/or evergreen shrubs, a minimum height of eight (8) feet at time of planting and spaced to grow together within three (3) years of planting in a manner sufficient to screen views along the length of the landscape strip.
- (3) When a fence is used as the screening device it will be composed of wood, vinyl, or other material approved by the Community Development Director. (Ord. 25-08 §1, 2025).

17.45.060 Outdoor Storage—Commercial and Industrial Districts.

Permitted outdoor storage and outdoor storage areas in commercial and industrial districts in view from any street adjacent to the property will be screened by a sight-obscuring fence or a minimum five (5) foot wide planting area with Type I landscaping as defined in PCC 17.45.080.

Materials stored under a roof but without walls are considered outdoor storage and must be screened as required by this section. However, this rule does not apply to the display of new or

used farm equipment, vehicles, or boats if they are part of a dealership or storage facility for those items. (Ord. 25-08 §1, 2025).

17.45.065 Scrap and Waste Material—Industrial Districts.

Facilities or sites for the storage, processing, and/or sale of scrap or waste materials, such as scrap metals, hides, and wrecked vehicles, will be completely fenced; and will be fully screened from view with a Type I buffer, as defined in PCC 17.45 or, with a fence fully screening the facility or site from view. (Ord. 25-08 §1, 2025).

17.45.067 Screening of Solid Waste Dumpsters and Self-contained, Liquid-tight, Compacting Solid Waste Containers.

Dumpsters and self-contained, liquid-tight, compacting solid waste containers placed in all zoning districts to serve structures for which building permits are issued after the effective date of the ordinance will be screened as follows:

- (1) Dumpsters and waste containers that are not in the public right of way must be screened on at least three (3) sides. This can be done with a building, hillside, sight-obscuring fence, or landscaping, or a combination of these. The side of the dumpster or container that faces a public street must also be one of the sides that is screened.
- (2) Dumpsters and self-contained, liquid-tight, compacting solid waste containers within the public right of way will be screened on four (4) sides by a building, hillside, sight-obscuring fence, or sight obscuring landscaping.
- (3) Screening will not be required for dumpsters located on a temporary one-time basis to handle special circumstances such as construction projects and large-scale clean-up efforts.

Where screening is required, the Director of Community Development will consult with the solid waste collector prior to making a determination of exact requirements for screening to prevent the required screening from becoming unduly burdensome on the solid waste collector or the person required to provide the screening. (Ord. 25-08 §1, 2025).

17.45.070 Definition and Retention of Significant Trees.

Significant trees are defined and will be retained as follows:

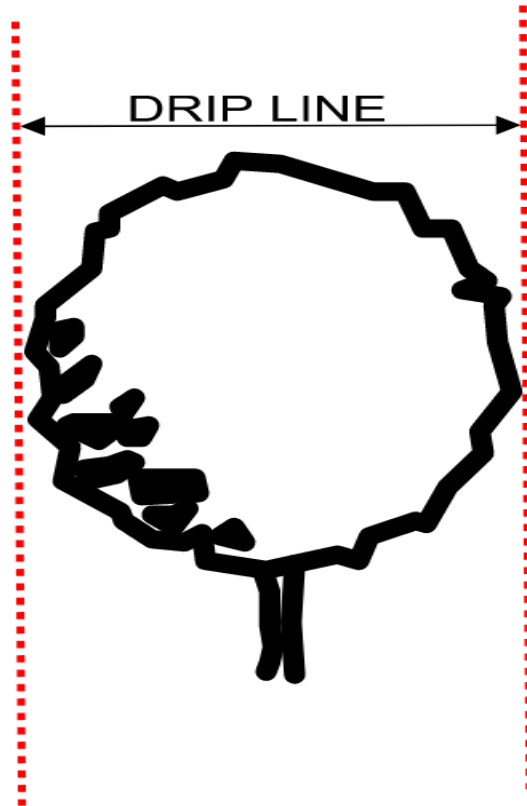
- (1) *Definition.* Significant trees are those trees which fall into the following categories:
 - (a) healthy trees over 25 feet in height;
 - (b) trees over 10 feet in height which form a continuous canopy.
- (2) *Retention.* Significant trees will be retained to the maximum extent possible.
 - (a) *Minor Site Plan Changes Required by the City.* The City may ask for small changes in the layout of buildings and other parts of the development to retain significant trees. However, the City cannot require changes that would cause the applicant extra cost or reduce the number of units or size of the buildings allowed.

- (b) *Replacement of Removed Significant Trees.* If any significant trees on a property are removed, the City may require trees to be planted on the property. The maximum number of trees that the City may require to be planted is three (3) times the number of significant trees removed. New trees must be at least eight (8) feet in height and two (2) inches in diameter as measured one (1) foot above grade. When determined appropriate by the Director of Community Development to meet this Chapter, they may specify the species of trees to be planted.

If trees are removed prior to the approval of the development plan, all trees removed must be replaced.

- (c) *Protection Techniques.* To provide conditions likely to result in the retention of significant trees, the applicant will comply with the following requirements:

- (i) The applicant will not excavate within the area defined by the drip line of any tree to be retained.



- (ii) During the period of construction when a significant tree will be endangered, the applicant will erect a temporary but immovable four (4) foot high sturdy enclosure generally corresponding to the drip line of each tree to be retained.
- (iii) If the grade level adjoining a tree to be retained is to be raised, the applicant will construct a dry rock wall or rock well around the tree. The

diameter of this wall or well must be equal to the diameter of the tree plus five (5) feet.

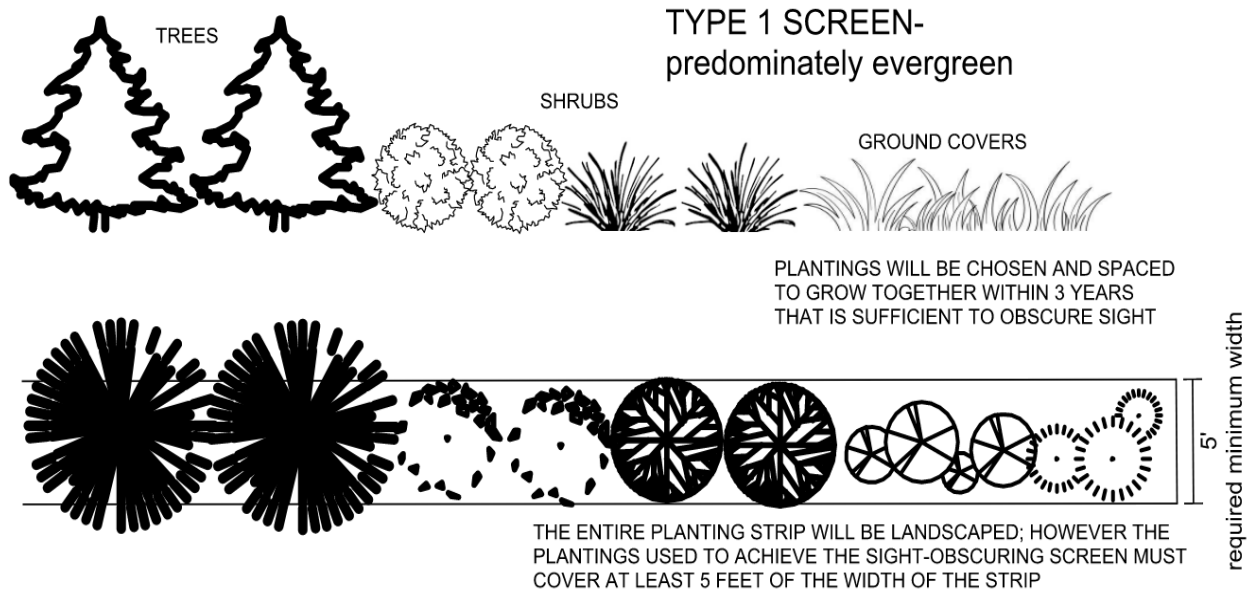
- (iv) The applicant will not install impervious surfaces within the area defined by the drip line of any tree to be retained.
- (v) The applicant will prune branches and roots, fertilize, and water as appropriate.
- (vi) The grade level around any tree to be retained will not be lowered within the greater of the following areas:
 - (aa) the area defined by the drip line of the tree;
 - (bb) an area around the tree equal to one (1) foot in diameter for each one (1) inch of tree diameter as measured one (1) foot above grade.
- (d) *Alternative Techniques.* The Director of Community Development may approve the use of alternative tree protection techniques if the significant trees will be protected to an equal or greater degree than by the techniques listed in PCC 17.45.070(2)(c).
- (e) *Tree Restoration.* If a tree that was supposed to be retained or planted is damaged or destroyed during construction, or within two (2) years after construction ends due to the applicant's actions, the applicant must plant a replacement tree of the same species in the same area. The replacement tree must be at least two (2) inches in diameter, measured one (1) foot above the ground. The City may also require the applicant to remove the damaged or destroyed tree.
- (f) *Removal of Unhealthy Trees.* If significant trees are removed due to being unhealthy and a safety hazard, documentation is required to show that the trees are unhealthy otherwise the trees must be replaced as described in Section (b) above. (Ord. 25-08 §1, 2025).

17.45.080 Types of Landscaping Requirements.

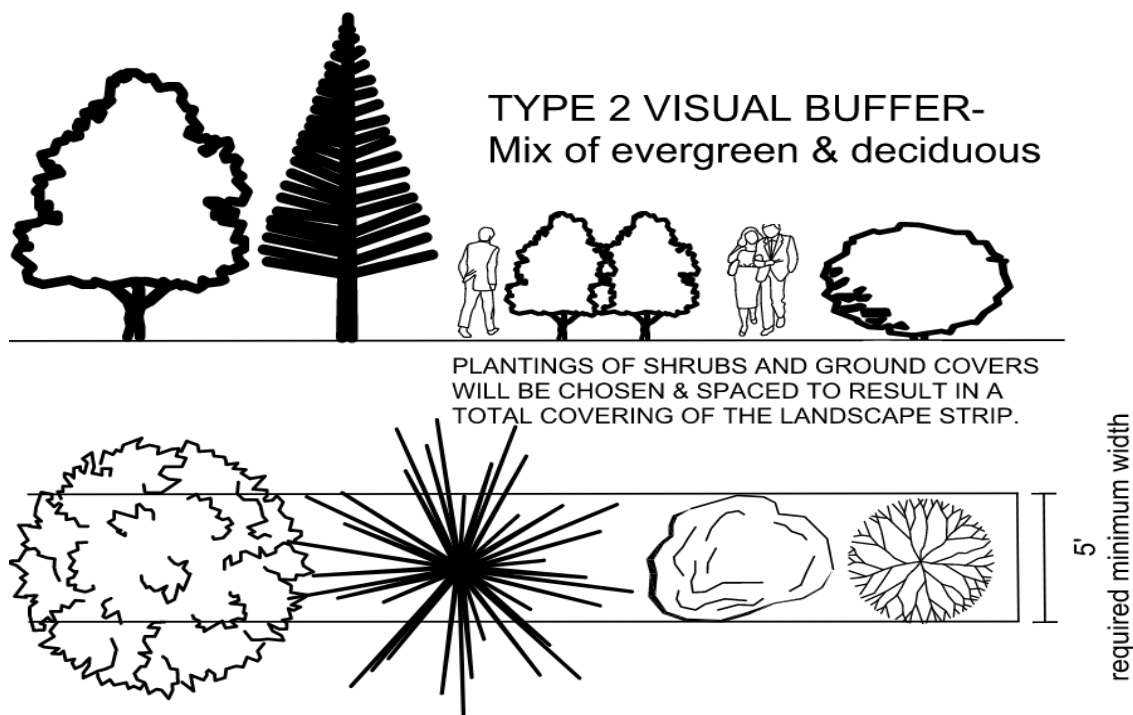
The following are the types of landscaping required by this Title. All proposed plant material, sizes, and characteristics will be in accordance with the American Standard for Nursery Stock (ANSI Z60.1.2014):

- (1) *TYPE I: SCREEN.* Type I landscaping will mainly include evergreen plants like trees, shrubs, and ground covers. Evergreen trees must be at least four (4) feet tall when planted. The plants will be spaced so they grow together within three (3) years to create a barrier that blocks sight. The whole planting area must be landscaped, but at least five (5) feet of it should be covered with plants that form a sight-obscuring screen. Existing plants

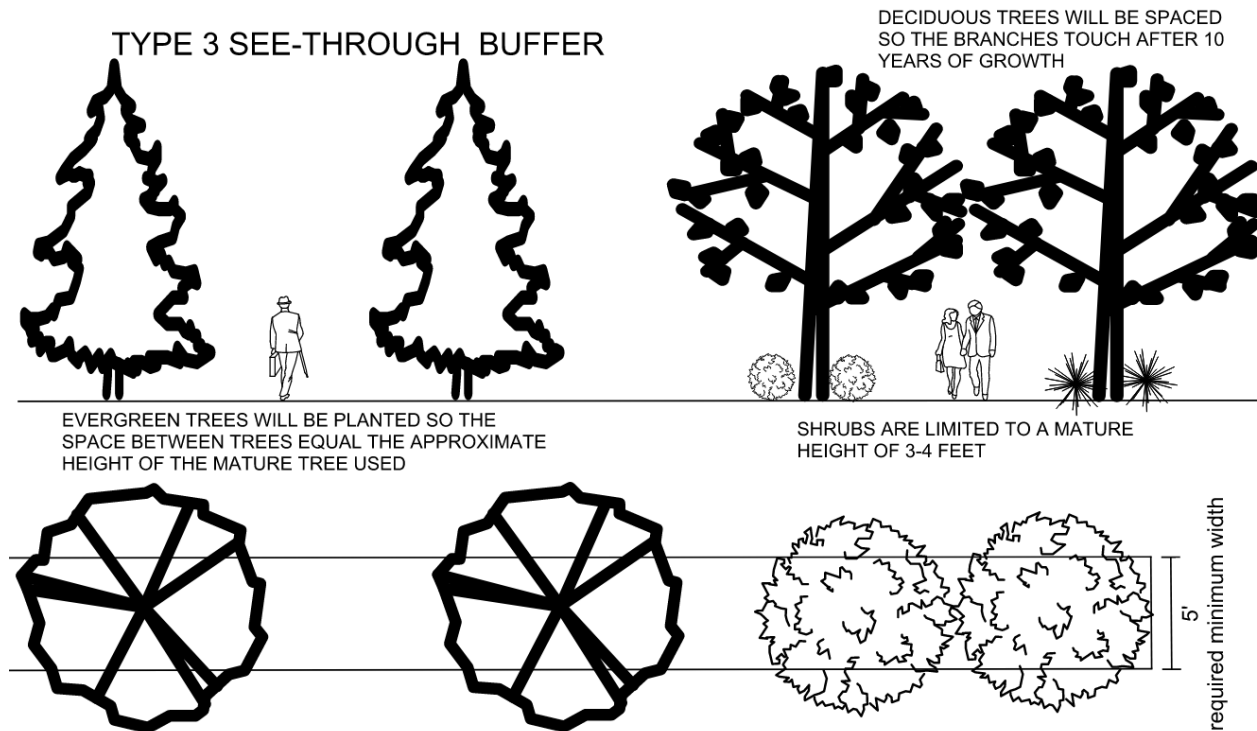
can be used instead of new ones as long as they help meet the goals of the landscaping requirements.



- (2) **TYPE II: VISUAL BUFFER.** Type II landscaping will include a mix of evergreen and deciduous plants like trees, shrubs, and ground covers. Shrubs and ground covers should be spaced to fully cover the landscaping area. Shrubs should grow to about six (6) feet tall within three (3) years to block views along the strip. Deciduous trees should have a trunk diameter of at least 1.75 inches when planted. Trees should be spaced so their branches touch after 10 years of growth. Existing plants can be used instead of new ones if they help meet the landscaping goals.

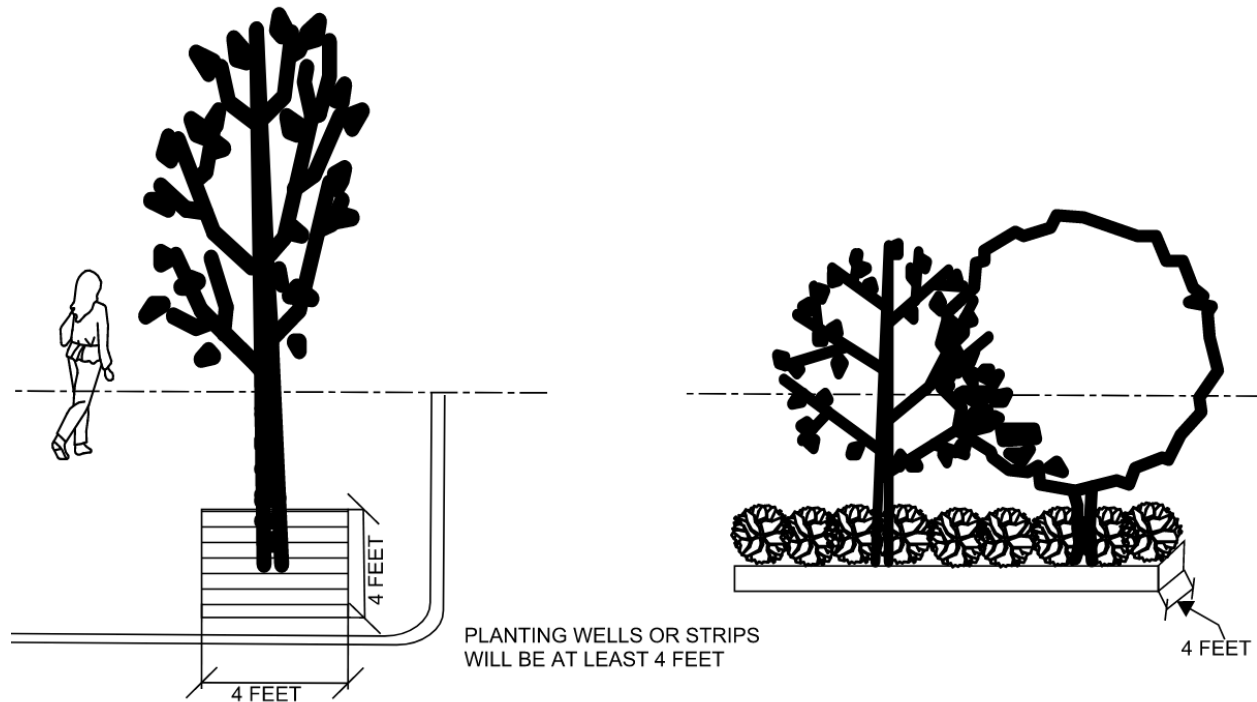


- (3) **TYPE III: SEE-THROUGH BUFFER.** Type III landscaping will include a mix of evergreen and deciduous plants like trees, shrubs, and ground covers. Shrubs and ground covers should be spaced to fully cover the landscaping area within three (3) years. Shrubs should not grow taller than four (4) feet at maturity. Deciduous trees should have a trunk diameter of at least 1.75 inches when planted and be spaced so their branches touch after 10 years of growth. Evergreen trees should be at least four (4) feet tall when planted and spaced to match their mature size. Existing plants can be used instead of new ones if they help meet the landscaping goals.



- (4) **TYPE IV: OPEN AREA LANDSCAPING.** Type IV landscaping will include canopy-style evergreen and deciduous trees or spreading evergreen trees planted in wells or strips, along with a mix of evergreen and deciduous ground covers, low shrubs, and grass. Shrubs should not grow taller than four (4) feet at maturity. The size of the planting wells or strips should suit the plants. Deciduous trees should have a trunk diameter of at least 1.75 inches when planted. Evergreen trees should be at least four (4) feet tall when planted. Existing plants can be used instead of new ones if they help achieve the landscaping goals. (Ord. 25-08 §1, 2025)

TYPE 4 OPEN AREA LANDSCAPE



17.45.090 Modification of Landscaping Requirements.

- (1) The Director of Community Development may authorize reduced width of plantings or may waive some of the landscaping or screening requirements in the following instances:
 - (a) *Topography.* When the existing topography of the subject property or the adjoining property decreases or eliminates the need for screening.
 - (b) *Views.* When the modification will be more beneficial to the adjoining property than the required screen by causing less impairment of view or sunlight.
 - (c) *Change in Use.* When it is reasonable to believe that the adjoining property will be redeveloped in the near future to a use that would require no, or a less intensive, buffer.
 - (d) *Excessive Requirements.* When the requirements of this Chapter result in more than 20% of the site area being landscaped. Required parking lot landscaping will be counted as a percentage of overall required landscaping. In such cases, the Director of Community Development will modify these requirements so no more than 20% of the site must be landscaped, provided that the landscaping and corresponding setbacks required are those that most reasonably satisfy this Chapter.
 - (e) *Existing Vegetation.* When the inclusion of significant existing vegetation located on the site would result in as good as or better satisfaction of this Chapter.

- (2) The Director of Community Development will take into account any written statements submitted by adjoining property owners in making a decision to modify landscaping requirements.
- (3) The decision of the Director of Community Development regarding alternative landscaping will be final unless an aggrieved person appeals that decision to the Hearing Examiner under the procedures defined in PCC 17.185. (Ord. 25-08 §1, 2025).

17.45.100 Landscaping Plan Requirements.

A proposed landscaping and screening plan will be provided for a preliminary plat review, site plan review, or building permit review. Landscaping plans will be drawn to a scale of at least one (1) inch equals 40 feet on a sheet(s) with minimum dimensions of eight and one-half (8.5) inches by 11 inches and maximum dimensions of 24 inches (2 feet) by 36 inches (3 feet), and will include dimensions and distances, and will clearly show the following:

- (1) boundaries and dimensions of the site;
- (2) location and identification of all streets, alleys, and easements on or abutting the site;
- (3) proposed location and dimensions of all on-site buildings;
- (4) existing and proposed topography at maximum five (5) foot contour intervals;
- (5) proposed landscaping including location, size at time of planting, and description of landscape materials, using both botanical and common names;
- (6) identification and location of existing vegetation to be retained; identification of all evergreen trees with trunks greater than eight (8) inches in diameter, and all deciduous trees greater than 12 inches in diameter, as measured four (4) feet above ground level which are to be retained;
- (7) details of any proposed berm, walls, retaining walls and similar man-made barriers;
- (8) location of existing and proposed driveways, parking surfaces, curbs, and sidewalks; and
- (9) type and location of the proposed irrigation system to maintain landscaping. (Ord. 25-08 §1, 2025).

17.45.110 Installation and Maintenance Standards.

The following installation and maintenance standards will be applicable to required landscaping:

- (1) All required landscaping must be installed prior to occupancy or use; the Director of Community Development, however, may authorize up to a one (1) year delay in planting when a high probability of plant loss would occur. In no case may the property owner delay performance for more than one (1) year.
- (2) The property owner must maintain all required landscaping in a healthy growing condition and will remove and replace any unhealthy or dead plant materials in conformance with the approved landscape plan for two (2) years from the time of installation. (Ord. 25-08 §1, 2025).

Chapter 17.50

SIGN REGULATIONS

Sections:

- 17.50.010 Purpose.
- 17.50.020 Definitions.
- 17.50.030 General Sign Regulations.
- 17.50.040 Permitted Signs.
- 17.50.050 Special Restrictions for Individual Zoning Districts.
- 17.50.060 Prohibited Signs.

17.50.010 Purpose.

This Chapter is to safeguard the life, health, property, and welfare of the citizens of the City, and to promote a quality visual environment by regulating and controlling the design, quality of materials, construction, location, use, illumination, and maintenance of all signs and sign structures visible from public property or rights-of-way, and

- (1) to encourage the design of signs that attract and invite, rather than demand, the public's attention;
- (2) to enhance business and residential properties and neighborhoods through the erection of signs complementary with their buildings, uses, and surroundings;
- (3) to protect the right of business to identify its premises and advertise;
- (4) to curb the proliferation of unneeded signs; and
- (5) to encourage the use of signs that are of an appropriate size and are located to assist pedestrian and vehicular traffic. (Ord. 25-08 §1, 2025).

17.50.020 Definitions.

- (1) *Abandoned Sign.* A sign on a property that has been vacant for one (1) year or more, or if it advertises a business or occupant that no longer exists or is unrelated to the current use of the property. However, this does not apply to sign structures, permanent plaques, cornerstones, or signs that identify a building by its common or historic name. Even with these exceptions, the owner is still responsible for maintaining the sign or sign structure.
- (2) *Animated Sign.* Any sign that includes action or motion (including those that flash or oscillate) or the illusion of action or motion, or color changes of all or any part of a sign facing. Public service signs, electronic changing message center signs, searchlights, flags or banners, and revolving signs are excluded from this definition.
- (3) *Balloon sign.* Any sign placed on or made part of a balloon or other air- or gas-filled object.
- (4) *Billboard.* See definition of "Outdoor Advertising Sign."

- (5) *Bulletin Board.* Any sign designed so that its message may be changed by removal or addition of letters that attach to the face of the sign. Marquees are excluded from this definition.
- (6) *Canopy Sign.* Any sign that is a part of or attached to an awning, canopy, or other fabric, plastic, or structural protective cover over a door, entrance, window, or outdoor service area. A marquee is not a canopy.
- (7) *Community Informational Sign.* Signs of a public service nature such as Rotary, Kiwanis, city of Pullman and WSU, and other signs of similar content posted at entryways to the city.
- (8) *Construction Sign.* Any sign used to identify the architects, engineers, contractors, or other individuals or firms involved in the construction of a building and to announce the character of the building or the purpose for which it is intended.
- (9) *Electronic Changing Message Center Sign.* Any electronically or electrically controlled sign where different automatic changing messages are shown on the same lamp-bank, typically by use of light-emitting diodes.
- (10) *Flashing Sign.* Any electrified sign (or portion thereof) that changes light intensity in a sudden, transitory burst, or that switches on and off in a constant pattern in which more than one-third (1/3) of the non-constant light source is off at any one time. Public service and changing message center signs are excluded from this definition.
- (11) *Flush-mounted Sign.* Any sign attached to the wall or window of a building, or erected against and parallel to the wall of a building, extending less than 12 inches (1 foot) from that wall. For this Chapter, the sign may be placed on the front of a marquee if parallel to the wall of the building to which the marquee is attached. A permanent illuminated sign located inside and affixed to or within three (3) feet of an exterior window and visible from any public way will be considered to be a flush-mounted sign.
- (12) *Free-standing Sign.* Any sign supported by one (1) or more uprights, poles, or braces in or upon the ground.
- (13) *Garage Sale Sign.* Any temporary sign used to announce a sale including yard, moving, and patio sales of used items.
- (14) *Grand Opening Displays.* Any temporary signs, posters, banners, lights, flags, balloons, or searchlights used to announce the opening of a completely new enterprise or the opening of an enterprise under new management.
- (15) *Ground Sign.* Any free-standing sign not over 42 inches (3.5 feet) in height above grade.
- (16) *Holographic.* Any display that creates a 3-dimensional image through projection.
- (17) *Identification Sign.* Any flush-mounted, projecting, pole, or ground sign that identifies a multiple occupancy building or shopping center.
- (18) *Illuminated Sign.* Any electrical sign that has lighted characters, letters, figures, designs, or outlines as part of the sign.

- (19) *Illumination, Indirect.* Lighting from an exterior source not directly visible from any public way.
- (20) *Illumination, Interior.* Lighting from within or behind a translucent surface.
- (21) *Incidental Sign.* An on-premises sign, limited to four (4) square feet per sign, required for public convenience indicating information including, but not limited to, hours of operation; location of telephones and restrooms; accepted credit cards; the direction of an entrance, exit, object, place, or area; for guiding pedestrian and vehicular traffic on the premises but not containing commercial advertising.
- (22) *Legal Nonconforming Sign.* A sign which:
 - (i) on the effective date of this Title was lawfully maintained and had been lawfully erected in accordance with the provisions of any prior sign ordinance or code but does not conform to the applicable limitations established by this Chapter; or
 - (ii) on or after the effective date of this Title was lawfully maintained and erected in accordance with the provisions of this Chapter but which sign, by reason of amendment of this Title after the effective date thereof, does not conform to the applicable limitations established by the amendment of this Chapter.
- (23) *Mansard Roof.* Any sloped roof or roof-like facade that may, for this Chapter, be treated as a wall.
- (24) *Marquee.* Any permanent roof-like structure projecting beyond a building, generally designed and constructed to provide protection from the weather.
- (25) *Marquee Sign.* Any sign attached to and located under a marquee, except that a sign placed on the front of a marquee and parallel to the wall of the building to which the marquee is attached will be considered to be a flush-mounted sign, and further provided that a sign erected upon, but directly above, a marquee will be considered to be a projecting sign.
- (26) *Moving.* Movement of change of position of text, images, or graphics to depict action to create a special effect or scene; or signs that rotate or have a part(s) that moves or revolves.
- (27) *Multiple Occupancy Building.* Any single structure with more than one (1) retail business, office, or commercial venture.
- (28) *Neon.* Signs illuminated by gaseous tubes electrified by a current which glows when electric current is sent through it.
- (29) *Nit.* Luminance unit equal to one (1) candela per square meter measured perpendicular to the rays from the source.
- (30) *Off-premises Sign.* Any sign that directs attention to a business, commodity, service, activity, or entertainment not conducted, sold, or offered upon the premises where the sign is located.

- (31) *On-premises Sign.* Any sign that advertises the use of the premises on which it is located, including signs indicating the business transacted, services rendered, and goods sold or produced on the premises, or the name of the business, person, firm, or corporation occupying the premises.
- (32) *Outdoor Advertising Sign.* Any off-premises sign used as an outdoor display for making anything known, whether or not a charge is made for advertising thereon.
- (33) *Pole Sign.* Any free-standing sign wholly supported by a sign structure in or on the ground. Ground signs are excluded from this definition.
- (34) *Political Sign.* Any temporary sign advertising a candidate or candidates for public office, or a political party, or a sign urging a particular vote on any public issue decided by ballot.
- (35) *Portable Sign.* Any sign made of durable material which is weather-resistant and which is capable of being moved easily and is not permanently affixed to the ground or a structure.
- (36) *Projecting Sign.* Any sign that is attached to and projects 12 (1 foot) or more from the wall of a building.
- (37) *Public Service Sign.* Any electronically or electrically controlled sign or portion of a larger sign that conveys only public service information such as the time, date, temperature, or general news information where different alternating copy changes are shown on the same lamp-bank. No advertising other than the name of the sponsoring agency or organization will be allowed on any public service sign.
- (38) *Real Estate Sign.* Any sign pertaining to the sale, lease, or rental of land or buildings.
- (39) *Revolving Sign.* Any sign that rotates or revolves on or around a fixed base or pedestal.
- (40) *Roof Sign.* Any sign placed upon, against, or directly above a roof or parapet of a building.
- (41) *Searchlight.* Any apparatus containing an electric light and reflector on a swivel for projecting a far-reaching beam in any desired direction.
- (42) *Scrolling.* Vertical movement of a static message of display.
- (43) *Shopping Center.* Any group of structures housing a number of separate retail business, office, and/or commercial ventures which share the same lot, access, and/or parking facilities.
- (44) *Sign.* Any communication device, structure, or fixture that is intended to aid an establishment in identification and to advertise and/or promote a business, service, activity, or interest. For this Chapter, a sign will not be considered to be a building or structural design, but will be restricted solely to graphics, symbols, or written copy used for any identification, promotional, or advertising purpose.
- (45) *Sign Copy.* Any combination of letters, numbers, words, symbols, pictures, emblems, or other characters that constitute a message in either permanent or removeable form.

- (46) *Sign Structure.* Any structure that supports any sign including a single pole or an integral part of a building.
- (47) *Sign Surface Area.* The entire area of a sign copy, but only one (1) side of a double-faced sign is included in the calculation of sign surface area. The area of painted signs, individual letter signs, and other indirectly illuminated signs will be calculated based on the smallest rectangle, circle, or spherical figure that will enclose the entire sign copy. All such calculations will include the areas between letters and lines, as well as the areas of any devices, illuminated or non-illuminated, that are intended to attract attention.
- (48) *Special Event Signs.* Any temporary sign used to announce a circus, carnival, festival, or similar event.
- (49) *Temporary Sign.* Any sign, banner, pennant, flag but not including the flag of any nation, state, city, or other governmental agency, or non-profit organization, searchlights, balloons, or other air- or gas-filled figures, or advertising displays constructed of cloth, canvas, light fabric, cardboard, wallboard, or other light materials, with or without frames, intended to be displayed for a limited period of time only. Types of temporary signs are construction, grand opening displays, real estate, special event, political, and garage sale signs.
- (50) *Traveling.* Horizontal movement of a static message or display. (Ord. 25-08 §1, 2025)

17.50.030 General Sign Regulations.

Construction and installation of signs must be made in conformance with PCC Title 2: Construction Codes

- (1) *New Signs, Repairs, Alterations, Abandoned Signs.*
 - (a) Hereafter, no new sign will be constructed nor any existing sign structurally altered that is not in compliance with this Chapter.
 - (b) All signs will be kept in good repair and maintained in a safe, neat, clean, and attractive condition. Cleaning, painting, or normal maintenance and repair of existing signs does not require a permit, provided no structural alteration is made.
 - (c) Abandoned and out-of-date signs must be removed with the exception of building plaques and cornerstones, and signs and their structures that identify buildings by common or historic names.
 - (d) No sign will be constructed or maintained in such a manner that any portion of its surface or supports will interfere in any way with the safe use of any fire escape, or exit or free use of any external fire department standpipe connection. No sign will be constructed or maintained to obstruct any window so that light or ventilation is reduced below minimum standards required by applicable law or the International Building Code.
 - (e) The owner of any sign that extends over any public right-of-way, erected in accordance with the provisions of this Chapter, will remove and/or relocate that sign at his or her own expense upon the request of the department of public works

when that sign, either temporarily or permanently, interferes with any public improvement including, but not limited to, street widening or installation of traffic signs or signals.

