

November 28, 2005



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## Newsletter marks first anniversary

It may not seem like it yet for all of you loyal readers who have been with us from the beginning, but this issue marks the one-year anniversary of the Planning Department Newsletter. Hopefully



this bulletin is helping to keep you abreast of the various community development events that have been occurring in and around the city. Over the past 12 months, we have

reported on the changing status of the proposed Wal-Mart store, the establishment of a record-breaking number of new residential lots in the city, the Grand Avenue resurfacing project, significant new developments at such places as Bishop Place assisted living facility and the historic Greystone Church, joint city meetings with Whitman County and with Moscow, zoning code regulations pertaining to such matters as manufactured homes and residential occupancy, community efforts expended to protect local environmental resources, our increasing

population figures, and personnel profiles, among other things.

With each newsletter, we ask for your comments and suggestions. The vast majority of feedback has been very positive. People tell us they appreciate the newsletter because it provides interesting and helpful information that is delivered in a convenient manner.

The distribution of last month's newsletter generated some good suggestions for improvement. When we emailed the October edition, all of the newsletter recipient names were displayed in the "To:" section of the message. Two of our readers wrote that they would prefer that these names not appear in the email communication due to privacy concerns. Accordingly, we will henceforth send newsletter emails without showing the list of recipients.

The other comment was that it would be better if the department posted the newsletter to the city's website and then provided a link to this site through our monthly email message rather than providing the newsletter as a bulky portable

*This issue marks the beginning of the second year of publication of the City of Pullman Planning Department Newsletter. We are gratified to have more than 120 email subscribers and regular readers of the city website edition.*

See **Anniversary** on page 6

## Update on proposed Wal-Mart

As reported in last month's newsletter, the Pullman Alliance for Responsible Development (PARD) filed an appeal on October 3 of the city's decision to conditionally approve the site plan application for the proposed Wal-Mart Supercenter in Pullman. On September 7, PARD submitted an appeal of the city's Final Determination of Nonsignificance for the proposed store under the State Environmental Policy Act (SEPA) rules.

According to the Pullman City Code, when appeals are filed for the same proposal regarding both SEPA and site plan provisions, the appeals are combined for review by the city hearing examiner. By state and local law, no more than one open record public hearing may be conducted by the hearing examiner on these two appeals. If a public hearing is to be held on these matters, it is possible that it will be conducted in December, although a more likely time frame is sometime during the month of January.

Future issues of this newsletter will continue to provide information about the status of these appeals.

## Enforcement of residential occupancy rules

Did the October Planning Department Newsletter article on residential occupancy regulations spark your interest? The article provided a brief overview of the city of Pullman occupancy regulations, zoning districts within which the occupancy rules apply and a background for why the regulations were adopted. If you are interested in learning more about the occupancy rules please visit the city webpage at <http://www.pullman-wa.gov/>. The regulations can be found in Zoning Code Section 17.75.075 or an "Over-occupancy" brochure is available for viewing on the planning department webpage.

It was also mentioned in the October article that enforcement of the residential occupancy regulations is one of the more challenging tasks administered by the planning department. The following questions and answers provide information on this topic.

### *How does the city learn of possible residential occupancy violations?*

There are several different means by which these violations are brought to the attention of planning staff. Generally, the city is notified of a potential violation in three different ways:

1) a concerned neighbor

contacts the city with a complaint and typically mentions excess cars at the location, loud parties, lots of people, etc.;

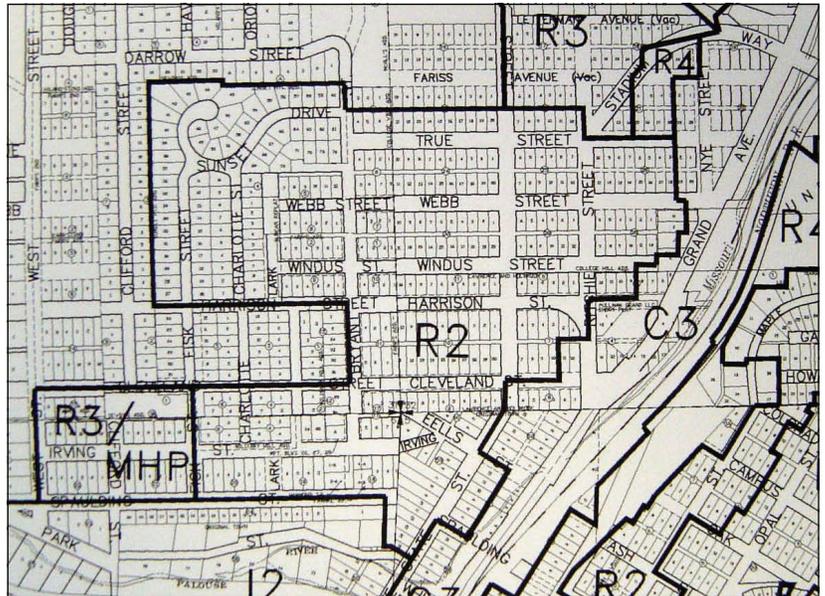
- 2) a tenant in the home contacts the city in order to get out of a negative living situation and many times these situations are brought on by too many people occupying the structure; and
- 3) city staff observes activity at a site that calls into question the number of residents there.

