

1. **Call to Order and Roll Call**
2. **Approve Agenda**
3. **Public Comments Update**
4. **Public Comment**

The City Council welcomes public attendance at Council meetings. This meeting is for the conduct of regular City business. RCW 42.17A.555 prohibits government agencies from allowing the use of public facilities, directly or indirectly, for campaign purposes. At this time, citizen comments and inquiries about agenda business or general City matters are encouraged. If you wish to address the City Council, please stand or raise a hand so you can be called upon. After you are recognized, please come forward to the lectern and state your name for the public record. Your remarks must be limited to three minutes or less. Please use the microphone.

5. **Discussion**

- a. [AB 25-065: \[Proposed\] Resolution 2025-51 Metropolitan Park District Rescinding Resolution 2025-50.](#)
- b. [AB 25-066: Discussion regarding Home Occupations.](#)

6. **Adjournment**

Next Regular Council Meeting Will Be Held on August 11, 2025.

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Request for Council Action

Agenda Bill No.: 25-065

Meeting Date:	August 04, 2025
Subject:	Metropolitan Park District
Attachments:	Resolution 2025-51, 7/29/2025 Email from City Manager Ford
Presented by:	Adam Vaughn, Finance Director
Approved for Agenda by:	Dan Ford, City Manager

Discussion:

Information continues to develop with outside groups and their involvement with the City's Swimming Pool. After adoption of resolution 2025-50, placing the Metropolitan Park District on the November 2025 ballot, City staff met with representatives from the Friends of Toppenish Pool and worked on a plan to meet the needs of both City Parks, and recreational/aquatics services. This group is interested in taking ownership of the pool as well as working with the City in reconsidering the Metropolitan Parks District to both include the pool and expand the voting boundary to that of the school district. A larger area involving more participants would allow the group to lower the taxable amount from .75 to .50 but also include the pool. This would allow the Friends of Toppenish Pool (CSN) to promote this effort providing a higher, we believe, opportunity for success.

The School District's boundaries have an assessed valuation of \$1.2 billion compared to the City's at \$581 million. At a levy amount of \$.50 per \$1,000 the district would generate about \$600,000 if it included the school district's boundaries. We would see support for the initiative from an outside entity (Friends of Toppenish Pool) that could advocate and promote the measure in ways that City staff and Elected Officials could not.

We continue to work with Dan Heid, our City Attorney, to understand the various obligations we need to follow if we were to sell the swimming pool. He has also talked about the interlocal agreement as being a means to allocate funding to the pool through the district, even with the City potentially no longer owning it. We believe this can work well for everyone involved and we have also had a brief discussion with Yakima County Commission Linde, and he is in support of taking this to the voters. Farm Workers and the Friends of Toppenish Pool (CSN) representatives will take this to Yakima County to gain their support.

This path would remove the current measure from the November 2025 election, and a new measure with the combined area would be considered at either the February or April 2026 election.

Recommendation:

Approve Resolution 2025-51 repealing City council resolution 2025-50 in its entirety.

Alternatives:

Do not approve, leave the Metropolitan Park District ballot measure as is for consideration at the November 2025 election.

RESOLUTION NO. 2025-51

**A RESOLUTION OF THE CITY OF TOPPENISH CITY COUNCIL
RESCINDING ITS RESOLUTION NO. 2025-50 REGARDING A
PROPOSITION FOR THE FORMATION OF A METROPOLITAN
PARK DISTRICT.**

WHEREAS, on July 28, 2025, at its regularly scheduled meeting, the Toppenish City Council passed its Resolution No. 2025-50, which proposed creating a Metropolitan Park District within the boundaries of the City, which if approved would have created a Metropolitan Park District within the corporate boundaries of the City and provided for the authority to levy general tax dollars in the amount not to exceed \$.75 per thousand dollars assessed valuation for the support of the parks within the City; and

WHEREAS, shortly after the passage of said resolution, the City of Toppenish was approached by individuals, proposing an alternative to such metropolitan park district, to a metropolitan Park District that would conform to the boundaries of the Toppenish School District, and which would include not just park, but also the Toppenish swimming pool; and

WHEREAS, the alternative proposal for such a Metropolitan Park District has advantages for the City and for the community, but would be inconsistent with the proposal set forth in Resolution No. 2025-50; and

WHEREAS, in order to support the concept of the newer proposal for a Metropolitan Park District, and to avoid conflicting duplication of proposals, it would be appropriate for the Toppenish City Council to rescind its Resolution No. 2025-50.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TOPPENISH, WASHINGTON AS FOLLOWS:

Section 1. Rescission of Resolution No. 2025-50: That the City of Toppenish City Council Resolution No. 2025-50, adopted on July 28, 2025, is hereby repealed in its entirety.

Section 2. Corrections: The City Clerk is authorized to make necessary corrections to this Resolution including, but not limited to, the correction of scrivener's/clerical errors, references, Resolution numbering, section/subsection numbering and any references thereto.

