

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 January 15, 2025, meeting.](#)
6. New Business
 - a. [Periodic Update Public Participation Plan.](#)
7. Other Business
 - a. [Design District Map and Code Discussion.](#)
 - b. [Bylaws and Rules Procedure Discussion.](#)
8. Adjournment

Next Regular Planning Commission Meeting Will Be Held on March 19, 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
January 15, 2025

Chairperson Mayer called the meeting to order at 5:30 p.m.

ROLL CALL AND ATTENDANCE

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

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

APPROVAL OF AGENDA

Commissioner Aguirre moved, seconded by Vice-Chair Doonan, to approve the January 15, 2025, meeting agenda. Motion carried unanimously.

PUBLIC COMMENT

None.

APPROVAL OF MINUTES

Commissioner Aguirre moved, seconded by Commissioner Polina to approve the minutes from the November 20, 2024, meeting. Motion carried unanimously.

PUBLIC HEARINGS

At 5:38 p.m., Chairperson Mayer opened the public hearing. TMC 2.30.110 Membership of the planning commission amendment. CED Hattori explained this amendment changing the number of planning commissioners from 7 to 5. There was no public comment.

At 5:49 p.m., Chairperson Mayer closed the public hearing.

Commissioner Aguirre moved to approve, seconded by Vice Chair Doonan. Motion carried unanimously.

At 5:50 p.m., Chairperson Mayer opened the public hearing. Advisory Committee Amendments. CED Hattori explained this amendment. There was no public comment.

At 6:05 p.m., Chairperson Mayer closed the public hearing.

Commissioner Aguirre moved to approve, seconded by Vice Chair Doonan. Motion carried unanimously.

NEW BUSINESS

Papa Murphy’s Addition Design District Review. Commissioner Aguirre moved to approve, seconded by Vice Chair Doonan. Motion carried unanimously.

Papa Murphy’s Corporate Signage Review. Commissioner Aguirre moved to approve, seconded by Vice Chair Doonan. Motion carried unanimously.

Concurrency Code Discussion. CED Hattori explained this code proposal. No action was taken.

Joseph Calhoun, HLA Civil Engineering presented on the periodic update grant workplan.

OTHER BUSINESS

Bylaws and Rules of Procedure discussion. Some minor spelling and grammar errors. Will bring this back at next meeting.

CED Hattori presented the Design District zoning percentages. A draft will be presented at the next meeting showing a smaller district and code changes.

ADJOURNMENT

There being no further business the meeting was adjourned at 6:53 p.m.

Janet Mayer, Chairperson

Andrew Hattori, Community Economic
Development Director

CITY OF TOPPENISH

PERIODIC UPDATE PUBLIC PARTICIPATION PROGRAM

21 W. 1st Ave.
Toppenish, WA 98948
(509) 865-2080
toppenish.gov

Table of Contents

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- 14 Conclusion

Introduction

The City of Toppenish (City) is undertaking a major periodic review of the Comprehensive Plan, Development Regulations, and Critical Areas Ordinance (CAO), as required by the Washington State Growth Management Act (GMA).

This Public Participation Program (Program) describes how the City will engage the public during the 2026 Comprehensive Plan update and associated Development Regulation/CAO update(s).

Our Comprehensive Plan will be developed collaboratively with the community.

Public participation is a key component of the planning process.

During the update, multiple opportunities will be provided to community members to meet and share ideas about the future of Toppenish. Early and continuous public participation provides a variety of viewpoints which in turn assist in creating a plan that is reflective of the community. Public comments will be encouraged throughout the entirety of the update process.



Summary

The following summarizes public participation in the 2026 Comprehensive Plan update process.

Opportunities for...

Participation

- Attendance at public meetings, events, and workshops
- Survey(s) submission(s)
- Service on special committees (as applicable)
- Correspondence with City staff (email + mail)

Discussion

- Regular commission and council meetings
- Public hearings
- Workshops and special events (as applicable)
- Presentations to citizen groups, interested community or stakeholder groups (e.g., **Public Safety Committee, Parks and Recreation Advisory Board** (as applicable)
- One-on-one meetings with City staff (as available)

Include Toppenish Mural Society

Information

- Dedicated webpage on city website; (toppenish.gov/ComprehensivePlan/)
- Social Media (Facebook + Instagram)
- Newspaper of record (Sunnyside Sun; all hearings will be noticed in the “LEGALS” section)
- Hardcopy handouts (available upon request)
- Press releases



Program Goals

1

Outline



Set clear expectations for the process early and explain how feedback will be collected, considered, and applied throughout the update

2

Distribute



Provide objective information to help the public understand the issues and potential solutions. Use clear, accessible language to convey complex concepts

3

Listen



Create opportunities for public input and feedback at various stages of the Comprehensive Plan update. Engage with community members to ensure their voices are heard

4

Outreach



Make the *Comprehensive Plan* update accessible and relevant to a diverse audience by using a variety of media and materials to engage participants

5

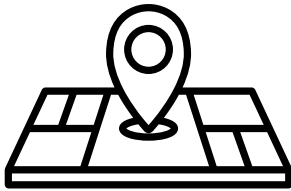
Consensus



Foster general awareness, create an understanding of the plan’s positive impact and encourage buy-in from the community for the updated *Comprehensive Plan*

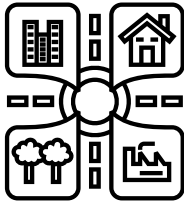
PUBLIC PARTICIPATION PROGRAM

The following elements of the Comprehensive Plan will be involved in the update process:



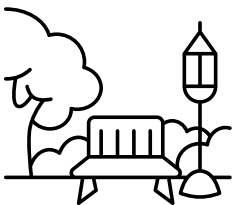
Land Use

ADOPTED November 26, 2018
(Ordinance No. 2018-13)



Housing

ADOPTED November 26, 2018
(Ordinance No. 2018-13)



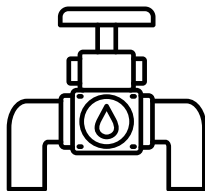
Parks and Recreation

ADOPTED November 26, 2018
(Ordinance No. 2018-13)



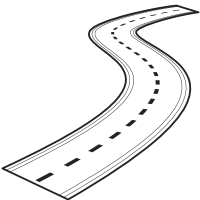
Capital Facilities

ADOPTED November 26, 2018
(Ordinance No. 2018-13)



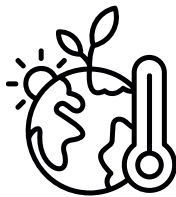
Utilities

ADOPTED November 26, 2018
(Ordinance No. 2018-13)



Transportation

ADOPTED November 26, 2018
(Ordinance No. 2018-13)



Climate Change and Resiliency Element

Completed by June 30, 2025
under a separate grant



Appendices

ALL appendices will be
reviewed

PUBLIC PARTICIPATION PROGRAM

In addition, all development regulations will be reviewed and updated according to the Washington State Department of Commerce’s mandatory requirements (*as outlined in their Periodic Update Checklist for Fully-Planning Cities*) and any amendments necessary to facilitate the goals of the Comprehensive Plan.