- (f) Signs must be on private property.
- (2) *Maximum Height.* Except as otherwise described in this Chapter, the maximum allowable height for any sign will be 35 feet from ground level to sign top. Further height restrictions may apply to individual types of signs or to signs in individual zoning districts. On buildings that are over 35 feet in height, only flush-mounted signs may be located more than 35 feet above ground level.
- (3) *Sign Illumination.*
 - (a) Signs may be illuminated, but no flashing or oscillating sign will be permitted in the City. Lighting must be designed and will function in a manner that shields direct light from adjoining streets and properties.
 - (i) maximum daytime luminance is 5,000 nits.
 - (ii) maximum nighttime luminance is 150 nits. Nighttime is 30 minutes after sunset and 30 minutes before sunrise.
 - (iii) signs will integrate automatic dimming capability that adjusts to the brightness of ambient light at all times of the day and night.
 - (b) Signs will not be illuminated between 10 p.m. and 7 a.m. unless the business is open during these hours. The sign must be turned off once the business has closed until 7 a.m.
- (4) *Permit Application.* A permit must be obtained from the Building Official for the installation of any new sign or the structural alteration of any existing sign.
 - (a) Application for a sign permit will be made on forms provided by the Department of Community Development. All sign and sign structure dimensions, materials, illumination, foundation and mounting details, and advertising copy will be shown in drawings accompanying the application form.
 - (b) A plot plan showing property lines, abutting public rights-of-way, buildings and other structures on the property, existing signs, and proposed sign locations must be included with the application.
 - (c) An issued sign permit will become invalid if the work has not been active within 180 days of its issuance.
- (5) *Exceptions.* The following signs must comply with this Title, but will not require a permit, nor will the square footage area be included in the aggregate area of signs permitted for any site or use.
 - (a) Signs erected or required by government agencies to implement public policy, including traffic, directional, or information signs.

- (b) On-premises occupant name plates and house and building numbers not exceeding three (3) square feet in area.
 - (c) Permanent building plaques and cornerstones.
 - (d) On-premises seasonal and holiday decorations.
 - (e) Changes of advertising on a sign defined as having changing copy.
 - (f) Temporary signs, including construction signs, grand opening displays, real estate signs, special event signs, political signs, and garage sale signs.
 - (g) Occupant name plates not exceeding three (3) square feet in area for reserved parking spaces in off- street parking facilities.
 - (h) On-premises non-illuminated incidental signs.
- (6) *Nonconforming Signs.*
- (a) *Continuance.* Any legal nonconforming sign may be continued and maintained but
 - (i) must not be structurally altered without being brought into compliance with the requirements of this Chapter, and
 - (ii) must not be changed in any manner that increases its non-compliance with the provisions of this Chapter.
 - (b) *Abatement.* A prohibited sign or unlawful nonconforming sign must either be removed or brought into compliance with the provisions of this Chapter within 30 days after the date of notification by the City of its nonconformity.
- (7) *Termination of Signs.*
- (a) *By Abandonment.* No person will maintain or permit to be maintained on any premises owned or controlled by them any sign which has been abandoned.
 - (b) *By Destruction, Damage, Obsolescence, or Danger.* The right to maintain any sign will cease to exist whenever the sign is
 - (i) damaged or destroyed beyond 50% of its value as determined by the Building Official based upon the actual cost of replacing the sign; or,
 - (ii) structurally substandard under any applicable ordinance of the City to the extent that the sign becomes a hazard.
- (8) *Removal of Unlawful Signs.*
- (a) The Director of Community Development may order the removal of any sign constructed or maintained in violation of this Chapter. The Director of Community Development will give 30 days notice in writing to the owner of the sign, or, if the sign owner cannot be located, to the owner of the property upon which the sign is erected. If the sign has not been removed or brought into compliance within the 30 day period, the Director of Community Development

may order the removal of the sign, and removal costs will become a lien on the property, if not paid by the violator within 30 days after removal of the sign.

- (b) The Building Official may, without giving notice, order the immediate removal of any sign that presents an immediate danger to the public because of its unsafe condition. Removal costs will become a lien on the property on which the sign was located, if not paid by the violator within 30 days after removal of the sign. (Ord. 25-08 §1, 2025).

17.50.040 Permitted Signs.

The following provisions apply to all signs except as modified in individual zoning districts as described in PCC 17.50.050.

- (1) *Flush-Mounted Signs.* Flush-mounted signs must be installed in accordance with the following standards:
 - (a) Not have more than two (2) square feet of sign surface area for each one (1) foot of length of the wall on which it is mounted, provided, however, a flush-mounted sign will not exceed 200 square feet of sign surface area.
 - (b) The sign may be located on the front of a marquee if the sign is not over three (3) feet in height and if parallel to the wall to which the marquee is attached, but will not extend beyond either end of the marquee nor above or below the marquee.
- (2) *Pole Signs.* Pole-mounted signs will be installed in accordance with the following standards:
 - (a) Surface area of no more than two (2) square feet per one (1) foot of lot frontage but will not exceed 200 square feet of sign surface area.
 - (b) Must be placed in a planter box, or have their base otherwise landscaped, with the area of the landscaping being a minimum of one-half ($\frac{1}{2}$) of the sign surface area of the sign.
 - (c) All supporting structures for pole signs must be located on private property.
 - (d) May extend over a public right-of-way provided that the vertical clearance between a pole sign and ground level will not be less than 10 feet and that no part of the sign projects within three (3) feet of the curbline. Where there is no curb, a sign may project three (3) feet over a public right-of-way provided that vertical clearance will not be less than 14 feet.
- (3) *Projecting Signs.* Projecting signs must be installed in accordance with the following standards:
 - (a) Not to exceed 50 square feet in sign surface area.
 - (b) May extend over a public right-of-way, provided that the vertical clearance between the projecting sign and ground level is at least 10 feet and that no part of such a sign or structure will project within three (3) feet of the curbline. Where

there is no curb, a sign may project three (3) feet over a public right-of-way provided that vertical clearance is at least 14 feet.

- (4) *Roof Signs.* Roof signs are prohibited.
- (5) *Ground Signs.* Ground signs must be installed in accordance with the following standards:
 - (a) Not to exceed 200 square feet in sign surface area.
 - (b) Placed in a planter box, or otherwise landscaped, with the area of the landscaping a minimum of one-half ($\frac{1}{2}$) of the sign surface area.
 - (c) Not to exceed 42 inches (3.5 feet) in height.
- (6) *Marquee Signs.* Marquee signs must be installed in accordance with the following standards:
 - (a) At least seven and one-half (7.5) foot minimum clearance from grade.
 - (b) No portion of the sign may project beyond the marquee.
 - (c) Marquee signs may be illuminated.
- (7) *Canopy Signs.* Canopy signs must be installed in accordance with the following standards:
 - (a) A maximum of two (2) square feet of sign surface area per one (1) foot of length of wall upon which the canopy is mounted.
 - (b) Not to exceed 200 square feet of sign surface area.
 - (c) Canopy signs may be backlit.
- (8) *Temporary Signs.* The following temporary signs are allowed:
 - (a) Construction Signs not exceeding 32 square feet in area, and that are removed no later than 30 days after completion of construction.
 - (b) Grand Opening Signs for a period not exceeding seven (7) days.
 - (c) Real Estate Signs not exceeding 32 square feet in area for each commercial and industrial property or residential subdivision, and six (6) square feet in area for residential properties. These signs must be removed no later than 30 days after sale or rental of the land or building(s). Except for “Open House” signs, Real Estate Signs must be on-premises signs, unless an administrative variance is obtained pursuant to PCC 17.130.040 to locate a Real Estate Sign(s) at an off-premises location. “Open House” directional signs that do not exceed six (6) square feet in area will be limited to one (1) on-premises sign and three (3) off-premises signs. “Open House” signs may be placed in a public right-of-way only during daylight hours.
 - (d) Special Event Signs not exceeding 32 square feet in sign surface area, provided these signs are located on private property and are erected no more than seven (7)

days preceding the event and are removed no later than one (1) day after the conclusion of the event.

- (e) Political Signs not exceeding 32 square feet in sign surface area are allowed, provided these signs are removed no later than 10 days after an election. Political signs will not be lighted.
- (f) Garage Sale Signs not exceeding six (6) square feet in sign surface area, provided such signs will be limited to one (1) on-premises sign and three (3) off-premises signs. Garage sale signs may be displayed for a maximum of seven (7) consecutive days and must be removed the day the sale ends.
- (g) Searchlights may be permitted for any business or enterprise not exceeding seven (7) consecutive days provided the beam of the searchlight does not flash against any building or any object on the ground.
- (h) Banner or Cloth Signs may be located in a public right-of-way with permission of the Director of Public Works; provided that the signs or banners are located within the C2 or C3 zoning district, do not block the visibility of traffic control devices, have at least 17 feet clearance above street grade in accordance with Manual on Uniform Traffic Control Devices, and are for nonprofit, community-wide events. These signs must be removed no later than one (1) day after the conclusion of the event.
- (i) Balloon Signs are permitted in accordance with the following standards:
 - (i) Sign copy on balloon signs may not exceed 50 square feet in area.
 - (ii) Allowed only within the C2, C3, I1, or I2 zoning districts.
 - (iii) Displayed for no more than 30 consecutive days and no more than 60 days total per calendar year. A balloon sign may not be reinstated at the property from which it was removed for 120 hours (5 days).
 - (iv) Not exceeding 35 feet in height, provided, however, that a balloon sign may exceed 35 feet in height if, prior to displaying the balloon at a height exceeding 35 feet, the owner of the balloon sign provides to the Director of Community Development documentation from the manufacturer of said balloon that states that said balloon may safely be displayed at a specified height greater than 35 feet, in which case said balloon sign may be displayed at the height specified in the manufacturer's documentation, but in no event may the balloon sign be displayed at a height greater than 200 feet.
 - (v) No portion of the tethers attached to a balloon displaying a sign will be placed in a location that is accessible to the public.
 - (vi) If, at any time, the Building Official believes that a balloon on which sign copy is placed constitutes a safety hazard to the public, the Building

Official will order the immediate removal of the balloon sign in accordance with PCC 17.50.030(8)(b).

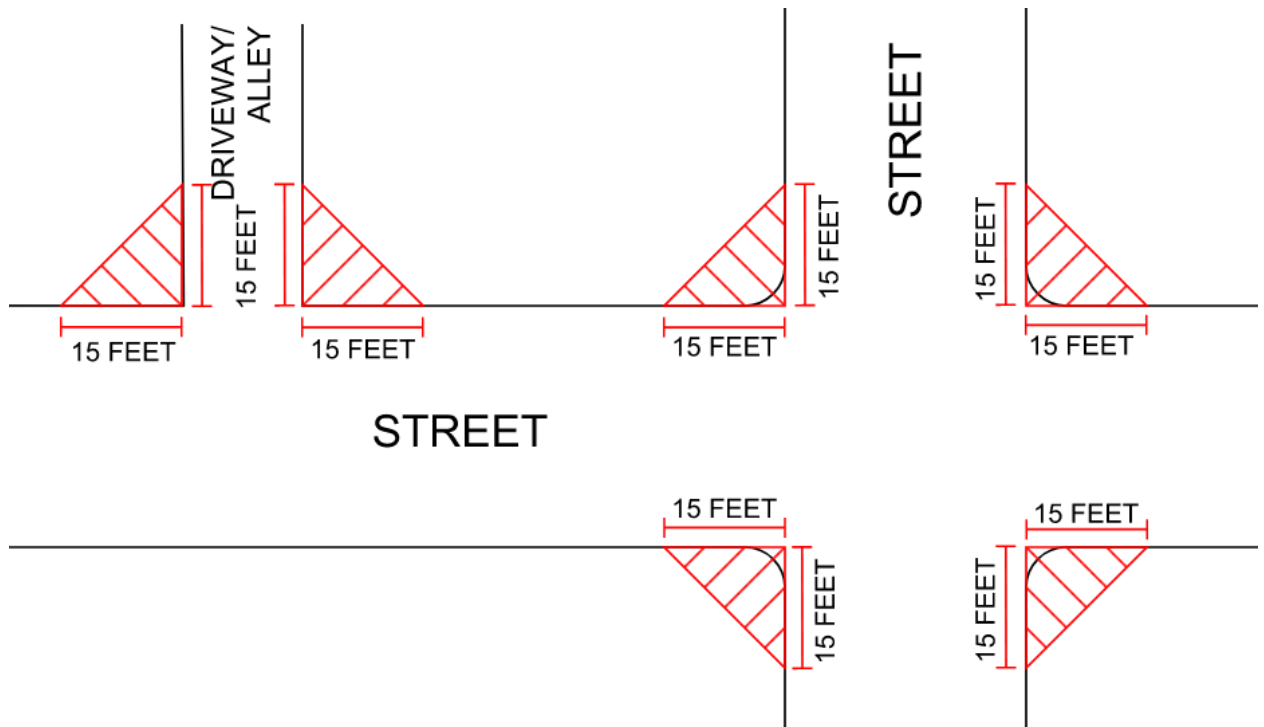
- (j) Other Temporary Signs are permitted for a period not exceeding 30 days and will be limited to six (6) square feet of sign surface area for residential districts and 32 square feet of sign surface area for commercial and industrial districts. The total sign surface area of temporary signs will not exceed the maximum sign surface area permitted for permanent signs. A temporary sign will not be reinstated on the property from which it was removed for 72 hours (3 days).
- (9) *Other Signs Permitted.* The following signs are allowed within the constraints described below:
- (a) Directional signs or informational signs of a public or quasi-public nature not exceeding 16 square feet in sign surface area may be constructed or maintained by an official or civic body.
 - (b) Changing message center signs, public service signs, and community bulletin boards are allowed as followed:
 - (i) messages must be a static display for a minimum of 4 seconds before transitioning to a new message.
 - (ii) if the sign takes more than 4 seconds to transition from one (1) message to another, the sign will be turned off during the change interval.
 - (iii) backgrounds may not be white nor can white lights be used as the sign background.
 - (c) Public service signs and community bulletin boards are allowed.
 - (d) *Commercial parking lot signs.* Each lot will be allowed one (1) flush-mounted or pole sign not exceeding 24 square feet in sign surface area on each street frontage.
 - (e) Driveway entrance/exit signs will have a maximum area of four (4) square feet. No advertising is permitted on such signs.
 - (f) *Nonresidential use signs in residential districts.* Each nonresidential use is permitted one (1) flush-mounted or ground sign having a maximum sign area of 24 square feet. These signs must be indirectly lit.
 - (g) *Home Occupation Signs.* A person engaged in a home occupation may display one (1) non-illuminated, flush-mounted sign bearing their name and occupation provided that the sign will not exceed two (2) square feet in sign surface area.
 - (h) *Church or School Signs.* These uses may have ground signs or flush-mounted signs not exceeding one (1) square foot of aggregate sign surface area per two (2) feet of lot frontage in residential districts. In other districts, these signs will be regulated as for any business use. Up to two (2) off-premises directional signs not exceeding two (2) square feet per face located on private property adjacent to a

collector or arterial street as designated in the Comprehensive Plan are also permitted.

- (i) *Residential Development Signs.* A sign not exceeding 50 square feet in sign surface area, nor 42 inches (3.5 feet) in height above grade, identifying the development and located at its entrance. There will be no more than one (1) residential development sign for each entrance. For manufactured home parks, such a sign is required and will show at least the name of the park and a plan indicating the streets and the location and number of each manufactured home space. The sign will not be more than 10 feet in height above grade.
- (j) Portable Signs will be allowed in all commercial zoning districts if each of the following conditions can be satisfied for the zoning district involved. The square footage of portable signs will not be counted in the total amount of allowable signage per business.
 - (i) In the C1 district:
 - (aa) Maximum Size: 12 square feet.
 - (bb) Maximum Height: Four and a half (4.5) feet.
 - (cc) Location: On the property or adjacent right of way of the sponsoring business. If this placement results in a sign being located in the public right of way, then a minimum of five (5) horizontal feet of sidewalk or five (5) horizontal feet of pedestrian clearance area (if no sidewalk is present) must remain unobstructed.
 - (dd) Display Hours: During business hours only.
 - (ee) Number: One (1) portable sign per business.
 - (ff) Material: Durable material which is weather-resistant.
 - (gg) Illumination: Lighted signs are prohibited.
 - (ii) In the C2 district:
 - (aa) Maximum Size: 12 square feet.
 - (bb) Maximum Height: Four and a half (4.5) feet.
 - (cc) Location: On the property or adjacent right of way of the sponsoring business. If this placement results in a sign being located in the public right of way, then a minimum of five (5) horizontal feet of sidewalk must remain unobstructed.
 - (dd) Display Hours: During business hours only.
 - (ee) Number: One (1) portable sign per business.
 - (ff) Material: Durable material which is weather-resistant.

- (gg) Illumination: Lighted signs are prohibited.
- (iii) In the C3 district:
 - (aa) Maximum Size: 18 square feet.
 - (bb) Maximum Height: Six (6) feet.
 - (cc) Location: On the property or adjacent right of way of the sponsoring business if a minimum of five (5) horizontal feet of sidewalk or five (5) horizontal feet of pedestrian clearance area (if no sidewalk is present) remains unobstructed, and if the sign vision clearance area as hereinafter defined is unobstructed.

The sign Vision Clearance Area is defined as a triangular area established at the intersection of two (2) streets, a street and alley, or a street and driveway. The dimensions of a sign vision clearance area will be a minimum of 15 feet measured at street grade along the curb line from the intersection, and the first 15 feet of driveway or alley measured along the edge of the driveway or alley at a right angle to the street from the intersection. See following illustration.



- (dd) Display Hours: Anytime.
- (ee) Number: One (1) portable sign per business.
- (ff) Material: Durable material which is weather-resistant.
- (gg) Illumination: Lighted signs are prohibited.
- (k) Identification Signs must be installed in accordance with the following standards:

- (i) Each multiple occupancy building or shopping center may have one (1) identification sign for each street frontage but no more than two (2).
 - (ii) Not exceeding 200 square feet in sign surface area in the C3, IRP, I1, or I2 districts.
 - (iii) Not exceeding 100 square feet in sign surface area in the C1 or C2 districts.
 - (iv) Must conform to the standards specified for the particular type of sign used, except that identification signs are exempt from the aggregate sign surface area requirements.
- (l) Outdoor Advertising Signs will be allowed for tourist-related signs and community information signs if the requirements for the proposed type are satisfied:
 - (i) For Tourist-related Signs:
 - (aa) the use caters to the tourist by providing food, lodging, or recreation;
 - (bb) the use is located at least 300 feet from a major arterial;
 - (cc) the sign is located in a C2, C3, IRP, I1, or I2 district;
 - (dd) the sign is directional in nature;
 - (ee) there are no more than two (2) off-premises signs for each use; and
 - (ff) the total area for the sign does not exceed a maximum of 50 square feet, and does not exceed the allowable area for the property in the zoning district in which it is located.
 - (ii) For Community Informational Signs:
 - (aa) the sign is of a public service nature; and,
 - (bb) the sign is posted at an entryway to the City, or at the city limits.
- (m) Revolving Signs are allowed in the C2, C3, IRP, I1, and I2 districts, and must be pole signs not exceeding 10 revolutions per minute. (Ord. 25-08 §1, 2025).

17.50.050 Special Restrictions for Individual Zoning Districts.

- (1) Signs in Residential Districts (R1, R2, R3, R4) are regulated as follows:
 - (a) signs must be flush-mounted or ground signs;
 - (b) lighted signs must be indirectly lighted;
 - (c) each dwelling unit or manufactured home is allowed one (1) sign not exceeding three (3) square feet in sign surface area, containing the name and/or address of the building or person;

- (d) each apartment house complex, condominium complex, membership lodging, residence hall, fraternity, sorority, or boarding or rooming house is allowed one (1) sign containing the name and/or address of the building for each street exposure. In no case will there be more than two (2) signs per use, and such signs will not exceed 16 square feet in sign surface area.
- (2) Signs in the C1 Neighborhood Commercial District are regulated as follows:
 - (a) signs must be flush-mounted, ground, canopy, portable, or marquee signs;
 - (b) no sign will protrude more than two (2) feet into any required yard;
 - (c) the aggregate gross surface area of all permanent signs excluding portable signs and identification signs for property occupied by any one use, multiple occupancy building, or shopping center will not exceed one and one-half (1.5) square feet of sign surface area per foot of street frontage. In no case will a sign have more than 100 square feet of sign surface area.
- (3) Signs in the C2 Central Business District are regulated as follows:
 - (a) the aggregate gross area of all permanent signs excluding portable signs and identification signs for property occupied by any one use, multiple occupancy building, or shopping center will not exceed two (2) square feet of sign surface area per foot of street frontage. In no case will a sign have more than 100 square feet of sign surface area.
 - (b) pole signs must not exceed 20 feet in height from ground level to sign top.
 - (c) the C2 Central Business District was first constructed circa 1900. Some buildings within this district are characterized by the commercial architecture found in Pullman for this period. This architecture has predominant characteristics such as projecting cornices, continuous horizontal and vertical lines, arches, transoms, and horizontal banding. It is the intent that signage for facades of buildings that expose these characteristics, whether built during this period or later, should be in harmony with the above characteristics. Signs constructed on the street or the sidewalk facades of buildings having these characteristics will to the greatest extent possible conform to the following guidelines:
 - (i) signs, including sign structure and exposed electrical service, should not interrupt the cornice lines or other horizontal and vertical lines.
 - (ii) signs should be placed in areas which were traditional sign board areas for the architecture of the structure involved, such as directly above doors, in display windows, in transoms, or on awnings.
 - (iii) the top of signs should not be higher than 16 feet above grade unless the original architecture of the building allowed for a greater height.

The Director of Community Development, when reviewing an application for signs within the C2 Central Business District, will determine whether or not the exposed facade

of the building is representative of the turn-of-the-century commercial architecture found in Pullman. If so, then the standards described in PCC 17.50.050(3)(c)(i)(ii)(iii) will apply. The Director of Community Development will consult with the Main Street Design Committee or a similar group recognized by the Council to determine if the signage will be consistent with the architectural integrity of the particular building.

- (4) For signs in the C3 General Commercial District, the aggregate gross area of all permanent signs except portable signs and identification signs for property occupied by any one use, multiple occupancy building, or shopping center will not exceed two and one-half (2.5) square feet of sign surface area per foot of street frontage. In no case will a sign have more than 200 square feet of sign surface area.
- (5) For signs in Industrial Districts, the aggregate gross area of all permanent signs except identification signs for property occupied by any one use, multiple occupancy building or shopping center will not exceed two and one-half (2.5) square feet of sign surface area per foot of street frontage. In no case will a sign have more than 200 square feet of sign surface area. (Ord. 25-08 §1, 2025).

17.50.060 Prohibited Signs.

The following types of signs are expressly prohibited:

- (1) animated signs, except traditional barber poles, clock faces, and theater signs;
- (2) signs advertising products or services not offered or sold on the premises, except signs of historic significance as determined by the Director of Community Development;
- (3) any sign over 42 inches high in a required yard;
- (4) any sign placed on, affixed to, or painted on a vehicle or trailer and placed on public or private property providing a sign not otherwise allowed;
- (5) any flashing, moving, or holographic signs; and
- (6) any sign imitating or resembling official traffic signs or signals. (Ord. 25-08 §1, 2025).

Chapter 17.55

HOME OCCUPATIONS

Sections:

- 17.55.010 Purpose.
- 17.55.020 Definition.
- 17.55.030 Performance Standards.
- 17.55.040 Nonconforming Home Occupations.

17.55.010 Purpose.

This Chapter is to:

- (1) protect residential areas from the adverse impacts of activities associated with home occupations;
- (2) permit residents of the community a broad choice in the use of their homes as a place of livelihood and the production or supplementing of personal and family income; and
- (3) establish standards for home occupations conducted in dwelling units and their accessory structures. (Ord. 25-08 §1, 2025).

17.55.020 Definition.

Home occupation:

- (1) means an accessory use of a dwelling unit involving the manufacture, provision, or sale of goods and/or services carried on by members of the family residing on the premises plus no more than one (1) nonresident assistant or employee;
- (2) excludes garage sales, yard sales, or home parties which are held for the sale or distribution of goods or services, except that if the total of all such sales and/or parties exceeds six (6) in any calendar year, such sales and/or parties will be considered a home occupation. (Ord. 25-08 §1, 2025).

17.55.030 Performance Standards.

All home occupations must meet the following criteria:

- (1) A home occupation must be run in a way that doesn't make the property look like a business, disturb neighbors, or change the residential character of the area. There should be no outdoor storage, window displays, or activities that create excessive noise, dust, odors, fumes, or vibrations. Any equipment used for the home business must not interfere with nearby radio or TV signals or cause power issues. The business should also not interfere with the delivery of utilities or services to the neighborhood.
- (2) The home occupation should not generate significantly greater traffic volume than would normally be expected in the residential district in which the home occupation is conducted. Generally, delivery and pick-up of materials or commodities to and from the premises by a commercial vehicle should not exceed two (2) trips per week.

- (3) Customer or client parking should not cause safety issues or heavy traffic. Only one (1) commercial vehicle related to the home occupation can be parked on the street for more than four (4) hours at a time. Additionally, one (1) extra off-street parking space is required for home occupations where two (2) or more clients or students are likely to visit at the same time, especially if they drive separate vehicles.
- (4) A home occupation can only be run by people living in the home, plus one (1) nonresident employee or assistant. If someone in a building trade uses their home as an office but works off-site, they can have more employees, as long as they don't work at the home. If a home business has more than one (1) nonresident employee, a conditional use permit is needed. An extra parking space is required for any home business where a nonresident employee works on-site and drives a car that needs to be parked at or near the home.
- (5) Only one (1) flush-mounted, non-illuminated sign which is not more than two (2) square feet in area is permitted per dwelling unit. The sign will show only the name of the occupant and type of occupation. A permit for the sign is required.
- (6) If a home occupation involves classes or instruction, no more than four (4) students can be at the home at once. The Director of Community Development can approve up to six (6) students if it doesn't cause more traffic. If there are more than six (6) students, a conditional use permit is required. Exceptions can be made for events like recitals or demonstrations. Classes with four (4) or more students must be scheduled at least 30 minutes apart to reduce traffic, unless no more than six (6) vehicles are coming and going during any 60-minute period, in which case, the classes don't have to be spaced out.
- (7) If a home occupation has clients or customers visiting, no more than six (6) clients can be on the property at the same time during any 60-minute period. Clients are not allowed to visit between midnight and 6 a.m. The number of vehicles coming and going for client visits must be no more than four (4) in any 60-minute period. However, the Director of Community Development may approve up to six (6) vehicles if they consider factors like available parking, traffic in the area, and the business hours. These rules don't apply to occasional events like meetings or conferences.
- (8) The total number of home occupations conducted within a dwelling unit or on its premises is not limited, except that the cumulative impact of all home occupations conducted within the dwelling unit or on its premises will not be greater than the impact of one (1) home occupation.
- (9) The regulations in this Chapter will not be construed as exempting home occupations from complying with all local, state, or federal regulations applicable to the activity pursued. (Ord. 25-08 §1, 2025).

17.55.040 Nonconforming Home Occupations.

A nonconforming home occupation is one which was lawfully established and maintained prior to the adoption of this Title. Any nonconforming home occupation must be discontinued. (Ord. 25-08 §1, 2025).

Chapter 17.65

DISTRICTS AND MAP

Sections:

17.65.005	Purpose.
17.65.010	Zoning Districts Established.
17.65.020	Designation of Annexed Property.
17.65.030	Official Zoning Map.
17.65.040	Division of Official Zoning Map.
17.65.050	Maintenance of Official Zoning Map and Amendments Thereto.
17.65.060	Interpretation of Official Zoning Map.

17.65.005 Purpose.

This Chapter is to classify and regulate the use of land, buildings, and structures to comply with this Title as set described in PCC 17.01.050. (Ord. 25-08 §1, 2025).

17.65.010 Zoning Districts Established.

- (1) The City is divided into the following underlying zoning districts:

Underlying Zoning District	Map Symbol
Minimal Density Multi-Family Residential	R1
Low Density Multi-Family Residential	R2
Medium Density Multi-Family Residential	R3
High-Density Multi-Family Residential	R4
Neighborhood Commercial	C1
Central Business	C2
General Commercial	C3
Industrial Research Park	IRP
Light Industrial	I1
Heavy Industrial	I2
Washington State University	WSU

- (2) *Overlay Zoning Districts.* To regulate uses in zoning districts or portions of zoning districts where unique or unusual circumstances warrant additional or more restrictive standards, the following overlay districts are established and may apply in various areas:

Overlay Districts	Suffix to Map Symbol
Airport Area	A

- (3) *Floating Zoning Districts.* To regulate developments that necessitate substantial planning and design efforts and public review, the following floating zoning districts are established:

Floating Districts	Suffix to Map Symbol
Manufactured Home Park	MHP

Recreational Vehicle Park	RVP
Planned Residential Development	PRD
Planned Unit Developments	PUD
“Limited” Zone	L

(Ord. 25-08 §1, 2025).

17.65.020 Designation of Annexed Property.

- (1) *At Time Of Annexation.* All land annexed to the City will be classified at the time of annexation by ordinance into one (1) or more of the zoning districts established by this Chapter.
- (2) *Preannexation.* Whenever prior to annexation, an amendment to the Comprehensive Plan, to the text of this Title, or to the Official Zoning Map has been adopted by the City pursuant to RCW 35A.14.330 as now existing or is amended, the amendment will be effective upon the date of annexation as described in the annexation ordinance.
- (3) *Prezone Map.* The location and boundaries of all prezone districts established by this Title are shown on the map entitled “Official Zoning Map of the City of Pullman.” The map and any amendments thereto will be dated with their effective dates and signed by the Mayor and Director of Finance & Administrative Services. This map is referred to as the “Official Prezone Map” and is adopted as a part of this Title by reference thereto. The district boundaries may be amended in accordance with PCC 17.115 and such amendments will also be adopted by reference as part of this Title.
- (4) *Recommendation of Planning Commission.* Upon notification of any proposed annexation not already designated into a district on the Comprehensive Plan and Official Zoning Map, the Commission will review and, after holding a public hearing as described in PCC 17.170, recommend to the Council, within one (1) year of such notification, a plan designation and zoning district classification for the land involved in the annexation. Thereafter, the Council will review the matter pursuant to PCC 17.180. Action taken to assign a plan designation and zoning district classification in this manner may occur before or after the property under consideration is annexed to the City. (Ord. 25-08 §1, 2025).

17.65.030 Official Zoning Map.

The location and boundaries of all districts established by this Title are as shown on the map entitled, “Official Zoning Map of The City of Pullman.” The map and any amendments thereto will be dated with their effective dates and signed by the Mayor and Director of Finance & Administrative Services. This map is referred to as the “Official Zoning Map,” and is adopted as a part of this Title by reference thereto. The district boundaries may be amended in accordance with PCC 17.115 and such amendments will also be adopted by reference as a part of this Title. (Ord. 25-08 §1, 2025).

17.65.040 Division of Official Zoning Map.

The Official Zoning Map may, for convenience, be divided into geographic parts, and each part may be further subdivided into units. Such parts and units may be separately designated for identification purposes when adopting or amending the Official Zoning Map or in any official reference to that map. (Ord. 25-08 §1, 2025).

17.65.050 Maintenance of Official Zoning Map and Amendments Thereto.

The Official Zoning Map and any amendments thereto will be certified by the Director of Finance & Administrative Services and will be filed in the Department of Finance & Administrative Services. The reproducible version of the original Official Zoning Map and any amendments thereto will be maintained and updated by the Department of Community Development to show all amendments. (Ord. 25-08 §1, 2025).

17.65.060 Interpretation of Official Zoning Map.

Where due to the scale, lack of detail, or illegibility of the Official Zoning Map there is uncertainty as to the location of any zoning district boundary, the Director of Community Development will upon the written request of any person make an interpretation, in writing, of the exact location of the boundary. Any person aggrieved by such an interpretation may appeal to the Hearing Examiner. The Director of Community Development and the Hearing Examiner when interpreting the Official Zoning Map or deciding any appeal will apply the following standards:

- (1) *Zoning District Boundary Lines.* Zoning district boundary lines are intended to follow lot lines, and the centerlines of alleys, streets, rights-of-way, and watercourses, unless such boundary lines are fixed by dimensions shown on the Official Zoning Map.
- (2) *Vacated Streets, Alleys, or Public Ways.* Whenever any street, alley, or other public way is vacated, any zoning district bounded by a side of such street, alley, or public way will be automatically extended to the center of the vacated street, alley, or public way, and all of the area included in the vacation will then be subject to the regulations of the extended districts.
- (3) *District Boundaries.* Where district boundaries are shown as approximately following lot lines, such lot lines will be construed to be the boundaries. If a district boundary divides a lot into two (2) or more districts, the location of the boundary unless indicated by dimensions shown on the Official Zoning Map will be determined by the use of the map scale shown thereon.
- (4) *Division of a Single Lot.* Where a district boundary line as shown on the Official Zoning Map divides a parcel of property in single ownership at the time of the passage of this Title, the use permitted on the least restricted portion of that parcel may extend into the portion lying in the more restrictive district for a distance of no more than 50 feet. (Ord. 25-08 §1, 2025).