Section 3. Effective Date: This resolution shall be effective immediately upon passage and signatures hereto.

PASSED by the Toppenish City Council at its meeting held on August __, 2025.

ELPIDIA SAAVEDRA, Mayor

ATTEST:

HEIDI RIOJAS, CMC, City Clerk

APPROVED AS TO FORM:

DANIEL B. HEID, City Attorney



Metropolitan Park District

From Dan Ford <Dan.Ford@cityoftoppenish.us>

Date Tue 7/29/2025 1:08 PM

Cc Adam Vaughn <Adam.Vaughn@cityoftoppenish.us>; Heidi Riojas <Heidi.Riojas@CityofToppenish.us>; Daniel B. Heid <Daniel.Heid@cityoftoppenish.us>; Sean Davido <Sean.Davido@cityoftoppenish.us>

 1 attachment (49 KB)

Possible Toppenish Pool Liquidation;

Good afternoon Council.

I know that you all want the best for the City of Toppenish and its residents and City staff has always made that a priority. The Metropolitan Parks District continues to evolve with new information added on a daily basis, some of which even changed last night's presentation by Finance Director Vaughn, to which I added prior to his speaking, about the pool.

We met this morning with Jeanette Ozuna and Walt Wegener representing Farm Workers and the Friends of Toppenish Pool (CSN). They are interested in taking ownership of the pool as well as working with the City in reconsidering the Metropolitan Parks District to both include the pool and expand the voting boundary to that of the school district. A larger area involving more participants would allow the group to lower the taxable amount from .75 to .50 but also include the pool. This would allow the Friends of Toppenish Pool (CSN) to promote this effort providing a higher, we believe, opportunity for success. In order to accomplish this there are a few things that must happen for this to go to the voters in the spring of 2026, those are:

- The City of Toppenish would need to rescind the resolution it passed last night prior to the August 5th, 2025, deadline.
- The City of Toppenish would need to pass a new resolution before the spring election deadline similar to the one passed last year that includes the larger area, the City parks and recreation, as well as the pool.
- Yakima County would need to pass a resolution supporting the Metropolitan Parks District with the same parameters as the City of Toppenish prior to the spring deadline.

We believe this can work well for everyone involved and we have also had a brief discussion with Yakima County Commission Linde this morning and he is in support of taking this to the voters. Farm Workers and the Friends of Toppenish Pool (CSN) representatives will take this to Yakima County to gain their support.

I will be out of the office for our study session on August 4th and Director Vaughn will be filling in for me. We try very hard to not have actionable items at our study sessions, but it is important that the resolution passed last night be rescinded prior to the August 5th deadline. With that this will be on the agenda for our study session for August 4th.

If you have any questions, please feel free to contact Director Vaughn as you know he has worked very diligently with this both last year and recently.

Sincerely,

Dan Ford, PE
City Manager



21 W 1st Ave
Toppenish, WA 98948
Phone: (509) 379-0847
Fax: (509) 865-1950
www.cityoftoppenish.us

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Request for Council Action

Agenda Bill No.: 25-066

Meeting Date: August 4, 2025

Subject: Home Occupations

Attachments: Proposed Code Language

Presented by: Andrew Hattori, CED Director

Approved for Agenda by: Dan Ford, City Manager

Discussion:

In late 2019 and early 2020 the City of Toppenish made efforts to create a section of code within TMC 17.56 related to Special Property Uses to allow home (business) occupations provided the proposed business operations met specific criteria. However, while this code was created, the provisions included within the code and its location conflict, and the code has not been adhered to or properly implemented.

Planning Commission has been reviewing the existing and proposed codes and an initial code was presented at the May 5, 2025 City Council Study Session meeting. After receiving input from both City Council and the Planning Commission the attached draft code amendment has been prepared and recommended for approval by the Planning Commission at their July 16, 2025 meeting.

A summary of proposed code modification follows:

- Repeal TMC section 17.56.050.
 - o TMC chapter 17.56 is for Special Property Uses that are heard by the Hearing Examiner, the intent of this code was to be administrative and should be removed entirely and placed elsewhere.
- Creation of TMC chapter 17.54.
 - o Creating a separate chapter for home occupations provides ease when searching for this code/information and increased clarity to potential applicants.
- Remove conflicting language related to approvals and notices.
- Increased amount of parameters which potential businesses would need to comply with.

It is staffs understanding that there is a considerable amount of home occupations that have been established within Toppenish both before the initial creation of TMC 17.56.050 and after. It is not the intent of staff to put existing business in a tough spot by this modification of code, in fact, it is to assist with bringing the businesses into conformance as easily and efficiently as possible as they are all technically operating without following the established legal avenue to obtain an endorsement to operate in Toppenish.

Should this code amendment be approved, extensive education opportunities for this amendment shall be implemented, including but not limited to:

- Public building postings.
- Social media postings.
- Pamphlets and fliers.
- Open house events to assist existing and potential business owners.