LOCAL GOVERNMENT DIVISION
GROWTH MANAGEMENT SERVICES

Periodic Update Checklist for Fully-Planning Cities

Notice: This checklist has been updated with the new 2024 GMA legislation. Rows that include new 2023 and 2024 legislative changes or updated Commerce guidance are shown in light orange, and all statutory changes adopted since 2015 are emphasized in highlighted text to help identify new GMA requirements that may not have been addressed during the last periodic update or through other amendments outside of the required periodic update process. Additionally, amendments to the GMA are summarized in [this document](#) on Commerce’s [GMA Laws and Rules webpage](#).

City

Staff contact, phone + email

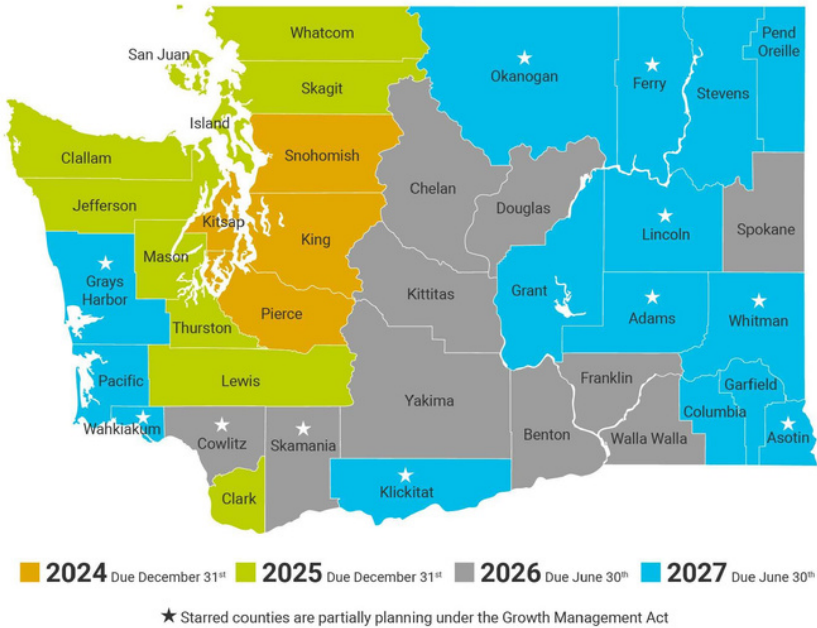
Overview: This checklist is intended to help cities that are fully planning under the Growth Management Act (GMA) conduct the “periodic review and update” of *comprehensive plans* and *development regulations* required under [RCW 36.70A.130 \(5\)](#). This checklist identifies components of comprehensive plans and development regulations that may need updating to reflect the latest local conditions or to comply with GMA changes since the last periodic update cycle (2015-2018).

Local governments should review local comprehensive plan policies, countywide planning policies and multicounty planning policies (where applicable) to be consistent with the new requirements.

Checklist Instructions

Please use the most recent versions of your comprehensive plan and development regulations to fill out each item in the checklist and answer the following questions:

Is this item addressed in your current plan or development regulations? If YES, fill in the form with citation(s) to where in the plan or regulation the item is addressed. Where possible, we recommend citing policy or goal numbers by element rather than page numbers, since these can change. If you have questions about the requirement, follow the hyperlinks to the relevant statutory provision or rules. If you still have questions, visit the Commerce [Periodic Update webpage](#) or contact the [Commerce planner assigned to your region](#).



Schedule

The City of Toppenish, as a fully planned community under RCW 36.70A.130, must complete a periodic update for the entire Comprehensive Plan and development regulations, and Critical Areas Ordinance, on or before June 30, 2026. To achieve this deadline, it is anticipated that beginning in the fall of 2024, Planning Commission meetings will include regular process updates, when available. The City will draft required elements (e.g. chapters) of the Comprehensive Plan in year 2 of the funding cycle. The final approval process will be completed at the end of the planning process.

Regular Meetings

Planning Commission

The Planning Commission will discuss updates to the Comprehensive Plan during their regularly scheduled, monthly meetings. Comments received during these meetings will be considered as plan amendments are being drafted. Comments received may guide other amendments and/or updates and are therefore critical to the final planning document.

5:30 PM
(Third Wednesday of the Month)

City Hall | Council Chambers
21 W. 1st Ave., Toppenish, WA 98948

zoom  Virtual attendance available

Study Sessions

City Council

The City Council will follow the Planning Commission’s work on the plan update by reviewing the Planning Commission’s meeting minutes and occasionally discussing the work at regularly scheduled study sessions. The City Council’s adoption of the plan will depend on the Planning Commission’s timing for a public hearing and its final recommendation(s).

5:00 PM
(First, Second, and Fourth Monday of the Month)

City Hall | Council Chambers
21 W. 1st Ave., Toppenish, WA 98948

Live streamed on MVTV Channel 194

Our implementation of the program will be based on the set goals, methodology, and outreach tools as described in this document.

Here is the Program's grant schedule:

<i>Year 1: State Fiscal Year 2025 (FY25) - July 1, 2024 to June 30, 2025</i>		
Task	Deliverable	Due Date
Develop periodic update work plan	Periodic update work plan	June 13, 2025
Develop a public participation plan	Public participation plan	June 13, 2025
Complete critical areas analysis	Critical areas checklist	June 13, 2025
Complete comp plan analysis and development regulations	Comprehensive plan checklist	June 13, 2025
Population allocation and housing allocation	Population allocation and housing allocation	June 13, 2025
Land use study	Land capacity analysis	June 13, 2025
<i>Year 2: State Fiscal Year 2026 (FY26) - July 1, 2025 to June 30, 2026</i>		
Task	Deliverable	Due Date
Draft critical areas ordinance amendment	Draft critical areas ordinance	June 12, 2026
Critical areas ordinance amendment sent to Council	Critical areas ordinance sent to Council	June 12, 2026
Draft comprehensive plan amendment	Draft comprehensive plan	June 12, 2026
Comprehensive plan amendment sent to Council	Comprehensive plan sent to Council	June 12, 2026
Draft development regulations ordinance	Draft development regulations ordinance	June 12, 2026
Development regulations ordinance sent to Council	Development regulations ordinance sent to Council	June 12, 2026
Public Participation Report	Report detailing public meetings: date/times, topic(s) covered, and summary of public input	June 12, 2026

Methods and Tools

Traditional outreach methods such as meetings, workshops, presentations, etc., will play an important role in public engagement. We will use a variety of new engagement tools to ensure a broad and diverse population has been informed of the process and is given an opportunity to provide comments. Public participation methods and tools may be reviewed and/or refined throughout the update process, as needed. The anticipated public outreach methods and tools included are highlighted on the following pages.