Chapter 17.70

USE CHART

Sections:

- 17.70.010 Use Chart Described.
- 17.70.020 Interpretation of Chart and Appeal.
- 17.70.030 Use Chart.

17.70.010 Use Chart Described.

In the Use Chart, PCC 17.70.030, land use classifications are listed on the vertical axis. City underlying zoning districts are shown on the horizontal axis. Also shown on the horizontal axis in the extreme right column are the number of required parking spaces for identified uses. The C2 district is exempt from these parking space requirements.

- (1) If no symbol appears in the box at the intersection of a zoning district and use, the use is not allowed in that district.
- (2) If the symbol “P” appears in the box at the intersection of a zoning district and use, the use is permitted outright.
- (3) If the symbol “C” appears in the box at the intersection of a zoning district and use, the use is permitted subject to the conditional use provisions of this Title.
- (4) If the symbol “F” appears in the box at the intersection of a zoning district and use, the use is permitted subject either to the PRD provisions, PUD provisions, MHP provisions, RVP provisions of this Title.
- (5) If a superscript number appears in the box at the intersection of a zoning district and a use or parking requirement, the use or the parking requirement is subject to the special limitations indicated in the corresponding footnote. (Ord. 25-08 §1, 2025).

17.70.020 Interpretation of Chart and Appeal.

- (1) In the case of a question as to the inclusion or exclusion of a particular proposed use in a particular use category, the Director of Community Development will have the authority to make the final determination. The Director of Community Development will make the determination according to the characteristics of the operation of the proposed use.

EXAMPLES: A large sales office where business is conducted by telephone on the premises and where no goods other than samples come onto or go off of the premises, is an office rather than a retail or wholesale use. A shop selling items which are manufactured on the premises and the manufacturing process is not detectable from outside the building where the manufacturing occurs and the process requires no heavy trucking, is a retail use, not a manufacturing use.

- (2) Unless otherwise identified in the Use Chart, PCC 17.70.030 or elsewhere in this Title, the uses listed in the Use Chart are principal uses. In the case of a home occupation, defined in PCC 17.55 as an accessory use of a dwelling unit, any business may be conducted so long as it complies with the standards described in PCC 17.55. For

example, a barber and beauty shop, as the principal use of a property, may operate only in commercial zoning districts; however, a home occupation that provides barber and beauty shop services may operate in any residential zoning district if said services meet the criteria established in PCC 17.55.

- (3) *Appeal.* Any aggrieved person may appeal a determination made by the Director of Community Development regarding the Use Chart, PCC 17.70.030 to the Hearing Examiner as provided in PCC 17.185. (Ord. 25-08 §1, 2025).

17.70.030 Use Chart.

CULTURAL, ENTERTAINMENT, AND RECREATIONAL USES		DISTRICTS											NO. OF REQUIRED PARKING SPACES ³
		R1	R2	R3	R4	C1	C2	C3	IRP	I1	I2	WSU	
Library, Museum, Art Gallery						P	P	P	C	P	P		One (1) per 400 SF net floor area
Entertainment Assembly						C	P	P	P	P	P		One per 6 seats or 120 inches of bench
Conference or Convention Facility						C	P	P					One per 75 SF net floor area of meeting rooms
Commercial Recreation Activities						P	P	P	P	P	P		See footnote 1 below
Shooting Ranges													
Private Lodge, Club, or Recreation Facility		C	C	C	C	C	P	P	P	P	P		One per 200 SF net floor area
Bingo Parlor, Card Room, Game Room, Casino						C	P	P	P	P	P		One per 200 SF net floor area
Adult Entertainment Business							P ²	P ²					One per 200 SF net floor area
Golf Course, Golf Driving Range		C	C	C	C			P					36 per 9-hole golf course; 1 per tee for driving range
Park		C	C	C	C	P	P	P	P	P	P		Less than 1 acre: none 1 to 2 acres: 5 Greater than 2 acres: 5 per acre plus spaces for facilities listed in Footnote 1.

Footnotes:

1.
 - a Health club, skating rink, and related commercial recreation activities: 1 per 200 square feet of net floor area.
 - b Indoor movie theater: 1 per 4 seats.
 - c Swimming pool: 1 per 100 square feet of lot area used for the facility.
 - d Tennis court/racquetball court: 2 per court.
 - e Bowling alley: 4 per alley
2. See PCC 17.37.
3. Any fraction of required parking will be rounded up to the next whole number as provided for in PCC 17.40.060.

MANUFACTURING USES	DISTRICTS												NO. OF REQUIRED PARKING SPACES ²
		R1	R2	R3	R4	C1	C2	C3	IRP	I1	I2	WSU	
Meat Products									C		P		One (1) per employee on the largest shift plus parking for company vehicles
Dairy Products										P	P		
Slaughtering, Rendering, Animal Fats and Oils, Feedlots and Stockyards													
Vegetable Oil Milling									C		P		
Canning/Preserving Fruits/Vegetables									C	C	C		
Bakery and Confectionary Products						P	P	P	C	P	P		
Grain Mill Products									C	C	P		
Bottling/Canning Beverages, Flavor Extracts, Flavoring Syrups									C	P	P		
Distilled Beverage										C	P		
Other Foods and Kindred Products									C	P	P		
Pharmaceuticals									C	P	P		
Marijuana Processing Facility										P ¹	P ¹		
Marijuana Production Facility										P ¹	P ¹		
Apparel and Finished Products Made from Fabric, Leather, or Similar Materials						P	P	P	C	P	P		
Leather Tannings and Finishing									C	C	C		
Furniture and Fixtures									P	C	P		
Sawmills and Planing Mills									C		C		
Lumber and Wood Products									P	P	P		
Pulp Manufacturing									C		C		
Paper and Allied Products									C	P	P		
Printing and Publishing						P	P	P	P	P	P		
Petroleum Refining, Chemicals and Allied Products, and Primary Metal Industries									C		C		
Rubber/Primary Plastics from Raw Materials									C		C		

MANUFACTURING USES	DISTRICTS												NO. OF REQUIRED PARKING SPACES ²
		R1	R2	R3	R4	C1	C2	C3	IRP	I1	I2	WSU	
Plastic/Acrylic/Fiberglass/Resin Products									C	P	P		One (1) per employee on the largest shift plus parking for company vehicles
Stone, Clay, Concrete and Glass Products, Rock Crushing									C	P	P		
Cement and Asphalt Manufacturing													
Concrete, Gypsum, Bituminous Paving and Plaster Products											C		
Fabricated Metal Products, Welding Shop								C	P	P	P		
Equipment and Instruments Used by Professional, Scientific and Engineering Vocations (e.g., Electrical/ Electronic Equipment; Medical/Dental Implements; Photographic/ Optical Goods)								P	P	P	P		
Miscellaneous Processing of Raw Materials									C	C	C		
Miscellaneous Manufacturing and/or Assembling of Finished Products								C	C	P	P		

Footnotes:

1. See PCC 17.35.080(13)
2. Any fraction of required parking will be rounded up to the next whole number as provided for in PCC 17.40.060.

RESIDENTIAL USES	DISTRICTS												NO. OF REQUIRED PARKING SPACES ⁷
		R1	R2	R3	R4	C1	C2	C3	IRP	I1	I2	WSU	
HOUSEHOLD UNITS													0.5 spaces per bedroom
Single Family, Detached		P	P	P	P								
Manufactured Home on Lots Outside MHP		P	P	P	P								
Duplex		P	P	P	P								0.75 per bedroom For studio units, one (1) per unit
Townhouses		P	P	P	P								
Apartments or Condominiums													
3 to 4 units per building		P	P	P	P								
5 to 8 units per building			P	P	P								
9 or more units per building			C	P	P								
1+ units located over or under a permitted use at ground level ⁵						P	P	P ⁴					
Units with minimum lot area per unit of >= 500 square feet and < 1,000 square feet					C								
GROUP QUARTERS													
Membership Lodging				P	P								One (1) per 2.5 occupants of the maximum allowed by the UBC
Residence Halls or Dormitories				C	P								One (1) per 2.5 occupants of the maximum allowed by the UBC
Retirement Homes		C ¹	C ¹	C ¹	C ¹								One (1) per two (2) dwelling units
Nursing Home		C ¹	C ¹	C ¹	C ¹	C ¹		C ¹					One (1) per three (3) beds
Crisis Residential Centers		P	P	P	P	P							One (1) per three (3) beds
Residential Care Facilities		P ²	P ²	P ²	P ²	P ²							
Adult Family Home		P ²	P ²	P ²	P ²	P ²							

RESIDENTIAL USES	DISTRICTS												NO. OF REQUIRED PARKING SPACES ⁷
		R1	R2	R3	R4	C1	C2	C3	IRP	I1	I2	WSU	

TRANSIENT LODGINGS								P	P	P				One (1) per sleeping unit
Hotels and Motels														
Short-Term Rentals		P	P	P	P									
RV Parks								F						Requirements in 17.105.050(9)
RESIDENTIAL DEVELOPMENTS														
Manufactured Home Parks			F	F	F									1.5 per manufactured home pad
Planned Residential Developments		F	F	F	F									Requirements established in 17.107.040(8)
Planned Unit Development		F	F	F	F	F	F	F						Requirements established in 17.106.030(8)
RESIDENTIAL ACCESSORY USES														
Accessory Living Quarters		P	P	P	P			p ³	p ³	p ³	p ³			One (1) per accessory unit
Accessory Dwelling Units		p ⁶	p ⁶	p ⁶	p ⁶									As required for the primary household unit
Home Occupations – 1 nonresident employee, 5 students maximum		P	P	P	P	Residential Accessory Uses permitted where residences are permitted								Requirements established in 17.55.030(3)(4)
Home Occupations – 1+ nonresident employee, 6+ students		C	C	C	C									

Footnotes:

1. See PCC 17.35.080(4).
2. See PCC17.35.080(3).
3. One (1) dwelling unit for a night watchman or caretaker per institution or business
4. Dwelling unit for night watchman or caretaker need not be located over a permitted use
5. The minimum lot area per dwelling unit for these residences will conform to R4 district standards. The maximum lot area per dwelling unit standards will not apply to these residences
6. See PCC 17.100
7. Any fraction of required parking will be rounded up to the next whole number as provided for in PCC 17.40.060.

RESOURCE PRODUCTION AND EXTRACTION USES	DISTRICTS												NO. OF REQUIRED PARKING SPACES ¹
		R1	R2	R3	R4	C1	C2	C3	IRP	I1	I2	WSU	
Farms	Commercial farming is permitted as a nonconforming use where it existed at the time this Title was adopted as described in Section 17.30.020. Keeping of livestock on residential lots is covered in Section 17.35.050												
Veterinary and Animal Hospital Services, Commercial Kennels, Animal Shelters								P	P	P	P		One per 400 SF net floor area
Nurseries		C						P	P	P	P		One per employee on largest shift
Mining, Rock Quarries										C	C		One per employee on largest shift

1. Any fraction of required parking will be rounded up to the next whole number as provided for in PCC 17.40.060.

SERVICE USES	DISTRICTS												NO. OF REQUIRED PARKING SPACES ⁶
		R1	R2	R3	R4	C1	C2	C3	IRP	I1	I2	WSU	
Barber and Beauty Shops						P	P	P					One per 400 SF net floor area
Tattoo and Body Piercing Shops						P	P	P					
Laundering/Dry Cleaning/Dyeing Services						P	P	P					
Laundromats (self-service)						P ⁴	P	P					One per 200 SF net floor area
Car Washes								P					
Banks						P ⁴	P	P	P	P	P		One per 200 SF net floor area
Funeral/Crematory Services								P		P	P		One per 4 chapel seats
Warehousing and Storage Services								P	C	P	P		One per employee plus parking for company vehicles
Recycling Centers								P	C	P	P		
Minor Automobile Repair							P	P		P	P		
Automobile and Truck Rental; Major Automobile Repair Services including Boats, RVs, etc.								P		P	P		One per 200 SF net floor area
Other Repair Services						P	P	P		P	P		One per 400 SF net floor area
Travel Agencies						P	P	P					
Offices/Professional Services other than Medical/Dental Offices (EXCEPT those which qualify as Home Occupations under 17.55)				C ¹	C ¹	P ⁴	P	P	P	P	P		
Medical and Other Health Services and Laboratories						P	P	P	P	P	P		One per 400 SF for labs and similar uses
Physician/Dental Offices and Clinics				C ¹	C ¹	P	P	P	P	P	P		One per 200 SF net floor area
Hospitals								P					One per bed
Education/ Scientific Research Services							P	P	P	P	P		One per employee plus parking for company vehicles
Building Contractors								P	C	P	P		

SERVICE USES	DISTRICTS												NO. OF REQUIRED PARKING SPACES ⁶
		R1	R2	R3	R4	C1	C2	C3	IRP	I1	I2	WSU	
Governmental Services not listed elsewhere in this Use Chart		C	C	C	C	P	P	P	P	P	P		One per employee plus parking for governmental vehicles plus additional spaces as required to serve the public
Educational Services		C	C	C	C	P	P	P	P	C	C		See Footnote 2 below
Family Day Care Home		P	P	P	P	P	P	P					See Footnote 5 below
Child Day Care Centers, Nursery Schools		C	C	C	C	P	P	P	C	C	C		1.25 spaces per employee on the largest shift
Churches		C	C	C	C	C	C	P					See Footnote 3 below
Cemeteries		C	C	C	C			C		C	C		
University Facilities												P	

Footnotes:

1. See PCC 17.35.080(5).
2.
 - a. Kindergarten/Elementary/Middle School: 1 per employee.
 - b. High School: 1 per each employee, plus 1 per each 8 students.
 - c. Vocational: 1 per 1.5 students at maximum attendance.
3. One (1) per 4 fixed seats or 80 linear inches of pew space or 50 square feet of assembly area that has no fixed seats of pews.
4. A drive-in window in conjunction with this use is prohibited.
5. In addition to parking required for other uses on the lot, 1 parking space is required for each non-resident employee on the largest shift.
6. Any fraction of required parking will be rounded up to the next whole number as provided for in PCC 17.40.060.

TRADE USES	DISTRICTS												NO. OF REQUIRED PARKING SPACES ¹⁰
		R1	R2	R3	R4	C1	C2	C3	IRP	I1	I2	WSU	
Wholesale Trade								P	P	P	P		One (1) per employee on largest shift plus parking for company vehicle
Petroleum Bulk Stations											P		
Scrap and Waste Materials; Automobile Salvage and Wrecking Yards										C ¹	C ¹		
Retail Building Materials, Farm Equipment; Farm/Garden Supplies							P	P		P	P		One per 400 SF net floor area
Paint, Glass, Wallpaper; Hardware							P	P		P	P		
General Merchandise; Retail Apparel and Accessories						P	P	P					
Convenience Store (less than 2500 SF)						P	P	P	P	P	P		One per 200 SF net floor area
Retail Food						P ²	P	P					One per 400 SF net floor area
Retail Automotive Marine Crafts								P					One per 200 SF net floor area
Gasoline Service Stations							P ³	P ³		P ³	P ³		One per 200 SF net floor area
Retail Furniture/Home Furnishings						P	P	P					One per 400 SF net floor area
Eating Establishments						P ^{4,5}	P ⁵	P	P	P	P		One per 200 SF net floor area
Sidewalk Café/Accessory to Restaurant						P ⁶	P ⁶						
Sidewalk/Street Vending						P ⁷	P ⁷	P ⁷		P ⁸	P ⁸		
Taverns, Bars, and Cocktail Lounges						C	P	P	C	P	P		One per 200 SF net floor area
Marijuana Retail Facilities								P ⁹					One per 200 SF net floor area
Retail Drugs						P	P	P					One per 400 SF net floor area
Other Retail Trades						C	P	P					

Footnotes:

1. See PCC 17.45.065.
2. Retail food establishments are permitted in the C1 district if less than 2,500 square feet
3. See PCC 17.35.080(2).
4. Eating places in the C1 district may serve alcoholic beverages if they are maintained principally as places for preparation and consumption of meals, do not contain a separate area for consumption of alcoholic beverages, and do not deny entry to minors.
5. A drive-in facility and a drive-in window facility in conjunction with this use are prohibited in C1 district. Requires a conditional use permit and a traffic impact analysis in the C2 district.
6. Sidewalk cafes are permitted to encroach on the public right-of-way to the extent that a five-foot width of sidewalk for pedestrian circulation remains.

7. Sidewalk vending is permitted, provided a minimum of five (5) horizontal feet of sidewalk or five (5) horizontal feet of pedestrian clearance area (if no sidewalk is present) remains unobstructed.
8. Only “lunch wagon” type vending is permitted.
9. See PCC 17.35.080(13).
10. Any fraction of required parking will be rounded up to the next whole number as provided for in PCC 17.40.060.

TRANSPORTATION, COMMUNICATION AND UTILITIES USES	DISTRICTS												NO. OF REQUIRED PARKING SPACES ⁵
		R1	R2	R3	R4	C1	C2	C3	IRP	I1	I2	WSU	
Air Transportation								P		P	P		
Railroad Transportation								P		P	P		
Railroad Right of Way		P	P	P	P	P	P	P	P	P	P		
Bus Passenger Terminals							P	P		P	P		One per employee on largest shift plus parking for company vehicles
Bus Garaging and Maintenance								P		P	P		
Municipal Bus Stops		P	P	P	P	P	P	P	P	P	P		
Motor Freight Transportation							P	P	P	P	P		
Accessory Parking Area/Garages	PERMITTED AS AN ACCESSORY USE AS REQUIRED BY SECTION 17.40.070												
Commercial Parking Areas/Garages		C ³	C ³	C ³	C ³	C ³	P	P	P	P	P		
Radio and Television Studios						P	P	P	P	P	P		One per 400 SF net floor area
Radio & Television Transmitting Stations and Towers ¹						C	C	P	P	P	P		One per employee on largest shift plus parking for company vehicles
Accessory TV Reception or Amateur Radio/Citizens Radio Antennas or support structures <= 60 ft. ¹		P	P	P	P	P	P	P	P	P	P		
Accessory TV Reception or Amateur Radio/Citizens Radio Antennas or support structures > 60 ft. ¹		C	C	C	C	C	C	P	P	P	P		
Wireless Attached Facility <= 30 ft ⁴		P	P	P	P	P	P	P	P	P	P		
Wireless Attached Facility > 30 ft ⁴		C	C	C	C	C	P	P	P	P	P		
Wireless Freestanding Facility <= 80 ft ⁴		C	C	C	C	C	C	P	P	P	P		
Wireless Freestanding Facility > 80 ft ⁴								C	C	C	C		

TRANSPORTATION, COMMUNICATION AND UTILITIES USES	DISTRICTS												NO. OF REQUIRED PARKING SPACES ⁵
		R1	R2	R3	R4	C1	C2	C3	IRP	I1	I2	WSU	
Utilities and Telephone Communication: facilities necessary and incidental to other uses in the district in which located and not otherwise cited in the Use Chart		P	P	P	P	P	P	P	P	P	P		
Public Facilities (wells, water towers, transformer stations)		C	C	C	C	C	P	P	P	P	P		
Utility Maintenance Yards								P	P	P	P		One per employee on largest shift plus parking for company vehicles
Utility Business Offices						P	P	P	P	P	P		One per 400 SF net floor area
Solid Waste Disposal/Sanitary Landfill										C	C		One per employee on largest shift plus parking for company vehicles
Off-site Hazardous Waste Treatment and Storage Facility									C ²	C ²	C ²		One per employee on largest shift plus parking for company vehicles
Accessory On-site Hazardous Waste Treatment and Storage Facilities							P ²	P ²	P ²	P ²	P ²		

Footnotes:

1. See PCC 17.35.080(9).
2. See PCC17.35.100.
3. See PCC 17.35.080(10) and PCC 17.40.070(2).
4. See PCC 17.35.080(11).
5. Any fraction of required parking will be rounded up to the next whole number as provided for in PCC 17.40.060. (Ord. 25-08 §1, 2025).

Chapter 17.75

RESIDENTIAL DISTRICTS

Sections:

17.75.010	Residential Districts—General Purposes.
17.75.020	R1 Minimal-Density Residential District—Purpose.
17.75.030	R2 Low-Density Multi-Family Residential District—Purpose.
17.75.040	R3 Medium-Density Multi-Family Residential District—Purpose.
17.75.050	R4 High-Density Multi-Family Residential District—Purpose.
17.75.060	Uses Permitted.
17.75.070	Development Standards.
17.75.080	Additional Regulations.

17.75.010 Residential Districts—General Purposes.

The Residential Districts (R) are to:

- (1) provide areas for residential uses at a range of densities consistent with public health and safety and the adopted Comprehensive Plan;
- (2) preserve and protect access to light, privacy, views, open space, and natural features;
- (3) provide for community facilities and nonresidential uses which complement and are compatible with residential uses and benefit from a residential environment;
- (4) protect residential uses from the effects of more intense land uses;
- (5) protect residential districts from commercial vehicle traffic;
- (6) protect low-density residential districts from the effects associated with medium- and high-density residential districts by fostering quiet seclusion, fewer moving and stationary vehicles, larger yards, and fewer people. (Ord. 25-08 §1, 2025)

17.75.020 R1 Minimal-Density Residential District—Purpose.

The R1 Minimal-Density Residential District is intended to establish areas for low density residential developments consisting of detached single-family dwellings, duplexes, townhouses up to four (4) units attached as described in PCC 17.108, and apartments up to four (4) units with a maximum density of 10 dwelling units per net acre. (Ord. 25-08 §1, 2025).

17.75.030 R2 Low-Density Multi-Family Residential District—Purpose.

The R2 Low Density Multi-Family Residential District is intended to establish areas for low density, multiple residential developments. Uses are permitted with a maximum density of up to 15 dwelling units per net acre. (Ord. 25-08 §1, 2025).

17.75.040 R3 Medium-Density Multi-Family Residential District—Purpose.

The R3 Medium Density Multi-Family Residential District is intended to establish areas for medium density residential developments. Uses are permitted with a maximum density of up to 29 dwelling units per net acre. (Ord. 25-08 §1, 2025).

17.050 R4 High-Density Multi-Family Residential District—Purpose.

The R4 High-Density Multi-Family Residential District is intended to establish areas for high-density residential developments. Uses are permitted with a maximum density of up to 44 dwelling units per net acre. (Ord. 25-08 §1, 2025).

17.060 Uses Permitted.

- (1) *Principal Uses.* Principal uses permitted in the Residential Districts are listed in the Use Chart, PCC 17.70.030.
- (2) *Accessory Uses.* Accessory uses permitted in the Residential Districts are listed in the Use Chart, PCC 17.70.030, and are subject to the same development standards as principal uses, unless otherwise specified. (Ord. 25-08 §1, 2025).

17.75.070 Development Standards.

- (1) *Minimum Lot Size and Width.*
 - (a) In R1, and R2: The minimum lot size will be 6,000 square feet with a minimum lot width of 60 feet or 25% of lot depth, whichever is greater.
 - (b) In R3 and R4: The minimum lot size will be 5,000 square feet with a minimum lot width of 50 feet or 25% of lot depth, whichever is greater.
 - (c) Exceptions to the requirements of PCC 17.75.070(1)(a) and (b) may be allowed for the following:
 - (i) Lots in PRDs and PUDs may be of reduced size and width but must comply with the basic density of the underlying zoning district, but the basic density of the underlying zoning district may be exceeded if special features are incorporated into the design for which bonus density points are awarded pursuant to the provisions of PCC 17.107.040(2)(b) and (c).
 - (ii) Lots in townhouse developments may be of reduced size and width as provided in PCC 17.108, but must comply with the basic density of the underlying zoning district.
 - (iii) Open space lots may be of reduced size and width provided a notation is made on a final plat, short plat, or other document acceptable to the Director of Community Development to ensure that said lots will be preserved as open space lots; the instrument upon which such a notation is made must be filed with the Whitman County Auditor.
 - (iv) The Director of Community Development may approve of the creation of lot area and width up to 15% smaller than the minimum requirements of PCC 17.75.070(1)(a) and (b) as an Administrative Variance pursuant to PCC 17.130, if there is no significant impact on adjoining properties.
- (2) *Minimum Lot Area Per Dwelling Unit.* In the residential districts the minimum lot area per dwelling unit will be as follows:

District	Minimum Lot Area Per Dwelling Unit
R1	4,500 sq. ft.
R2	3,000 sq. ft.
R3	1,500 sq. ft.
R4	1,000 sq. ft.; in this district only, the Hearing Examiner may reduce this limitation to as low as 500 sq. ft. and issue a conditional use permit for such reduction.

- (3) *Maximum Residential Density.* The maximum densities allowed in residential districts are as follows:

- (a) *Basic Density.* The number of dwelling units permitted in any residential district must be determined by dividing the net acreage by the minimum lot area per dwelling unit required by the zoning districts in which the lots are located.
- (b) *PRD Bonus Density.* In PRDs, a maximum 20% increase in density above the level specified in the preceding subsection (3)(a) is permitted if all density bonuses are utilized.
- (c) *Average Number of Dwelling Units.* The average number of dwelling units per net acre permitted in the residential districts based on subsections (3)(a) and (3)(b), is as follows:

District	Basic Density	PRD Bonus
R1	10	12
R2	15	18
R3	29	34
R4	44	52

- (4) *Maximum Lot Area Per Dwelling Unit.*

- (a) In the R3 and R4 districts, the maximum lot area per dwelling unit will be as follows:

District	Maximum Lot Area
R3	6,000 sq. ft.
R4	4,500 sq. ft.

- (b) In the event that an owner can clearly demonstrate that, due to environmental and/or physical constraints associated with a particular lot, it is appropriate for the requirements of this subsection to be modified, the Director of Community Development may allow for a larger maximum lot area per dwelling unit ratio by means of an administrative variance pursuant to PCC 17.130, provided all other applicable criteria for granting an administrative variance are met.
- (5) *Maximum Building and Structure Coverage.* The maximum portion of a lot area that may be occupied by the roof of buildings and structures, and decks over 30 inches (2.5 feet) will be as follows:

District	Maximum Building Coverage
R1	35%
R2	40%
R3	50%
R4	60%

Exceptions to these requirements may be allowed for individual townhouse lots as provided in PCC 17.108 and individual PRD lots as provided in PCC 17.107, provided that the total coverage of all the individual roofs of buildings and structures in townhouse developments must not exceed these requirements.

- (6) *Maximum Building and Structure Height.* The maximum height of a building or structure will be as follows:

Zone	Height in Feet
R1	35
R2	40
R3	50
R4	60
Accessory Building on lots less than 1 acre	20
Accessory Building on lot greater than 1 acre	35, if setback is greater than or equal to the height of the building

- (7) *Minimum Required Yards.* In all residential districts each lot must have minimum yards of at least the following dimensions unless otherwise provided in this Chapter, PCC 17.35.020(2) (General Exceptions to Yard Requirements), PCC 17.107 (Planned Residential Development), or PCC 17.108 (Townhouses):

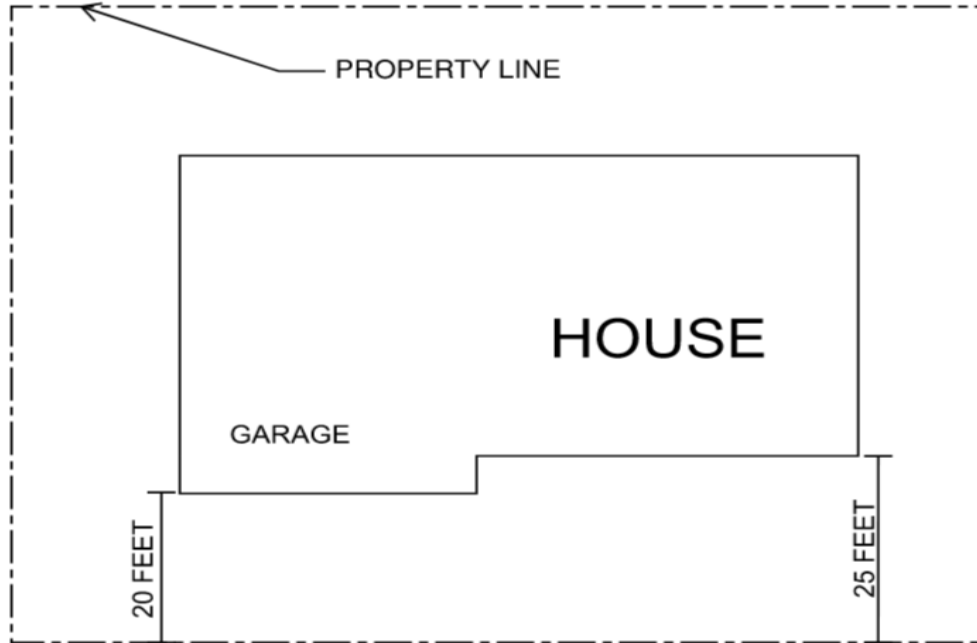
Yard	Distance in Feet
Front	15
Rear	10
Side	
Interior	5
Flanking	15

the front yard may be reduced from 15 feet to as low as five (5) feet if the main entrance to the building(s) faces the front lot line and parking is located behind the main building.

- (8) *Garages and Carports.* In addition to the other development standards contained in this Chapter, the standards below will apply to garages and carports in all residential districts.
- (a) *Minimum Required Yards.* All garages and carports which have the main entrance perpendicular to a street will have a minimum yard of 20 feet adjacent to that street. Garages and carports for which the main entrance is not perpendicular to

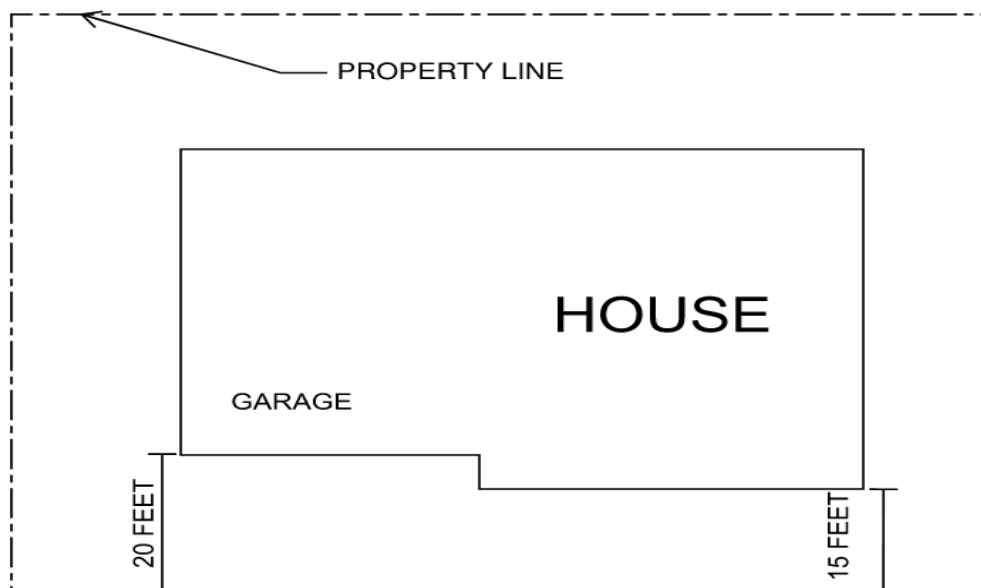
the street from which access is gained will have a driveway at least 20 feet in length from the edge of the main entrance of the garage or carport to the edge of the property line abutting the street from which access is obtained.

