

1. Call to Order
2. Roll Call
3. Approve Agenda
4. Public Comment

The Planning Commission welcomes public attendance at Planning Commission meetings. 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 are encouraged. If you wish to address the Planning Commission, please stand or raise a hand so you can be called upon. After you are recognized, please come forward to the lectern, state your name, and address for the public record. Your remarks must be limited to three minutes or less. Please use the microphone.

5. Approval of Minutes

- a. [Consider the Minutes of the June 18, 2025, meeting.](#)

6. New Business

- a. [Land Capacity Analysis and Population and Housing Allocations Presentation.](#)

7. Other Business

- a. [Downtown Nonconforming and Unpermitted Signage in Right of Ways.](#)
 - b. [Amendment to TMC 17.56 Special Property Uses and Creation of TMC 17.54 Home Occupancies.](#)

8. Adjournment

Next Regular Planning Commission Meeting Will Be Held on August 20, 2025

Planning Commission meetings are accessible to persons with disabilities. For individuals who may require special accommodations, please contact City Hall at (509) 865-6754, 24 hours in advance.

TOPPENISH PLANNING COMMISSION
Meeting Minutes
June 18, 2025

Vice-Chairperson Doonan called the meeting to order at 5:30 p.m.

ROLL CALL AND ATTENDANCE

Present: Vice-Chairperson Christy Doonan and Commissioners Jesus M. Aguirre, Gabriela Guel and Bonita Polina.
Absent: Chairperson Mayer
Staff: Community Economic Development (CED) Director Andrew Hattori, Permit Coordinator Tami Colley

Permit Coordinator Colley conducted a roll call for each Planning Commissioner to respond to their attendance at the meeting. Vice- Chair Doonan and Commissioners Aguirre, Guel, and Polina responded with their presence.

APPROVAL OF AGENDA

Commissioner Aguirre moved, seconded by Commissioner Guel to approve the June 18, 2025, meeting agenda. Motion carried unanimously.

PUBLIC COMMENT

None.

APPROVAL OF MINUTES

Commissioner Aguirre moved, seconded by Commissioner Guel to approve the minutes of the May 21, 2025, meeting. Motion carried unanimously.

NEW BUSINESS

CED Director Hattori presented Nonconforming and Unpermitted Signage in Right of Way. CED Director Hattori will bring suggestions for Code Amendments to the next meeting and discuss how to notify business owners of the requirements.

OTHER BUSINESS

CED Director Hattori discussed Amendment to TMC 17.56 Special Property Uses and Creation of TMC 17.54 Home Occupancies. Parameters and draft code to be discussed at next meeting

ADJOURNMENT

There being no further business the meeting was adjourned at 6:00 p.m.

Christy Doonan, Vice-Chairperson

Andrew Hattori, Community Economic
Development Director

City of Toppenish

Periodic Update

Population and Housing Allocations

June, 2025



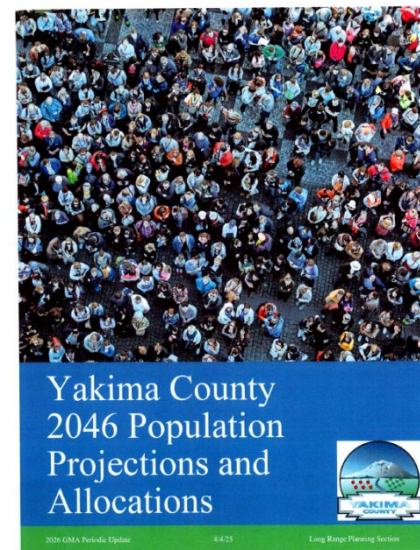
Introduction

To assess the available land for development in Toppenish, the population and housing allocations previously completed will be analyzed in comparison to the vacant land available within the city limits. GIS data will be used to identify and categorize parcels as vacant, partially vacant, underutilized, and developed. This information will be further examined by zoning district to identify available land for future residential, commercial, industrial, and public development.