Face-to-face

Community Events

Engagement Nights

The Community and Economic Development Department is planning on staffing an information table during various Community Engagement Nights to provide information and solicit feedback on topics related to the update.

Visioning Workshops

Led by the Mayor, the City is hosting three (3) visioning sessions for creative problem-solving - finding a way to preserve what we value as we embrace a new, different future, three crucial topics. Information gathered at these events will be used to support the update. The discussion topics are:



Housing a Community

What should our community look like in 20 years?



Sustainable Tourism

How can we shape a tourism economy that balances corporate interests with local entrepreneurship?



Accountable Stewardship

How can we explore ways to safeguard our rivers, trails, and the natural beauty of our city?

Digital

The City is planning on using traditional email correspondence, website narratives, and social media platforms to share public meeting dates, and upcoming event reminders, and address update-related topics.

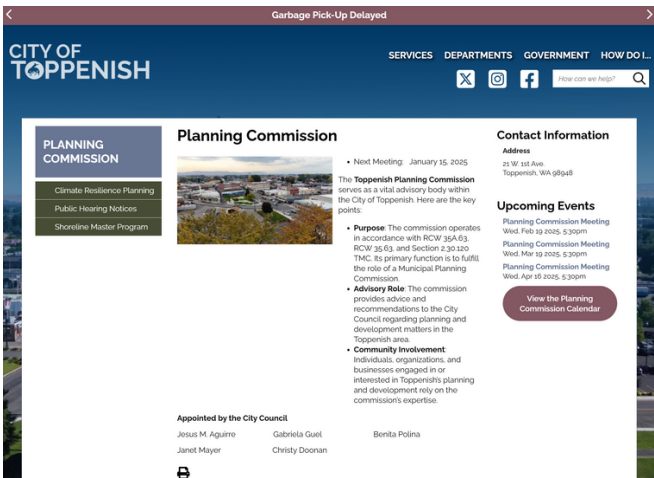
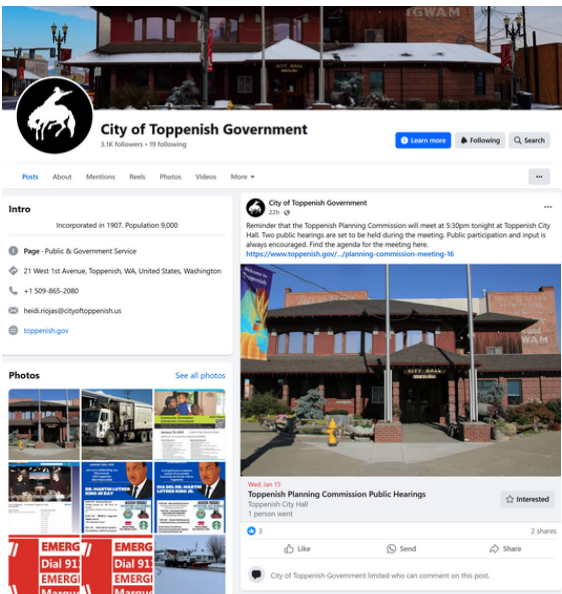
Website + Webpage. In addition to the City’s primary website, we will maintain a webpage dedicated to the 2026 Comprehensive Plan Update. The website will include draft documents, meeting information, staff contact information, and helpful links for public engagement. Documents such as the Public Participation Plan, Draft Comprehensive Plan (during various stages of public review), existing Comprehensive Plan, and support materials, will be made available online.

City Website; toppenish.gov
Comprehensive Plan Webpage; toppenish.gov/ComprehensivePlan

Email. To provide a consistent contact for this update individuals can email Andrew Hattori at andrew.hattori@cityoftoppenish.us.

Social Media. Informational posts will be shared on the City’s social media accounts:
Facebook; facebook.com/ToppGovWA
Instagram; [@topp_city](https://atopp_city)

Survey Monkey. The City is planning to use at least two (2) surveys to collect feedback from the community during the update. Utilizing Survey Monkey, survey questions will be distributed in an online format and shared via email, social media platforms, and the website/webpage.



Media



Newspaper Legal Notice. When appropriate, the City is planning to expand standard print legal notices to include display ads (both digital and hard copy) and other printed information:

- Public notices will be posted in the Sunnyside Sun, following the required public noticing procedures outlined in Toppenish Municipal Code (TMC) 14.10.
- Notices may be the required “legal” notice but may also include display advertising.

Press Releases. Press Releases and/or written columns may be used to highlight topics or provide a deep dive into complex issues. Press releases are provided digitally via email and on the City’s website in the “News & Notices” section.



Mail

The City has generally moved away from “blanket” mailings. However, mailing hard copies of materials may be performed as needed throughout the process.

- Community members within city limits may at any time during the update process request a paper copy of the materials.
- City residents may request to be put on a mailing list to receive future mailings.
- Blanket mailings may be sent, for formal processing, such as SEPA review.



Boards

The City is planning to expand traditional public legal postings by placing, when appropriate, information in additional locations throughout the community.

- Public notices identifying public hearing dates and times, workshops, surveys, etc., will be posted on notice boards located at City Hall, following the required public noticing procedures outlined in TMC 14.10.
- Notices may be posted at other locations, such as the post office, grocery store, or other public gathering spaces.

The Comprehensive Plan is a collaborative effort involving the local community, elected officials, appointed volunteers, stakeholders, and city staff.

Roles

Public participation is a key component of the City’s planning process. Knowing the roles of each group in the planning process will help to build understanding and trust in the process.

Community

8,854 POPULATION
(2020 Decennial Census)

Anyone who lives, works, visits, or interacts with the City of Toppenish is welcome to provide comments. We will utilize the tools outlined in this program to connect with and provide a voice to as many people and organizations as possible. This includes engagement with marginalized communities.

City Staff/Consultant Team

02 TEAM MEMBERS

The Community and Economic Development and Consultant Team will lead and facilitate the update to the Comprehensive Plan and associated development regulations update. This may include overseeing consultants, facilitating and coordinating public meetings and events; and presenting materials to the public, the Planning Commission, and the City Council throughout the process. City staff are also responsible for public notification and ensuring the accessibility of documents.