- (b) *Design.* All garages and carports, be they attached to or detached from the

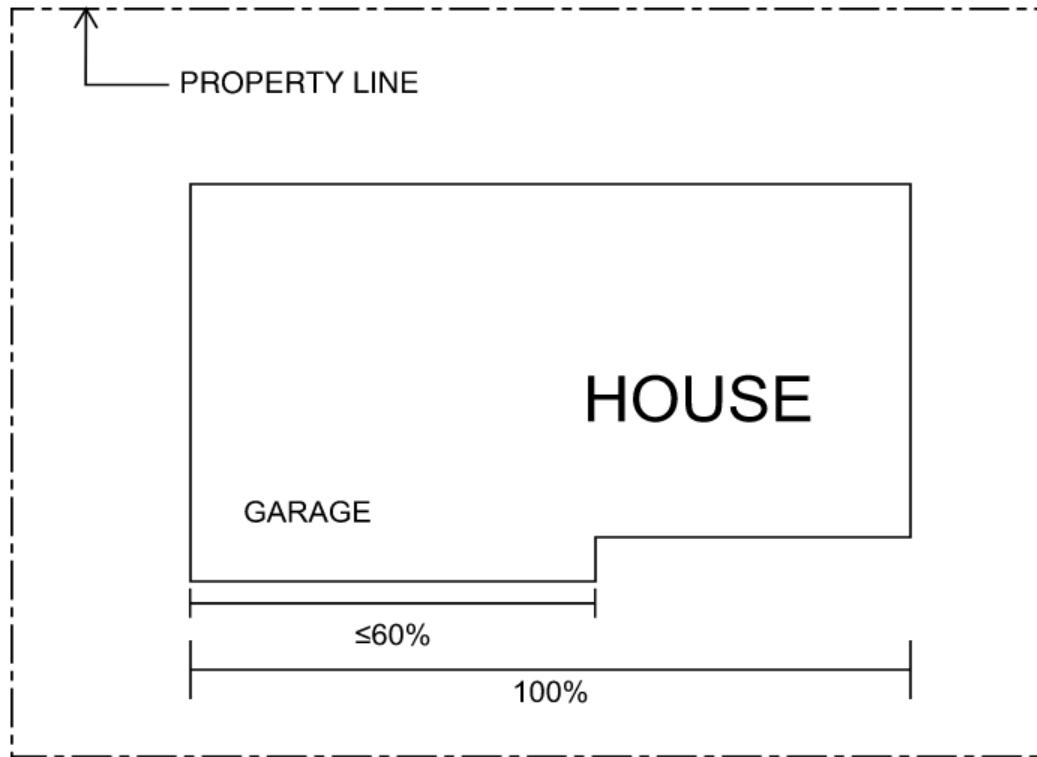


principal building(s) on a lot, must be designed to meet at least one (1) of the following criteria:

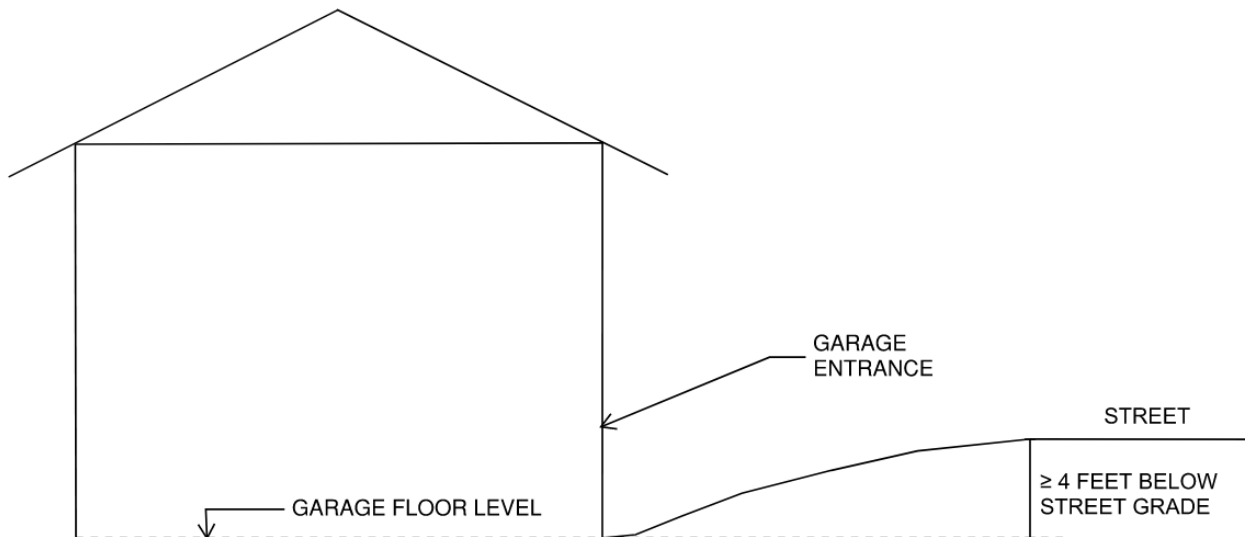
- (i) the setback for the garage or carport from an adjacent street is equal to or greater than some other part of the façade;



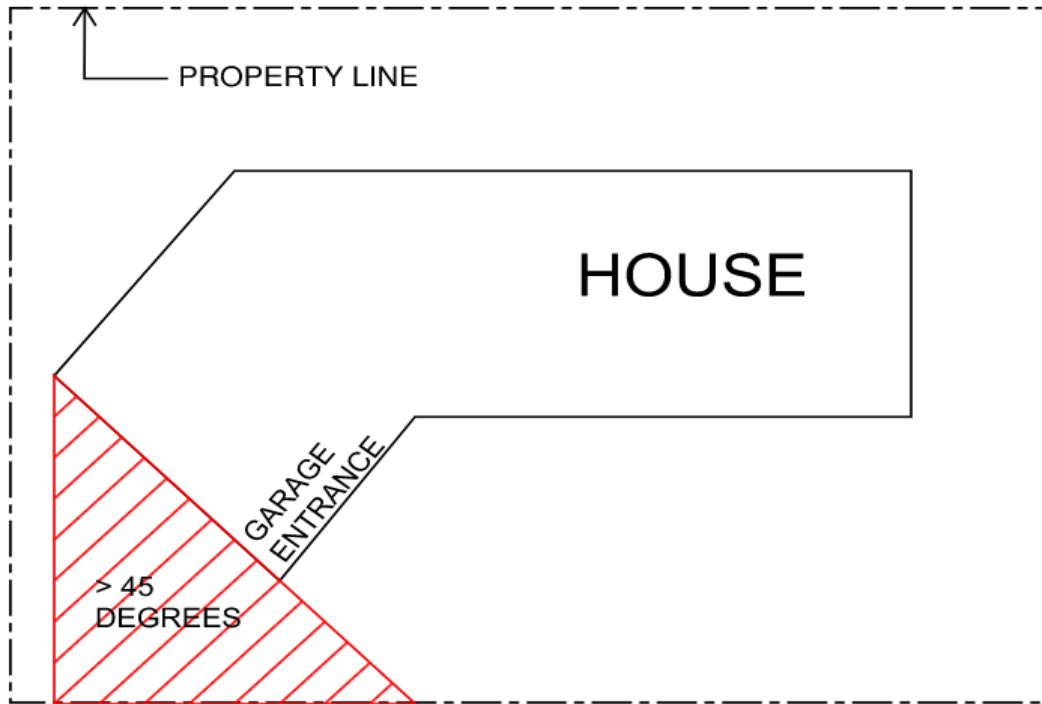
- (ii) the garage or carport is no more than 60% of the width of the façade on which the vehicular entrance to the garage or carport is located;



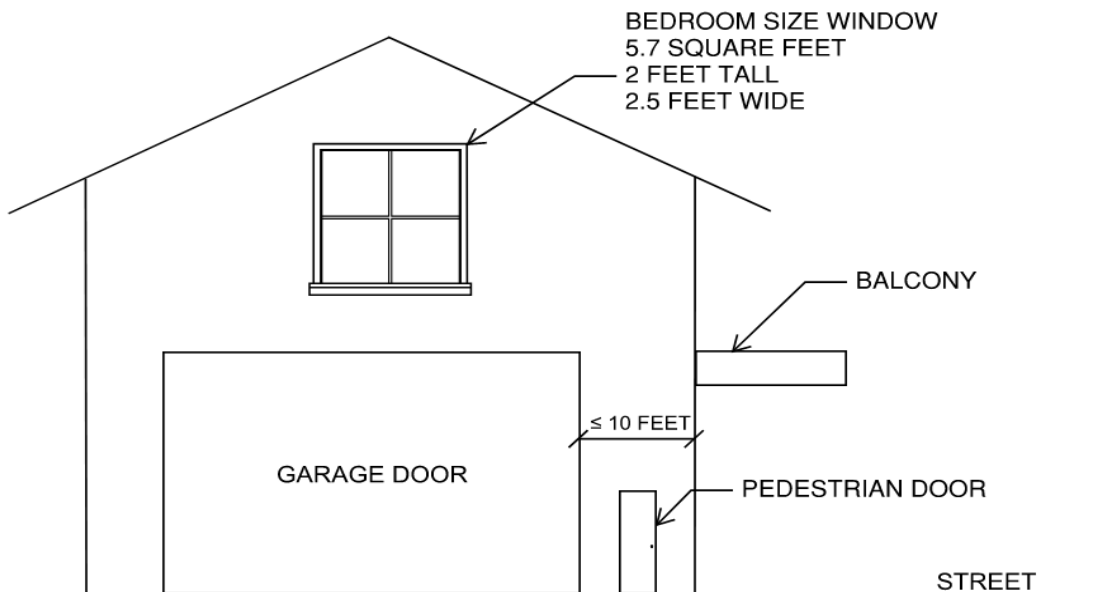
- (iii) the floor level of the garage or carport is four (4) feet or more below the grade of the street from which access is gained at the driveway to said garage or carport;



- (iv) the vehicular entrance to the garage or carport is placed at more than a 45-degree angle to a lot line abutting an adjacent street; or,



- (v) an architectural feature(s), such as a bedroom-size window (5.7 square feet, 2 feet in height, 2.5 feet wide), pedestrian door, or balcony, is installed in a garage wall facing an adjacent street or said architectural feature is installed on a wall or dormer located directly above the vehicular entrance to the garage or carport and within 10 horizontal feet of the vehicular entrance to the garage or carport.



As used in this Paragraph, “adjacent street” means a street that abuts a lot line of the lot on which the garage or carport is located,

- (9) *Open Space Required for all Multi-Family Buildings and Townhouses.* Open space equal to 20% of the net acreage will be devoted to landscaping and/or outdoor recreational facilities for all multi-family buildings and townhouses. Driveways, loading areas, and parking areas except landscaping in parking areas will not be counted as part of this required space. This open space must be covered with pervious ground cover, except in the case of a tennis court, swimming pool, or similar use which requires a special surface.
- (10) *High-Density/Low-Density Transition Area Standards.* Where a lot in a high-density residential district (R3 or R4) is located adjacent to a lot in a low-density residential district (R1 or R2), the following standards will apply:
 - (a) *Maximum Building and Lot Coverage.* For a lot in a high-density residential district contiguous to or across a street or alley from a low-density residential district, the maximum portion of the lot area that may be occupied by buildings and structures will be 40%.
 - (b) *Minimum Required Yards.*
 - (i) A lot in a high-density residential district that is contiguous to a lot in a low-density residential district will have a minimum interior side yard of 15 feet and minimum rear yard of 15 feet. The minimum yard requirements described in this Subparagraph apply only when the yard(s) is contiguous to a low-density residential district.
 - (ii) Where buildings or structures exceed 35 feet in height on the interior sides or rear of a lot adjoining property in a low-density residential district, the minimum side or rear yard will be 15 feet plus one (1) foot for every one (1) foot of height over 35 feet.
 - (c) *Balconies.* For a lot in a high-density residential district, balconies located within 50 feet of a low-density residential district will be prohibited on walls that face a low-density residential district. A wall is facing a district when it is visible from said district and it is angled less than 9) degrees in relation to the boundary of said district.
 - (d) *Screening and Landscaping.* Screening and landscaping of lots in a high-density residential district that abut a low-density residential district are required as described in PCC 17.45.050.
- (11) *Infill Development Standards.* In addition to the development standards of PCC 17.75.070(1)-(10), infill development must conform to the standards below. Where the provisions of this subsection conflict with the provisions of PCC 17.75.070(1)-(10) or other provisions in this Title, the more restrictive provisions will apply.

- (a) *Setback.* Buildings will be set back from the adjoining street(s) at least as far as the buildings on abutting residentially zoned lots fronting on said adjoining street(s).
- (b) *Orientation and Entrances.* Buildings must be oriented to the fronting street so that the main entrance(s) is plainly visible from said street.
- (c) *Building Coverage.* The maximum portion of the lot area that may be occupied by buildings or structures will be 125% of the largest building coverage for buildings or structures on any of the abutting occupied residentially zoned lots that adjoin the same street as the lot on which the infill development is established.
- (d) *Building Height.* The maximum height of a building or structure will be 125% of the greatest building height for a building or structure on any of the abutting occupied residentially zoned lots that adjoin the same street as the lot on which the infill development is established.
- (e) *Roof Pitch.* The roof pitch for buildings or structures will be within the range of 75% to 125% of the average roof slope for buildings on abutting occupied residentially zoned lots that adjoin the same street as the lot on which the infill development is established.
- (f) *Modification of Standards.* In the event that an owner can clearly demonstrate that, due to environmental or physical constraints, or due to exceptional circumstances associated with an abutting lot(s), it is appropriate for the standards of this subsection to be modified, the Director of Community Development may grant an administrative variance in accordance with PCC 17.130 to so modify one or more of the standards herein, provided all other applicable criteria for granting an administrative variance are met. (Ord. 25-08 §1, 2025).

17.75.090 Additional Regulations.

The following chapters may qualify or supplement the regulations of this Chapter.

- (1) PCC 16.39 Environmental (SEPA) Procedures
- (2) PCC 17.35 Exceptions and Special Provisions Pertaining to Uses, Development Regulations, and Performance Standards
- (3) PCC 17.40 Off-street Parking and Loading
- (4) PCC 17.45 Landscaping and Screening
- (5) PCC 17.50 Sign Regulations
- (6) PCC 17.100 Accessory Dwelling Units
- (7) PCC 17.106 Planned Unit Development
- (8) PCC 17.107 Planned Residential Development
- (9) PCC 17.108 Townhouses
- (10) PCC 17.135 Site Plan Review (Ord. 25-08 §1, 2025).

Chapter 17.80

COMMERCIAL DISTRICTS

Sections:

- 17.80.010 Commercial Districts—General Purposes.
- 17.80.020 C1 Neighborhood Commercial District—Purposes.
- 17.80.030 C2 Central Business District—Purposes.
- 17.80.040 C3 General Commercial District—Purposes.
- 17.80.050 Uses Permitted.
- 17.80.060 Development Standards.
- 17.80.070 Additional Regulations.

17.80.010 Commercial Districts—General Purposes.

The Commercial (C) Districts are to:

- (1) provide areas for appropriate location of commercial uses offering goods and services;
- (2) provide areas where commercial uses may concentrate for the convenience of the public and in mutually beneficial relationships with each other;
- (3) accommodate those residential uses and community facilities and institutions that are in compatible with commercial uses; and
- (4) protect commercial uses from incompatible uses and development. (Ord. 25-08 §1, 2025).

17.80.020 C1 Neighborhood Commercial District—Purposes.

The C1 Neighborhood Commercial District is to:

- (1) accommodate small retail and personal service businesses that will primarily serve the day-to-day needs of the immediate neighborhood;
- (2) protect existing businesses of the type referred to in PCC 17.80.020(1) and permit new neighborhood commercial businesses where economic demand, citizen acceptance, and development standards can assure compatibility with the neighborhood;
- (3) limit the size, scale, and expansion of neighborhood commercial businesses to minimize traffic volumes and congestion, and adverse impacts on the neighborhood in which they are located. Developments should be characterized by small buildings, low vehicular traffic generation, considerable walk-in trade, and quiet operations. (Ord. 25-08 §1, 2025).

17.80.030 C2 Central Business District—Purposes.

The C2 Central Business District is to:

- (1) accommodate those retail stores, offices, service, and amusement businesses that offer goods and services to the entire market area in the City's downtown commercial core;

- (2) ensure compact, convenient development patterns by allowing those uses that are chiefly pedestrian-oriented and operated within buildings, and that do not require large facilities for on-site off-street parking. (Ord. 25-08 §1, 2025).

17.80.040 C3 General Commercial District—Purposes.

The C3 General Commercial District is to:

- (1) provide areas for commercial uses serving the motoring public with goods and services such as food, lodging, and gasoline;
- (2) provide areas for uses that require larger sites of 10 acres or larger;
- (3) provide areas for uses involving outdoor activities or display, light manufacturing, processing, or heavy truck traffic;
- (4) provide areas for uses that are heavily dependent on convenient vehicular access;
- (5) encourage the clustering of general commercial activities on sites having safe and efficient access to a major or secondary arterial street, as identified in the circulation element of the Comprehensive Plan;
- (6) provide development standards that enhance efficient operations of these uses and that minimize adverse impact on the community, especially on adjacent properties with more restrictive development. (Ord. 25-08 §1, 2025).

17.80.050 Uses Permitted.

- (1) *Principal and Conditional Uses.* Principal and Conditional Uses permitted in the Commercial Districts are listed in the Use Chart, PCC 17.70.030.
- (2) *Accessory Uses.* Accessory uses in Commercial Districts are subject to the same development standards as principal uses. (Ord. 25-08 §1, 2025).

17.80.060 Development Standards.

Table 17.80.1

Standards	District		
	C1	C2	C3
(a) Minimum Lot Area	5,000'	None	10,000
(b) Minimum Lot Width	50'	None	None
(c) Minimum Lot Depth	90'	None	None
(d) Minimum Front Yard	5' ⁵	None	None
(e) Minimum Side and Rear Yard	None ¹	None ²	None ^{2,4}
(f) Maximum Height	35'	60' ³	None ⁴
(g) Maximum Gross Floor Area	1 sq. ft. per sq. ft. of lot area	None	3 sq. ft. per sq. ft. of lot area
(h) Minimum Landscaping (Percent of Lot Area)	None	None	10% ⁶

¹ 10 feet if adjacent to residential zoned property.

² 20 feet if adjacent to residential zoned property.

- ³ No building or structure will exceed 60 feet above grade.
- ⁴ No maximum height is imposed, but when a building exceeds 35 feet in height, the portion of that building over 35 feet in height will be set back one (1) foot from all side or rear property lines for each one (1) foot in height by which it exceeds 35 feet.
- ⁵ See PCC 17.35.020 General Exceptions, (2) To Yard Requirements.
- ⁶ Parking area landscaping may count as part or all of this requirement. (Ord. 25-08 §1, 2025).

17.80.070 Additional Regulations.

The following chapters may qualify or supplement the regulations of this Chapter.

- (1) PCC 17.30 Nonconforming Uses, Buildings or Structures, and Lots
- (2) PCC 17.35 Exceptions and Special Provisions Pertaining to Uses, Development Regulations, and Performance Standards
- (3) PCC 17.40 Off-street Parking and Loading
- (4) PCC 17.45 Landscaping and Screening
- (5) PCC 17.50 Sign Regulations
- (6) PCC 17.70 Use Chart
- (7) PCC 17.135 Site Plan Review (Ord. 25-08 §1, 2025).

Chapter 17.85

INDUSTRIAL DISTRICTS

Sections:

- 17.85.010 Industrial Districts—General Purposes.
- 17.85.020 I1 Light Industrial District—Purpose.
- 17.85.030 I2 Heavy Industrial District—Purpose.
- 17.85.040 Industrial Research Park (IRP)—Purpose.
- 17.85.050 Uses Permitted.
- 17.85.060 Development Standards.
- 17.85.070 Additional Regulations.

17.85.010 Industrial Districts—General Purposes.

The Industrial (I) Districts are to:

- (1) establish and reserve areas near major arterial streets and railroads for industrial uses;
- (2) direct heavy truck traffic onto major arterial streets and away from residential streets;
- (3) minimize conflicts between industrial and other land uses;
- (4) protect industrial uses from encroachment by incompatible land uses;
- (5) protect the aquifer from drawdown by single high-volume industrial users. (Ord. 25-08 §1, 2025).

17.85.020 I1 Light Industrial District—Purpose.

The IL Light Industrial District is intended to provide locations for the manufacturing and assembly of materials into finished products, warehousing, storage, and wholesale businesses, and offices and limited retail and service uses which are compatible with the industrial uses. The I1 District is typically located on or near sites with rail facilities or access to major arterial streets. (Ord. 25-08 §1, 2025).

17.85.030 I2 Heavy Industrial District—Purpose.

The I2 Heavy Industrial District is intended to provide locations where uses are permitted outright for the manufacturing and assembly of materials into finished products; warehousing, storage, and wholesale businesses; and offices and limited retail and service uses which are compatible with the industrial uses. The I2 Heavy Industrial District is also intended to provide locations by conditional use permit for the manufacturing of products from raw materials and/or products which may have a greater detrimental impact on environmental quality or the community. The I2 district is typically appropriate for areas which are distant from residential areas, and which have rail facilities or direct access to major arterial streets. (Ord. 25-08 §1, 2025).

17.85.040 Industrial Research Park (IRP)—Purpose.

The IRP Industrial Research Park District is to provide areas for research and development institutions and light industrial firms such as those which might be typically involved in the

manufacture or assembly of electronic components, medical and dental instruments, and computers. This District is characterized by a campus-like setting where noise, vibration, and pollutants normally associated with industry are minimized. Ancillary services such as banks and restaurants that are designed to support the research park institutions and firms are consistent with this district. (Ord. 25-08 §1, 2025).

17.85.050 Uses Permitted.

- (1) *Principal and Conditional Uses.* Principal and Conditional Uses permitted in the Industrial Districts are listed in the Use Chart, PCC 17.70.030.
- (2) *Accessory Uses.* Accessory uses in Industrial Districts are subject to the same development standards as principal uses. (Ord. 25-08 §1, 2025).

17.85.060 Development Standards.

- (1) *Minimum Required Yards.*

- (a) Except as otherwise specified, the following minimum yard requirements will apply in the IRP District:

Yard	Distance in Feet
Front	30
Side	10
Rear	20
Yard abutting residentially zoned property	30

- (b) In the I1 and I2 Districts, there are no front, side, or rear yard requirements except as follows:
 - (i) if a yard is provided, it will not be less than three (3) feet in width to allow maintenance access.
 - (ii) I1 and I2 lots under 20,000 square feet abutting residentially zoned property will be subject to the same minimum yard requirements as those required in the abutting residential zone.
 - (iii) I1 and I2 lots over 20,000 square feet abutting residentially zoned property will provide a 30-foot yard wherever contiguous.
 - (c) Exceptions to yard requirements are described in PCC 17.35.020(2).

- (2) *Minimum Lot Size and Street Frontage.*

Zone	Minimum Lot Size	Minimum Street Frontage
IRP	20,000 square feet	100 feet
I1 & I2	10,000 square feet	75 feet

- (3) *Floor Area Requirements.* The maximum permitted gross floor area to be contained in all buildings on a lot or site in an IRP, I1 or I2 district will not exceed two and one-half (2.5) times the area of the lot or site.
- (4) *Maximum Building or Structure Height.*
 - (a) There will be no building or structure height limitations in the industrial districts except as follows:
 - (i) when abutting a residential district or C1 District, the building or structure height limitations in the industrial districts will be no greater than that permitted in the residential districts or the C1 District for a distance of 50 feet;
 - (ii) when a building exceeds 45 feet in height, the portion of the building above 45 feet will be set back one (1) foot from each side and rear property line for each one (1) foot the building exceeds 45 feet.
- (5) *Open Space.* Open space equal to 10% of the net acreage will be devoted to landscaping for uses in all industrial districts. Parking area landscaping may count as part or all of this requirement. (Ord. 25-08 §1, 2025).

17.85.070 Additional Regulations.

The following chapters may qualify or supplement the regulations of this Chapter.

- (1) PCC 16.39 Environmental (SEPA) Procedures
- (2) PCC 17.35 Exceptions and Special Provisions Pertaining to Uses, Development Regulations, and Performance Standards
- (3) PCC 17.40 Off-street Parking and Loading
- (4) PCC 17.50 Sign Regulations
- (5) PCC 17.115 Rezones
- (6) PCC 17.125 Conditional Use Permits
- (7) PCC 17.135 Site Plan Review (Ord. 25-08 §1, 2025).

Chapter 17.90

WASHINGTON STATE UNIVERSITY DISTRICT

Sections:

- 17.90.010 Washington State University District—Purposes.
- 17.90.020 Uses Permitted.
- 17.90.030 Development Standards.
- 17.90.040 Coordination of Plans.

17.90.010 Washington State University District—Purposes.

The Washington State University (WSU) District is to:

- (1) furnish areas for the location of university services and facilities to promote WSU's goal of excellence in higher education; and
- (2) encourage cooperation between the City and WSU in planning the physical development of the community. (Ord. 25-08 §1, 2025).

17.90.020 Uses Permitted.

Principal uses permitted in the WSU District are listed in the Use Chart, PCC 17.70.030. (Ord. 25-08 §1, 2025).

17.90.030 Development Standards.

Given that WSU maintains a capital planning and development operation to administer its own university development standards, no specific development standards are described in this Title for the WSU zoning district. Furthermore, none of the standards contained in the following Chapters will apply to the WSU zoning district:

- (1) PCC 17.35 Exceptions and Special Provisions Pertaining to Uses, Development Regulations, and Performance Standards
- (2) PCC 17.40 Off-street Parking and Loading
- (3) PCC 17.45 Landscaping and Screening
- (4) PCC 17.50 Sign Regulations
- (5) PCC 17.55 Home Occupations
- (6) PCC 17.100 Floodplain Management District
- (7) PCC 17.105 Manufactured Homes, Recreational Vehicles, and Trailers
- (8) PCC 17.107 Planned Residential Development
- (9) PCC 17.108 Townhouses
- (10) PCC 17.135 Site Plan Review (Ord. 25-08 §1, 2025).

17.90.040 Coordination of Plans.

The Commission should invite an appropriate representative(s) from WSU to participate in a public meeting at least once every other year to provide updates on City and WSU land use plans and discuss other efforts to promote orderly development in the community. Following this public meeting, the Commission may recommend appropriate action to the Council to further this Title. (Ord. 25-08 §1, 2025).

Chapter 17.95

AIRPORT OVERLAY DISTRICTS

Sections:

- 17.01.010 Purpose.
- 17.01.020 Definitions.
- 17.01.030 Airport Overlay Districts Establishment.
- 17.01.040 Height Limitations.
- 17.01.050 Airport Overlay Districts Performance Standards.
- 17.01.060 Existing Trees.
- 17.01.070 Noise Impacted Use Restrictions.
- 17.01.080 Permit Procedures.
- 17.01.090 Height Variances.
- 17.01.100 Marking and Lighting of Hazards.

17.95.010 Purpose.

This Chapter is to protect the lives and property of aircraft pilots and passengers and of people who live or work near the airport, and to protect the public interest and investment in the airport and air access to the City by:

- (1) regulating land use and the height of structures and trees to prevent the establishment of airport hazards;
- (2) restricting the establishment of incompatible land uses near the airport; and,
- (3) requiring the marking and lighting of new and existing obstructions within the airport overlay districts established by this Chapter. (Ord. 25-08 §1, 2025).

17.95.020 Definitions.

For this Chapter the following words and phrases will have the following meanings:

- (1) *Airport*. The Pullman-Moscow Regional Airport.
- (2) *Airport Elevation*. The highest point of the airport's usable landing area.
- (3) *Airport Hazard*. Any structure, tree, or mobile object located at, or moving through the airport or its vicinity, or any use of land near the airport that obstructs the navigable airspace required for the flight of aircraft.
- (4) *Airport Imaginary Surfaces*. The following airport imaginary surfaces are established with relation to the airport and its runway. The size of each imaginary surface is based on the type of approach available or planned for each end of the runway. The slope and dimensions of the approach surface applied to each end of the runway are determined by the most precise approach existing or planned for that end of the runway.
 - (a) *Horizontal Surface*. A horizontal plane 150 feet above the airport elevation, the perimeter of which is constructed by swinging arcs of 10,000 feet radii from the center of each end of the primary surface of the runway and connecting the adjacent arcs with lines tangent to them.

- (b) *Conical Surface.* A surface extending upward and outward from the periphery of the horizontal surface at a slope of 20:1 (run to rise) for a horizontal distance of 4,000 feet.
- (c) *Primary Surface.* 500-foot-wide surface longitudinally centered on and extending 200 feet beyond each end of the runway. The elevation of any point on the primary surface is the same as that of the nearest point on the runway centerline.
- (d) *Approach Surface.* A surface longitudinally centered on the extended runway centerline and extending outward and upward from each end of the primary surface. At the Pullman-Moscow Regional Airport, there are two (2) approach surfaces, the inner edge of which begins at and is the same width and elevation as the primary surface.
 - (i) The larger than utility runway visual approach surface expands uniformly outward to a width of 1,500 feet and upward at a slope of 20:1 (run to rise) to a horizontal distance of 5,000 feet beyond the end of the primary surface.
 - (ii) The larger than utility runway with a visibility minimum greater than 3/4-mile nonprecision instrument approach surface expands uniformly outward to a width of 3,500 feet and upward at a slope of 34:1 (run to rise) to a horizontal distance 10,000 feet beyond the end of the primary surface.
- (e) *Transitional Surface.* A surface extending outward and upward at right angles to the runway centerline and the runway centerline extended at a slope of 7:1 (run to rise) from the sides of the primary surface and from the sides of the approach surfaces to where they intersect the horizontal surface.
- (5) *Height.* For determining the height limits in the Airport Height Limitation Overlay Districts, the base datum will be mean sea level, unless otherwise specified.
- (6) *Larger than Utility Runway.* Any runway constructed and intended for use by propeller-driven aircraft of greater than 12,500 pounds maximum gross weight, or by jet aircraft.
- (7) *Nonprecision Instrument Runway.* Any runway having an existing instrument approach procedure that utilizes air navigation facilities with only horizontal guidance, or area type navigation equipment, for which a straight-in nonprecision instrument approach has been approved or planned.
- (8) *Obstruction.* Any structure or tree that exceeds the height limits established in PCC 17.95.040 of this Chapter.
- (9) *Runway.* Refers to Runway 5-23 at the Pullman-Moscow Regional Airport.
- (10) *Structure.* Any object, including a mobile object, constructed or installed by man, including buildings, towers, cranes, smoke stacks, earth formations, and overhead transmission lines.

- (11) *Substantial Noise Impact Area*. All areas where the existing or potential airport-related noise levels exceed 65 Ldn (day-night average).
- (12) *Tree*. Any object of natural growth. (Ord. 25-08 §1, 2025).

17.95.030 Airport Overlay Districts Establishment.

The Airport Overlay Districts add restrictions to those of the underlying districts. This Section establishes the Airport Overlay Districts described below. Where these districts overlap each other or an underlying district, the most restrictive requirements imposed by any district will govern.

- (1) *Airport Height Limitation Overlay Districts*. The Horizontal, Conical, Approach, and Transitional Airport Overlay Districts include all land lying directly beneath the horizontal, conical, approach, and transitional surfaces defined in PCC 17.95.020(4). The location and boundaries of these Districts are shown on a map dated February, 1984 entitled “Pullman-Moscow Regional Airport Height Limitation Overlay Districts” which is adopted by this reference as part of this Title.
- (2) *Airport Use Restriction Overlay District*. The Airport Use Restriction Overlay District includes the Substantial Noise Impact Area defined in PCC 17.95.020(11). The location and boundaries of this District are shown on a map dated February, 1984 entitled “Pullman-Moscow Regional Airport Use Restriction Overlay District” which is adopted by reference as part of this Title. (Ord. 25-08 §1, 2025).

17.95.040 Height Limitations.

No structure within any of the Airport Height Limitation Overlay Districts will be constructed or altered and no tree will be allowed to grow to break the plane of any of the imaginary surfaces defined in PCC 17.95.020(4). For height variances, see PCC 17.95.090. (Ord. 25-08 §1, 2025).

17.95.050 Airport Overlay Districts Performance Standards.

These performance standards apply to all new and existing uses in the Airport Overlay Districts. No use in the Airport Overlay Districts will:

- (1) cause interference with the operation of radio or electronic facilities at the airport or with radio or electronic communication between the airport and aircraft;
- (2) make it difficult for pilots to distinguish between airport and other lights or result in glare in the eyes of pilots using the airport;
- (3) impair visibility in the vicinity of the airport; or,
- (4) in any other way endanger aircraft operations. (Ord. 25-08 §1, 2025).

17.95.060 Existing Trees.

Existing trees in the Airport Height Limitation Overlay Districts will be maintained or, if necessary, removed so as not to be airport hazards. Trees planted within these Districts must be of species that do not attain a height that would make them an airport hazard. (Ord. 25-08 §1, 2025).

17.95.070 Noise Impacted Use Restrictions.

The following uses are prohibited in the Airport Use Restriction Overlay District:

- (1) all residential uses, including transient living quarters;
- (2) child day care facilities and nursery schools;
- (3) educational facilities, including libraries, but excepting those facilities directly associated with experiential learning in aircraft operation or maintenance or with operations that are accessory to research and training at WSU;
- (4) hospitals; and
- (5) churches. (Ord. 25-08 §1, 2025).

17.95.080 Permit Procedures.

No permit required by this Title or any other provision of the City Code will be issued for any structure or use that would be an airport hazard or that would permit any nonconforming structure or use to become a greater airport hazard. (Ord. 25-08 §1, 2025).

17.95.090 Height Variances.

Requests for height variances in any Airport Overlay District will be processed in the same way as any other request for an administrative variance as described in PCC 17.130.040 with the addition of the following steps:

- (1) the application for a variance will be accompanied by a written determination from the Federal Aviation Administration of the effect of the proposed variance on the operation of the airport and on the safe and efficient use of navigable airspace; and,
- (2) the application must be referred to the Airport Manager for written review and comment within 15 days of the application's filing date. (Ord. 25-08 §1, 2025).

17.95.100 Marking and Lighting of Hazards.

- (1) Any permit or variance issued for any structure or use in any Airport Height Limitation Overlay District may be conditioned on the installation, operation, and maintenance of markers and lights indicating the presence of an airport hazard. Required markers and lights must be installed, operated, and maintained by the owner of the hazard.
- (2) The owner of any existing structure, tree, or use that is an airport hazard may be required to permit the installation, operation, and maintenance of markers or lights. The marking and lighting of existing airport hazards must be installed, operated, and maintained at the expense of the owner of the hazard. (Ord. 25-08 §1, 2025).

Chapter 17.100

ACCESSORY DWELLING UNITS

Sections:

- 17.100.010 Purpose.
- 17.100.020 Development Standards
- 17.100.030 Design Standards
- 17.100.040 Procedure for Approval and Effect of Approval.
- 17.100.050 Additional Regulations.

17.100.010 Purpose

This Chapter is to:

- (1) Encourage development of a viable economic base that enhances the image of the City;
- (2) Promote affordable housing, efficient use of land and energy, and a variety of housing types in a variety of locations;
- (3) Encourage creativity in design; and
- (4) Permit within residential neighborhoods the development of accessory dwelling units built to standards designed to include amenities usually associated with conventional single-family detached housing, and to ensure their compatibility with the surrounding neighborhood. (Ord. 25-08 §1, 2025).