See **Occupancy** on page 4

## Updated zoning map available

As fast as Pullman has been growing lately, it's been difficult for planning department staff to amend the city's zoning map to keep up with all of the changes. However, we recently accomplished this task, and copies of the revised zoning map are now available at the department's office in City Hall. The cost of the map is 80¢.

**Revised zoning map are now available at the department's office in City Hall. The cost of the map is 80¢.**



*A detail view of the city zoning map.*

In addition to showing each of the various zoning districts in town, the map displays the city limits and all of the roads

and subdivided lots in the community. It is quite a handy reference for those folks who work in a field related to

real estate or for anyone who has an interest in local planning issues.



*An example of the new larger signs that are now being posted by the planning department.*

## New public notice signs in use

Over the past few years, some citizens have expressed interest in larger public notice signs to announce upcoming meetings on proposed developments in Pullman. In response, the city is now posting four-foot-high by four-foot-wide signs at sites where applicants are requesting certain zoning code approvals. These larger signs are designed to be readable from a distance of about 100 feet. They state that a public hearing has been scheduled for a particular issue, and include a plastic case that contains copies of the legal hearing notice specifying the time, place, and subject of the meeting.

We hope these new signs will be helpful for neighborhood residents and others who may have an interest in a particular proposal. The city will continue to use other types of signs to let the public know about certain decisions and events, but these larger signs will be used as part of the city's efforts to keep the public well informed.

**Occupancy** *(continued from page 2)*

***How does planning staff enforce these regulations?***

When the planning department is notified of a possible occupancy violation, several steps can be taken. Typically staff will conduct an initial site visit and discuss with the tenant the number of unrelated persons living together in the structure. During this visit, staff tries to gather as much information about the living situation as possible (e.g., the relationships of the tenants, the number of dwelling units in the structure, and possibly the names of the tenants). All of this information is voluntary and staff makes this clear to the tenants. Site visits are generally very informative and staff can usually conclude if a violation is taking place. If the tenants do not feel comfortable sharing information, staff may also talk to neighbors, contact the property owner or utilize other available means to determine the number of residents in the dwelling.

If a residential occupancy violation is found, the city will contact the owner of the home and work out a resolution. A final date for compliance is agreed upon – usually two to three months from the date the violation is found – and a notice of violation is sent to the owner with a deadline for compliance. Once the violation is purportedly resolved, the city requests a site visit to enter the home and verify the number of

tenants living in the house. A lease is often requested as well to ensure the allowable number of tenants have agreed to the document.

***What is the success rate of the city's enforcement efforts?***

As mentioned above, it is very difficult to regulate residential occupancy violations. Tenants, their friends, and their

significant others can move in and out of these locations at any time; tenants can give false information when the city conducts a

site visit and they can choose not to answer any of staff's questions. Staff does not have the right to enter the premises or require the tenants to answer questions, or to demand copies of the leases from the owner or property manager. Typically new leases are started with a whole new group of individuals each year and violations may start again.

The planning department took pro-active measures this last school year regarding residential occupancy cases. Letters were sent to all of the rental agencies in Pullman notifying them of the residential occupancy limits, letters were

sent to the property owners of homes that were in violation in the past and brochures were posted in the planning department at City Hall. Recently, staff visited all of the houses with outstanding violations, and those with violations that were tentatively resolved in the last year.

Thus far in 2005, seven

occupancy cases were resolved. Nine cases are currently pending. Of the nine cases, five notices of violation were sent out to the owners

and four of the cases need further research. Three of the five owners of homes that were presented with notices of violation are appealing the city's action.

The planning department continues to be pro-active in educating the community regarding the residential occupancy regulations and continues to act on violations that are brought to our attention. If you have any questions or comments regarding these regulations, please feel free to contact us.