Planning Commission

05 BOARD MEMBERS
(4-year Term Service)

The Planning Commission is responsible for considering all public comments, taking into account the community’s best interests, directing amendments, and making a formal recommendation to the City Council.

City Council

07 COUNCIL MEMBERS
(4-year Term Service)

The City Council will take into consideration the Planning Commission’s recommendations, including public comments, before making a final decision. A public hearing will be held for the final draft prior to City Council action. Public notice will be provided, in accordance with state law and the Toppenish Municipal Code (TMC).

Conclusion

This Program may be updated as conditions change or if additional resources to support outreach activities become available.

To provide feedback, please contact the City’s Community and Economic Development Director, (509) 865-2080.



Visit Us

21 West 1st Avenue
Toppenish, WA 98948



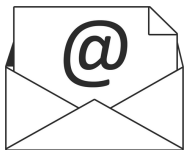
Write Us

21 West 1st Avenue
Toppenish, WA 98948



Call Us

(509) 865-2080



Email Us

andrew.hattori@cityoftoppenish.us

REQUEST FOR PLANNING COMMISSION REVIEW

Meeting Date: February 19, 2025

Subject: Design District Requirement Discussion

Attachments: Winthrop Design District Code, Updated Design District Map

Presented by: Andrew Hattori, CED Director

Approved For Agenda By: Andrew Hattori, CED Director

Background:

At the January 15, 2025 Planning Commission meeting a discussion related to the size of the Design District boundaries resulted in a proposal for a significant reduction in area, as shown in the attachments. The discussion also pointed to looking at what other cities with similar design districts are doing for their requirements.

Discussion:

Based on the discussion at the recent Planning Commission meeting, staff presents an updated Design District Map reducing the area to include the properties abutting the following sections of roads:

- Toppenish Avenue, from BNSF railway tracts to W 2nd Avenue
- S Division Street, from Toppenish Ave to W 1st Avenue
- W 1st Avenue, from Toppenish Ave to S Division St

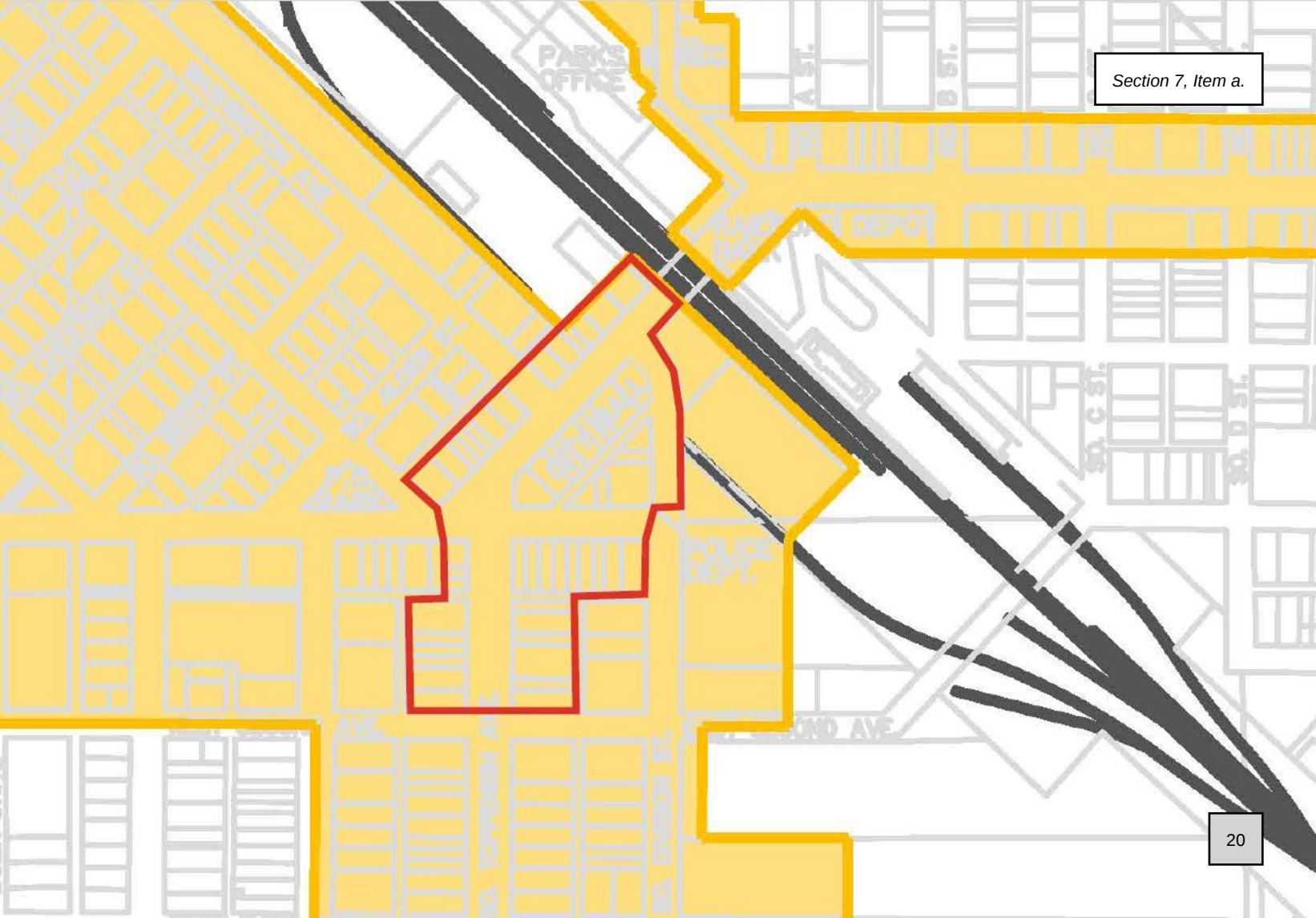
These areas have been identified as the most integral and conforming areas of the current Design District. A reduction in area to only include these sections of roads will result the highest likelihood of continued conformance to the requirements of the current and potential update of the Design District.

A review of our Design District design requirements shows a lack of explicit requirement details, this has led to the possibilities of buildings not exemplifying a western theme, but still being permitted under the design district. Staff researched design districts with similar purposes and have identified the City of Winthrop's Design District to be the best comparison for what Toppenish aspires to achieve. Winthrop's design district provides clear instructions on the processes, location of buildings, and construction materials and lettering that Toppenish could benefit from.

Staff is requesting a discussion on if the design requirements and materials of Winthrop's design district would be feasible and beneficial to our design district as well.