17.100.020 Development Standards

All accessory dwelling units (ADUs) must comply with the following:

- (1) *Creation.* An ADU may be created on a lot with another dwelling unit, through one of the following:
 - (a) Converting an existing living area, attic, basement, or garage;
 - (b) Adding floor area;
 - (c) Constructing a detached ADU on a site with an existing residential use; or
 - (d) Constructing a new residential use with an internal or detached ADU.
- (2) *Number of ADUs.* One (1) ADU is allowed per lot, regardless of zoning density, provided all other requirements are met. Additional ADUs are allowed on the same lot as long as the underlying zoning district density as provided for in PCC 17.75.070(3) is still met.
- (3) *Conversion of Existing Detached Structure.*
 - (a) If an ADU is proposed in an existing detached accessory structure that meets the standard of the underlying zoning district, alterations that would cause the structure to be out of conformance with the standards of the underlying zoning district are not allowed.

- (b) If an ADU is proposed by converting an existing detached accessory structure or a portion of the accessory structure, any proposed addition to the existing structure must meet the standards of the underlying zoning district.
- (4) *Parking.*
 - (a) Parking must conform with the primary structure.
- (5) *Utilities.* The ADU must be connected to City utilities and will be jointly metered with the principal residence. Separate connections may be allowed by the Director of Public Works.
- (6) *Addressing.* The ADU will have the same address as the principal residence but each residence will be identified as a unit.
 - (a) *Example 1.* Principal residence address 123 E Main Street, Unit A and ADU address 123 E Main Street, Unit B.
 - (b) *Example 2.* Principal residence address 123 E Main Street, Unit 1 and ADU address 123 E Main Street, Unit 2. (Ord. 25-08 §1, 2025).

17.100.030 Design Standards

- (1) *Size.* ADUs will be a minimum of 200 square feet and a maximum of 900 square feet.
- (2) *Setbacks.*
 - (a) An existing accessory structure with legal non-conforming setbacks may be converted. However, the accessory structure can't be enlarged, as that would create more non-conformities than already exist.
 - (b) All new ADUs must follow the minimum required yards provided in 17.75.070(7)
 - (c) New detached ADUs must be a minimum of 10 feet from other structures on the property.
- (3) *Height.*
 - (a) *Attached ADUs.* Attached ADUs will have the same height limitation as the principal residence as provided in 17.75.070 (6)(a) – 17.75.070(6)(c).
 - (b) *Detached ADUs.* The maximum height allowed for detached ADUs is provided in 17.75.070(6)(d).
- (4) *Facilities.* The ADU must include at least a kitchen, bathroom, and sleeping facilities
- (5) *Building Coverage.* An increase of 10% lot coverage from the underlying zoning district will be allowed for creation of ADUs. (Ord. 25-08 §1, 2025).

17.100.040 Procedure for Approval and Effect of Approval.

- (1) ADUs built on site will be reviewed and permitted in the same manner as traditional site-built homes, and must comply with the most current state and local codes.
- (2) Factory assembled, premanufactured, or modular ADUs must comply with the Washington State Department of Labor and Industries Factory Assembled Structures Division requirements and standards. Installation of factory assembled, premanufactured, or modular ADU will be permitted and inspected by the City.

- (3) An ADU cannot be subdivided or under separate ownership from the principal residence unless the resulting lots meet all the required minimum development standards of this Title.
- (4) The property owner will file a restrictive covenant with the Whitman County Auditor's Office for the subject property prior to the issuance of a Certificate of Occupancy for the ADU. The recorded information will:
 - (a) Identify the property by address and legal description;
 - (b) State that the ADU will not be subdivided or otherwise segregated in ownership from the principal residence unless the resulting lot meets all required minimum development standards for the zoning district; and
 - (c) Provide, with proper notice, for the removal of the ADU within two (2) years, if any of the requirements of the City of Pullman Zoning Code are violated. (Ord. 25-08 §1, 2025).

17.100.050 Additional Regulations.

- (1) PCC 17.25 Assurances
- (2) PCC 17.35 Exceptions and Special Provisions Pertaining to Uses, Development Regulations, and Performance Standards
- (3) PCC 17.40 Off-street Parking and Loading
- (4) PCC 17.45 Landscaping and Screening
- (5) PCC 17.50 Sign Regulations
- (6) PCC 17.75 Residential Districts
- (7) PCC 17.105 Manufactured Homes, Tiny Homes, Recreational Vehicles, and Trailers
- (8) PCC 17.135 Site Plan Review (Ord. 25-08 §1, 2025).

Chapter 17.105

MANUFACTURED HOMES, TINY HOMES, RECREATIONAL VEHICLES, AND TRAILERS

Sections:

- 17.105.010 Purpose.
- 17.105.020 Definitions.
- 17.105.030 Individual Manufactured and Mobile Home Standards.
- 17.105.032 Individual Tiny Home Standards
- 17.105.035 Recreational Vehicle and Trailer Parking and Storage Regulations.
- 17.105.037 Camper and Canopy Storage Regulations.
- 17.105.040 Manufactured Home Park Uses and Standards.
- 17.105.050 Recreational Vehicle Park Uses and Standards.
- 17.105.060 Procedure for Approval and Effect of Approval.
- 17.105.070 Subdivision.
- 17.105.080 Changes to Approved Projects.
- 17.105.090 Repeal or Extension of Approval and Reversion to Underlying Zone.
- 17.105.100 Additional Regulations.

17.105.010 Purpose.

This Chapter is to provide:

- (1) Standards for the safe and compatible location of individual manufactured and tiny homes; and
- (2) The location and development of MHPs and RVPs. (Ord. 25-08 §1, 2025).

17.105.020 Definitions.

The following definitions will be applicable to the provisions of this chapter.

- (1) *Camper*. A structure designed to be mounted upon a vehicle, usually a truck, which provides facilities for human habitation or for temporary outdoor or recreational lodging.
- (2) *Canopy*. A structure designed to be mounted upon a vehicle, that provides security or shelter for things or persons under the structure.
- (3) *Community Facility*. An accessory building located in a MHP or RVP for providing restroom, bathing and/or laundry facilities to residents or occupants of that park. Community facility buildings may also house the park office, shop or storage space, recreational facilities, or any commercial enterprise permitted by this Chapter.
- (4) *Manufactured Home Accessory Structure*. An awning, ramada, storage structure, carport, fence, windbreak, deck, or porch located on a manufactured home lot, all of which must comply with applicable construction codes.
- (5) *Manufactured Home Lot*. Any portion of a manufactured home park designated as the location for one (1) manufactured or mobile home and its accessory structures.

- (6) *Manufactured Home Stand.* That part of a manufactured home lot intended for the placement of a manufactured or mobile home.
- (7) *Mobile Home.* A factory-built dwelling built before to June 15, 1976, to standards other than the United States Department of Housing and Urban Development Code, and acceptable under applicable state codes in effect at the time of construction or introduction of the home into the state. A “Mobile Home” is not a “Manufactured Home.”
- (8) *Park Street.* A street or road within a MHP or RVP that connects manufactured or mobile home lots or recreational vehicle sites with a street, road, or highway.
- (9) *Recreational Facilities.* A building or outdoor recreational structure located in a MHP or RVP for providing leisure time activities for the residents of that park and their guests.
- (10) *Recreational Vehicle Site.* That part of a recreational vehicle park that is designated for the parking or placement of a single recreational vehicle or tent.
- (11) *Tiny Home.* A dwelling, not exceeding 400 square feet in floor area excluding sleeping lofts, on a permanent foundation with living facilities including provisions for sleeping, eating, cooking, and sanitation.
- (12) *Tiny Home on Wheels.* A dwelling, not exceeding 400 square feet in floor area excluding sleeping lofts, not on a permanent foundation with living facilities including provisions for sleeping, eating, cooking, and sanitation.
- (13) *Trailer.* A non-motorized vehicle designed for being drawn by or used in conjunction with a motorized vehicle and which is constructed so that no appreciable part of its weight rests upon or is carried by such motorized vehicle. The term trailer also includes what is commonly known as a “fifth-wheeler”. (Ord. 25-08 §1, 2025).

17.105.030 Individual Manufactured and Mobile Home Standards.

This section establishes standards for the location of manufactured homes as described in the Use Chart, PCC 17.70.030.

- (1) *Manufactured Homes on Individual Lots.* Any manufactured home placed on an individual lot outside of an MHP must:
 - (a) be a new manufactured home pursuant to the definition contained in RCW 35.63.160(2), as it now exists or may be amended;
 - (b) be placed and securely attached to a permanent foundation, as specified by the manufacturer, with the space from the bottom of the home to the ground enclosed by concrete or a concrete product approved by the Building Official, which can be either load bearing or decorative;
 - (c) be thermally equivalent to or better than that required by the State Energy Code for new residential structures, as said Code exists now or may be amended;
 - (d) have a composition, wood, shake, shingle, or metal, or similar roof;

- (e) have exterior siding similar in appearance to siding materials commonly used on conventional site-built residences, as determined by the Building Official; and
 - (f) be placed in conformance with all applicable development standards for the zoning district in which the home is located, including all manufactured home accessory structures and attendant improvements.
- (2) *Mobile Homes Prohibited Outside MHPs.* Mobile homes are prohibited on any property outside of an MHP.
- (3) *Manufactured and Mobile Homes in New MHPs.*
 - (a) Any manufactured home placed in a new or expanded MHP must be installed to meet the requirements as described in WAC 296-150M, as it now exists or may be amended.
 - (b) Mobile homes are prohibited from being placed in a new or expanded MHP.
- (4) *Manufactured or Mobile Homes in Existing MHPs.* Any manufactured or mobile home which is to be placed in an MHP existing at the time this Title becomes effective must be installed to meet the requirements as described in PCC 17.105.030(3)(a).
- (5) *Manufactured Homes in Other Locations.*
 - (a) Manufactured homes permitted as accessory living quarters for security personnel or caretakers must be installed in a way that meets the requirements as described in PCC 17.105.030(3)(a).
 - (b) Manufactured homes permitted on construction sites or for emergency use, as permitted by PCC 17.35.040, must be installed in a way that meets the requirements as described in PCC 17.105.030(3)(a) or a lesser standard appropriate for the duration of use that is approved by the Building Official.
- (6) *Running Gear Removal.* The hitch, wheels, and all other running gear must be removed or totally screened from view on all new or relocated manufactured or mobile homes, except those permitted for construction or emergency use.
- (7) *Steps.* Steps and/or landings must be provided at all entrances to any new or relocated manufactured or mobile home in accordance with applicable construction codes. (Ord. 25-08 §1, 2025).

17.105.032 Individual Tiny Home Standards

This section establishes standards for the location of tiny homes as described in the PCC 17.70.030, Use Chart.

- (1) *Tiny Homes on Individual Lots.* Any tiny home placed on an individual lot must:
 - (a) be a new tiny home pursuant to the definition contained in RCW 35.21.686(4)(a), as it now exists or may be amended;
 - (b) be set upon and securely attached to a permanent foundation, as specified by the manufacturer, with the space from the bottom of the home to the ground enclosed

- by concrete or a concrete product approved by the Building Official, which can be either load bearing or decorative;
 - (c) be thermally equivalent to or better than that required by the State Energy Code for new residential structures, as said Code exists now or may be amended;
 - (d) be a tiny home of not more than 400 square feet of living space, excluding sleeping loft;
 - (e) have a composition, wood, shake, shingle, or metal, or similar roof;
 - (f) have exterior siding similar in appearance to siding materials commonly used on conventional site-built residences, as determined by the Building Official;
 - (g) be sited in conformance with all applicable development standards for the zoning district in which the home is located, including all tiny home accessory structures and attendant improvements.
- (2) *Tiny Homes in New MHPs.* Any tiny home placed in a new or expanded MHP must be installed to meet the requirements as described in WAC 296-150M, as it now exists or may be amended.
- (3) *Tiny Homes in Existing MHPs.* Any tiny home which is to be placed in an MHP existing at the time this Title becomes effective must be installed to meet the requirements as described in PCC 17.105.032(2).
- (4) *Tiny Homes in Other Locations.*
- (a) A tiny home permitted as an accessory dwelling unit must be installed in a way that meets the requirements as described in PCC 17.105.032(2).
 - (b) Tiny homes permitted on construction sites or for emergency use, as permitted by PCC 17.35.040, must be installed in a way that meets the requirements as described in PCC 17.105.032(2) or a lesser standard appropriate for the duration of use that is approved by the Building Official.
- (5) *Running Gear Removal.* The hitch, wheels, and all other running gear must be removed or totally screened from view on all new or relocated tiny homes, except those permitted for construction or emergency use.
- (6) *Steps.* Steps and/or landings must be provided at all entrances to any new or relocated tiny home in accordance with applicable construction codes. (Ord. 25-08 §1, 2025).

17.105.035 Recreational Vehicle and Trailer Parking and Storage Regulations.

- (1) *Parking and Storage in Residential Zoning Districts.* In residential districts a recreational vehicle or trailer may be parked or stored on a lot or parcel of land or stored in an accessory building thereon if,
- (a) there will remain on the lot or parcel of land useable parking spaces for at least one (1) motor vehicle for each dwelling unit situated on the lot or parcel of land; and,

- (b) the vision clearance area required by the provisions of PCC 17.35.020(3) can be satisfied when the recreational vehicle or trailer is parked or stored in a rear or side yard; or,
 - (c) The vision clearance area required by the provisions of PCC 17.35.020(3) can be satisfied and the recreational vehicle or trailer will be parked on an approved off-street parking area surface as defined in PCC 17.40.040(2) when the recreational vehicle or trailer is parked or stored in a front yard.
- (2) *Habitation.* A recreational vehicle will not be used in any zoning district within the City for living or sleeping when the recreational vehicle is located outside of a permitted MHP or a permitted RVP; provided, however, that this restriction will not apply when the user of the recreational vehicle is not a resident of the City but is visiting a resident of the City in which event the recreational vehicle may be lived in for no more than 14 consecutive days.
- (3) *Service Connections.* A recreational vehicle located outside a permitted MHP or a permitted RVP will not be permanently connected to separately metered gas, water, or sewer service, but may be temporarily connected to existing metered water service and electric service for maintaining moisture or temperature control within the vehicle.
- (4) *Waste Water Disposal.* The discharge of waste water from a recreational vehicle into a storm drain or onto the property where a recreational vehicle is parked is prohibited. (Ord. 25-08 §1, 2025).

17.105.037 Camper and Canopy Storage Regulations.

In any zoning district, an unmounted camper or canopy may be stored on a lot or parcel of land if the vision clearance area required by the provisions of PCC 17.35.020(3) can be satisfied. (Ord. 25-08 §1, 2025).

17.105.040 Manufactured Home Park Uses and Standards.

The uses permitted in and the development, alteration, or expansion of any MHP must be in accordance with the following:

- (1) *Uses Permitted.* The following uses are permitted in an MHP:
 - (a) Manufactured, tiny, or mobile homes used as dwellings and accessory uses, including home occupations;
 - (b) recreational vehicles used as dwellings in MHPs that were in existence prior to the effective date of this Title;
 - (c) manufactured home accessory structures as defined in PCC 17.105.020;
 - (d) community and recreational facilities as defined by PCC 17.105.020;
 - (e) a MHP office and storage buildings necessary for the maintenance or operation of the MHP;

- (f) a residence for the use of a manager or caretaker which may be a manufactured, tiny, mobile, modular, or site-built home;
- (g) one (1) convenience store, to provide retail products such as foods, household products, newspapers and magazines, cosmetics, and non-prescription drugs for the convenience of the MHP residents, if the store meets the following standards:
 - (i) the size of the store must be compatible with the potential population of the MHP;
 - (ii) the store will not be located contiguous to any public right-of-way;
 - (iii) the store will be primarily oriented to sales to the MHP residents; and,
 - (iv) any sign advertising such store will not be visible from any public right-of-way or property adjacent or contiguous to the MHP.
- (2) *Development Standards.* MHPs must comply with applicable State laws and regulations, and the requirements of this Title. The standards established in this subsection are minimum standards and where they conflict with the standards for the zoning district in which the MHP is located, these standards will govern.
 - (a) *MHP Size.* The size of an MHP will be between three (3) and 20 acres. The size of an MHP should be compatible with the scale of the surrounding residential area.
 - (b) *Residential Density.* The maximum density of development in any MHP will not exceed the density of the underlying zoning district.
 - (c) *Lot Size.* The minimum size for any manufactured home lot will be
 - (i) 2,400 square feet, with a minimum lot dimension of 34 feet if designed to accommodate a single- or double-wide manufactured or mobile home not exceeding 960 square feet within its walls; or,
 - (ii) 3,600 square feet, with a minimum lot dimension of 40 feet if designed to accommodate a double- or triple-wide manufactured or mobile home exceeding 960 square feet within its walls.
 - (d) *Building Coverage.*
 - (i) *For each MH lot.* The maximum building coverage on any manufactured home lot will not exceed 60%.
 - (ii) *For the Entire MHP.* Coverage of the site by buildings and other structures will not exceed the percentage permitted in the zoning district in which the MHP is located.
 - (e) *Building Height.* No building or structure within an MHP will exceed 35 feet in height.

- (f) *Required Yards.* A manufactured, tiny, or mobile home, manufactured home accessory structure, and other structures within an MHP will not be located within the following minimum required yards:
 - (i) within 25 feet of any public right-of-way;
 - (ii) within 10 feet from any MHP street; or
 - (iii) within 15 feet from any MHP boundary that is not a public right-of-way.
- (g) *Structural Separations.*
 - (i) *From Other Homes.* A manufactured, tiny, or mobile home or any part thereof will not be located within 10 feet of any other manufactured or mobile home.
 - (ii) *From Lot Lines.* All MHP office, storage, store, community, or recreational structures will be located at least 10 feet from any manufactured home lot line.
- (h) *Automobile Access and Circulation.*
 - (i) *Ownership.* All MHP streets will be privately owned and maintained except arterial streets and local streets which could in the future be extended to serve adjacent property. These streets must be constructed to City of Pullman Design Standards and ownership thereof will be conveyed to the City at the time of final plan approval as described in PCC 17.105.060(3).
 - (ii) *Park Street Construction and Width.* All MHP streets must be constructed and paved in accordance with the City of Pullman Design Standards. Streets must have a minimum of two (2), 10-foot-wide travel lanes and may have parking lanes at least eight (8) feet wide.
 - (iii) *Grade.* MHP streets will not have a grade over 8%, except on approaches to intersections with public ways where the maximum grade for 50 feet before the intersection must be 5%.
 - (iv) *Cul-de-Sacs.* Cul-de-sacs must have a minimum turning radius of 50 feet and a maximum length of 400 feet. They may have a central planting or parking area, but the paved street width through a cul-de-sac must be the minimum required in PCC 17.105.040(2)(h)(ii).
 - (v) *Access to Public Streets.* Points of access from any MHP to public streets, roads, or highways must be designed and constructed in accordance with the City of Pullman Design Standards. The number of access points created must not exceed one (1) in every 200 feet of frontage and may be further limited as a condition of approval.
 - (vi) *Street Names.* Each MHP street must be named and street name signs must be provided at all intersections. Each manufactured or mobile home will

have a clearly visible address number in accordance with applicable City codes.

- (vii) *Directory Sign (Map).* Every MHP must have at each principal access point an identification sign as required by PCC 17.50.040(9) that includes a directory of park streets and manufactured or mobile home numbers in map form.
- (i) *Off-Street Parking.* Off-street parking facilities must be provided in accordance with the provisions of PCC 17.40.
- (j) *Pedestrian Circulation.* MHPs must have a pedestrian walkway system where necessary to provide safe pedestrian access to manufactured or mobile homes, and community and recreational facilities. The pedestrian walkway system may be incorporated into the vehicular circulation system if the combination provides for the safety of pedestrians. Pedestrian walkways must be constructed in accordance with the City of Pullman Design Standards.
- (k) *Utilities.* All water mains and rights-of-way therefor; and, sewer mains and storm drain mains and rights-of-way therefor which could in the future be extended to serve adjacent or other property must be constructed to the City of Pullman Design Standards and ownership thereof conveyed to the City at the time of final plan approval as described in PCC 17.105.060(3). Other utilities may be private. Adequate utility capacity to serve a proposed MHP or MHP expansion must be available. Additional standards for MHP utility services are as follows:
 - (i) *Connections at Manufactured Home Stand.* Permanent power, water, and sewage connections that meet all requirements of this Title and State law must be provided at each manufactured home stand.
 - (ii) *Underground Utilities Required.* All utility service mains or lines within MHPs must be underground.
 - (iii) *Access to Utilities.* No water or natural gas meter, regulator, or shutoff valve will be located beneath a manufactured or mobile home.
- (l) *Stormwater Runoff.* Storm drainage discharge must be to the public storm drain system, or to an existing natural drainage course. Where development will increase the amount of storm water runoff, peak runoff volume, or change the location of a storm water runoff discharge point, provisions must be made to protect downstream property from erosion and flooding such as procedures for retention, detention, and energy dissipation. Approval of any such procedure by the City will not create liability on the part of the City, any officer or employee thereof for any erosion or flood damage that may occur to property whether downstream or not.
- (m) *Waste Disposal.* MHPs must be connected to the sanitary sewer system and provide for garbage collection.

- (n) *Common Open Space.* A minimum of 20% of the net acreage must be dedicated or reserved as usable common open space land. Common open space may be designed for either active or passive recreation. Driveways, parking lots, and required yard areas are not open space. The Council may reduce this requirement if they find that the MHP is located adjacent to a public park which provides recreational facilities.
- (o) *Outdoor Lighting.* MHPs must provide and maintain illumination for the night use of park streets, parking and storage areas, pedestrian walkways, and community and recreational facilities.
- (p) *Screening.* MHPs must be screened from adjacent public streets by a Type I landscape strip, as described in Section PCC 17.45.080. Said Type I landscape strip must be installed along the entire length of any MHP property line that borders a public street. Additional screening for MHPs may be required in accordance with the provisions of PCC 17.45.
- (q) *Landscaping.* Landscaping must be provided in accordance with the provisions of PCC 17.45. (Ord. 25-08 §1, 2025).

17.105.050 Recreational Vehicle Park Uses and Standards.

The uses permitted in, and the development, alteration, or expansion of any RVP must be in accordance with the following:

- (1) *RVP Size.* The size of any RVP will be between one (1) acre and 20 acres.
- (2) *Location of RVP.* The major internal street serving the RVP must be connected to at least one (1) major arterial, secondary arterial, or collector arterial. No RVP will be located to be accessed through any residential district.
- (3) *Safe Access.* Access points to RVPs must be located and designed in accordance with the specifications of the City of Pullman Design Standards and must permit safe access to and from public streets. The provision of turning lanes, signs, or signals to assure safe access and minimize traffic congestion may be required as a condition of approval.
- (4) *Uses Permitted.* The following uses are permitted in an RVP:
 - (a) temporary occupancy of RV sites by RVs or tents will not exceed 180 days. Permanent occupancy of RV sites is prohibited;
 - (b) an RVP office and storage buildings necessary for the operation and maintenance of the park;
 - (c) community and recreational facilities as defined in PCC 17.105.020;
 - (d) dump stations;
 - (e) a residence for the use of a manager or caretaker which may be a manufactured, tiny, mobile, modular, or site-built home;

- (f) one (1) convenience store intended to provide retail products such as food, ice, newspapers and magazines, and souvenirs for the convenience of the RV park occupants, if the store meets the following standards:
 - (i) the size of the RVP store will be comparable with the number of RV sites in the park;
 - (ii) the RVP store must not be located contiguous to any public right-of-way; and,
 - (iii) the RVP store must be primarily oriented to sales to park occupants.
- (5) *RVP Site Standards.*
 - (a) Every RVP site must include a gravel or hard-surfaced parking pad.
 - (b) All RVP sites must be properly graded and drained to reduce mud and the formation of puddles.
 - (c) Active use areas on any RVP site must be stabilized with a surface of cinder, gravel, or a comparable material to facilitate drainage, to reduce dust, and to maintain the park's appearance. Other portions of the site must be planted with lawn or another appropriate ground cover.
 - (d) Utility connections for an RVP site must be installed in accordance with the applicable construction codes.
 - (e) All water mains and rights-of-way therefor; and, sewer and storm drain mains and rights-of-way therefor which could in the future be extended to serve adjacent or other property must be constructed to the City of Pullman Design Standards and ownership thereof conveyed to the City at the time of final plan approval as described in PCC 17.105.060(3). Other utilities may be private.
 - (f) An RVP site will not contain less than 1,800 square feet.
- (6) *Residential Density.* An RVP will not exceed a density of 15 RV sites per gross acre.
- (7) *Internal Separations.*
 - (a) *Between Pads.* A parking pad must not be located within 10 feet of an RVP site boundary line.
 - (b) *From Accessory Structures.* An RVP accessory structure, such as a park office, storage building, restroom or shower facility, or recreational facility must not be located within 10 feet of the boundary of an RVP site.
- (8) *Vehicular Circulation.* Each RVP must have an internal street system which facilitates the maneuvering of RVs and their safe access to public ways, as required in 17.105.050(3). RVP street systems must be reviewed on a case-by-case basis according to the following standards:
 - (a) RVP streets must be dust-free.

- (b) RVP streets must not have a grade of over 8%, except on approaches to intersections with public ways where the maximum grade for 50 feet before the intersection will be 5%.
- (c) RVP streets must have a minimum of two (2), 10-foot-wide travel lanes and may have parking lanes of at least eight (8) feet in width.
- (9) *Parking.* All RVPs must provide in parking lanes or in parking areas. Parking requirements are three (3) parking spaces for each two (2) RV sites in addition to the parking pad on each RV site. Parking areas will be designed and constructed in accordance with PCC 17.40 except that lots containing more than four (4) spaces may be graveled.
- (10) *Pedestrian Circulation.* RVPs must have a pedestrian walkway system where necessary to provide safe pedestrian access to recreational vehicles, community, and recreational facilities. The pedestrian walkway system may be incorporated into the vehicular circulation system if the combination provides for the safety of pedestrians. Pedestrian walkways must be constructed in accordance with the City of Pullman Design Standards.
- (11) *Buffers.* RVPs must have buffer areas as shown in Table 17.105.1. No structure or RV site will be located within the required buffer areas.

Table 17.105.1. REQUIRED RV PARK BUFFERS

Buffering	Buffer Width	Landscaping Type¹
Public rights-of-way	25 ft.	Type III
Residential districts	50 ft.	Type I
Commercial districts	25 ft.	Type II
Industrial districts	50 ft.	Type I

¹ See PCC 17.45.080

- (12) *Open and Recreational Space.* At least 10% of an RVP's gross area must be developed as open and recreational space for the enjoyment of the park's occupants.
- (13) *Community Facilities.* A community facility having toilets and lavatories will be located within 400 feet of every RV site.
- (14) *Solid Waste Disposal.* An approved solid waste collection container will be located within 300 feet of every RV site. (Ord. 25-08 §1, 2025).

17.105.060 Procedure for Approval and Effect of Approval.

The MHP and RVP approval process will take place in three (3) stages: pre-application review; review of preliminary plan; and final approval. MHP and RVP projects may be developed in phases, subject to an approved phasing schedule.

- (1) *Pre-Application Review.* The pre-application plans of the proposal must be submitted to the Director of Community Development for review and comment. Such potential problems as drainage, topography, circulation, site design, and neighborhood impact

should be identified and addressed before the proposal is submitted for preliminary review.

(2) *Review of Preliminary Plans.*

(a) *Application Requirements.* The applicant must submit the following material:

- (i) a reproducible preliminary plan showing all information required for a preliminary plat by PCC 13.80.080. The plan must clearly show all proposed MH lots and RV sites, structures, common areas and facilities, yard setbacks, and circulation elements including walkways, bike paths and parking, in sufficient detail to show relationships between these elements;
- (ii) all information required for preliminary review of a subdivision by PCC 13.80.060;
- (iii) a map of the surrounding area in sufficient detail to show existing uses within 300 feet from all project boundaries;
- (iv) explanatory material describing the characteristics of the project and the planned construction schedule for the project; and,
- (v) a landscape plan, drawn to scale which may be combined with the site plan showing all existing and proposed vegetation including vegetation to be removed, and any fences, walls, walks and other landscaping improvements.

(b) *Review by Site Plan Review Committee.* Applications must be reviewed and deemed complete by the SPRC prior to setting a public hearing date before the Commission. SPRC's conditions will be included in the Commission's recommendation to the Council.

(c) *Planning Commission and City Council Review.* The Commission will make recommendations and the Council will review the proposal as contained in the preliminary plan under the provisions of PCC 17.180.030 and PCC 17.180.040.

(d) *Review Criteria.* The Commission and Council will review the preliminary application for conformity with the Comprehensive Plan, this Title, PCC 13.80, and PCC 13.90 of this Code as now existing and in accordance with any amendments that may hereafter be made thereto, and the following additional criteria:

- (i) compatibility with existing and planned land uses in the vicinity; and
- (ii) adequacy of assurances that the MHP or RVP will be developed as presented in the application.

If the development calls for the construction of the MHP or RVP in phases, then the reasonableness of the schedule of phasing will be considered. Each completed

phase must independently of other phases of the development plan satisfy the development regulations of the approved MHP or RVP plan.

- (e) *Effect of Preliminary Approval.* The preliminary plan as approved or approved as modified by the Council will be binding as to the general intent and apportionment of land for structures and buildings, stipulated use, circulation pattern, and conditions of approval, but must not be construed to render inflexible the ultimate design, specific uses, or final plan of the MHP or RVP. Once the preliminary plan is approved by Council, the SPRC will review and approve construction plans based on conditions of Council approval.
 - (f) *Denied Preliminary Application.* If the Council denies a proposal contained in a preliminary application, a similar proposal for the site may not be submitted for one (1) year. A new preliminary application which varies materially from the denied proposal as determined by the Director of Community Development, or one that satisfies the objections stated by the Council may be submitted at any time.
- (2) *Final Approval.*
- (a) *Final Plan.* Within three (3) years after approval of the preliminary proposal by the Council, the applicant must submit a final development plan to the Director of Community Development for approval by the Council. The Director of Community Development will review the plan and submit it to the Council. This plan must contain final and precise drawings of all graphic information required by PCC 17.105.060(2) and as preliminarily approved by the Council. The applicant must also submit all covenants, assurances, and any other documentation consistent with the preliminary approval given by the Council.
 - (b) *City Council Review.* If the Council finds that the final development plan conforms to the preliminary approval and all applicable conditions thereto, and assurances have been submitted which are satisfactory to the Council, the Council will approve the plan and its accompanying conditions as an amendment to the Official Zoning Map; and will incorporate by reference all maps, drawings, and other data required to specify the precise land use authorized. This amendatory ordinance must legally describe the boundaries of the approved MHP or RVP and must have the file number of the application. The official file will be maintained by the Department of Community Development and must contain all maps and other documents or exhibits referred to or incorporated in the amendatory ordinance. The City Clerk or Director of Finance and Administrative Services must record the ordinance with the County Auditor if no subdivision plat is to be recorded. The MHP and RVP must be identified on the Official Zoning Map by the suffix “MHP” and “RVP” respectively, attached to the zone designation for the underlying district (e.g., C3-MHP) and reference must be made to the amendatory ordinance number.

- (c) *Effect of Approval.* The provisions of the amendatory ordinance must be restrictions on the use and design of the site. Adoption of the amendatory ordinance must not alter the underlying zone classification for the site but will only allow development to occur in a different way consistent with the underlying zoning. Repeal of approval or abandonment as provided in this Chapter will eliminate all requirements imposed by an approved MHP or RVP plan and will cause the previous underlying zoning regulations to be exclusively operative.
- (d) *Expiration.* If the applicant does not submit the final development plan to the Director of Community Development within the time allowed, or if the Council does not approve the final plan, the preliminary approval will expire and be of no further validity. The Council will act on a final development plan for an MHP or RVP within 90 days of its submission to the Council.
- (e) *Extension.* Under the procedure described in PCC 17.175.050(2) the applicant may file an application for an extension of time within the time allowed for submitting the final development plan, along with the fee as set by Council resolution. The Director of Community Development may approve a single one (1) year extension by making a written finding that there is no material change in the proposal, and that the findings and conclusions of the preliminary approval still apply. (Ord. 25-08 §1, 2025).

17.105.070 Subdivision.

An applicant who intends to subdivide land for transfer as part of an MHP or RVP project must obtain subdivision approval in accordance with PCC 13.80 or PCC 13.90 before any building permit or authorization to begin construction is issued, and before any portion of the property is transferred. The preferred method is for the applicant to process the subdivision application concurrently with the MHP or RVP proposal. (Ord. 25-08 §1, 2025).

17.105.080 Changes to Approved Projects.

A MHP or RVP will be used and constructed only as approved. Any change in or expansion of an MHP or RVP, except as provided in this section, will be applied for and processed in the same manner as an original application. Minor changes in plans or specifications may be allowed by the Director of Community Development under the procedure of PCC 17.175.050(2) at the time a building permit is issued. Minor changes are those which may affect the precise dimensions or placement of buildings, but which do not affect the basic character or arrangement of buildings or MH lots or RV sites approved in the final development plan, nor the density of the development or the open space requirements. (Ord. 25-08 §1, 2025).

17.105.090 Repeal or Extension of Approval and Reversion to Underlying Zone.

- (1) *City Review.* If a condition of approval is violated or not met within the time set for its completion, the Council may, either on recommendation of the Director of Community Development or on its own motion, hold a public meeting to consider the question of the repeal or extension of the final approval and any permits granted pursuant thereto. During this or a subsequent public meeting, the Council may by ordinance revoke or extend the

approval and any permits, or may change the terms of approval. Nothing in this section will limit the repeal of building permits, issuance of stop work orders, or other similar procedures authorized by other provisions of this Title.