Population Allocation

In accordance with Growth Management Act (GMA) requirements, Yakima County released its final 2046 Population Projections and Allocations on April 4, 2025. The county methodology to develop its 2046 population projection includes the following steps:

1. Collect OFM's April 1, 2022 Estimates.
2. Calculate the "Annual Growth Rate % Changes" and Average Annual Growth Rates (AAGRs) for Yakima County, its cities, and towns using OFM's April 1, 2022, estimates.
3. Project the county's population from 2020 to 2046 using the County's AAGR.
4. Collect the latest OFM 2022 "GMA Low, Medium, and High" population projections for Yakima County.
5. Compare analysis of the County's AAGR projections, OFM's 2022 projections, and the County's 2015 allocations.
6. Calculate Yakima County's Preferred Alternative and Allocations.
7. Express each city and town's projected populations using their AAGRs and determine Unincorporated area population of the county.
8. Summarize each city and town's review of the county's draft preferred alternative and allocations.



- 9. Report impacts of the current population projections on future Land Capacity Analyses (LCAs).
- 10. Report the County’s finalization of the preferred alternative and allocations.

Between the 2010 and 2020 census years, the overall population in Toppenish decrease by nearly residents:

Table 1 - Toppenish Population 2010-2020			
	2010 Census	2020 Census	Change
Toppenish	8,949	8,854	(95)

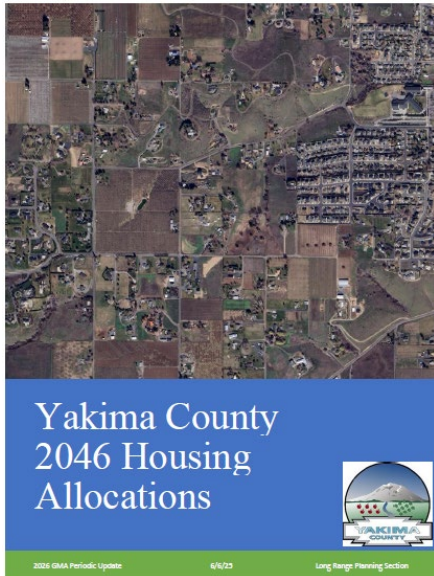
Yakima County, using the known Census population numbers in addition to yearly OFM estimates, calculated Toppenish’s AAGR from 2010-2022 as -0.07%, much lower than the overall Yakima County AAGR of 0.56%, and one of the four cities in Yakima County with a negative growth rate during that time frame. When comparing the County AAGR, OFM 2022 projection, and County 2015 allocation, Yakima County elected to use the 0.56% AAGR as the preferred allocation method. The County AAGR is slightly higher than OFM’s medium projection.

The draft population allocation report was sent to the City for review on April 15, 2024. Toppenish staff met with Yakima County staff to review the population projection. Based on known County discussions with the remaining cities and towns, the AAGRs for each jurisdiction were further refined to provide a consensus growth rate.

The final population allocation for Toppenish was modestly increased to 0.17% over the planning period:

Table 2 - Toppenish Population Projection 2020-2046			
	2020 Census	2046 Estimate	Increase
Toppenish	8,854	9,254	400

Based on available land in the city and general discussions with potential developers, Toppenish agrees with the proposed population allocation of an additional 400 persons by 2046 and will use this number consistently throughout the Periodic Update.



Housing Allocation

In accordance with Growth Management Act (GMA) requirements, Yakima County released its final 2046 Housing Allocations on June 6, 2025. The report responds directly to newly expanded housing requirements introduced in 2021 through House Bill 1220. In addition to requiring the identification of housing needs by income tier, the legislation directs counties and cities to plan for an accommodate housing that is affordable to all income levels.

Using the Department of Commerce's Housing and Planning Tool (HAPT), the county-wide housing needs were allocated to the cities and unincorporated areas. The HAPT allocates housing to six identified income bands based on Area Median Income (AMI):

- 0-30% AMI (extremely low-income)
 - 0-30% AMI includes Permanent Supportive Housing (PSH) and Non-PSH
- 31-50% AMI (very low-income)
- 51-80% AMI (low-income)
- 81-100% AMI (moderate income)
- 101-120% AMI (middle-income)
- Over 120% AMI (higher-income)

The HAPT includes several methods for housing allocation. Yakima County used Method C, which “provides a balanced and straightforward way to distribute housing across jurisdictions while reflecting demographic projections.” The HAPT is intended to ensure that each city, including unincorporated areas, receive a fair share of the total housing needs.