Recommendation: Not Applicable

Alternatives: Not Applicable



Chapter 15.08 WESTERNIZATION

Sections:

[15.08.010 Purpose.](#)

[15.08.020 Westernization design review board.](#)

[15.08.025 Westernization administrator.](#)

[15.08.030 Applicability of regulations—Permit required.](#)

[15.08.040 Westernization permit exemptions.](#)

[15.08.060 Timing, validity of actions.](#)

[15.08.070 Fees.](#)

[15.08.080 Definitions.](#)

[15.08.100 Enforcement.](#)

[15.08.200 Winthrop western theme.](#)

[15.08.210 Authentic style, design, materials, colors, and fonts.](#)

[15.08.220 Design and material standards—Applicability.](#)

[15.08.230 Design and material standards—Buildings and structures.](#)

[15.08.240 Design and material standards—Building elements.](#)

[15.08.250 Design and material standards—Signs, artwork, murals.](#)

[15.08.260 Design and material standards—Exterior lighting.](#)

[15.08.270 Design and material standards—Mobile food vending.](#)

[15.08.300 General application requirements.](#)

[15.08.310 Review procedures.](#)

[15.08.320 Certificate of completion.](#)

Prior legislation: Ords. 410, 502, 518, 538, 575, 588, 594, 595, 602 and 610.

15.08.010 Purpose.

The town of Winthrop carries out a westernization program to promote the economic and general welfare of the community by enhancing the overall visual attractiveness of the town through a thoughtful and consistent replication of history, design, and appearance of an inland Pacific Northwest frontier town as it might have looked in the late nineteenth century. Winthrop's westernization standards and criteria promote and preserve attributes of a western town that may have existed between 1850 and 1900. As explained in the comprehensive plan, structures and building elements consistent with the western theme form a key and indispensable part of the overall visual attractiveness of the town and are an essential component of the community's economic development effort. Combined with Winthrop's location in a particularly scenic area attractive for recreation, the westernization program contributes importantly to the economic well-being of the community and is in the public interest to maintain and improve. (Ord. 776 § 1 (Exh. A), 2023; Ord. 713 § 1 (Att. A)(part), 2019; Ord. 692 § 1 (Att. A)(part), 2017)

15.08.020 Westernization design review board.

A. The westernization design review board (WDRB) is authorized to administer the westernization program.

B. The WDRB shall have the following authority, duties and responsibilities:

1. Reviewing applications for westernization permits submitted pursuant to this chapter, and making written decisions based on standards and criteria in this chapter.
2. Maintaining and regularly reviewing the westernization regulations and recommending amendments to the town council when appropriate.
3. Promotion, observation, and communication of the westernization program for the benefit of the community.

C. The mayor, with confirmation by majority vote of the town council, may appoint members to the WDRB for two-year terms. The members shall be selected without respect to political affiliations and shall serve without compensation. Members may be removed after a public hearing by majority vote of the town council for inefficiency, neglect of duty or malfeasance in office.

D. The WDRB shall consist of at least four and no more than seven members. At least two of the members shall be owners, operators, or employees of businesses in the town.

E. The WDRB shall annually select a chairperson and adopt internal rules of procedure. The committee shall schedule regular meetings. A majority of the membership shall constitute a quorum for the transaction of business. Meetings are subject to the Open Public Meetings Act.

F. In the event that the appointed membership of the WDRB is reduced to a point that it is impossible to obtain a quorum for the transaction of business, then the planning commission of the town is hereby designated as the WDRB with all of the duties and authority that could be performed by the WDRB under this chapter, and until such time that a sufficient number of appointed WDRB members exist so that it is possible to obtain a quorum. (Ord. 776 § 1 (Exh. A), 2023; Ord. 713 § 1 (Att. A)(part), 2019; Ord. 701 § 1, 2018; Ord. 692 § 1 (Att. A)(part), 2017)

15.08.025 Westernization administrator.

The westernization administrator (“administrator”) shall be appointed by the mayor with confirmation by the town council. The duties and responsibilities of the administrator shall include:

- A. Assist administration of the westernization program.
- B. Answer questions from the public regarding the town’s regulations.
- C. Maintain application forms based on the provisions of this chapter.
- D. Prepare required notices and process applications for review.
- E. Assist the WDRB and town council in preparing meeting agendas and conducting meetings.
- F. Prepare staff reports for pending applications.
- G. Prepare findings of town decisions.
- H. Administer enforcement provisions of this chapter.
- I. Prepare and distribute notices of decisions; and
- J. Maintain the public record for all applications and actions. (Ord. 776 § 1 (Exh. A), 2023; Ord. 713 § 1 (Att. A)(part), 2019; Ord. 692 § 1 (Att. A)(part), 2017)

15.08.030 Applicability of regulations—Permit required.

A. This chapter applies to those features of all commercial uses allowed by zoning, except residential, in a westernization district that are visible from an adjacent public way. The public ways from which the permit requirements of this chapter shall apply are: State Route 20, Riverside Avenue, Bridge Street, Castle Avenue, White Avenue and Bluff Street. The westernization districts shall correspond with commercial zoning districts as follows: W-1 corresponds to B-1; W-2 corresponds to B-2; and W-3 corresponds to B-3; except as otherwise established through adoption of a westernization overlay map.

B. No structure, physical improvement of property, sign, artwork, or external lighting governed by this chapter

shall be constructed, altered or developed by any person, firm, corporation, government or other legal entity without a westernization permit unless the structure, physical improvement of property, sign, artwork or external lighting is expressly allowed without a permit. All structures, physical improvement of property, signs, artwork, or external lighting must comply with this chapter.

C. Constructing, renovating, relocating, repainting, reroofing, or altering the exterior of a business, retail, office or commercial structure, nonresidential structure or accessory structure requires a westernization permit.

D. Installation, modification, alteration or relocation of signs, banners, artwork, historic items, and replicas, permanent or temporary, requires a westernization permit.

E. Installation, modification, alteration, or relocation of exterior lighting requires a westernization permit.

F. Construction, installation, alteration, or relocation of other physical improvements such as railings, fencing, landscape structures, boardwalks, building mechanical features, exterior furnishings or other outdoor appurtenances requires a westernization permit.

G. Reroofing or repainting a commercial structure requires a westernization permit but is exempt from application fees.

H. Construction, reconstruction or rebuilding a boardwalk requires a westernization permit, but is exempt from application fees.

I. Installation, modification, alteration, or relocation of the following signs requires a westernization permit but is exempt from application fees. Colors and lettering shall conform to the allowed westernization colors and allowed westernization fonts.