- (2) *Reversion to Underlying Zoning.* If upon the expiration of two (2) years from the adoption of the amendatory ordinance of approval, the MHP or RVP development project is voluntarily abandoned or development has not been completed, the final approval of the development project will automatically expire and thereafter only the land use regulations of the underlying zoning district will apply to any further construction for which a permit is required. If the MHP or RVP development project has been commenced within a two (2) year period following the effective date of the amendatory ordinance, but is not completed within this two-year period, the applicant must apply to the Council for an extension of time in which to complete the project; failure to make such application must cause the final approval of the development project to automatically expire and thereafter only the land use regulations of the underlying zoning district must apply to any further construction for which a permit is required. (Ord. 25-08 §1, 2025).

17.105.100 Additional Regulations.

The following chapters may qualify or supplement the regulations of this Chapter.

- (1) PCC 17.25 Assurances
- (2) PCC 17.35 Exceptions and Special Provisions Pertaining to Uses, Development Regulations, and Performance Standards
- (3) PCC 17.40 Off-street Parking and Loading
- (4) PCC 17.45 Landscaping and Screening
- (5) PCC 17.50 Sign Regulations
- (6) PCC 17.75 Residential Districts
- (7) PCC 17.135 Site Plan Review (Ord. 25-08 §1, 2025).

Chapter 17.106

PLANNED UNIT DEVELOPMENTS

Sections:

- 17.105.010 Purpose.
- 17.105.020 Permitted Uses.
- 17.105.030 Development Standards
- 17.105.040 Design and Maintenance Standards and Procedures.
- 17.105.050 Procedure for Approval of Planned Unit Developments.
- 17.105.060 Subdivision.
- 17.105.070 Changes to Approved Projects.
- 17.105.080 Repeal or Extension of Approval and Reversion to Underlying Zone.
- 17.105.090 Building Permits.

17.106.010 Purpose.

The PUD zone is to encourage innovation and creativity in the development of new mixed-use, commercial, and industrial areas in the City. To carry out the objective and spirit of the Comprehensive Plan, this zone is to encourage new development now limited by the strict application of the City's zoning and subdivision regulations. More specifically, it is the purpose the PUD zone to:

- (1) Encourage development of a variety of uses;
- (2) Encourage development of a viable economic base that enhances the image of the City;
- (3) Create and/or preserve usable open space for recreation and aesthetic enjoyment of residents and employees;
- (4) Preserve as much as possible the natural characteristics of the land, including topography, native vegetation, and views;
- (5) Avoid construction in hazardous areas;
- (6) Preserve and/or create wildlife habitat;
- (7) Encourage creativity in design;
- (8) Provide for maximum efficiency in the layout of streets, utility networks, and other public improvements;
- (9) Provide a guide for developers and City officials who review and approve commercial and industrial developments meeting the standards and purposes of the PUD zone;
- (10) Encourage the development of uses that will be compatible with adjacent existing and proposed uses and that will be beneficial to the community;
- (11) Allow development of parcels of property in phases over time, as specified in the plan;
- (12) Encourage flexibility that will permit a more creative approach to the development of land and will result in a more efficient, aesthetic, and desirable use of open spaces; and

- (13) Encourage and permit flexibility and design, placement of buildings, use of open spaces, circulation facilities, parking areas, and best utilize the potential of sites characterized by special features of geography, topography, size, or shape of proposed uses of land. (Ord. 25-08 §1, 2025).

17.106.020 Permitted Uses.

The following uses are allowed in a PUD: any use as described in the Use Chart, PCC 17.70.030 allowed in the zoning district in which the proposal is located and any use that is compatible with the location, scale, adjacent roadway network, topography, etc. (Ord. 25-08 §1, 2025).

17.106.030 Development Standards.

In considering a proposed PUD project the Council may, if allowed in this section, approve a change from regular development regulations. Standards for the development of PUDs are as follows:

- (1) *PUD Size.* The minimum size of a PUD must be one (1) acre or five (5) lots, whichever is greater.
- (2) *Residential Density.* The number of dwelling units will be calculated using the R4 density standards as described PCC 17.75.070(3)
- (3) *Building Coverage.* Coverage of the site by buildings and other structures must not exceed the largest percentage permitted in any zone in which the project is located. The maximum building coverage in a PUD will be the same as the underlying zoning district.
- (4) *Building Height.* The maximum height of any building will not exceed the height permitted in the zoning district in which the PUD is located. If the proposal is to be located in zones with different height requirements, buildings located in each zone must conform to the zone within which the building is located. If a building is built in two (2) or more zoning districts, the most restrictive height requirements will apply.
- (5) *Minimum Required Yards.*
 - (a) *Exterior Boundary.* The minimum distance between a building and the exterior boundary line of a PUD must be a minimum of 10 feet except for a front yard which must be a minimum of 15 feet.
 - (b) *Between Buildings.* Buildings may have common walls and therefore may be built on an interior property line. Whenever buildings are separated, a minimum distance of 10 feet must be maintained between them.
- (6) *Common Open Space.* A minimum of 15% of the net developable area as defined in PCC 17.107.040(2)(a) must be dedicated or reserved as usable common open space. Common open space may be designed to provide either active or passive recreation. Driveways and parking lots are not open space.
- (7) *Private Open Space.* 200 square feet of usable private open space with a minimum depth of 10 feet must be provided for each ground level dwelling unit in a PUD. Such private open space is to serve as a buffer between dwelling units and common open space.

Private open space is private yard for ground level dwelling units, this can be a fenced patio area.

- (8) *Off-street Parking.* The total required off-street parking facilities must be at least the sum of the required parking facilities for the various uses computed separately in accordance with the provisions as described in the Use Chart, PCC 17.70.030.
- (9) *Maintenance of Common Open Space and other PRD Facilities.* Maintenance of common open space and other PUD facilities, including streets unless dedicated to the City, will be the responsibility of a homeowners' association created as a nonprofit corporation. All owners of property in the PUD must be members of the association. Provisions must be made for the assessment, collection, and enforcement of collection of money to be used for the maintenance of common open space and other PRD facilities.
- (10) *Perimeter Transition.* All projects must give special treatment to perimeter transition to minimize negative impacts on adjacent areas through buffering, screening, and landscaping.
- (11) *Infrastructure.* All streets, sidewalks, utility mains, and attendant facilities for the PUD must be constructed in accordance with the City of Pullman Design Standards unless alternate improvements are approved by the Council. (Ord. 25-08 §1, 2025).

17.106.040 Design and Maintenance Standards and Procedures.

- (1) *Subdivision Requirements.* Property within a PUD will be subject to and comply with relevant subdivision laws.
- (2) *Review of Criteria and Checklist.* The following must be considered in the review of the PUD application in light of the purposes stated in PCC 17.106.010:
 - (a) Topography;
 - (b) Geologic hazard;
 - (c) Access;
 - (d) Open space;
 - (e) Densities;
 - (f) Compatibility with Comprehensive Plan;
 - (g) Vehicular and pedestrian circulation to and within the project;
 - (h) Utility and other easements;
 - (i) Setbacks;
 - (j) Height limitations;
 - (k) Surface drainage;
 - (l) Sub-surface drainage;
 - (m) Occupancy schedule; and

- (n) Other pertinent considerations. (Ord. 25-08 §1, 2025).

17.106.050 Procedure for Approval of Planned Unit Developments.

The PUD approval process will take place in three (3) stages: pre-application review; review of preliminary plan; and final approval. PUD projects may be developed in phases, subject to an approved phasing schedule.

- (1) *Pre-Application Review.* The pre-application plans of the proposal must be submitted to the Director of Community Development for review and comment. Such potential problems as drainage, topography, circulation, site design, and community impact should be identified and addressed before the proposal is submitted for preliminary review.
- (2) *Review of Preliminary Plan.*
 - (a) *Application Requirements.* The applicant will submit the following material:
 - (i) A reproducible preliminary plan showing all information required for a preliminary plat by PCC 13.80.080. The plan must display the general layout of all proposed structures, common areas and facilities, and circulation elements including walkways, bike paths, and parking in sufficient detail to show relationships between these elements;
 - (ii) All information required for preliminary review of a subdivision by PCC 13.80.060;
 - (iii) Proposed covenants that prescribe architectural design elements for all structures to be built within the PUD, addressing such matters as general architectural style, building size, roof material and design, exterior surfaces, and accessory structures;
 - (iv) A map of the surrounding area in sufficient detail to show existing uses within 300 feet from all PUD project boundaries;
 - (v) Explanatory material describing the characteristics of the PUD project and the planned construction schedule for the project; and
 - (vi) A landscape plan drawn to scale which may be combined with the site plan showing the general layout of existing and proposed vegetation, including vegetation to be removed, as well as fences, walls, and other landscaping improvements.
 - (b) *Review by Site Plan Review Committee (SPRC).* Applications must be reviewed and deemed complete by the SPRC prior to the setting a public hearing date before the Commission. SPRC's conditions will be included in the Commission's recommendation to the Council.
 - (c) *Planning Commission and City Council Review Procedure.* The Commission will make recommendations and the Council will review the proposal as contained in the preliminary plan under the provisions of PCC 17.180.030 and PCC 17.180.040.

- (d) *Review Criteria.* The Commission and the Council will review the preliminary application for conformity with the Comprehensive Plan, this Title, and PCC 13.80 and PCC 13.90 as now existing or may be amended, and the following additional criteria:

- (i) Compatibility with existing and planned land use in the vicinity; and
 - (ii) Adequacy of assurances that the PUD will be developed as presented in the application.

If the development plan calls for the construction of the PUD in phases, then the reasonableness of the schedule of phasing must be considered. Each completed phase must, independently of other phases of the development plan, satisfy the development regulations of the approved PUD plan.

- (e) *Effect of Preliminary Approval.* The preliminary plan as approved or approved as modified by the Council will be binding as to the general intent and apportionment of land for structures and buildings, stipulated use, circulation pattern, and conditions of approval, but will not be construed to render inflexible the ultimate design, specific uses, or final plan of the PUD. Once the preliminary plan is approved by Council, the SPRC will review and approve construction plans based on conditions of Council approval.
- (f) *Denied Preliminary Applications.* If the Council denies a proposal contained in a preliminary application, a similar proposal for the site may not be submitted for one (1) year. A new preliminary application which varies materially from the denied proposal, as determined by the Director of Community Development, or one that satisfies the objections stated by the Council may be submitted at any time.

(3) *Final Approval and Effect of Approval.*

- (a) *Final Plan.* Within three (3) years after approval of the preliminary proposal by the Council, the applicant must submit a final development plan to the Director of Community Development for approval by the Council. The Director of Community Development will review the plan and submit it to the Council. This plan will contain final drawings of graphic information required by subsection (2) of this section. The applicant must also submit all covenants, assurances, property owners' association papers, maintenance agreements, and any other documentation consistent with the preliminary approval given by the Council.
- (b) *City Council Review.* If the Council finds that the final development plan conforms to the preliminary approval and all applicable conditions thereto, and assurances have been submitted which are satisfactory to the Council, the Council must approve the plan and its accompanying conditions as an amendment to the Official Zoning Map and must incorporate by reference all maps, drawings, and other data required to specify the precise land use authorized. This amendatory ordinance must legally describe the boundaries of the approved PUD and must list

the file number of the application. An official file will be maintained by the Department of Community Development and must contain all maps and other documents or exhibits referred to or incorporated in the amendatory ordinance. The City Clerk or Director of Finance & Administrative Services must record the ordinance with the County Auditor if no subdivision plat is to be recorded. The PUD must be identified on the Official Zoning Map by the suffix “PUD” attached to the zoning designation for the underlying district (e.g., R3-PUD) and reference must be made to the amendatory ordinance number.

- (c) *Effect of Approval.* The provisions of the amendatory ordinance will have restrictions on the use and design of the site. Adoption of the amendatory ordinance must not alter the underlying zone classification for the site but will only allow development to occur in a different way consistent with the underlying zoning. Repeal of approval or abandonment as provided in this chapter will eliminate all requirements imposed by an approved PUD plan and will cause the previous underlying zoning regulations to be exclusively operative.
- (d) *Expiration.* If the applicant does not submit the final development plan to the Director of Community Development within the time allowed, or if the Council does not approve the final plan, the preliminary approval will expire and be of no further validity. The Council must act on a final development plan for a PUD within 90 days of its submission to the Council. (Ord. 25-08 §1, 2025).

17.106.060 Subdivision.

An applicant who intends to subdivide land for transfer as part of a PUD project must obtain subdivision approval in accordance with PCC 13.80 or PCC 13.90 before any building permit or authorization to begin construction is issued, and before any portion of the property is transferred. The preferred method is for the applicant to process the subdivision application concurrently with the PUD proposal. (Ord. 25-08 §1, 2025).

17.106.070 Changes to Approved Projects.

A PUD must be used and constructed as approved by the Council. Any change in or expansion of a PUD, except as provided in this section, must be applied for and processed in the same manner as an original application. Minor changes in plans or specifications may be allowed by the Director of Community Development at the time a building permit is issued. Minor changes are those which may affect the precise dimensions or placement of buildings but which do not affect the basic character or arrangement of buildings or lots approved in the final development plan, nor the density of the development or the open space requirements. Such dimensional adjustments must not vary more than 10% from the original. (Ord. 25-08 §1, 2025).

17.106.080 Repeal or Extension of Approval and Reversion to Underlying Zone.

- (1) *City Review.* If a condition of approval is violated or not met within the time set for its completion the Council may, either on recommendation of the Director of Community Development or on its own motion, hold a public meeting to consider the question of the repeal or extension of the final approval and any permits granted pursuant thereto. During

this or subsequent public meetings, the Council may by ordinance revoke or extend the approval and any permits, or may change the terms of approval. Nothing in this section will limit the repeal of building permits, issuance of stop work orders, or other similar procedures authorized by other provisions of this Title.

- (2) *Reversion to Underlying Zoning.* If upon the expiration of two (2) years from the adoption of the amendatory ordinance of approval, the PUD project is voluntarily abandoned or development has not been completed, the final approval of the development project will automatically expire and thereafter only the land use regulations of the underlying zoning district will apply to any further construction for which a permit is required. If the PUD project has been started within a two (2) year period following the effective date of the amendatory ordinance, but is not completed within this two-year period, the applicant will apply to the Council for an extension of time in which to complete the project; failure to make such application will cause the final approval of the development project to automatically expire and thereafter only the land use regulations of the underlying zoning district will apply to any further construction for which a permit is required. (Ord. 25-08 §1, 2025).

17.106.090 Building permits.

Building and other permits must be issued for the construction in PUD areas only in accordance with the final plan and program elements as approved by the Council. (Ord. 25-08 §1, 2025).

Chapter 17.107

PLANNED RESIDENTIAL DEVELOPMENT

Sections:

- 17.01.010 Purposes.
- 17.01.020 Where Permitted.
- 17.01.030 Uses Allowed.
- 17.01.040 Development Standards.
- 17.01.050 Procedure for Approval and Effect of Approval.
- 17.01.060 Subdivision.
- 17.01.070 Changes to Approved Projects.
- 17.01.080 Repeal or Extension of Approval and Reversion to Underlying Zone.
- 17.01.090 Additional Regulations.

17.107.010 Purposes.

This Chapter is to:

- (1) to provide the City with an alternative form of residential development which will promote flexibility and creativity in the layout and design of new residential developments and which will protect the environment through the increased use of open space.
- (2) to provide an alternative to traditional lot-by-lot development by accomplishing, among other things, the following:
 - (a) the preservation of natural landscapes, trees, streams, or other valuable community amenities;
 - (b) the clustering of structures to preserve or create open spaces, especially where steep slopes or other environmentally sensitive areas exist;
 - (c) the provision of a more efficient street and utility system serving units in a cluster, thus lowering housing, land development, and maintenance costs, and reducing the number of impervious surfaces.
- (3) to encourage the use of alternate energy sources and the construction of energy efficient structures, the development of recreational facilities and other development amenities by allowing increased density incentives. (Ord. 25-08 §1, 2025).

17.107.020 Where Permitted.

PRD projects are permitted in any residential district when processed and authorized as provided in this Chapter. (Ord. 25-08 §1, 2025).

17.107.030 Uses Allowed.

The following uses are allowed in a PRD:

- (1) any use as described in the Use Chart, PCC 17.70.030 allowed in the zoning district in which the proposal is located;

- (2) any service or trade uses designed primarily to serve the residents of the PRD with goods and services, provided the following conditions are complied with:
 - (a) only service or trade uses allowed under the C1 zone will be permitted, but any proposed service or trade use not allowed in the C1 zone or is intended primarily to serve a population beyond the PRD must require a zone and Comprehensive Plan Map change of the underlying zone and land use designation;
 - (b) the total area devoted to service or trade uses in the PRD must not exceed 5% of the total gross area of the PRD or 10,000 square feet, whichever is less. However, the Commission may consider exceeding this limit where a need to do so is demonstrated by a competent market analysis. 75% of all residential building permits must have been issued before a building permit can be issued for a service or trade use. All development standards for these service or trade uses must comply with C1 development regulations, unless provided otherwise by this Chapter. (Ord. 25-08 §1, 2025).

17.107.040 Development Standards.

In considering a proposed PRD project the Council may, if allowed in this section, approve a change from regular development regulations. Standards for the development of PRDs are as follows:

- (1) *PRD Size.* The minimum size of a PRD will be one (1) acre or five (5) lots, whichever is greater.
- (2) *Residential Density.* The number of dwelling units allowed in a PRD will be determined as follows:
 - (a) *Basic Density.* The number of dwelling units will be calculated by dividing the net developable area by the minimum lot area per dwelling unit required by the zone in which the site is located. Net developable area is determined by subtracting the area set aside for public streets and nonresidential uses such as schools, churches or service or trade uses from the total development area.
 - (b) *PRD Bonus Density.* An increase in residential density above the level established in PCC 17.107.040(2)(a) will be allowed at a rate of a 1% increase in density for each density bonus point if a PRD incorporates the following features:
 - (i) *Energy Conservation.* Up to a maximum of five (5) density bonus points will be awarded to any PRD incorporating any combination of the following energy conservation features:
 - (aa) Five (5) density bonus points will be awarded if 70% or more of all proposed structures intended for human occupancy have a calculated heating/ cooling energy consumption less than that required by the Washington State Energy Code standards;
 - (bb) Two and one-half (2.5) density bonus points will be awarded if legally guaranteed solar access is provided to the south-facing

- surfaces of 50% or more of all proposed structures that are intended for human occupancy;
- (cc) Two and one-half (2.5) density bonus points will be awarded if 50% or more of all proposed structures intended for human occupancy derive 50% or more of their space heating/cooling, water heating, or electrical power needs from active, passive, or photovoltaic solar systems; or
 - (dd) Two and one-half (2.5) density bonus points will be awarded if natural topography, grading, and planting are effectively used to decrease the energy consumption of structures in the PRD and to enhance the seasonal use of private or common open spaces.
- (ii) *Open Space.* Up to a maximum of five (5) density bonus points will be awarded to any PRD that provides more than the required open space. The bonus will be determined by the amount of additional open space reserved, with a 1% bonus being awarded for each additional 1% open space reserved.
 - (iii) *Active Recreational Facilities.* Up to a maximum of five (5) density bonus points will be awarded to any PRD that provides for common, active recreational facilities such as a swimming pool, tennis court, or playground. These facilities will be sized and designed to meet the needs of the PRD residents and their guests. The density bonus points awarded may range from one-half (0.5) point to five (5) points depending on the cost, quality, and quantity of the facility(ies).
 - (iv) *Design Feature.* Up to a maximum of five (5) density bonus points will be awarded to any PRD incorporating two (2) or more of the following design elements:
 - (aa) on-site stormwater management using natural drainage channels and landscaped drainage retention facilities;
 - (bb) the preservation of significant natural vegetation or natural landmarks;
 - (cc) the preservation of significant historic sites or structures;
 - (dd) the preservation of significant view corridors, both on-site and especially for neighboring uses;
 - (ee) the provision of public access to significant natural landmarks, rivers, trails, scenic sites, or viewpoints; or
 - (ff) the provision of off-street pedestrian and bicycle circulation systems. Streets may be used as a part of a system for short distances where there is limited traffic.

- (c) *Maximum Residential Density Bonuses.* If all of the provisions of PCC 17.107.040(2)(b) are satisfied, a 20% increase in residential density will be allowed. This maximum 20% increase in density would result in the following lot area per dwelling unit ratios:

District	Square Feet per Dwelling
R1	3,750
R2	2,500
R3	1,250
R4	833

- (3) *Building Coverage.* Coverage of the site by buildings and other structures must not exceed the largest percentage permitted in any zone in which the project is located. The maximum building coverage in a PRD will be the same as for the underlying zoning district.
- (4) *Building Height.* The maximum height of any building will not exceed the height permitted in the zoning district in which the PRD is located. If the proposal is to be located in zones with different height requirements, buildings located in each zone will conform to the zone within which the building is located. If a building will be built in two (2) or more zoning districts, the most restrictive height requirements will apply.
- (5) *Minimum Required Yards.*
- (a) *Exterior Boundary.* The minimum distance between a building and the exterior boundary line of a PRD must be a minimum of 10 feet except for a front yard which must be a minimum of 15 feet.
- (b) *Between Buildings.* Buildings may have common walls and therefore may be built on an interior property line. Whenever buildings are separated, a minimum distance of 10 feet must be maintained between them.
- (6) *Common Open Space.* A minimum of 15% of the net developable area as defined in PCC 17.107.040(2)(a) must be dedicated or reserved as usable common open space land. Common open space may be designed to provide either active or passive recreation. Driveways, parking lots, and minimum required yard areas are not open space.
- (7) *Private Open Space.* 200 square feet of usable private open space having a minimum depth of 10 feet must be provided for each ground level dwelling unit in a PRD. Such private open space is to serve as a buffer between dwelling units and common open space. Private open space is private yard for ground level dwelling units, this can be a fenced patio area.
- (8) *Off-street Parking.* The total required off-street parking facilities must be at least the sum of the required parking facilities for the various uses computed separately in accordance with the provisions as described in the Use Chart, PCC 17.70.030.

- (9) *Maintenance of Common Open Space and other PRD Facilities.* Maintenance of common open space and other PRD facilities, including streets unless dedicated to the City, will be the responsibility of a homeowners' association created as a nonprofit corporation. All owners of property in the PRD must be members of the association. Provisions must be made for the assessment, collection, and enforcement of collection of money to be used for the maintenance of common open space and other PRD facilities.
- (10) *Perimeter Transition.* All projects must give special treatment to perimeter transition to minimize negative impacts on adjacent areas through buffering, screening, and landscaping.
- (11) *Infrastructure.* All streets, sidewalks, utility mains, and attendant facilities for the PRD must be constructed in accordance with the City of Pullman Design Standards unless alternate improvements are approved by the Council. (Ord. 25-08 §1, 2025).

17.107.050 Procedure for Approval and Effect of Approval.

The PRD approval process will take place in three (3) stages: pre-application review; review of preliminary plan; and final approval. PRD projects may be developed in phases, subject to an approved phasing schedule.

- (1) *Pre-Application Review.* The pre-application plans of the proposal will be submitted to the Director of Community Development for review and comment. Such potential problems as drainage, topography, circulation, site design, and neighborhood impact should be identified and addressed before the proposal is submitted for preliminary review.
- (2) *Review of Preliminary Plan.*
 - (a) *Application Requirements.* The applicant must submit the following material:
 - (i) A reproducible preliminary plan showing all information required for a preliminary plat by PCC 13.80.080. The plan must display the general layout of all proposed structures, common areas and facilities, and circulation elements including walkways, bike paths, and parking in sufficient detail to show relationships between these elements;
 - (ii) all information required for preliminary review of a subdivision by PCC 13.80.060;
 - (iii) proposed covenants that prescribe architectural design elements for all structures to be built within the PRD, addressing such matters as general architectural style, building size, roof material and design, exterior surfaces, and accessory structures;
 - (iv) a map of the surrounding area in sufficient detail to show existing uses within 300 feet from all PRD project boundaries;
 - (v) explanatory material describing the characteristics of the PRD project and the planned construction schedule for the project;

- (vi) a landscape plan drawn to scale which may be combined with the site plan showing the general layout of existing and proposed vegetation, including vegetation to be removed, as well as fences, walls, and other landscaping improvements.
 - (b) *Review by Site Plan Review Committee.* Applications must be reviewed and deemed complete by the SPRC prior to the setting a public hearing date before the Commission. SPRC's conditions will be included in the Commission's recommendation to the Council.
 - (c) *Planning Commission and City Council Review Procedure.* The Commission will make recommendations and the Council will review the proposal as contained in the preliminary plan under the provisions of PCC 17.180.030 and PCC 17.180.040.
 - (d) *Review Criteria.* The Commission and the Council will review the preliminary application for conformity with the Comprehensive Plan, this Title, PCC 13.80, and PCC 13.90 as now existing and in accordance with any amendments that may hereafter be made thereto, and the following additional criteria:
 - (i) compatibility with existing and planned land use in the vicinity; and
 - (ii) adequacy of assurances that the PRD will be developed as presented in the application.
 - (e) If the development plan calls for the construction of the PRD in phases, then the reasonableness of the schedule of phasing will be considered. Each completed phase must independently of other phases of the development plan satisfy the development regulations of the approved PRD plan.
 - (f) *Effect of Preliminary Approval.* The preliminary plan as approved or approved as modified by the Council will be binding as to the general intent and apportionment of land for structures and buildings, stipulated use, circulation pattern, and conditions of approval, but will not be construed to render inflexible the ultimate design, specific uses, or final plan of the PRD. Once the preliminary plan is approved by Council, the SPRC will review and approve construction plans based on conditions of Council approval.
 - (g) *Denied Preliminary Applications.* If the Council denies a proposal contained in a preliminary application, a similar proposal for the site may not be submitted for one (1) year. A new preliminary application which varies materially from the denied proposal, as determined by the Director of Community Development, or one that satisfies the objections stated by the Council may be submitted at any time.
- (3) *Final Approval and Effect of Approval.*
- (a) *Final Plan.* Within three (3) years after approval of the preliminary proposal by the Council, the applicant must submit a final development plan to the Director of

Community Development for approval by the Council. The Director of Community Development will review the plan and submit it to the Council. This plan will contain final drawings of graphic information required by PCC 17.107.050(2). The applicant must also submit all covenants, assurances, homeowners' association papers, maintenance agreements, and any other documentation consistent with the preliminary approval given by the Council.

- (b) *City Council Review.* If the Council finds that the final development plan conforms to the preliminary approval and all applicable conditions thereto, and assurances have been submitted which are satisfactory to the Council, the Council will approve the plan and its accompanying conditions as an amendment to the Official Zoning Map; and will incorporate by reference all maps, drawings, and other data required to specify the precise land use authorized. This amendatory ordinance must legally describe the boundaries of the approved PRD and will have the file number of the application. An official file must be maintained by the Department of Community Development and must contain all maps and other documents or exhibits referred to or incorporated in the amendatory ordinance. The City Clerk or Director of Finance & Administrative Services will record the ordinance with the County Auditor if no subdivision plat is to be recorded. The PRD must be identified on the Official Zoning Map by the suffix "PRD" attached to the zoning designation for the underlying district (e.g., R3-PRD) and reference must be made to the amendatory ordinance number.
- (c) *Effect of Approval.* The provisions of the amendatory ordinance will be restrictions on the use and design of the site. Adoption of the amendatory ordinance will not alter the underlying zone classification for the site, but will only allow development to occur in a different way consistent with the underlying zoning. Repeal of approval or abandonment as provided in this chapter will eliminate all requirements imposed by an approved PRD plan and will cause the previous underlying zoning regulations to be exclusively operative.
- (d) *Expiration.* If the applicant does not submit the final development plan to the Director of Community Development within the time allowed, or if the Council does not approve the final plan, the preliminary approval will expire and be invalid. The Council must act on a final development plan for a PRD within 90 days of its submission to the Council.
- (e) *Extension.* Under the procedure described in PCC 17.175.050(2), the applicant may file an application for an extension of time within the time allowed for submitting the final development plan, along with the fee as set by Council resolution. The Director of Community Development may approve successive one (1) year extensions by making a written finding that there is no material change in the proposal, and that the findings and conclusions of the original preliminary approval still apply. (Ord. 25-08 §1, 2025).

17.107.060 Subdivision.

An applicant who intends to subdivide land for transfer as part of a PRD project must obtain subdivision approval in accordance with PCC 13.80 or PCC 13.90 before any building permit or authorization to begin construction is issued, and before any portion of the property is transferred. The preferred method is for the applicant to process the subdivision application concurrently with the PRD proposal. (Ord. 25-08 §1, 2025).

17.107.070 Changes to Approved Projects.

A PRD will be used and constructed as approved by the Council. Any change in or expansion of a PRD, except as provided in this section, must be applied for and processed in the same manner as an original application. Minor changes in plans or specifications may be allowed by the Director of Community Development at the time a building permit is issued. Minor changes are those which may affect the precise dimensions or placement of buildings, but which do not affect the basic character or arrangement of buildings or lots approved in the final development plan, nor the density of the development or the open space requirements. Such dimensional adjustments must not vary more than 10% from the original. (Ord. 25-08 §1, 2025).

17.107.080 Repeal or Extension of Approval and Reversion to Underlying Zone.

- (1) *City Review.* If a condition of approval is violated or not met within the time set for its completion the Council may, either on recommendation of the Director of Community Development or on its own motion, hold a public meeting to consider the question of the repeal or extension of the final approval and any permits granted pursuant thereto. During this or subsequent public meeting, the Council may by ordinance revoke or extend the approval and any permits, or may change the terms of approval. Nothing in this section will limit the repeal of building permits, issuance of stop work orders, or other similar procedures authorized by other provisions of this Title.
- (2) *Reversion to Underlying Zoning.* If upon the expiration of two (2) years from the adoption of the amendatory ordinance of approval, the PRD project is voluntarily abandoned or development has not been completed, the final approval of the development project will automatically expire and thereafter only the land use regulations of the underlying zoning district will apply to any further construction for which a permit is required. If the PRD project has been commenced within a two (2) year period following the effective date of the amendatory ordinance, but is not completed within this two-year period, the applicant must apply to the Council for an extension of time in which to complete the project; failure to make such application will cause the final approval of the development project to automatically expire and thereafter only the land use regulations of the underlying zoning district will apply to any further construction for which a permit is required. (Ord. 25-08 §1, 2025).

17.107.090 Additional Regulations.

The following chapters may qualify or supplement the regulations in this Chapter.

- (1) PCC 17.25 Assurances

- (2) PCC 17.35 Exceptions and Special Provisions Pertaining to Uses, Development Regulations, and Performance Standards
- (3) PCC 17.40 Off-street Parking and Loading
- (4) PCC 17.45 Landscaping and Screening
- (5) PCC 17.50 Sign Regulations
- (6) PCC 17.75 Residential Districts
- (7) PCC 17.135 Site Plan Review (Ord. 25-08 §1, 2025).

Chapter 17.108

TOWNHOUSES

Sections:

- 17.108.010 Purposes.
- 17.108.020 Platting and Site Plan Requirements.
- 17.108.030 Development Standards.
- 17.108.040 Design Standards.
- 17.108.050 Design Objectives.
- 17.108.060 Additional Regulations.

17.108.010 Purposes.

This Chapter is to:

- (1) permit within residential neighborhoods the development of townhouses which will be on separately platted lots;
- (2) permit within low-, medium-, and high-density residential neighborhoods the development of townhouse structures built to standards designed to include amenities usually associated with conventional single-family detached housing, and to ensure their compatibility with the surrounding neighborhood; and
- (3) promote affordable housing, efficient use of land and energy, and a variety of housing types in a variety of locations to provide a wide range of individual homeowner options. (Ord. 25-08 §1, 2025).

17.108.020 Platting and Site Plan Requirements.

Townhouses may be constructed on property which meets the following platting and/or site plan requirements:

- (1) In the R1 District, townhouse developments involving the creation of four (4) or fewer townhouse lots must be approved pursuant to the regulations and procedures established in PCC 13.90 (Short Subdivisions) or PCC Chapter 13.80 (Subdividing and Platting) if a short plat is not proper, the standards of this Chapter, and when applicable, Site Plan Review. Dwelling units will be divided in such a manner as to have a common wall located on a common lot line. This division must be made before the issuance of a building permit.
- (2) In the R1 District, townhouse developments involving the creation of five (5) or more townhouse lots must be approved pursuant to the regulations and procedures established in PCC 13.80 (Subdividing and Platting), the standards of this Chapter, and when applicable, Site Plan Review. Dwelling units will be divided in such a manner as to have a common wall on a common lot line. This division must be made before the issuance of a building permit.
- (3) In the R2, R3 and R4 Multi-Family Residential Districts and Commercial Districts, townhouse developments will be subject to the following standards:

- (a) when applicable, Site Plan Review; and,
 - (b) the regulations and procedures established in PCC 13.80 (Subdividing and Platting) or PCC 13.90 (Short Subdivisions).
- (4) The subdivision or short subdivision of a site containing previously constructed townhouse dwellings will be allowed if the standards of this Chapter are met. (Ord. 25-08 §1, 2025).