In setting up the HAPT tool, the first step is to select the County, projection year, and population target. As indicated in the Population Allocation above, Yakima County used its AAGR as the preferred growth rate, which yields a slightly higher 2046 population than the OFM Medium Projection. Step 1 identified a total housing need of 22,057 new units to be distributed throughout the county.

Housing Needs Projections for Selected County, Projection Year, and Population Target
Complete Steps 1, 2, and 3 to access countywide projections

Step 1

Select a County

Yakima

✓

Step 2

Select a Projection Year

2046

✓

Step 3

Enter Population Target in Range

297,319

✓

Table 1: OFM GMA Population Projections, 2046

Yakima County Projected Population, 2046

	Low	Medium	High
Projected Population (2046)	257,133	289,519	341,661

Table 2: Projected Countywide Housing Needs Based on User Inputs

Yakima County

Affordability Level (% of Area Median Income)

Population Target = 297,319

	Total	Non-PSH	PSH	30-50%	50-80%	80-100%	100-120%	120%+
Total Future Housing Needed (2046)**	114,482	8,261	4,495	25,742	36,353	12,706	8,282	18,643
Estimated Housing Supply (2020)*	89,425	4,351	228	20,264	33,325	10,917	7,070	13,270
Net New Housing Needed (2020-2046)	25,057	3,910	4,267	5,478	3,028	1,789	1,212	5,373

Emergency Housing/Shelter Beds

1,951

572

1,379

Allocation method C in the HAPT then distributes housing to the cities and unincorporated areas of the County based on user input. The City of Toppenish was allotted 0.83% of the overall County housing allocation, or 208 units.

It should be noted that the future population allotment for Toppenish in the HAPT analysis is lower than the April 4, 2025 Yakima County population projection, in fact showing a deficit in 2046. Based on discussion with Yakima County, the correct population number to use as the 2046 population allocation is from the April 4, 2025 projection, not from the June 6, 2025 HAPT. For purposes of this analysis and future drafting of the Comprehensive Plan, Toppenish will use the projected 2046 population number of 9,254.

HOUSING ALLOCATION FROM SELECTED SHARES								
Future Population (2046)	Total Units Allocated (2020-2046)	Permanent Housing Needs by Income Level (% of Area Median Income)						
		0-30%		>30-50%	>50-80%	>80-100%	>100-120%	>120%
		Non-PSH	PSH					
8,721	208	34	37	48	25	15	10	39

Before reviewing the 2046 allocation, Toppenish looked at existing levels to establish a baseline. The HAPT includes estimated existing housing supply by affordability level:

ESTIMATED 2020 HOUSING SUPPLY BY AFFORDABILITY LEVEL								
NOTE: 2020 supply by income level (% of Area Median Income) is only available for cities and towns. Total 2020 supply is provided for unincorporated UGAs and rural areas								
	Total	0-30%		>30-50%	>50-80%	>80-100%	>100-120%	>120%
		Non-PSH	PSH					
Toppenish city	2,454	104	0	879	1,258	121	31	61
Unincorporated UGA	257							

Analyzing the existing housing supply vs. the anticipated need yields completely different results for projected housing needs by income bracket. The calculated percentage of existing housing in each income bracket is:

Table 3 – Estimated Housing allocation by income level (2020 Census)			
	Income Level (% of AMI)	Existing Percentage of Households by Income Level (2020 Census)	Estimated Housing
2020 Estimated Housing by Income Level: 2,454	0-30% Non PSH	4%	104
	0-30% PSH	0%	0
	>30-50%	36%	879
	>50-80%	51%	1,258
	>80-100%	5%	121
	>100-120%	1%	31
	>120%	2%	61

If the projected HAPT housing allocation was distributed throughout the city based on the 2020 Census estimate, the required housing by income level is completely different than allocated in the HAPT.