1. Temporary “new” or “coming soon” business signs.

a. One temporary sign per business is allowed.

b. All signs referring to a previous business shall be removed when placing a temporary sign.

c. A temporary sign must be of dimensional lumber, paper or canvas and must not exceed six square feet in size in the W-1 or W-2 district and no more than twelve (12) square feet in size in the W-3 district.

d. Temporary signs shall be affixed to the inside of a window of the business facing a public way. If the business lacks a window facing a public way, a temporary sign may be affixed to the outside surface of a building or as a freestanding sign.

e. A temporary sign shall be displayed no longer than sixty (60) days after initial posting.

2. Real estate and rental signs.

a. One “for sale” or “for rent” sign is allowed per street frontage.

b. In the W-1 and W-2 districts, a sign shall not exceed four square feet in size; in the W-3 district, a sign shall not exceed six square feet in size.

c. Materials, colors and fonts must conform to provisions of this chapter.

d. In the W-2 district, each sign must be affixed to a building. In the W-1 and W-3 districts, signs may be freestanding, double-sided. Signs are temporary and must be removed seven days from the close of sale or property rental.

3. Outdoor menu signs for full-service restaurants. A menu sign shall be no larger than twenty-two (22) inches by twenty-eight (28) inches and shall be affixed to or enclosed within a structure complying with chapter standards for material and placement.

4. A chalkboard to advertise specials for a business in the W-2 or W-3 district. A chalkboard shall not be composed of plastic or reflective material. A chalkboard shall be affixed to the building parallel to the main facade and shall not exceed four square feet in size. A chalkboard background color shall be black with a matte finish; lettering shall be white with a matte finish.

5. Signs of local, county, state, and federal government entities, except signs governed by the federal Manual on Uniform Traffic Control Devices.

6. One commemorative plaque per business is allowed in all districts. A commemorative plaque shall not exceed two square feet in size, with lettering not exceeding one inch in height.

7. Banners for nonprofit events taking place in the 98862 zip code may be hung for fourteen (14) days prior to an event and must be removed within forty-eight (48) hours of the event’s completion. Banners must be made of canvas or woven nonreflective fabric and must obtain a westernization permit. Banners shall be no larger than five feet tall and sixty (60) feet in length. Banners may be used annually upon WDRB approval when placement is contingent on a yearly special event permit with the town.

J. The town shall not issue a building permit without an approved westernization permit or demonstration of compliance with this chapter.

K. If a building permit expires, a westernization permit also expires and all work must cease.

L. In the event of a natural disaster, the requirements of rebuilding and repairing structures to the westernization standards and requirements listed in this chapter remain in force.

M. Consolidated Review of Applications. When an applicant applies for more than one type of permit for a parcel or contiguous parcels of land, the proceedings shall be consolidated for review and decision. When proceedings are consolidated, required notices may be consolidated, provided the notice shall identify each application to be decided. When more than one application is reviewed in a hearing, separate findings and decisions shall be made on each application.

N. If, during project review, features are identified as necessary to meet the Americans with Disabilities Act (ADA) standards, a permit shall be required, but otherwise prohibited materials may be used without being concealed. Uses shall comply to the extent practical and feasible without a reduction in the function required by ADA standards. (Ord. 781 § 1 (Exh. A), 2024; Ord. 776 § 1 (Exh. A), 2023; Ord. 713 § 1 (Att. A)(part), 2019; Ord. 692 § 1 (Att. A)(part), 2017)

15.08.040 Westernization permit exemptions.

A. A westernization permit is not required for constructing, renovating, painting, roofing, or altering the exterior of a structure, utilities and appurtenances or the storage of material where the activity is fully obscured or not visible from the adjacent public way. Building or installing screening to block a building element or activity from view requires a westernization permit and conformance with this chapter.

B. The following signs or displays do not require a westernization permit or application fee, but shall be installed and maintained in conformance with this chapter:

1. Temporary signs used for advertisement of a nonprofit event in the 98862 zip code. Signs are permitted only outside of the public right-of-way at the intersection of Highway 20 and White Avenue/Twin Lakes Road and at the Winthrop Barn's parking lot entrance only if the event is being held at the Winthrop Barn. Double-sided signs shall not exceed thirty (30) inches by forty-two (42) inches. Signs may be erected forty-eight (48) hours prior to the event, must be removed within twenty-four (24) hours after the completion of the event and may not be displayed more than five consecutive days in any one month of the year.
2. Window displays in a business in a W-3 district may advertise any community event or public service. Window displays advertising a community event or public service shall be no larger than three square feet in size.
3. One "open/closed" or "hours open" sign not exceeding four square feet in size per business. Signs must be made of wood or metal. Colors and lettering shall conform to the allowed westernization colors and allowed westernization fonts.
4. "Sale" or "store special" signs on the inside of a window shall be no larger than eleven (11) by fourteen

(14) inches, shall be placed no closer than one sign per ten (10) linear feet of window dimension, and may be placed for the duration of the sale but shall not exceed twenty-eight (28) days in duration. Colors and lettering shall conform to the allowed westernization colors and allowed westernization fonts.

5. Business property numbers. Numbers mounted on buildings in the W-1, W-2 and W-3 districts shall conform to the allowed westernization colors and allowed westernization fonts. Property numbers intended for emergency responders may be in colors and materials determined by Okanogan County Fire District Number 6.

6. Lettering on commercial mailboxes shall be limited to the name of the business or addressee and shall be no more than one inch high.

7. Display of official flags of the United States of America, Canada, Washington State and POW-MIA is exempt from requirements of this chapter. A flagstaff or flagpole shall conform to standards related to materials and color.

8. Political election signs. Signs must be removed within ten (10) days following an election.

9. Replaceable letter message sign located at the Winthrop Barn.

10. Community bulletin board at the Winthrop library and the Winthrop visitor center.

11. Window signs or decals required by law.

12. Signs that are governed by the federal Manual on Uniform Traffic Control Devices.

C. A public project undertaken by the town of Winthrop is not exempt from the requirements of this chapter and shall require proposal review by the WDRB and a westernization permit. Town projects shall comply to the maximum extent practical and feasible with all aspects of this westernization code. A public project involving concrete, asphalt, or gravel surface of a public way, constructed and maintained for public health and safety, according to adopted public works standards is exempt from the requirements of this chapter and shall not require a westernization permit. Painted and applied pavement markings governed by the federal Manual on Uniform Traffic Control Devices are exempt from this chapter and shall not require a westernization permit. Cast iron drainage grates, sewer and water covers, and utility vault covers are exempt from the requirements of this chapter and shall not require a westernization permit. If at any time the town has difficulties meeting all requirements of the code due to public safety or project requirements, these must be brought to the WDRB for review and discussion.