17.108.030 Development Standards.

Townhouse dwellings and lots must comply with the following standards:

- (1) Number of Units Per Structure.
 - (a) In the R1 District, townhouse structures will contain no more than four (4) individual dwelling units.
 - (b) In the R2, R3 and R4 Multi-Family Residential Districts and Commercial Districts, requirements of the underlying district will apply with regard to the number of units per structure, except that the number of units per townhouse structure will not exceed eight (8).
- (2) *Density*. The overall density of a townhouse development will not exceed the number of dwelling units per acre permitted in the underlying zoning district. If two (2) or more zoning districts are involved, the number of dwelling units is limited to the total number calculated for each district.
- (3) *Minimum Building Widths*. Each individual townhouse dwelling unit will have a minimum width as follows:

- (a) R1 District: 24 feet for one-story buildings and 20 feet for two-story buildings;



- (b) R2 District: 22 feet for one-story buildings and 18 feet for two-story buildings;



- (c) R3 District: 18 feet for one-story buildings and 16 feet for two-story buildings;



- (d) other districts which allow multi-family structures: No limitation.
- (4) *Minimum Required Yards.* Yard requirements for front and rear yards and for side yards of end dwelling units of townhouse structures will be the same as the underlying district, except that end side yards which adjoin property zoned R1 will not be less than 10 feet for projects with three (3) or more townhouse dwelling units and five (5) feet for two (2) units.
- (5) *Maximum Building Coverage.* The building coverage requirements for townhouse developments will be the same as the underlying zoning district, except that building coverage on individual platted townhouse lots may exceed such requirements provided that the aggregate coverage of the individual structures in the townhouse development will be the same as the underlying zoning district.
- (6) *Maximum Height of Buildings.* The maximum height of buildings in townhouse developments will be the same as the underlying zoning district. (Ord. 25-08 §1, 2025).

17.108.040 Design Standards.

In addition to other requirements of this Chapter, townhouse developments will be reviewed and approved on the basis of compliance with the following criteria:

- (1) a minimum of 200 square feet of private, usable yard space including decks and patios will be provided for each townhouse dwelling unit;
- (2) an enclosed or suitably screened refuse storage and collection area must be provided in an appropriate location;

- (3) there will be an appropriate instrument for the support, upkeep, and maintenance of any common land, area, or facilities. Each townhouse development will have recorded with the county auditor a perpetually binding common party wall agreement as a covenant to each deed establishing the rights and obligations of each owner:
 - (a) there will be an appropriate instrument for the support, upkeep, and maintenance of any common party wall and foundation, and providing for easements for purposes of maintenance and fire protection
 - (b) easements or covenants for the operation and maintenance of common or shared utilities will be provided
- (4) provision will be made for emergency ingress and egress, and for access of fire, ambulance, and services; and,
- (5) common wall construction must comply with ASTM E119, UL 263, or the International Building Code as now existing or amended (Ord. 25-08 §1, 2025).

17.108.050 Design Objectives.

The following criteria should be considered in the design of townhouse developments:

- (1) There should be an efficient and harmonious grouping of structures and space which encourages the individuality of separate townhouse dwelling units within a unifying design concept. The spacing between structures within the project should be compatible with spacing between structures in the surrounding neighborhood;
- (2) Due consideration should be given to the impact of the townhouse development on the neighborhood or district in which the property is located. Development should be designed to minimize view obstruction;
- (3) The design of the townhouse structures and overall site plan should be compatible with the physical characteristics of the site, with buildings adjacent to the site, and with the character of the neighborhood or district. Design compatibility of buildings includes harmonious building style, form, size, color, materials, and relationship to site topography. A compatible design plan is one which preserves the existing neighborhood character, facilitates efficient and convenient circulation, is functionally related to the natural topography, utilizes natural characteristics of the site, and is an asset to the community;
- (4) Landscaping and buffering should be designed to present a pleasing appearance from both on and off the site; and
- (5) The natural vegetation and topography should be preserved where such natural features contribute to the attractiveness of the project and compatibility with the neighborhood or district. (Ord. 25-08 §1, 2025).

17.108.060 Additional Regulations.

The following chapters may qualify or supplement the regulations in this Chapter.

- (1) PCC 17.25 Assurances
- (2) PCC 17.35 Exceptions and Special Provisions Pertaining to Uses, Development Regulations, and Performance Standards
- (3) PCC 17.40 Off-street Parking and Loading
- (4) PCC 17.45 Landscaping and Screening
- (5) PCC 17.50 Sign Regulations
- (6) PCC 17.75 Residential Districts
- (7) PCC 17.135 Site Plan Review (Ord. 25-08 §1, 2025).

Chapter 17.109

SHORT-TERM RENTALS

Sections

- 17.109.010 Purpose.
- 17.109.020 Definitions.
- 17.109.030 Eligible Dwellings and Limitations.
- 17.109.040 Criteria for Approval.
- 17.109.050 Notice Requirements.
- 17.109.050 Term of Annual Permit.
- 17.109.060 Continued Compliance with this Chapter.
- 17.109.070 Nontransferability.
- 17.109.080 Violations.
- 17.109.090 Enforcement, Penalties, and Appeal.

17.109.010 Purpose.

This Chapter is to:

- (1) facilitate the creation of Short-Term Rentals (STRs) to provide mechanisms towards homeownership and provide additional lodging options;
- (2) establish regulations and procedures for permitting of STRs to ensure the safety and convenience of guests and owners;
- (3) ensure compatibility with the surrounding neighborhood, address potential negative impacts, and enhance neighborhood character and appearance;
- (4) ensure consistency with the RCW requirements for STRs and provide awareness to SRT owners and operators related City codes; and
- (5) provide economic benefit to Pullman businesses, and realize lodging and sales tax revenues that help fund City Services (Ord 25-08 §1, 2025).

17.109.020 Definition.

- (1) *Owner.* Person that owns and holds legal and/or equitable title to the property.
- (2) *Short-Term.* Means less than 30 consecutive nights per rental transaction.
- (3) *Violation.* Any violation by the owner or guests of any provision of this chapter, any provision of the Pullman City Code, or any violation of state law. (Ord 25-08 §1, 2025).

17.109.030 Eligible Dwellings.

- (1) *Eligible Dwellings.* An STR may be in a single-family dwelling, duplex, ADU, tiny homes, townhouses, or manufactured homes. STRs are not permitted in buildings with three (3) or more dwellings as these are a change of use under the International Building Code.
- (2) *Length of Stay.* STRs are limited to less than 30 consecutive nights per transaction. (Ord 25-08 §1, 2025).

17.109.040 Criteria for Approval.

The following criteria must be met for approval of an STR:

- (1) *Business License Endorsement.* A business license must be applied for prior to using the property as a STR. Endorsements are specific to the owner of the dwelling unit. When the holder of an endorsement sells or transfers the property, the new owner must obtain an endorsement before using the dwelling unit as a STR.

- (2) *Occupancy.* Maximum occupancy of the STR will be no more than two (2) people per sleeping room plus two (2) additional people per unit, but at no time will the maximum number of occupants exceed 10 people.

The Director of Community Development may approve additional occupants for a STR, pursuant to PCC 17.130.040.

- (3) *Compliance.* The STR must comply with the requirements of the International Residential Code (IRC), as adopted in WAC 51-51.
- (4) *Parking and Vehicles.* The total required off-street parking facilities must not be less than required for the underlying residential use. STR owners and operators must take reasonable steps to ensure their guests comply with neighborhood parking regulations.
- (5) *Signage.* Signs must comply with PCC 17.50.050(1).
- (6) *Solid Waste Collection.* Weekly solid waste collection is required during all months. If normal weekly collection is insufficient for the use, the property owner or local property representative must arrange for additional solid waste removal.
- (7) *Insurance.* The owner of the STR must have property insurance and liability coverage for the STR in accordance with RCW 64.37.050 as it currently exists or is amended.
- (8) *Posted Information.* Per RCW 64.37.030 as it currently exists or is amended, the following information must be clearly posted inside the STR to provide:
 - (a) STR street address;
 - (b) contact information for the property owner or designated contact;
 - (c) emergency and nonemergency contact information for summoning police, fire, or emergency medical services;
 - (d) emergency evacuation plan as approved by the Building Official; and
 - (e) maximum occupancy limits.
- (9) *Safety Requirements.*
 - (a) Functioning smoke detectors must be in all sleeping rooms, outside sleeping rooms, and every level (if multiple levels) and will be interconnected in accordance with the IRC.

- (b) Functioning carbon monoxide detectors must be outside sleeping rooms, and every level (if multiple levels) and will be interconnected in accordance with the IRC
 - (c) At least one functioning fire extinguisher will be wall-mounted within the STR.
 - (d) At least one (1) emergency egress light with a battery backup will be located in the largest room on the main egress route.
- (10) *Pool.* If a pool is on the same property as an STR, the pool must be fenced in accordance with the most current International Pool and Spa Code.
- (11) *Inspection.* A dwelling unit proposed for an STR must be inspected by the Building Official to determine its conformance with the standards of this chapter and basic health and safety elements as required by all applicable codes. Any corrective action required must be completed before the dwelling unit can be rented. (Ord 25-08 §1, 2025).

17.109.050 Term of Annual Application.

- (1) STR permits are valid until January 31 of the following year, and must be renewed annually. An Affidavit of Conformance, signed by the applicant, to the original Authority Having Jurisdiction inspection standards and approval conditions will accompany the renewal.
- (2) If an STR permit is not renewed by the expiration date, the owner will have 30 days to comply with the renewal process or the STR permit and endorsement will be revoked and a new application must be submitted for endorsement. (Ord 25-08 §1, 2025).

17.109.060 Continued Compliance with this Chapter.

The owner of the STR is responsible for compliance with the provisions of this chapter. (Ord 25-08 §1, 2025).

17.109.070 Nontransferability.

An STR approval is issued to a specific owner of a dwelling. If the property owner sells or transfers the property, the new owner must apply for and receive approval from the City before using the dwelling as a STR. (Ord 25-08 §1, 2025).

17.109.080 Violations.

Penalties may be imposed for any of the following reasons:

- (1) Advertising, renting, or using an STR where the owner does not hold a valid endorsement issued pursuant to this chapter.
- (2) Advertising, renting, or using, an STR in a manner that does not comply with the endorsement requirements of PCC 17.109.050.
- (3) Failure by the owner to pay the special excise tax required by PCC 6.93 taxes.
- (4) Failure of the owner's designated contact to respond to guest or City complaints or inquiries. "Failure to respond" occurs if City staff is unable to reach the designated

contact after three (3) attempts, using the information that the owner has on file with the City.

- (5) Failure of the owner or any guest to comply with any of the provisions and/or requirements of PCC 17.109.040. (Ord 25-08 §1, 2025).

17.109.090 Enforcement, Penalties, and Appeal.

- (1) *Enforcement.* This chapter will be enforced as described in PCC 17.10.
- (2) *Penalties*
 - (a) For the first two (2) violations within a 12-month period, the City will issue a written warning to the owner. This written warning may also be accompanied by a Notice of Violation and Order to Correct or Cease Activity as may be appropriate pursuant to PCC 17.10.090.
 - (b) For the third violation within a 12-month period, the Director of Community Development will revoke the owner's permit and STR endorsement.
- (3) *Appeal.* Any owner wishing to appeal the revocation of the STR endorsement may request an appeal to the Hearing Examiner in accordance with PCC 17.185.030. Any endorsement that has been revoked cannot be reapplied for or issued for a period of at least one (1) year from the date the endorsement was revoked. (Ord 25-08 §1, 2025).

Chapter 17.110

CHANGES TO THE COMPREHENSIVE PLAN

Sections:

- 17.110.010 Purpose.
- 17.110.020 Planning Commission Review.
- 17.110.030 Review Criteria.
- 17.110.040 General Findings.
- 17.110.050 Transmission of Recommendation.
- 17.110.060 City Council Meeting.
- 17.110.070 Maintenance of Official Comprehensive Plan Map and Plan.
- 17.110.080 Procedural Irregularities.

17.110.010 Purpose.

This Chapter is to establish procedures and described criteria for considering proposed amendments to the existing Comprehensive Plan (Plan), or the adoption of a new plan. (Ord. 25-08 §1, 2025).

17.110.020 Planning Commission Review.

The Commission will review proposed changes to the existing Plan and proposed new elements of the Plan, or a new Plan, as provided in PCC 17.180.030, using the findings and criteria as stated in this Chapter as the basis for its review and recommendation. (Ord. 25-08 §1, 2025).

17.110.030 Review Criteria.

The Commission and Council will consider the following factors when reviewing proposed amendments to the Plan or the adoption of a new Plan:

- (1) the effect upon the physical environment;
- (2) the effect upon the economic environment;
- (3) the effect upon the social environment;
- (4) the effect on open space, streams, and rivers;
- (5) the compatibility with and impact on adjacent land uses and surrounding neighborhoods;
- (6) the adequacy of and impact on community facilities including utilities, roads, public transportation, parks, recreation, and schools;
- (7) the benefit to the neighborhood, city, and region;
- (8) the quantity and location of land planned for the proposed land use type and density;
- (9) the current and projected population density in the area proposed to be changed and the surrounding area; and,
- (10) the effect of the proposed change upon other aspects of the Plan. (Ord. 25-08 §1, 2025).

17.110.040 General Findings.

A proposed change to the Plan may be approved only if each of the following general findings can be made:

- (1) the proposed change would promote the public health, safety, or welfare;
- (2) the proposed change would be a benefit to the residents of the City. (Ord. 25-08 §1, 2025).

17.110.050 Transmission of Recommendation.

Upon completion of a hearing, the Commission will transmit a copy of its recommendation to the Council through the Office of the Mayor, who will acknowledge receipt thereof and direct the Director of Finance & Administrative Services to certify thereon the date of receipt. (Ord. 25-08 §1, 2025).

17.110.060 City Council Meeting.

- (1) The Council must within 60 days from its receipt of the recommendation concerning the proposed change to the Plan hold a public meeting. The Council, within 90 days of the conclusion of the public meeting, must vote to:
 - (a) approve the change to the Plan by adopting an appropriate resolution;
 - (b) modify and approve, as modified, the change to the Plan by adopting an appropriate resolution;
 - (c) disapprove the change to the Plan by adopting an appropriate resolution; or
 - (d) refer the proposed change back to the Commission for further proceedings, in which case the Council will specify the time within which the Commission will report back to the Council its findings and recommendations on the matters referred to it.
- (2) The final form and content of the changes to the Comprehensive Plan will be determined by the Council.
- (3) An affirmative vote of at least a majority of the total members of the Council will be required for the adoption of a resolution to approve the Plan or any amendments thereto. (Ord. 25-08 §1, 2025).

17.110.070 Maintenance of Official Comprehensive Plan Map and Plan.

The Official Comprehensive Plan Map and any amendments thereto will be certified by the Director of Finance & Administrative Services, kept in the Department of Community Development, and updated by the Director of Community Development. The Plan and any amendments thereto as approved by the Council will be filed with the Director of Community Development. (Ord. 25-08 §1, 2025).

17.110.080 Procedural Irregularities.

No procedural irregularity or informality in the consideration, hearing, and development of the Plan, amendments thereto, or any of its elements, will affect the validity of this Title or any amendments thereto. (Ord. 25-08 §1, 2025).

Chapter 17.115

REZONES

Sections:

- 17.01.010 Purpose.
- 17.01.020 Planning Commission and City Council Review.
- 17.01.030 “Limited” Zone.

17.115.010 Purpose.

This Chapter is to describe criteria for considering requests for rezones. This Chapter does not apply to the adoption of a new Official Zoning Map adopted in conjunction with the future enactment of a new Zoning Ordinance. (Ord. 25-08 §1, 2025).

17.115.020 Planning Commission and City Council Review.

The Commission will review a proposed rezone as provided in PCC 17.180.030. The following questions will be considered by the Commission and Council in reviewing a proposed rezone:

- (1) *Comprehensive Plan.* Is the proposal consistent with the Comprehensive Plan at the time the decision is made on the proposed rezone request? No rezone may be approved unless a finding can be made that the proposed zoning is consistent with the Comprehensive Plan Land Use Map designation for the property.
- (2) *Zoning Ordinance.* Is the proposal consistent with the Zoning Code, and is the proposal consistent with the proposed zoning district?
- (3) *Surrounding Area.* What is the relationship of the proposed zoning change to the existing land uses, and the zoning of surrounding or nearby property?
- (4) *Changes.* Has there been sufficient change in the character of the surrounding or nearby area, or in city policy to justify the rezone?
- (5) *Suitability.* Is the property economically and physically suitable for the uses allowed under the existing zoning, and under the proposed zoning? Consideration should be given to the length of time the property has remained undeveloped compared to the surrounding area and other parcels in the City with the same zoning.
- (6) *Value.* What is the relative gain to the public health, safety and welfare compared to a potential increase or decrease in value to the property owners?
- (7) *Error.* Is the proposal necessary to correct an error?
- (8) *Compatibility.* Are special conditions, pursuant to PCC 17.115.030, necessary to achieve compatibility of development with surrounding properties?
- (9) *Special Criteria.*
 - (a) *Rezone Guidelines for C1 Zoning District.* Zone changes to create new neighborhood commercial districts or extend existing neighborhood commercial districts should follow these guidelines:

- (i) separate C1 districts should not be located closer than one quarter (0.25) pedestrian mile from each other or within one quarter (0.25) pedestrian mile of any other commercial district in which similar services or facilities are provided;
 - (ii) C1 districts should not contain more than one (1) acre;
 - (iii) C1 districts should be located only along major, secondary, or collector arterials as identified in the circulation element of the Comprehensive Plan;
 - (iv) C1 districts should be limited to a 400-foot frontage along the arterial;
 - (v) C1 districts should be located where access to parking facilities and internal circulation patterns can be limited and coordinated so as not to be unreasonably disruptive to the vehicular and pedestrian traffic flow in the neighborhood.
- (b) *Rezone Guidelines for C2 Zoning District.* Zone changes to expand the C2 Central Business District should follow these guidelines:
 - (i) extensions of the C2 district should be contiguous to the existing C2 Central Business District;
 - (ii) C2 districts should be located along major or secondary arterials as identified in the circulation element of the Comprehensive Plan;
 - (iii) extensions of the C2 district should contain enough land to provide for a reasonable amount of on-site off-street parking considering the potential uses and land available.
- (c) *Rezone Guidelines for C3 District.* Zoning changes to create new general commercial districts or to extend existing general commercial districts should follow these guidelines:
 - (i) C3 districts should not be extended or created if there is adequate, available space for in-fill in existing C3 Districts;
 - (ii) extensions of C3 districts should be three (3) acres or larger whenever feasible;
 - (iii) new C3 districts should not be located within three-quarter (0.75) vehicular mile of an existing C3 District or any other district providing similar goods or services, and should contain at least 10 acres;
 - (iv) the width or frontage of any new C3 district, whenever feasible, should not be less than 40% of its length or depth;
 - (v) C3 districts should be located along major or secondary arterials as identified in the circulation element of the Comprehensive Plan;

- (vi) C3 districts should be located where access to parking facilities and internal circulation patterns can be limited and coordinated to not be unreasonably disruptive to vehicular and pedestrian traffic flow.
- (d) *Rezone Guidelines for Industrial Districts.* Zone changes to create new industrial districts should follow these guidelines:
 - (i) new Industrial Research Park (IRP) and Light Industrial (I1) districts should be at least five (5) acres;
 - (ii) new Heavy Industrial (I2) districts should be at least 40 acres. (Ord. 25-08 §1, 2025).

17.115.30 “Limited” Zone.

- (1) *Purpose.* Any use permitted in any zoning district should not be a detriment to the surrounding properties. The “L” or “limited” zoning district classification is to describe standards, when necessary, which are intended to promote the compatibility of the uses permitted within each zoning district.

The “limited” zoning district classification creates a district with special conditions pertaining to the uses permitted in the “limited” zoning district. The “limited” zoning district classification cannot be petitioned for, but it may be recommended by the Commission after study and review of a rezone request.

- (2) *Limiting Conditions in Any Zoning District.* Conditions limiting the uses or conduct of permitted uses may be required in any zoning district or portion thereof where necessary to achieve compatibility of development with surrounding properties. Any zone or portion thereof where such conditions are required must be established by ordinance and identified on the Official Zoning Map by the suffix “L” attached to its zoning designation (e.g., “R3-L”, “C1-L”) and will be referred to as a “limited” zone.
- (3) *Standards as Warranted.* In recommending a “limited” zoning district classification, the Commission will consider the unique circumstances and characteristics of a rezone request and the proposed land use.

These conditions may include reasonable limitations on the use and development of the property and a time limit for commencing the use or development of the property as specified in the rezoning ordinance. If a time limit is imposed by the Council and the time limit has expired without commencement of the use or development, the land will automatically revert to its previous zoning classification before the “limited” zone classification was granted, unless an extension of the time limit is authorized by the Council prior to the expiration of the time limit. (Ord. 25-08 §1, 2025).

Chapter 17.120

TEXT AMENDMENTS

Sections:

- 17.120.010 Purpose.
- 17.120.015 Initiation.
- 17.120.020 Planning Commission and City Council Review.

17.120.010 Purpose.

This Chapter is to describe criteria for considering amendments to the text and any applicable figures, charts, and tables of this Title. Following the adoption of this Title, growth and economic changes may occur or other circumstances may arise that make it necessary to revise this Title. The requirements of this Chapter also apply to future adoption of a new Zoning Code. (Ord. 25-08 §1, 2025).

17.120.015 Initiation.

Text amendments will be initiated only by application of the Director of Community Development, or motion of the Commission, or motion of the Council. (Ord. 25-08 §1, 2025).

17.120.020 Planning Commission and City Council Review.

The Commission will review proposed amendments to the text of this Title and any applicable maps, figures, charts, and tables as provided in PCC 17.180.030. The following questions will be considered by the Commission and Council in reviewing a proposed text amendment:

- (1) Is the amendment consistent with the Comprehensive Plan?
- (2) Is the amendment reasonable and does it substantially promote the public health, safety, or welfare?
- (3) Is the amendment in the best interests of the residents of Pullman; and if so, how?
- (4) Has sufficient change in economic, technological, or land use conditions occurred to warrant modification of this text?
- (5) Is the amendment necessary to correct an error in this Title, or clarify the meaning or intent of this Title? (Ord. 25-08 §1, 2025).

Chapter 17.125

CONDITIONAL USE PERMITS

Sections:

- 17.125.010 Purpose.
- 17.125.020 Criteria and Findings.
- 17.125.025 Transferability.
- 17.125.030 General Requirements.
- 17.125.040 Permit Conditions.
- 17.125.050 Expansion of Approved Conditional Uses.

17.125.010 Purpose.

This Chapter is to describe criteria, procedures, and limitations for the issuance of conditional use permits. It is recognized that there are special uses which, because of their unique characteristics, cannot be properly classified in any zoning district without consideration in each case of the impact of those uses upon neighboring land and of the public need for the use at the particular location. These uses are called conditional uses. It is the intent and policy of the City of Pullman that such uses be dealt with in a manner that is equitable to the owner or applicant in terms of the interest of the City in securing public health, safety, and general welfare. When considering uses that are protected by the First Amendment to the United States Constitution, the Hearing Examiner should consider the need to balance governmental regulations with free exercise claims. (Ord. 25-08 §1, 2025).

17.125.020 Criteria and Findings.

A conditional use permit may be approved when all of the following findings required by this section can be made:

- (1) that the proposed use is consistent with the Comprehensive Plan;
- (2) that the proposed use, and its location, are consistent with the zoning district in which the use is to be located;
- (3) that the proposed use will meet all required yards, parking, and other material development standards of the Zoning Code unless otherwise varied in the approved conditional use permit;
- (4) that the use, as approved or conditionally approved, will
 - (a) be located on a site that is adequate in size and shape;
 - (b) be located on a site that has sufficient access to streets and highways adequate in width and type of surface to carry the quantity and quality of traffic generated by the proposed use;
 - (c) not have a significant adverse environmental impact on the adjacent area or the community in general;
 - (d) be compatible with surrounding land uses;

- (e) be provided with adequate parking; and,
- (f) be served by adequate public utilities and facilities. (Ord. 25-08 §1, 2025).

17.125.025 Transferability.

The Hearing Examiner at the time of the issuance of the conditional use permit will determine whether the conditional use permit may or may not be used by a subsequent user of the same property or if the permit will be personal. When the Hearing Examiner finds it appropriate, the Hearing Examiner may require that the permit be recorded in the form of a covenant with the Whitman County Auditor. (Ord. 25-08 §1, 2025).

17.125.030 General Requirements.

The following general requirements will be applicable to all conditional use permits:

- (1) The Hearing Examiner will review applications for conditional use permits as provided in PCC 17.180.030, except conditional use permit applications in conjunction with an application for a PRD, PUD, MHP, or RVP which will be reviewed by the Commission as provided in PCC 17.180.030.
- (2) Any person may appeal a Hearing Examiner decision to the Superior Court of Whitman County as provided in PCC 17.185.
- (3) An approved conditional use permit must be acted on by the permittee within one (1) year from its date of approval. Otherwise, the conditional use permit will expire and be invalid, unless the permittee files an application for an extension of the time 30 days before the expiration of the one (1) year period and the Director of Community Development approves the application.
- (4) An application for any extension of time must be reviewed by the Director of Community Development as provided in PCC 17.175.050.
- (5) A conditional use permit applies only to the property for which it has been approved, and may not be transferred to any other property.
- (6) A conditional use permit application will be denied if the proposal cannot be conditioned so that the findings required by PCC 17.125.020 can be made. (Ord. 25-08 §1, 2025).

17.125.040 Permit Conditions.

Approval of a conditional use permit application may be conditioned so that the required findings can be made. Permit conditions may include requirements which:

- (1) increase the required lot size or yard dimensions;
- (2) increase street widths;
- (3) control the location and number of access points to the property;
- (4) increase the number of off-street parking or loading spaces required;
- (5) limit the number of signs;

- (6) limit the coverage or height of buildings or structures because of obstructions to view, reduction of light and air to adjacent property, or incompatibility with surrounding uses;
- (7) limit or prohibit openings of buildings or structures or expand requirements for screening or landscaping where necessary to reduce noise and glare and maintain the property in a character in keeping with the surrounding area;
- (8) establish requirements under which any future enlargement or alteration of the use will be reviewed by the City and new conditions imposed; and,
- (9) establish regulations for the use of the property as necessary to protect nearby property or improvements from detrimental effects of the proposed use, such as limiting the hours of operation or number of employees. (Ord. 25-08 §1, 2025).

17.125.050 Expansion of Approved Conditional Uses.

By means of the procedure described in PCC 17.175.050, the Director of Community Development may authorize up to a 10% expansion, in any five (5) year period, of an approved conditional use in relation to its gross floor area, height, parking, and occupancy, including number of seats, classrooms, and students; provided, however, that no expansion of a structure by means of this procedure will exceed 5,000 square feet in gross floor area. All such modifications will be consistent with the original conditions of approval and applicable regulations. (Ord. 25-08 §1, 2025).

Chapter 17.127

SPECIAL USE PERMITS FOR HISTORIC STRUCTURES

Sections:

- 17.127.010 Purpose.
- 17.01.020 Contents of Applications.
- 17.01.030 Criteria and Findings.
- 17.01.040 Permit Special Exceptions.
- 17.01.050 General Requirements.

17.127.010 Purpose.

This Chapter is to describe criteria and procedures governing the issuance of special use permits for historic structures listed on a federal, state, or local registry of historic places. It is recognized that there are historic structures which were constructed for a special purpose, but due to changed circumstances can no longer be profitably or practically used for the use originally intended. To promote the preservation of these historic structures and allow “practical economic use,” it is the intent and policy of the City that such structures may be considered for special use permits for historic structures. These permits, with such special exceptions as may be appropriate, may be issued for any appropriate use to encourage the preservation of historic structures and to promote their compatibility, to the greatest extent practicable, with surrounding properties and the underlying zoning district. The provisions of this Chapter will be liberally construed in favor of preserving historic structures. (Ord. 25-08 §1, 2025).

17.127.020 Contents of Applications.

Applications for special use permits for historic structures must include:

- (1) all information required by PCC 17.175.030;
- (2) documentation showing that the proposed use will be reasonably able to financially support the property in a manner that will preserve the historic integrity of the structure; and,
- (3) proof that the structure is registered, or application has been made for registration, on a federal, state, or local registry of historic places. (Ord. 25-08 §1, 2025).

17.127.030 Criteria and Findings.

A special use permit for a historic structure will be issued by the HPC when all the following criteria are satisfied and these findings can be made:

- (1) that the structure is listed on a federal, state, or local registry of historic places;
- (2) that the proposed use is reasonably necessary to preserve the historic integrity of the structure, considering its existing use and other uses allowed in the zoning district in which it is located;
- (3) that none of the uses designated for the underlying zoning district as described in the Use Chart, PCC 17.70.030 are likely to locate in the structure in a manner that would result in the preservation of the structure in a manner that would maintain its historic integrity;

- (4) that the proposed use will be a “practical economic use” (i.e., a use which will be reasonably capable of supporting and maintaining the property in a manner that preserves its historic integrity);
- (5) that the proposed use as approved or as approved with special exceptions will:
 - (a) be located on a site that is adequate in size and shape;
 - (b) be located on a site that has access to streets and highways that are adequate in width and type of surface to carry the quantity and quality of traffic generated by the proposed use;
 - (c) not have significant adverse environmental impact resulting in excessive noise, light and glare, or soil erosion on adjacent properties as determined by the Responsible Official;
 - (d) be provided with parking availability that is adequate for the proposed use and which will not significantly adversely affect or interfere with the character or use of neighboring properties or the surrounding area;
 - (e) be served by adequate public utilities and facilities;
- (6) that the owner of the property, in exchange for the benefits afforded by the special use permit, will enter into an agreement with the HPC containing at least the following elements:
 - (a) mutually agreeable maintenance standards;
 - (b) assurances that the property will retain those characteristics that make it architecturally and historically significant; and
 - (c) provisions for the agreement to run with the land. The agreement will be recorded by the City at the permittee’s expense with the Whitman County Auditor. (Ord. 25-08 §1, 2025).

17.127.040 Permit Special Exceptions.

A special use permit for a historic structure must satisfy the criteria described in PCC 17.127.030. To do so, the following special exceptions may be granted by the HPC:

- (1) increase or decrease the required lot size or yard dimensions;
- (2) increase or decrease street widths;
- (3) control the location and number of access points to the property;
- (4) increase or decrease the number and location of off-street parking and loading spaces required;
- (5) limit or increase the number, type, and allowable square footage of signs;
- (6) limit the coverage or height of buildings because of obstructions to view and reduction of light or air to adjacent property;

- (7) limit or prohibit openings in sides of buildings or structures or expand requirements for screening or landscaping where necessary to reduce noise and glare and maintain the property in a character in keeping with the surrounding area;
- (8) establish requirements under which any future enlargement or alteration of the use must be reviewed by the City and new conditions imposed; and,
- (9) establish regulations for the use of the property as necessary to protect nearby property or improvements from detrimental effects of the proposed use, such as limiting the hours of operation or number of employees. (Ord. 25-08 §1, 2025).

17.127.050 General Requirements.

The following general requirements apply to all special use permits for historic structures:

- (1) The HPC must review.
- (2) Any aggrieved person may appeal a HPC decision to the Hearing Examiner as provided in PCC 17.185.
- (3) An approved special use permit for a historic structure must be acted upon by the permittee within one (1) year from its date of approval. Otherwise, the special use permit will expire and be invalid after that time unless the permittee applies in writing to the Director of Community Development for an extension of time at least 30 days before the expiration of the one-year period, setting forth the reasons for the extension; and, the Director of Community Development finds that good cause exists for the extension and approves the application.
- (4) An application for any extension of time must be reviewed by the Director of Community Development as provided in PCC 17.175.050.
- (5) If the use for which the permit was granted is abandoned for one (1) year, the use may not be reinstated without the issuance of a new special use permit.
- (6) If the permittee or a subsequent owner of the structure fails to maintain or improve the property in accordance with the special use permit and the agreement with the City, the HPC may revoke the special use permit after holding a public meeting.
- (7) The permit may not be transferred to any other property, but may be transferred to subsequent owners of the property for which the permit was issued.
- (8) The special exceptions may be amended by the HPC using the procedures described in this Chapter for obtaining an original special use permit for historic structures. (Ord. 25-08 §1, 2025).

Chapter 17.130

VARIANCES

Sections:

- 17.01.010 Purpose.
- 17.01.020 Findings.
- 17.01.030 General Requirements.
- 17.01.040 Administrative Variances.

17.130.010 Purpose.

This Chapter is to describe criteria and procedures to vary or adapt the strict application of the terms of this Title. However, variances may not be granted to vary the use and procedural requirements of this Title. (Ord. 25-08 §1, 2025).

17.130.020 Findings.

A variance may be approved when all of the following findings required by this section can be made.

- (1) *Special Circumstances.* That because of special circumstances relating to the property, the strict enforcement of the Zoning Code would deprive the owner of development rights and privileges permitted to other properties in the vicinity with the same zoning.
 - (a) Special circumstances include the size, shape, topography, location of the property and surrounding property, and environmental factors such as vegetation, streams, ponds, and wildlife habitats.
 - (b) Special circumstances should not be based upon any factor personal to the owner/applicant such as age or disability, extra expense which may be necessary to comply with the Zoning Code, the ability to secure a scenic view, the ability to make more profitable use of the property, or any factor resulting from the action of the owner/applicant.
- (2) *Special Privilege.* That approval of the variance is not a grant of a special privilege to the property in comparison with the limitations upon other properties in the vicinity with the same zoning.
- (3) *Comprehensive Plan.* That approval of the variance is consistent with the Comprehensive Plan.
- (4) *Zoning Code.* That approval of the variance is consistent with the Zoning Code and the zoning district in which the property is located.
- (5) *Not Detrimental.* That the variance as approved or conditionally approved will not be significantly detrimental to the public health, safety, and welfare, or injury to the property or improvements in the vicinity and same zone.