Table 4 – Housing allocation by income level based on existing distribution			
	Income Level (% of AMI)	Existing Percentage of Households by Income Level (2020 Census)	Estimated Housing
2046 Estimated Housing by Income Level: 208	0-30% Non PSH	4%	9
	0-30% PSH	0%	0
	>30-50%	36%	75
	>50-80%	51%	107
	>80-100%	5%	10
	>100-120%	1%	3
	>120%	2%	5

Rather than allocate housing by income band based on the existing distribution, the HAPT includes a substantially higher allocated percentage across the lowest income bands. When considering the distribution county-wide, there is no consideration for local trends or demographics. The HAPT required distribution percentages noted below are consistent for all cities.

Table 5 – Housing allocation comparison – HAPT and estimated distribution						
	Income Level (% of AMI)	Existing Percentage of Households by Income Level (2020 Census)	Estimated Housing	HAPT required distribution	HAPT allocated housing by Income Level	Change 2020 distribution vs HAPT requirement
2046 Estimated Housing by Income Level: 208	0-30% Non PSH	4%	9	16%	34	25
	0-30% PSH	0%	0	18%	37	37
	>30-50%	36%	75	23%	48	-27
	>50-80%	51%	107	12%	25	-82
	>80-100%	5%	10	21%	15	5
	>100-120%	1%	3	5%	10	7
	>120%	2%	5	19%	39	34

As the difference in numbers indicate, the HAPT is requiring more of the 0-30% low-income housing than is currently in Toppenish, but a lower amount of the 30-50% and 50-80% levels. Overall, the Low Income (0-80%) allocation is actually less with the HAPT (144) than a projection using the 2020 Census distribution (190).

Another identified challenge in the HAPT is the significant increase in housing units when examining the population allocation vs. the average household size in Toppenish. The calculated difference requires an additional 100 housing units based on the HAPT analysis.

Table 6 - Toppenish Housing Allocation 2020-2046		
Source	Population Projection	HAPT Housing Allocation
Population Increase	400	400
HH Size	3.67 (2020 Census)	1.92 (HAPT Calculated)
# Housing Units	108	208

Toppenish does not fully agree with the Yakima County housing allocation as presented in the HAPT, but given the housing allocation vs. projected population, can support it. The HAPT requires 100 more houses over the planning period than what was calculated based on average household size. As the Land Capacity Analysis will show, Toppenish has sufficient capacity to support the HAPT housing allocations. The challenge will be meeting the growth target. Toppenish has not seen much development in recent years despite a generous code with multiple housing opportunities in all zones. Updates in the Housing Element and Development

Regulations to allow ADUs, Unit Lot Subdivisions, and additional infill opportunities should be a catalyst for new and unique housing opportunities in the city.

When reviewing demographics, Toppenish has a 17.6% poverty rate, higher than both Yakima County (15.8%) and Washington State (10.3%). The median household income in Toppenish is \$67,776, again lower than Yakima County (\$69,525) and Washington State (\$94,605). Given these metrics, the lower income (0-80% AMI) allocation makes sense for the City of Toppenish. The primary challenge with the 0-30% AMI will be the PSH allocation. While Toppenish does have some services available in city limits, the majority of PSH-type services in Yakima County are in and around the City of Yakima. The allocation of PSH housing will likely require an existing or new PSH provider to locate in Toppenish.

City of Toppenish

Periodic Update

Land Capacity Analysis

June, 2025



Summarize Land Capacity by Zone

To determine the full extent of buildable land, Toppenish used GIS data to identify parcels based on a variety of factors. Buildable land is not only vacant land – for example, larger parcels can still be further developed or subdivided. Other parcels can be encumbered by critical areas such as steep slopes or floodplain that limit or exclude development. To begin this exercise, Toppenish outlined several data points assumptions using GIS, as follows:

1. Total Gross Acreage: This is the total acreage of each zoning district within City Limits.
2. Identify Buildable Gross (Vacant) Acres: A parcel is assumed to be vacant and potentially developable if it has zero housing units and/or the improvement value is <\$10,000.
3. Identify Potential Infill Properties: Parcels in the Residential Zoning Districts that are greater than 0.25 acres and coded by the Yakima County Assessor's Office as "Single-Family."
4. Identify Agricultural Land: Parcels coded by the Yakima County Assessor's Office as "Agriculture."
5. Critical Areas: Identify areas with wetlands, streams, floodplain, floodway, and slopes greater than 40%.
6. Identify Underutilized Land: Identify all parcels by zoning district where the ratio of improvement value to land value is <50%.