Staff wishes to present the current status of this proposed amendment as we hope to bring this before Council with a recommendation within the coming month.

Fiscal Impact:

None.

Chapter 17.54

Home Occupations

Sections:

17.54.010 Purpose

17.54.020 Application

17.54.030 Administrative decision

17.54.040 Approval Criteria

17.54.050 Appeal

17.54.060 Revocation of license and appeal

17.54.010 Purpose

This chapter is established to provide a means to provide a means for the conduct of business to be permitted as an accessory to an established residence within a residential district. The purpose is to create an administrative framework to authorize such uses that do not pose a disruption to or conflict with the existing and planned residential environment.

17.54.020 Application

Applications for a home occupation shall be submitted to the City on forms provided by the Development Services department with a fee as required, that may be amended from time to time, contained with the City's fee schedule.

17.54.030 Administrative decision

~~Special Property~~ Home occupation permits may be issued as defined in TMC 17.08.170, by the zoning administrator or ~~his/her~~ their designee, within the R1 and R2 residential districts only.

17.54.040 Approval criteria

Applications for a home occupation shall be approved following the review by the zoning administrator or their designee once the applicant has shown that their business conforms with all of the following criteria:

A. There must be a residence on site, and ~~the proprietor of the home occupation business must reside in that residence~~ property owner must provide approval for the home occupation business.

B. The home occupation must be of a service character or service-oriented only. Retail sales of goods are permissible only if incidental and directly pertaining to the service being offered.

C. The home occupation shall be allowed in any attached portion of the dwelling unit or in a detached accessory building. All aspects of the conduct of a home occupation shall be confined, contained and conducted within the dwelling or within a completely enclosed accessory building.

D. The aggregate of all space within any or all buildings devoted to a home occupation shall not occupy more than the lesser of: (1) 500 square feet in floor area; or (2) ~~30~~ 35 percent of the residence's floor area.

~~E. Only one accessory building, including detached garages, shall be allowed on the premises. One storage structure of 120 square feet or less shall be excluded from this provision.~~

F. The premises shall at all times be maintained as residential in appearance, cleanliness and quietness.

G. Where customers are served on the premises of the home occupation a minimum of one off-street parking space shall be provided in addition to any and all spaces required for the principal use as provided by this title.

H. Any home occupation which is objectionable due to unsightliness or an emission of odor, dust, smoke, noise, glare, heat, vibration or similar causes discernible on the outside of any building containing such home occupation shall be prohibited.

I. One unlighted sign not exceeding two square feet in area pertaining to the home occupation shall be permitted in lieu of, not in addition to, any name plate provided for in Chapters 17.28 and 17.32 TMC. Such sign shall not be located in the required front or side yards setback areas.

J. No media or off-premises advertising shall give the address or location of the home occupation.

K. The home occupation may only be operated and staffed with residents of the property.

L. Client visits may only occur during the hours between 8:00 AM and 8:00 PM.

M. No more than eight customer vehicles may visit the site per day.

N. No materials that are explosive, highly flammable, corrosive, radioactive or toxic may be utilized or discarded on the premises of the home occupation.

O. Services to patrons shall be arranged only by appointment.

P. All stock and goods must be produced on site, by hand, without the use of automated or production line equipment.

Q. Delivery and shipments to and from the site with frequency that would involve commercial motor vehicles are prohibited.

R. The home occupation cannot require the use of electrical or mechanical equipment that would change the fire rating of the structure.

S. The home occupation shall not increase the water or sewer use so that the combined total use of the dwelling and the home occupation is significantly more than the average for residences in the neighborhood.

T. Any home occupation authorized under the provisions of this code shall be open to inspection and review at all reasonable times by enforcement officials for purposes of verifying compliance with the conditions of approval and other provisions of this code.

~~J. A home occupation special property use permit may contain such other conditions as the hearing examiner may deem necessary to preserve the district and to assure compatibility with permitted uses.~~

~~K. The city shall notify the adjacent property owners and applicant of its intent to approve or deny a home occupation special property use permit, together with any conditions. Notification shall be made by mail only. The notice shall include:~~

- ~~1. A description of the proposal and decision of the city, including any conditions of approval;~~
- ~~2. A place where further information may be obtained; and~~
- ~~3. A statement that the decision of the city will be final, unless an appeal requesting a public hearing is filed with the city clerk within 15 days of the date of the notice.~~

17.54.050 Appeal

Appeals of the zoning administrator's decision to the conditions of approval or the denial of a home occupation shall be submitted to the zoning administrator and reviewed by the Hearing Examiner in accordance with TMC 2.50.080. Appeals may only be filed by the applicant.

17.54.060 Revocation of license and appeal

A home occupation permit may be revoked by the zoning administrator if the zoning administrator find the home occupation no longer complies with the approval criteria set forth in 17.54.040 or the home occupation permit's approval criteria. The permit holder may file a written appeal to the revocation in accordance with TMC 17.54.050.