D. Special events approved by the town council are exempt from the standards in this chapter and shall not require a westernization permit. This exemption applies to signs, artwork, merchandise, mobile vending, tents, or other temporary installations for the approved event. Signs may be displayed forty-eight (48) hours prior to and

for the duration of the event. (Ord. 776 § 1 (Exh. A), 2023; Ord. 713 § 1 (Att. A)(part), 2019; Ord. 692 § 1 (Att. A)(part), 2017)

15.08.060 Timing, validity of actions.

A. In the W-2 district, projects to erect, move, add to, repaint, reroof, alter an exterior structure, demolish a structure or make any other physical improvements to property shall not take place from Memorial Day to Labor Day.

1. The WDRB shall authorize exceptions for repairs or reconstruction to correct unsafe conditions or to enable repairs or reconstruction necessitated by fire or natural disaster.
2. The WDRB may authorize exceptions for up to four weeks' time in June only where it finds:
 - a. That the time extension is in the public interest;
 - b. That the activity authorized by the time extension will not adversely affect downtown business activity; and
 - c. That the scope of the project requires more time and that other construction alternatives not requiring a time extension are not practicable.
3. In authorizing any extension, the WDRB shall adopt specific conditions to mitigate issues related to noise, dust, pedestrian circulation and access, vehicle parking and visual effects.
4. Upon written request by landowner, and review of the WDRB, the town council may allow construction during the Memorial Day to Labor Day time period pursuant to a mitigation agreement outlining the terms under which construction is authorized.

B. A westernization permit is valid for one year from issuance. A permit may be amended but shall not change the deadline for completion of work under the permit. (Ord. 781 § 1 (Exh. A), 2024; Ord. 776 § 1 (Exh. A), 2023; Ord. 713 § 1 (Att. A)(part), 2019; Ord. 692 § 1 (Att. A)(part), 2017)

15.08.070 Fees.

The town council shall establish a schedule of fees and charges for permits and other matters pertaining to this chapter.

- A. No property owner is entitled to a vested right for fees, charges or expenses related to a project.
- B. All fees required under this chapter shall be in addition to, and not in lieu of, any other fees due for permits or approvals under any other ordinance, rule, or regulation of the town.

C. The town of Winthrop and all county, state and federal government agencies are exempt from fees for a westernization permit. (Ord. 776 § 1 (Exh. A), 2023; Ord. 713 § 1 (Att. A)(part), 2019; Ord. 692 § 1 (Att. A)(part), 2017)

15.08.080 Definitions.

Except as defined below, words or phrases used in this chapter shall be as defined by the Merriam-Webster's Collegiate Dictionary, Eleventh Edition.

"Abandoned sign" means any sign that represents or displays any reference to a business or use which has been discontinued for more than ninety (90) days or for which no valid Winthrop business license exists.

"Accessory structure or use" means any structure or appurtenance which is not permanently attached to a building but is used, erected, or maintained in conjunction with a use or structure regulated by this chapter.

"Adjacent" means having a common endpoint or border.

"Artwork" means an expression of creative skill, imagination or history in a visual form, such as painting, sculpture, carving, historic item or reproduction, which is intended to beautify or provide aesthetic influences to public areas on private property or areas on private property which are visible from a public way.

"Building facade" refers primarily to the front or main face of a building, encompassing the entire flat plane of surface visible when viewing the building. The building facade or face shall include all window and door openings and shall be measured from the sidewalk or ground line to the building eave line.

"Commemorative plaque" means a small plaque affixed to a building identifying an important historic person or event from the time period 1850 to 1900 associated with the property.

"Full-service restaurant" means an establishment with a relatively broad menu along with table, counter and/or booth service and wait staff. These establishments offer meals and snacks for immediate consumption primarily on premises, although they may offer takeout service.

"Hardware" means items used in the construction, function, or ornamentation of buildings such as hinges, handles, chains, locks, catches and brackets.

"Landscape structures" means structures intended to hold soil or material in place or to provide decoration.

"Mural" means a work of art applied to the side of a building. Murals do not advertise commercial endeavors, except fictitious ones from the time period of 1850 to 1900, and may contain landscape scenes or historical depictions of the Methow Valley.

"Period-authentic" means style, design, appearance, construction, materials, colors and lettering true to western

frontier architecture in Winthrop for the time period of 1850 to 1900. Period-authentic shall be devoid of post-1900 influence.

“Physical improvement” means anything built or placed upon property that has volume, mass, texture, and color. For the purposes of this chapter, excavations, water, natural stone, and vegetation are not physical improvements.

“Sign” means any structure, device, fixture, or placard using graphics, symbols and/or written copy designed specifically for the purpose of advertising or identifying any business occupant, establishment, product, goods, or services. A sign shall not include legal notices, identification or information erected by governmental bodies or public utilities, flags, a memorial plaque, tablet, or cornerstone made an integral and permanent part of the building, signs within a building which cannot be seen from outside the building, and holiday decorations.

“Walkway” means the pedestrian travel way on private property outside the public right-of-way connecting the public boardwalk or sidewalk to the interior of a property.

“Weathered corrugated metal” means a standardized sheet of mild steel used for roofing or siding which has been cold rolled to impart corrugation and naturally or chemically weathered such that the surface is entirely matte finish at the time of installation. (Ord. 781 § 1 (Exh. A), 2024; Ord. 776 § 1 (Exh. A), 2023; Ord. 713 § 1 (Att. A)(part), 2019; Ord. 692 § 1 (Att. A)(part), 2017)

15.08.100 Enforcement.

A. Any person, corporation, partnership, association, or other legal entity who fails or refuses to comply with any of the provisions of this chapter shall be deemed to be in violation of this chapter and shall be subject to enforcement as set forth in this section.

B. Enforcing Official. The administrator, or other person assigned or directed by the mayor, is charged with enforcing provisions of this chapter. The enforcing official charged with enforcement of this chapter, acting in good faith carrying out the duties required by this chapter, shall not be personally liable for actions that may accrue as the result of an act or omission in the discharge of those duties.

C. Initiation of Complaint. Any party may file a westernization code inquiry of noncompliance with the administrator. A complaint shall be in writing, identify the property in question by address or business name, specify an alleged violation of this chapter and be signed by the person making the complaint.

D. Complaint. Upon receipt and validation of a complaint that complies with subsection C of this section, the administrator shall contact the business or property owner with notice of a complaint. The administrator shall determine a course of action, if any, for addressing the complaint and set a time frame for corrective action. If corrective action is not completed within the determined time frame, the administrator shall forward the complaint to the mayor.