With all of these data points identified in GIS, the following calculation was used to determine the Net Buildable Acres: *Net Buildable Acres = Buildable Gross Acreage – (AG and Critical Areas) + (Potential Infill and Underutilized)*

Steps to show sufficient capacity



Based on the data, Toppenish has 478 acres of vacant, infill, and underutilized land. A significant portion of the land, however, is encumbered by the 100-year floodplain. Geographically, Toppenish is essentially split in half by the BNSF railroad line that runs through the city. Everything north of the railroad is in the 100-year floodplain.

Vacant land is assessed a deduction of 15% to account for new facilities such as roads, utility corridors, open space, et. Infill and Underutilized land is assessed a higher deduction of 25% to account for new facilities and existing on-site development that is unlikely to be modified or see significant changes. In order to account for floodplain development standards, all the deductions identified above were doubled for the residential zones. After all deductions were removed, the net buildable acres in Toppenish is 347.

The following tables summarize the GIS data. The first table includes all land south of the railroad tracks, and the second table include all land north of the railroad tracks, in the 100-year floodplain.

Zoning	Determine Net Buildable Acreage				Density and FAR		Development Potential		
	Gross land in Acres	Deduction	Net (Acres)		Density	FAR	New Homes	EMP SqFt	New Jobs
Local Business (B-1)	Vacant	4.24	15%	3.60	8	0.3	17	53,414	153
	Infill	0.64	25%	0.48					
	Underutil	6.02	25%	4.52					
General Business (B-2)	Vacant	6.00	15%	5.10	8	0.3	55	170,108	486
	Infill	2.28	25%	1.71					
	Underutil	27.46	25%	20.60					
Professional Offices (B-3)	Vacant	0.37	15%	0.31	8	0.3	1	1,933	6
	Infill	0.00	25%	0.00					
	Underutil	0.00	25%	0.00					
Light Industrial (M-1)	Vacant	0.00	15%	0.00	0	0.3	-	5,001	5
	Infill	0.30	25%	0.22					
	Underutil	0.77	25%	0.58					
Heavy Industrial (M-2)	Vacant	3.84	15%	3.26	0	0.3	-	28,350	28
	Infill	1.74	25%	1.30					
	Underutil	0.00	25%	0.00					
Residential (R-1)	Vacant	5.43	15%	4.61	4.5	0.005	208	4,792	14
	Infill	55.61	25%	41.71					
	Underutil	0.00	25%	0.00					
Residential (R-2)	Vacant	0.79	15%	0.67	8	0.005	33	430	1
	Infill	4.64	25%	3.48					
	Underutil	0.00	25%	0.00					
Public\Semi-Public (SP)	Vacant	0.35	15%	0.30	0	0.03	-	9,128	26
	Infill	0.83	25%	0.62					
	Underutil	18.38	25%	13.79					
Total		139.70	5.20	106.87			314	273,156	719