## Pending land use applications



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

PROJECT	DESCRIPTION	LOCATION	STATUS
Zoning Code Text Amendment	allow radio and television studios in C1 districts	C1 districts citywide	PC recommended approval; CC meeting date undetermined
Comprehensive Plan and Zoning Code Amendment	create new mixed use zoning district	citywide	staff conducting research; PC discussion of concepts scheduled for 12/14
Airport Property South Annexation	annex 170 acres to city in C3 pre-zone district	south of Pullman-Moscow Airport	PC recommended approval; awaiting legal description
Hinrichs Annexation	annex 37 acres to city in R2 pre-zone district	west of Sunnyside Park and north of Old Wawawai Road	CC accepted annexation notice; city awaiting petition
Shompole Annexation	annex 2 acres to city (no pre-zone designation)	352 Johnson Road	CC accepted annexation notice; city awaiting petition
Fairbanks Annexation	annex 58 acres to city in R2 and C3 pre-zone districts	north of city limits and west of State Route 27 (Palouse Highway)	PC recommended approval; CC meeting scheduled for 11/29
Meadow Creek Subdivision Preliminary Plat	divide 10.0 acres into 33 lots and public streets in R1 district	south of high school on south side of 500 block of NW Larry Street	PC recommended approval; CC mtg scheduled for 11/29
Big Sky Subdivision Preliminary Plat	divide 7.3 acres into 30 lots in R2 district	west of Sunnyside Park and north of Old Wawawai Road	staff requested applicant to submit wetland documentation
Sunnyside Heights Subdivision No. 6 Preliminary Plat	divide 11.6 acres into 38 lots in R1 and R2 districts	southeast of intersection of SW Center Street and Itani Drive	staff reviewing application; PC hearing scheduled for 12/14
Hinrichs Zone Change (Z-04-3)	rezone 38.3 acres from R3 to R2	south end of SW Golden Hills Drive	PC recommended approval; CC meeting date undetermined
Radio Palouse Zone Change (Z-05-1)	change prezone of 9,000-sq-ft parcel from R2 to C1	west of Sunnyside Park and north of Old Wawawai Road	PC recommended approval; CC meeting date undetermined
Oak Street Zone Change (Z-05-3)	rezone 18,000 square feet from R2 to R4	400 and 420 NE Oak Street	staff reviewing application
Appeal of Notice of Violation (A-05-1)	appeal of violation notice citing 6 unrelated residents at house in R2 district	1025 NE Duncan Lane	BOA hearing scheduled for 12/19
Appeal of Notice of Violation (A-05-2)	appeal of violation notice citing 5 unrelated residents at house in R2 district	410 NE Colorado Street	BOA hearing scheduled for 12/19
Appeal of Notice of Violation (A-05-3)	appeal of violation notice citing 6 unrelated residents at house in R2 district	400 NE Oak Street	BOA hearing scheduled for 12/19
Appeal of Notice of Violation (A-05-4)	appeal of violation notice citing 3 dwellings on 6,500 square-ft lot in R2 district	645 SE Taylor Street	BOA hearing scheduled for 12/19
Wal-Mart Supercenter SEPA determination and site plan	develop 223,000-sq-ft store on a 28-acre site	south of SE Harvest Drive/ Bishop Boulevard intersection	staff decisions appealed to city hearing examiner
R.B. Olson Storage Units site plan (05-13)	install 7 storage units on a 20,350-sq-ft parcel	300 SE Fairmount Road	staff requested applicant to revise site plan
Valley Road Apartments site plan (05-18)	develop 7 apartments on a 10,832-sq-ft lot	1245 NE Valley Road	staff requested applicant to revise site plan
North Campus Heights Apartments Expansion site plan (05-19)	develop 42 additional apartments at North Campus Heights complex	1540 NE Merman Drive	staff requested applicant to revise site plan
State Street Townhomes site plan (05-20)	construct 4 townhouses on a 14,800-square-foot parcel	540 SW State Street	staff requested applicant to revise site plan
Kenwood Square Storage Building site plan (05-23)	construct a 468-sq-ft storage building at Kenwood Square apartment complex	225 NW Nye Street	staff requested applicant to revise site plan

**Pending land use applications** *continued from page 5*

Courtyard Heights Apartments site plan (05-24)	construct an 8-unit apartment house on 10,424-sq-ft lot with parking on nearby parcel	1020 NE B Street	staff reviewing site plan
River Trail Apartments site plan (05-25)	Build a 30-unit apartment building above commercial space on a 30, 197-sq-ft lot	1240 SE Latah Street	staff requested applicant to revise site plan
SEL Corporate Headquarters site plan (05-26)	Develop 107,000-sq-ft office and conference center on a 9.5 acre parcel	545 NE Terre View Drive	staff requested applicant to revise site plan
Cedar Pointe Condominiums site plan (05-29)	develop 9 condominiums on a 26,528-sq-ft-parcel	2115 NE Westwood Drive	staff requested applicant to revise site plan
Clearwire Cellular Antenna site plan (05-30)	install cellular antenna assembly on grain elevator	410 NW State Street	staff reviewing site plan
SEL Parking Lot sit plan (05-31)	create a 169-stall parking lot on a 2.4-acre parcel	between 2350 and 2390 NE Hopkins Court	staff reviewing site plan

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

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

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

**Anniversary** *continued from page 1*

document file (PDF) attachment. Since the city already places each edition of the newsletter on the city's website, this modification was an easy one to make. Starting with this month's edition, we have made this change.

Also, a couple months ago, we received a suggestion to supply a paper copy of each newsletter at Neill Public Library for those who do not have ready access to email. We have followed through on this recommendation, starting with our September issue.

Thanks to all of you who have provided input on the newsletter. We're always looking to improve upon this communication device so it continues to be a useful document for our subscribers.

**Your comments, questions and suggestions are always welcome.**





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This newsletter is an occasional and voluntary publication of the planning department and does not take the place of official notices required by law. Information provided in this newsletter is subject to change. Please contact the planning department or review official notices distributed by the city to confirm the information contained herein.

For any readers who are not currently receiving this newsletter by email and who wish to register for this service, please contact the planning department for assistance.

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**WWW.PULLMAN-WA.GOV**

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