- (6) *Minimum Variance.* That the approved variance is the minimum necessary to allow the owner the rights enjoyed by other properties in the vicinity with the same zoning. (Ord. 25-08 §1, 2025).

17.130.030 General Requirements.

The following general requirements must be applicable to all variances:

- (1) The Hearing Examiner will review applications for variances as provided in PCC 17.180.030, except administrative variances which will be reviewed by the Director of Community Development as provided in PCC 17.175.050, and PCC 17.130.040.
- (2) Any person may appeal a Hearing Examiner decision to the Superior Court of Whitman County as provided in PCC 17.185.
- (3) An approved variance must be acted on by the permittee within one (1) year from the date of granting the variance. Otherwise, the variance will expire and be invalid, unless the permittee files an application for an extension of time 30 days before the expiration of the one (1) year period and the Director of Community Development approves the application.
- (4) An application for an extension of time will be reviewed by the Director of Community Development as provided in PCC 17.175.050.
- (5) A variance applies only to the property for which it has been approved and may not be transferred to any other property. (Ord. 25-08 §1, 2025).

17.130.040 Administrative Variances.

- (1) The following variances may be approved by the Director of Community Development as provided in PCC 17.175.050:
 - (a) up to a 15% reduction in lot area, setbacks, and lot width from the amount required in the zoning district in which the subject property is located;
 - (b) up to a 5% percent increase in lot coverage and building height from the amount required in the zoning district in which the subject property is located;
 - (c) pursuant to PCC 17.75.070(4)(b), larger maximum lot area per dwelling unit ratios as described in PCC 17.75.070(4);
 - (d) pursuant to PCC 17.75.070(11)(f), modification of infill development standards as described in PCC 17.75.070(11);
 - (e) pursuant to PCC 17.37.060(3), modification of adult entertainment business separation standards as described in PCC 17.37.060;
 - (f) height variances in any airport overlay district;
 - (g) administrative variances to sign regulations as specifically described in PCC 17.50; and
 - (h) increase in allowed guests for STRs.

- (2) No variance will be approved by the Director of Community Development which will allow an increase in the number of dwelling units on a parcel.
- (3) Prior to approval of an administrative variance, the Director of Community Development will determine that the granting of the variance will not be significantly detrimental to the public health, safety, and welfare, or injurious to nearby property or improvements. For an administrative variance, the Director of Community Development need not make the findings described in PCC 17.130.020. (Ord. 25-08 §1, 2025).

Chapter 17.135

SITE PLAN REVIEW

Sections:

- 17.135.010 Purpose.
- 17.135.020 Composition of the Committee.
- 17.135.030 Applicability.
- 17.135.040 Optional Pre-Application.
- 17.135.050 Review Procedure.
- 17.135.060 Contents of Application.
- 17.135.070 Review Criteria.
- 17.135.080 Limitations.

17.135.010 Purpose.

This Chapter is to describe procedures and guidelines for the internal arrangement of uses permitted by this Title through a comprehensive site plan review process intended to ensure compliance with plans, policies, and ordinances of the City; and, to provide procedures for the examination of development proposals with respect to overall site design; and to assure that a proposed development is designed in a manner which will not be detrimental to the public health, safety, and general welfare or to adjacent properties. (Ord. 25-08 §1, 2025).

17.135.020 Composition of the Committee.

The Site Plan Review Committee (SPRC) will consist of the following members the Director of Community Development, who will serve as the chairperson; the Development Engineer; the Fire Marshal; the Building Official; and an Assistant Planner, or their regularly designated representatives. Three (3) members will constitute a quorum. (Ord. 25-08 §1, 2025).

17.135.030 Applicability.

Except as otherwise provided in this Title, a site plan review by the SPRC will be required when an application for a permit is made in the following instances:

- (1) for original construction of new facilities or structures except single-family dwellings, duplexes, or manufactured homes on individual lots;
- (2) for any variance except for a single-family dwelling, duplex, or manufactured home on an individual lot;
- (3) for a PRD, PUD, MHP, or RVP;
- (4) for remodeling or reconstruction of any structure except single-family dwellings and duplexes, where the value of remodeling or reconstruction exceeds 30% of the value of the structure prior to remodeling. For this section, values will be assigned from the International Code Council (ICC) building valuation data tables in use at the time of application.
- (5) where, in the opinion of the Director of Community Development, the magnitude and character of the project, or the topography of the property could result in an adverse

effect on adjacent properties, the subject property, or public facilities. (Ord. 25-08 §1, 2025).

17.135.040 Optional Pre-Application.

Prior to applying for site plan review, the applicant may submit the plans required in PCC 17.135.060 in preliminary or sketch form, so that the comments and advice of the SPRC may be incorporated in the final plans submitted for an application. Information submitted for preliminary site plan comments and advice will be considered confidential. (Ord. 25-08 §1, 2025).

17.135.050 Review Procedure.

Applications for site plan review and amendments to approved site plans must be reviewed in accordance with the following procedures.

- (1) When a zone change, conditional use permit, or variance will be required before construction of a particular project can commence, such approval will be obtained prior to review of the site plan application.
- (2) *Review by Site Plan Review Committee.* Except in cases where the applicant agrees to an extension of time, the SPRC must review the proposed development and make a recommendation to the Director of Community Development to approve, conditionally approve, or deny the application within 10 working days after the filing of an application is accepted as complete.
- (3) *Approval of the Director.*
 - (a) The Director of Community Development will approve, conditionally approve, or deny an application based upon the recommendation of the SPRC within five (5) working days from the receipt of recommendation.
 - (b) Whenever the Director of Community Development disapproves an application for a site plan, they will describe, in writing, findings which will state the reasons for disapproval noting the particular standards, provisions, and policies where the application fails to comply.
 - (c) The decision of the Director of Community Development will be final unless appealed to the Hearing Examiner by any aggrieved person or entity pursuant to PCC 17.185.
- (4) *Failure to Act.* Failure of the City to act within the specified time will constitute approval of the site plan application as accepted by the Director of Community Development and the applicant may apply for a building permit. Time required to review an environmental checklist and make a threshold determination and, if appropriate, to develop and review an Environmental Impact Statement under the provisions of the State Environmental Policy Act (SEPA) will not be included in the time limitations of this subsection.
- (5) *Referral to the Hearing Examiner.* The Director of Community Development will have the right of refusing to rule on a site plan review application and referring the application

to the Hearing Examiner for approval if in the opinion of the Director of Community Development review of the application for the site plan would be benefitted by public input. All decisions to refuse ruling and refer to the Hearing Examiner will be made by the Director of Community Development within 10 working days after the application in complete form is accepted.

- (6) *Review by the Hearing Examiner.* Notice of review of a site plan application by the Hearing Examiner will be given as described in PCC 17.170.020. The Hearing Examiner will initiate a public hearing on the application within 90 days from the date of referral from the Director of Community Development and in accordance with the review criteria described in PCC 17.135.070. The decision of the Hearing Examiner will be final and conclusive, unless within 21 days from the date of the decision any aggrieved person or entity files a land use petition with the Superior Court for Whitman County in accordance with RCW 36.70C, as it now exists or may be amended.
- (7) *Site Plan Review Log—Summary of Action.* No later than the first working day following the action of the Director of Community Development or the Hearing Examiner on an application for a site plan approval, a brief summary of the action and the date of the expiration of the appeal period will be entered in the Site Plan Review Log maintained in the Department of Community Development.
- (8) *Decision to be Communicated.* The decision of the Director of Community Development or the Hearing Examiner will be communicated by either email or postal mail to the applicant within five (5) working days following the action.
- (9) *Final Approval—Expiration.* Construction in accordance with an approved site plan must commence within two (2) years of the date of approval of the application by the Director of Community Development or the Hearing Examiner. Otherwise, the approval will expire and be invalid, unless the applicant files an application for an extension of time 30 days before the expiration of the two (2) year period and the Director of Community Development approves the application.
- (10) *Conformance with Approved Site Plan.* Conformance with the conditions of any approved site plan will be determined at the time of final inspection of the last structure to be inspected, and prior to issuance of a final certificate of occupancy. A final certificate of occupancy must be issued only when all conditions of the approved site plan have been satisfied.
- (11) *Amendment of Site Plan.* A site plan application approved by the Director of Community Development or by the Hearing Examiner may be amended following the same procedures described in this Chapter for obtaining original site plan approval, provided, however, that if final approval of an original site plan was given by the Hearing Examiner, then final action on the amendment must be made by the Hearing Examiner.
- (12) *Minor Changes in Plans.* Minor changes in plans or specifications may be authorized by the Director of Community Development under the procedure described in PCC 17.175.050 when a building permit is issued. Minor changes are those which may affect

the precise dimensions or placement of buildings, but which do not affect the basic character or arrangement of buildings in the approved plan, nor the density of the development nor the open space requirements. Dimensional adjustments will not vary more than 10% from the dimensions on the approved plan. (Ord. 25-08 §1, 2025).

17.135.060 Contents of Application.

Each application for site plan review must contain the following information:

- (1) an environmental checklist when required;
- (2) the title of the proposed development, its location by both address and legal description, together with the applicant's name, address, email, and telephone number and the owner's name, address, and telephone number if the applicant is not the owner; and, if applicable, the name, address, and telephone number of any architect, planner, designer, or engineer responsible for preparation of the plan and of any authorized representative of the applicant;
- (3) a written description of the scope of the project, the nature and size in gross floor area of each use, and the total amount of square feet to be covered by impervious surfaces;
- (4) a reproducible site plan drawn to a scale of at least one (1) inch equals 40 feet on a sheet(s) with minimum dimensions of 8.5 inches by 11 inches and maximum dimensions of 24 inches (2 feet) by 36 inches (3 feet), an alternate scale may be approved by the Director of Community Development. The plans must show the proposed layout of structures and other site development including the following:
 - (a) dimensions and orientation of the property;
 - (b) location and dimensions of buildings and structures, both existing and proposed;
 - (c) location and layout of off-street parking and loading facilities and pedestrian access separate from vehicular driveways;
 - (d) location of points of entry and exit for motor vehicles and the internal circulation pattern;
 - (e) location of walls and fences with an indication of their height and construction;
 - (f) placement of exterior lighting and the height and type thereof;
 - (g) location, size, and height of all exterior signs;
 - (h) a grading plan adequate to show all new cuts and fills and changes in drainage prepared as required by the provisions of the City of Pullman Design Standards. Grading plans must include provisions for drainage and erosion control during construction.
 - (i) the heights of both existing and proposed buildings and structures;
 - (j) location of refuse facilities including the location and proposed screening of solid waste dumpsters and self-contained, liquid-tight, compacting solid waste containers;

- (k) the proposed use of buildings shown on the site;
 - (l) the location of required buffer areas, yards, and open spaces;
 - (m) the location of all existing and proposed easements;
 - (n) the location of all existing and proposed utility structures and lines including connections to the public water and sewer lines;
 - (o) the location and capacity of stormwater drainage systems including roof drains, subdrains, and surface drainage for existing and proposed buildings, structures, and parking lots. Storm drainage discharge must be to the public storm drain system, or to an existing natural drainage course. Where development will increase the amount of storm water runoff, peak runoff volume, or change the location of a storm water runoff discharge point, provisions such as procedures for retention, detention, and energy dissipation must be made to protect downstream property from erosion and flooding. Approval of any such procedure will not create liability on the part of the City, any officer or employee thereof for any erosion or flood damage that may occur to property whether downstream or not;
 - (p) the location of existing and proposed fire hydrants within 250 feet of the proposed buildings or structures; and
 - (q) a signature block with space for signatures for the approval of the Director of Community Development or Hearing Examiner, whichever is appropriate depending on the method of approval;
- (5) architectural drawings, drawn to scale, of all exterior elevations with exterior surfaces and colors specified;
 - (6) a topographic map delineating contours, existing and proposed, at intervals of five (5) feet and locating existing streams, marshes, and other natural features;
 - (7) a landscape plan drawn to a scale of at least one (1) inch equals 40 feet which may be combined with the site plan showing the location and description of landscaped areas;
 - (8) a vicinity map; and
 - (9) the existing zoning district of the proposed development site and any other zoning district adjacent to the site. (Ord. 25-08 §1, 2025).

17.135.070 Review Criteria.

The SPRC and Director of Community Development or the Hearing Examiner on appeal or referral will base its review, findings, and decisions on the following:

- (1) the goals, policies, and standards of the Comprehensive Plan;
- (2) the specific requirements, guidelines, and provisions relating to the zoning district in which the property is located, including special requirements applicable to any use or area including all overlay zoning districts;

- (3) the relationship between buildings and structures and open space, and the harmonious setting of buildings and structures in relation to other buildings and structures in the vicinity;
- (4) environmental concerns which have resulted in a Determination of Significance under the SEPA;
- (5) the impact of the proposed use on pedestrian and vehicular circulation;
- (6) protection of neighboring owners, uses, and properties from adverse effects of the proposal;
- (7) assurance that the grading plan provides for minimum impact on the property proposed to be developed and surrounding properties. Cut slopes, fill slopes, and cuts and fills may require a retaining wall or other protection as required by the provisions of the City of Pullman Design Standards.
- (8) the adequacy of existing public water and sewer lines to accommodate increased demand created by the proposed development. If lines are inadequate, the Development Engineer may require the applicant to improve or replace existing public sewer and water lines at no cost to the City.
- (9) the adequacy of existing and proposed fire hydrants. Additional fire hydrants may be required along adjoining streets or within the development when determined necessary by the Fire Marshal in accordance with the International Fire Code and the guidelines published by the Insurance Service Office. All fire hydrants and water lines serving fire hydrants and their respective easements will be dedicated for City use and maintenance.
- (10) conformity with the City of Pullman Design Standards as now existing or as amended.
- (11) the fiscal impact of the proposed development on the City. (Ord25-08 §1, 2025).

17.135.080 Limitations.

In carrying out the authority and duties assigned by this Chapter, the SPRC, Director of Community Development or Hearing Examiner will observe the following limitations:

- (1) review must not be of land use decisions or construction code decisions, but will be restricted to a prompt, reasonable, and professional review of the proposal and plans, leaving full responsibility for design and development to the applicant. Any required changes to the proposal and plans will be made by the applicant, not by staff, the SPRC, Director of Community Development, or the Hearing Examiner.
- (2) only the applicant's failure to provide the necessary elements required for review in PCC 17.135.060 and to satisfy the criteria described in PCC 17.135.070 will justify disapproval of a proposal.
- (3) account will be taken of cost considerations, but these considerations will not be overriding.
- (4) modifications and conditions will be limited to changing and/or adding the following:

- (a) the location, dimensions of, and the types of improvements to be made on property to be dedicated to the public or for public utilities including, but not limited to, street rights-of-way and utility easements;
- (b) the location, size, and dimensions of yards, courtyards, setbacks, and all other open spaces between buildings and structures;
- (c) the location, dimensions, and types of driveways, curbs, gutters, parking areas, walkways, means of ingress and egress, and drainage;
- (d) the location, size, bulk, exterior surfaces, height, and number of stories of all buildings and structures, including signs and fences;
- (e) the location, size, dimensions, and materials used in landscaped areas;
- (f) the extent of grading conducted at the site to observe the provisions of PCC 17.35.085 and to reduce impacts on surrounding properties;
- (g) the location, size, dimensions, materials, and screening of refuse facilities;
- (h) the proposal to require the installation or improvement to City standards of adjacent streets, including paving, curbs, gutters, sidewalks, street lighting, storm drainage, turn lanes, signage, and signals when the Director of Public Works determines that traffic movements generated by the new private development warrant such installation or improvement. (Ord. 25-08 §1, 2025).

Chapter 17.170

PUBLIC HEARINGS AND NOTICE

Sections:

- 17.170.010 Purpose.
- 17.170.020 Notice.
- 17.170.030 Procedure.
- 17.170.040 Consolidation.

17.170.010 Purpose.

This Chapter is to set minimum standards for public hearings which apply whenever a public hearing is required by this Title. Other provisions of this Title may set additional requirements, such as different periods of time or additional methods of giving notice. (Ord. 25-08 §1, 2025).

17.170.020 Notice.

- (1) *Notice Procedure for Quasi-judicial Hearing.* Whenever a quasi-judicial public hearing is required by this Title, notice of the public hearing will be given at least 10 days before the hearing by each of the following methods:
 - (a) *Mailing.* Notice will be mailed by the City to:
 - (i) applicant or appellant, and/or owner of the property involved;
 - (ii) property owners as shown on the records of the County Assessor and to street addresses of property located within 300 feet of the property involved in the proposal. Failure of any person to receive said notice will not invalidate any proceedings in connection with the proposal.
 - (b) *Publication.* The City will publish the notice in a newspaper of general circulation in the City. If the Director of Community Development determines that the change is significant enough to warrant additional notice, they may also give notice of the proposal by other means, such as newspaper display advertisement.
 - (c) *Posting.* The City will post notice of the date, time, place, and purpose of the public hearing in a noticeable place on the property involved in the proposal or at a location immediately adjacent to said property that provides maximum visibility to motorists and pedestrians in the area.
- (2) *Notice Procedure for Legislative Hearing.* Whenever a legislative public hearing is required by this Title, the City will give notice of the public hearing at least 10 days before the hearing by means of PCC 17.170.020(1)(b).
- (3) *Contents of Notice for Quasi-judicial or Legislative Hearing.* The notice given pursuant to PCC 17.170.020(1) and PCC 17.170.020(2) will contain at least the following:
 - (a) a general description of the proposal;
 - (b) a nonlegal description or map sufficient to identify the location of the property including the street address, if applicable;

- (c) the date, time, place, and purpose of the hearing;
- (d) the place where further information is available;
- (e) a statement that oral comments at the hearing may be subject to a time limit, and an invitation to submit written comments before the hearing, or oral comments at the hearing;
- (f) a statement of the action expected to be taken at the hearing. (Ord. 25-08 §1, 2025).

17.170.030 Procedure.

- (1) *Opening of Public Hearing.* The person presiding at the hearing will declare the public hearing open.
- (2) *Staff Report.* The staff will present its report, and answer questions from the person or members of the body holding the hearing.
- (3) *Public Testimony.* If the hearing is quasi-judicial in nature, the person presiding at the hearing will ask all members of the hearing body questions concerning their ability to fairly hear the matter to be heard. The applicant, and/or their representatives, if any, will speak first. If the hearing is an appeal filed by a person other than the applicant, that person will speak first and then the applicant will be allowed to speak. After both the proponents and opponents of a proposal or appeal have presented their cases, any interested person who is neutral as to the proposal or appeal may be heard. After all interested persons have had a fair opportunity to speak and respond to other speakers, the person presiding over the hearing will declare the public hearing either continued or closed.

Any hearing may be continued to a date, time, and place certain to obtain information needed for a proper decision for the presentation of written or formal findings and conclusions, or for other good cause. No further notice of the continued hearing will be required if the hearing is continued to a date, time, and place certain.

- (4) *Relevant Speech and Material.* A person may speak or submit material on any relevant subject. A subject is relevant if it is related to the proposal being reviewed, and the findings and review criteria required by this Title. The person presiding at a hearing may exclude speech and material which is not relevant or respectful.
- (5) *Time Limits.* The person or body holding a hearing may impose reasonable time limits for persons speaking during a hearing.
- (6) *Rules of Procedure.* The person or body holding a hearing may adopt rules of procedure to supplement this Section. However, formal rules of evidence or procedure followed by a court of law will not be applicable to hearings conducted in accordance with the requirements of this Title.
- (7) *Discussion.* The person or members of the body holding a hearing may ask questions of the staff or any other person after a hearing is closed for public testimony. However, if

these questions raise relevant new material and that material is discussed, the public hearing may be reopened for testimony on the relevant new material not presented previously.

- (8) *Decision.* The decision of the person or body holding a hearing will be made after the hearing is closed for public testimony. For the Director of Community Development and other staff, the decision will be made within 14 days after the hearing was closed for public testimony. For the Hearing Examiner, Commission, and Council, the decision will be made within 90 days of the day the hearing was closed for public testimony. The decision will be made after due deliberation and will be based on the relationship of the proposal to the appropriate standards and criteria of this Title. The decision will be supported by appropriate findings and conclusions. The decision will be reported in writing promptly to the applicant, or appellant if any, and any other person requesting a copy of the decision.
- (9) *Records.* The Director of Community Development will keep a permanent record of all public hearings including a verbatim tape recording of the hearing, summary minutes, and all exhibits including staff reports. (Ord. 25-08 §1, 2025).

17.170.040 Consolidation.

For each separate project permit application, the City will conduct no more than one (1) open record hearing and one (1) closed record appeal in accordance with RCW 36.70B, as it now exists or may be amended. If certain provisions in this Title create uncertainty as to how this requirement should be accomplished, the Director of Community Development will determine the proper procedures to utilize for a particular project permit application to comply with this Section. (Ord. 25-08 §1, 2025).

Chapter 17.175

APPLICATION AND STAFF REVIEW

Sections:

- 17.175.010 Purpose.
- 17.175.020 Burden of Proof.
- 17.175.030 Application.
- 17.175.040 Staff Analysis and Report.
- 17.175.050 Staff Decision.

17.175.010 Purpose.

This Chapter is to describe the application requirements and staff review procedures for all permits or approvals required by this Title. (Ord. 25-08 §1, 2025).

17.175.020 Burden of Proof.

The applicant has the responsibility of proving that under the provisions of this Title, they are entitled to the requested action. (Ord. 25-08 §1, 2025).

17.175.030 Application.

- (1) *Filing.* All applications will be filed with the Department of Community Development unless a state statute or rule requires otherwise. The Department of Community Development will provide the appropriate application form. Application fees as set by Council resolution will be paid to the City at the time of filing the application.
- (2) *Date of Filing.* The Director of Community Development will review all applications and accept for filing only those which include all the information required for the specific application being submitted. The date of filing will be the date the application is accepted as complete. When an Environmental Impact Statement is required or a Proposed Negative Declaration is made pursuant to Chapter 16.39 Environmental (SEPA) Procedure, the date of filing will be the day on which the Final Environmental Impact Statement is filed by the applicant or the Final Negative Declaration is filed by the Director of Community Development.
- (3) *Required Material.*
 - (a) The applicant will provide the following information for all applications:
 - (i) the applicant's name and address; and,
 - (ii) the owner's name, address, proof of ownership, and written consent if the applicant is not the owner.
 - (b) Applicants for changes to the Comprehensive Plan, rezones, conditional use permits, special use permits for historic structures, variances, and townhouse developments will provide the location by address and legal description of the site.

- (c) Applicants for conditional use permits, special use permits for historic structures, and variances will provide a plot plan that shows the proposed layout of site development, showing all existing and proposed structures.
 - (d) Applicants for changes to the Comprehensive Plan, rezones, conditional use permits, special use permits for historic structures, and variances will provide written findings of fact related to the application.
 - (e) An application fee established pursuant to PCC 17.10.060.
- (4) *Initiation.* The City or a representative thereof, or an owner or authorized agent thereof may file an application relative to a particular property. Applications for text amendments will be initiated only by application of the Director of Community Development, motion of the Commission, or motion of the Council. (Ord. 25-08 §1, 2025).

17.175.040 Staff Analysis and Report.

- (1) If a public hearing is to be held on an application, the Director of Community Development will visit the site and prepare a staff report, a copy of which will be provided to the applicant and the person or body holding the hearing, and made available to the public before the hearing. The report will contain an analysis of the proposal, including a comparison of the proposal to the criteria and standards contained in this Title for the type of application being reviewed. The report will also contain proposed findings of fact and conclusions. The Director of Community Development will summarize the comments of other divisions or departments, if any, and incorporate them in the staff analysis, or attach them to the report if the comments are lengthy or complex.
- (2) If no hearing is to be held on the application, the staff will make written findings and conclusions as to whether the proposal meets the standards and criteria of this Title. This document will be available for public review. (Ord. 25-08 §1, 2025).

17.175.050 Staff Decision.

- (1) *Scope.* The following permits and approvals are reviewed under this procedure:
 - (a) extensions of time for conditional use permits, variances, PRDs, and PUDs;
 - (b) expansions of approved conditional uses pursuant to PCC 17.125.050;
 - (c) minor changes to approved site plans which stand alone or are in conjunction with conditional use permits, variances, PRDs, and PUDs;
 - (d) administrative variances pursuant to PCC 17.130.040;
 - (e) joint use of parking pursuant to PCC 17.40.070(2);
 - (f) accessory television or radio aerials, antennae, or transmission towers that are greater than the maximum height restriction of the residential zoning district in which they are to be located but less than 70 feet in height;
 - (g) such other matters as specifically referred by this Title

- (2) *Procedure.* The Director of Community Development will make a decision, based upon written findings and conclusions, within 60 days from the date of filing of an application whether to approve, conditionally approve, or deny the application.
- (a) *Notice.* The Director of Community Development will publish notice of the decision in a newspaper of general circulation in the City. Said notice will contain at least the following:
- (i) a general description of the proposal and the Director of Community Development's decision;
 - (ii) a nonlegal description or map of the location of the property including the street address, if there is one;
 - (iii) reference to the place where further information is available; and
 - (iv) a statement that the Director of Community Development's decision may be appealed in accordance with the provisions of PCC 17.185, including a notation as to the date on which the appeal period ends.
- (b) *Appeal.* If a valid appeal is filed within 10 days of the date of publication of the notice described in PCC 17.175.050(2)(a), then the appeal procedures described in PCC 17.185 will apply. (Ord. 25-08 §1, 2025).

Chapter 17.180

HEARING EXAMINER, PLANNING COMMISSION AND CITY COUNCIL REVIEW

Sections:

- 17.180.010 Purpose.
- 17.180.020 Burden of Proof.
- 17.180.030 Hearing Examiner and Planning Commission Review.
- 17.180.040 City Council Action on Recommendations.

17.180.010 Purpose.

This Chapter is to establish review procedures for all permits and approvals required by this Title which are not reserved for staff action under PCC 17.175. (Ord. 25-08 §1, 2025).

17.180.020 Burden of Proof.

The applicant has the responsibility of proving to the hearing body (Hearing Examiner, Commission, and/or Council) that, under the provisions of this Title, are entitled to the requested action; provided, however, that in the case of an appeal, the appellant has the responsibility of proving to the Hearing Examiner that the decision from which the appeal is taken was incorrect. (Ord. 25-08 §1, 2025).

17.180.030 Hearing Examiner and Planning Commission Review.

The Hearing Examiner and Commission will:

- (1) review all information in the official file for the project provided by the Department of Community Development, including the application, staff report, and environmental checklist; during a hearing, the hearing body, accompanied by the Director of Community Development, may visit the project site;
- (2) hold a public hearing as provided in PCC 17.170 within 90 days of the date of filing of the application. (Ord. 25-08 §1, 2025).

17.180.040 City Council Action on Recommendations.

- (1) *Normal Review.* Recommendations from the Commission will be forwarded to the Council within 14 days from the date of the recommendation. Thereafter, the Council will consider a recommendation at a public meeting within 60 days from receipt of the recommendation. At said public meeting, the Council will approve, modify, conditionally approve, deny, or remand the proposal. In the event of a remand, the Council will specify the time that the Commission will report back its findings and recommendations to the Council.
- (2) *Findings, Conclusions, and Decisions.* The Council's decision will be supported by findings and conclusions based upon the record before Council, and on the required standards and criteria of this Title governing the type of application being reviewed. The Council action will be final and will be put into writing by either ordinance, resolution, or minutes, as appropriate, and will state any conditions placed on an approval; provided, however, that decisions on rezones and text amendments made pursuant to this Title will be adopted by ordinance. (Ord. 25-08 §1, 2025).

Chapter 17.185

APPEALS AND COURT REVIEW

Sections:

- 17.185.010 Purpose.
- 17.185.020 Appealable Staff Decisions.
- 17.185.030 Appeal Procedure.
- 17.185.040 Court Review.

17.185.010 Purpose.

This Chapter is to provide the basic procedure for processing appeals. Decisions made pursuant to this Title, and Title 5, Health and Sanitation, may be appealed as provided in this Chapter unless specific provisions of this Title or Title 5 provide otherwise. (Ord. 25-08 §1, 2025).

17.185.020 Appealable Staff Decisions.

Any aggrieved party may appeal staff administrative decisions on the following matters to the Hearing Examiner;

- (1) classifications of uses not specified in the Use Chart, PCC 17.70.030;
- (2) interpretations of the Official Zoning Map;
- (3) interpretations of the text of this Title;
- (4) approved site plans reviewed under the provisions of PCC 17.135;
- (5) permits or approvals required by this Title;
- (6) Notices of Violation and Orders to Correct or Cease Activity;
- (7) nuisance abatement and abatement costs arising from Title 5, Health and Sanitation, of the Pullman City Code. (Ord. 25-08 §1, 2025).

17.185.030 Appeal Procedure.

- (1) *Written Appeal.* Appeals will be written and will include the following:
 - (a) The name of the project applicant and the date of the decision, or the name of the person who has received a Notice to Abate under PCC 5.01.080 and the date of the notice;
 - (b) The name and address of the person appealing, and their interest in the matter;
 - (c) A brief statement of the specific action being appealed, together with any material facts claimed to support the contentions of the appellant;
 - (d) A brief statement of the relief sought and the reasons why it is claimed the action appealed from should be reversed, modified, or otherwise set aside; and
 - (f) An appeal fee established pursuant to PCC 17.10.060.

(2) *Filing the Appeal.*

- (a) In actions arising under this Title, the appellant will file an appeal with the Department of Community Development within 10 days after the date of the decision being appealed.
- (b) In actions arising under PCC Title 5, the appellant will file an appeal with the City Clerk within five (5) days after the date of the Notice of Abate.

(3) *Rejection of Appeal.* If an appeal is not filed correctly because some required materials listed in subsection (1) have not been submitted on time, the City Administrator or their designee can reject the appeal. In this case, the City Administrator or designee will notify the person appealing in writing, explaining why the appeal was rejected and what was missing

Nothing in this section will be construed to limit the City's authority to proceed with summary abatement under PCC 5.01.120.

(4) *Stay of Proceedings.* If an appeal is properly filed within the time limit, the appealed decision will be suspended, and no further action which is the subject of the appeal may be taken until the appeal is decided, but if a suspension would cause imminent peril to life or property, development action may be continued only by an order issued by the Hearing Examiner or by a court of competent jurisdiction.

(5) *Department Action.*

- (a) If an appeal relating to this Title, is properly filed within the time limit, the Director of Community Development will:
 - (i) Set the hearing date within 90 days of the date the appeal was filed;
 - (ii) Give notice of the hearing as specified in PCC 17.170.020; and
 - (iii) Provide the Hearing Examiner with copies of the staff report, minutes if any, the decision, a preliminary response to the appeal, and other relevant material. The project applicant, appellant, and other interested parties who have made requests to the Department of Community Development will be notified in writing when these materials are filed and that they may be reviewed and/or copied at the expense of the persons wishing to do so.
- (b) If an appeal related to PCC Title 5, Health and Sanitation, is properly filed within the time limit, the City will set the date and give notice of hearing on the appeal for the earliest practicable date, but not more than 30 calendar days from the date the written appeal was filed.

(6) *Hearing Examiner Review.*

- (a) On matters related to this Title:
 - (i) The Hearing Examiner will hold a public hearing on the appeal as provided in Chapter PCC 17.170.

- (ii) The Hearing Examiner will base their decision on the same standards and criteria described in this Title for the original decision.
 - (iii) The Hearing Examiner may affirm, modify, or reverse the action of the staff.
 - (iv) The decision of the Hearing Examiner will include any conditions placed on the approval if approval is granted.
 - (v) The decision of the Hearing Examiner will be final and conclusive, unless within 21 days from the date of the decision the project applicant, appellant, or an aggrieved person files with the Superior Court of Whitman County a land use petition in accordance with Chapter 36.70C RCW, as it now exists or may be amended.
- (b) On matters related to PCC Title 5, Health and Sanitation:
 - (i) The Hearing Examiner will hold a public hearing on the appeal of the Notice to Abate under the procedures established in PCC 17.170.030, except as stated in this section. The Hearing Examiner may affirm, modify, or reverse the Notice to Abate.
 - (ii) The City will have the burden of proof to demonstrate by a majority of the evidence that a violation has occurred and that the required corrective action is reasonable.
 - (iii) The determination of the applicable Responsible Official as to the need for the required corrective action will be given substantial weight by the Hearing Examiner in determining the reasonableness of the required corrective action.
 - (iv) If the Hearing Examiner determines that a violation of PCC Title 5 has occurred, the Hearing Examiner will issue an order to the person responsible for the violation which contains the following:
 - (aa) The Hearing Examiner's decision on the Notice to Abate, including findings of fact and conclusions based thereon in support of the decision;
 - (bb) The required corrective action, with any modifications expressly stated; and
 - (cc) The date and time at which the City may proceed with abatement of the violation if the required corrective action is not completed;
 - (v) A copy of the Hearing Examiner's Order will be sent via U.S. Mail to the last known owner as listed in the tax records of Whitman County, if the owner is not a party to the appeal. (Ord. 25-08 §1, 2025).

17.185.040 Court Review.

Unless stated otherwise by law, any final decision or action that doesn't have a specific appeal process in this Title, and for which all other allowed appeals have been completed on time, can be reviewed by the Superior Court of Whitman County. To do this, a land use petition must be filed under RCW 36.70C within 21 days of the final decision or action. The person filing the appeal will need to cover the cost of copying and certifying any records required by the court for the review. (Ord. 25-08 §1, 2025).