Zoning	Determine Net Buildable Acreage in Floodplain					Density and FAR in Floodplain		Development Potential Floodplain		
								New		
	Gross land in Acres	Deduction	Net Acres			Density	FAR	Homes	EMP SqFt	New Jobs
Local Business (B-1)	Vacant	2.62	15%	2.23	5.06	8	0.3	10	31,427	90
	Infill	2.12	25%	1.59						
	Underutil	1.67	25%	1.25						
General Business (B-2)	Vacant	2.05	15%	1.74	16.88	8	0.3	34	104,803	299
	Infill	0.00	25%	0.00						
	Underutil	20.19	25%	15.14						
Professional Offices (B-3)	Vacant	2.32	15%	1.97	4.25	8	0.3	9	26,399	75
	Infill	0.00	25%	0.00						
	Underutil	3.04	25%	2.28						
Light Industrial (M-1)	Vacant	0.00	15%	0.00	0.00	0	0.3	-	-	-
	Infill	0.00	25%	0.00						
	Underutil	0.00	25%	0.00						
Heavy Industrial (M-2)	Vacant	152.51	15%	129.64	134.86	0	0.3	-	837,130	837
	Infill	0.00	25%	0.00						
	Underutil	6.97	25%	5.23						
Residential (R-1)	Vacant	16.72	30%	11.70	31.34	4.5	0.005	35	3,243	9
	Infill	38.12	50%	19.06						
	Underutil	1.16	50%	0.58						
Residential (R-2)	Vacant	4.22	30%	2.95	32.54	8	0.005	65	3,366	10
	Infill	0.91	50%	0.45						
	Underutil	58.26	50%	29.13						
Public\Semi-Public (SP)	Vacant	15.65	15%	13.30	21.13	0	0.03	-	13,117	37
	Infill	0.00	25%	0.00						
	Underutil	10.44	25%	7.83						
Total	338.96		246.08		241.01			153	1,019,485	1,358

It is important to note that the vast majority of buildable land in Toppenish is infill or underutilized. There is not a significant amount of vacant land that can be subdivided and developed.

Categorize Zones by Allowed Housing Types or Density Level

Zoning districts in Toppenish allow for a variety of housing types and density levels, as outlined below.

Table 1 – Allowed Housing and Density by Zoning District		
Zoning District	Housing Type(s) allowed	Density allowed
R1-Residential	- Single Family - Duplex	6-10 du/ac (SF and DU)
R2-Residential	- Single Family - Duplex - Multiple Family Dwelling	6-10 du/ac (SF and DU) 15 du/ac (MF)

B1-Local Business	• Single Family • Duplex • Multiple Family Dwellings and Apartment Dwellings	6-10 du/ac (SF and DU) 15 du/ac (MF)
B2-General Business	• Apartment Dwellings	No max density
B3-Professional Office	• Single Family • Duplex • Multiple Family Dwellings	6-10 du/ac (SF and DU) 15 du/ac (MF)
PD-Planned Development	• Single Family • Duplex • Multiple Family Dwelling	No max density

Accessory Dwelling Units (ADUs) – the City of Toppenish does not currently permit ADUs. The addition of ADUs to the code will happen during this periodic update. Since they are not currently allowed, there is no historical data that can be utilized to project ADU construction in the future. To estimate potential ADU construction, the City of Toppenish used GIS data to determine the number of Single Family Homes in city limits, and added those to the projected Low Density capacity. There are currently 1,755 single-family homes in city limits. When added to the projected capacity (73), it is estimated that Toppenish will have approximately 2,129 single-family homes in city limits by 2046. Since there is not a significant amount of vacant land in city limits, only the vacant R-1 zoned property was used to assess future capacity.

To begin this analysis, we estimate that 5% of homes, existing and projected, will construct ADUs during the planning period. State law changes require all cities to allow at least 2 ADUs on lots with single-family dwellings, but logistically that will be challenging in many areas of Toppenish. If 5% of homes elect to construct ADUs at a rate of 1.5 per lot, that yields approximately 137 ADUs by 2046.

Relate Zone Categories to Potential Income Levels and Special Housing Served

As shown in Table 1 above, Toppenish allows for a wide range of housing options across its zoning districts. Those housing types will be combined into a zone category to determine capacity based on affordability. The identified zone categories will be assigned an assumed affordability level based on market rate and subsidized housing.

Table 2 – Zone Categories and Housing Served				
Zoning Category	Typical Housing Types Allowed	Lowest Potential Income Level Served		Assumed Affordability Level for Capacity Analysis
		Market Rate	With Subsidies	
Low Density	Detached Single Family Home	Higher Income >120% AMI	Not typically feasible	Higher Income >120% AMI
Moderate Density	Duplex, townhome, triplex	Moderate Income 81-120% AMI	Not typically feasible	Moderate Income 81-120% AMI
High Density	Multifamily dwellings, apartment dwellings	Low income 51-80% AMI	Very low income 0-50% AMI	Low Income 0-80% AMI
ADU	Accessory Dwelling Units	Low income 51-80% AMI	Very low income 0-50% AMI	Low Income 0-80% AMI

Summarize Capacity by Zone Category

The GIS analysis provided unit capacities for each zoning district. This was based on a variety of factors including the net developable land in acreage and average or assumed densities. Where multiple housing types are allowed within each zone, the capacity was then distributed based on an assumed buildout rate of those housing types.

Table 3 – Capacity by Distributed Zone Category				
Zone	Assigned Zone Category	Capacity (Units)	Assumed Future Residential Distribution	Capacity
R1-Residential	Low Density	349	85%	297
	Moderate Density		15%	52
R2-Residential	Low Density	294	25%	73
	Moderate Density		50%	147
	High Density		25%	73
B1-Local Business	Low Density	27	10%	3
	Moderate Density		40%	11

	High Density		50%	14
B2-General Business	High Density	89	100%	89
B3-Professional Office	Low Density	9	10%	0
	Moderate Density		40%	4
	High Density		50%	5

Combining the assumed densities of each housing type by Zone Category yields the following capacities.

Table 4 – Summary of Capacity by Zone Category	
Zone Category	Capacity in Zone Category
Low Density	374
Medium Density	214
High Density	180
ADU	137

Compare Projected Housing Needs to Capacity

In this final step, all preceding analysis is combined. The identified housing capacity by income level is summarized for each zone category and assessed per the identified capacity.

Table 5 – Housing Capacity by Income Level					
Income Level (% AMI)	Projected Housing Need	Assigned Zone Category	Aggregated Housing Needs	Total Capacity	Capacity Surplus or Deficit
0-30% PSH	34	High Density	144	180 (137 ADU)	173
0-30% Other	37				
>30-50%	48				
>50-80%	25				
>80-100%	15	Moderate Density	28	214	189
>100-120%	10				
>120%	39	Low Density	39	374	335
Total	208		208	768	560

Toppenish has sufficient capacity to accommodate all required housing at all income levels. However, one main challenge will be commencing construction. Toppenish has not processed

many development permits in recent years, as evidenced by the Yakima County's initial population allocation of -0.07%. This is compounded by about 2/3 of the buildable land being encumbered by the 100-year floodplain, and also by the lack of actual vacant land in city limits. Developing in the floodplain is not impossible but carries with it greater upfront development costs. While many existing parcels are buildable due to larger lot sizes, the logistics of adding density to an existing lot or demolishing an older SFR to replace with a duplex or larger can be costly and difficult to design.

REQUEST FOR PLANNING COMMISSION REVIEW

Meeting Date: July 16, 2025

Subject: Unpermitted Nonconforming Downtown Sidewalk Signage

Attachments: Site Images, Public Announcement

Presented by: Andrew Hattori, CED Director

Approved For Agenda By: Andrew Hattori, CED Director

Background:

The City of Toppenish's downtown core currently has a significant amount of nonconforming and unpermitted signage. The installation of this signage is not a new issue, for many years signs have been installed by business owners who likely didn't know that permits were required, which has resulted in our current situation. A special emphasis has recently placed on signage that has been installed in holes within the sidewalk or placed directly on the sidewalk itself. Staff presented examples of unpermitted signage at the June 18, 2025 Planning Commission meeting and stated that they would work with spreading word about signage requirements to local businesses that have such signage present.

Discussion:

It was recently brought to staffs attention that there had been holes drilled into the sidewalk which are currently being utilized for signage, typically "feather" style signage. Additionally, "sandwich" signs have also been placed on sidewalk within the right of way. The Toppenish Municipal Code does not permit any signage at all within public right of way, including sidewalk areas.

Reasons for this include regulations such as the Americans with Disabilities Act (ADA), sight visibility, design district, and liability purposes. The placement of tall signs with considerable surface area can impede individuals ability to maneuver along the sidewalk, impact visibility along the street for vehicles and pedestrians, and may cause tripping hazards.

Toppenish's Code Enforcement official has been visiting local businesses as part of a yearly review, for any business that has signage in the right-of-way they were provided the attached Public Announcement detailing that the signage is not allowed and that we would be discussing this at future meetings. Staff will continue to make announcements related to this signage to garner public input. At this time staff wishes to continue discussion on what code requirements can be put in place to ensure safety, cover liability, and comply with various laws and regulations. Example options for this include:

1. Maintaining existing code, all signage within the right-of-way would need to be removed immediately.
 2. Modifying the Municipal Code to include provisions that would allow some signage to remain as they exist.
 3. Modifying the Municipal Code to include provisions that would allow some signage to remain provided they comply with new/additional design requirements.
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Recommendation: Not Applicable

Public Announcement

To: Valued Business Community
From: Andrew Hattori, CED Director
Date: June 30, 2025
Re: Nonconforming Signage on Sidewalks

The City of Toppenish has noticed varying amounts of signage located on or in the sidewalks outside of businesses. Currently the City does not allow any form of signage to be placed within the right-of-way, this includes the sidewalk and public areas. Some examples of prohibited signage include:

Feather Signs



Sandwich Signs



Currently, our code does not allow these signs and they should be removed.

The City understands the need of advertising for our local businesses and is currently undergoing efforts to find the best solutions that allows for proper signage that does not impact safety, visibility, and open walking spaces. The City of Toppenish Planning Commission will be conducting meetings to discuss potential code options, the next meeting is on **July 16, 2025, located at City Hall at 5:30 PM**, we strongly encourage your participation in the discussion.

For more information regarding signage and the upcoming Planning Commission meeting, please contact:

Andrew Hattori
509-829-4083
Andrew.Hattori@cityoftoppenish.us

REQUEST FOR PLANNING COMMISSION REVIEW

Meeting Date: July 16, 2025

Subject: Home Occupations

Attachments: Draft TMC 17.54 Code Language

Presented by: Andrew Hattori, CED Director

Approved For Agenda By: Andrew Hattori, CED Director

Background:

Planning Commission discussed the potential modifications to Home Occupancies at the April 16, 2025 Planning Commission meeting, directing staff to revise the code to make it easier to understand and include provisions for a slight increase in allowable square footage. These modifications were made, and staff additionally presented the preliminary work for Council consideration at the May 5, 2025 City Council Study Session meeting. City Council relayed some concerns over the removal of neighbor considerations and the potential of excluding certain types of businesses. At the May 21, 2025 Planning Commission meeting, discussion was further had on if we should set parameters or specifically prohibit certain types of uses. Staff was directed to research and present parameters other jurisdictions have successfully implemented to present at a later meeting. And at the June 18, 2025 Planning Commission meeting discussion occurred about different options available to the City to limit/monitor different uses, the result was an increase to the listed parameters as attached in the draft code.

Discussion:

After the June 18, 2025 Planning Commission meeting, staff prepared the attached code language increasing the level and amount of parameters that a potential home occupation would need to comply to in addition to previous procedural amendments presented at prior meetings.

The added code parameters and language can be described as:

- No media or off-premises advertising shall give the address or location of the home occupation.
- May only be operated and staffed with residents of the property.
- Client visits may only occur during the hours between 8:00 AM and 8:00 PM.
- No more than eight customer vehicles visits to the site a day.
- No materials that are explosive, highly flammable, corrosive, radioactive or toxic may be utilized or discarded on premises.
- Services to patrons shall be arranged by appointment.
- All stock and goods must be produced on site, by hand, without the use of automated or production line equipment.
- Delivery and shipments to and from the site with frequency that would involve commercial motor vehicles are prohibited.
- The home occupation cannot require the use of electrical or mechanical equipment that would change the fire rating of the structure.
- The home occupation does not require the use of electrical equipment that exceeds the FCC standards for residential use.
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- 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.
- Any home occupation authorized under the provisions of the Municipal 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.

Staff is seeking direction on if the proposed code language is sufficient enough to be presented for approval by City Council, or if further discussion and modifications are needed before proceeding.

Recommendation: Option 1. Recommend approval for creating TMC 17.54 relating to home occupations as presented at the July 16, 2025 Planning Commission meeting. **Option 2.** Continue for discussion at the August 20, 2025 Planning Commission meeting.

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.