E. Violation.

1. Upon referral or recommendation by the administrator about a complaint, the mayor may direct the administrator to issue a formal notice of violation.
2. A notice of violation shall contain the following:
 - a. The name and address of each property owner of record and any other person the city has determined is responsible for correcting the violation(s).
 - b. The street address or a legal description sufficient for identification of the property.
 - c. The assessor tax parcel number(s) of the property.
 - d. A description of each violation.
 - e. An order that the use, acts or omissions which constitute violation(s) must cease.
 - f. A statement of the corrective action required for each violation, with a deadline by which action must be completed, not less than five days for a violation not involving structural alterations and not less than twenty (20) days for a violation involving structural alterations.
 - g. A warning: "The failure or refusal to complete corrective action by the deadline will result in further enforcement action, including issuance of a civil infraction with civil penalties"; and
 - h. A statement of the right to appeal to the Winthrop town council. The appeal is for the sole purpose of whether the violation has occurred and shall be conducted pursuant to Chapter 19.12.

F. Civil Penalty. If the person to whom the violation is issued fails to respond and take corrective action as required, or if appealed and an adverse final decision is issued by the Winthrop town council to such person and corrective action is not taken within the time frame required in such adverse final decision, a continued violation of this chapter shall be deemed committed without requiring further action by the town. Such continued violation shall subject the person to a civil penalty in an amount of two hundred fifty dollars (\$250.00) per day and each day that the violation continues shall constitute a separate violation.

G. Town Action to Correct Violations.

1. Stop Work Order. The town marshal or the town building official may issue a stop work order upon a finding of good cause that continued work by a permittee poses a significant risk of noncompliance with the purpose and intent of this chapter.

2. Signs which the town marshal or designee finds upon public streets, sidewalks, rights-of-way, or other public property or which present an immediate or serious danger to the public because of their unsafe condition may be immediately removed by the Winthrop marshal's office, and/or its designee, without prior notice.

3. Abandoned signs may be removed by the town marshal, or designee, and the cost of removal shall be paid by the owner of the property where the sign was located.

4. Any unlawful sign or artwork which has not been removed within eight calendar days after the assessment of a civil penalty under this chapter by the Winthrop municipal court, or after the issuance of an order of abatement or other court order requiring the removal thereof, such sign or artwork may be removed by the town marshal, or designee, and the costs of such removal shall be charged to the person violating this chapter.

H. The town, through its authorized agents, may, in addition to any other remedies provided herein, initiate abatement or injunction proceedings or other appropriate action in the appropriate courts of this state to prevent, enjoin, abate or terminate, either temporarily or permanently, any violations of this chapter.

I. Violator Liability Damages. Any person subject to this chapter who violates any provision hereof, or any permit or approval issued pursuant hereto, shall be liable for all damage to public or private property from such violation, including the cost of restoring the affected area to its condition prior to violation.

J. Denial of Other Permits. No westernization permit or building permit shall be issued for any parcel of land developed in violation of this chapter. All purchasers or transferees of the property shall comply with the provisions of this chapter. (Ord. 776 § 1 (Exh. A), 2023; Ord. 713 § 1 (Att. A)(part), 2019; Ord. 692 § 1 (Att. A)(part), 2017)

15.08.200 Winthrop western theme.

A. "Winthrop western theme" as used in this chapter describes a type of design and construction typical of western frontier towns in the late nineteenth century. Development of the Winthrop western theme required by this chapter is based on inland Pacific Northwest town development in the time period of 1850 to 1900 with the following characteristics:

1. Communities were designed exclusively on a human scale, meaning the mass, volume and orientation to the street created a compact development form with rich details discernible to a slower-paced life of travel by walking or horse and wagon. Building ornamentation and advertising signs reflect the human-scaled and more intimate nature of design.
2. Frontier town commercial main street districts typically exhibited the effects of fast, cheap construction with unrefined materials brought about by lack of access to large city markets and the pressure to rapidly

settle new territory and gain economic advantage over competing interests. Rapid and uncomplicated development of frontier towns often reflected “boom town” conditions brought on by development of natural resources, the commercial services that supported resource development and the introduction of new and easier transportation to outside markets.

3. Frontier buildings typically created an immediate and memorable street presence, intended to show the illusion of wealth and prosperity in boom town conditions. The technique of “balloon framing” using simple materials and construction helped contribute to less-refined structures that were embellished with ornamentation to create the illusion of importance. Simple materials were used to create large, and not entirely functional, building facades. Ornamentation often included bold signs and bold colors to garner attention.

4. Four types of western frontier town commercial buildings are exemplified in the Winthrop western theme:

a. Main Street Commercial False Facade. Buildings typically are two functional stories high, often with false facades that project higher. Buildings typically are connected with a boardwalk that is covered by a canopy/porch anchored at the top of the first story. Buildings are framed simply and often sheathed with simple wood siding. Windows are simple in design and generous in number.

b. Residential Cottage. Buildings typically are one to two stories high with gabled roof lines. Design and material are simple but may contain additional ornamentation and color to infer a more refined look in a frontier town.

c. Utilitarian Commercial. Buildings typically are converted or designed to mimic a converted noncommercial building like a mill or barn. Buildings often include a feature like a tower or similar addition to provide additional scale or importance to a prominent location such as a street corner. Rustic materials and construction exemplify this building type.

d. Greek Revival. Buildings typically took on a more refined appearance than other frontier construction. The style flourished on the East Coast at the time of western frontier development, prompting local frontier craftsman to mimic classic buildings with more refined materials such as milled lumber and more refined ornamentation. Greek Revival design on the western frontier often was reserved for public buildings or banks.

B. The design, proportions, appearance, and configuration of buildings must reflect the Winthrop western theme as depicted primarily in “The Winthrop Design” by Robert A. Jorgensen.

C. Design guidelines for the Winthrop western theme may be derived from the following references:

The Winthrop Design
Robert A. Jorgensen
Saddlebag Press (1973)
Leavenworth, Washington

Shafer Museum Archives
Winthrop, Washington

The American Builder's
Companion
Asher Benjamin 1827
Dover Publications, Inc. (1969)
New York, New York

Frank Matsura: Frontier
Photographer
JoAnne Roe
University of Washington Press
Seattle, Washington

Ghost Towns of the West
Lambert Florin
Promontory Press
New York, New York

Frank Matsura: Images of
Okanogan County
The Chronicle and Okanogan
Historical Society
Pediment Publishing
Vancouver, Washington

Atkinson Sign Painting
Frank H. Atkinson
Signs of the Times Publishing
Company
Cincinnati, Ohio

Sign Painting Course
E.C. Matthews
Facsimile Publisher
Ashok Vihar, Delhi-110052

Bound for the Methow

Kit McLean and Karen West Shafer Museum (2009) Winthrop, Washington

(Ord. 776 § 1 (Exh. A), 2023; Ord. 713 § 1 (Att. A)(part), 2019; Ord. 692 § 1 (Att. A)(part), 2017)

15.08.210 Authentic style, design, materials, colors, and fonts.

A. Building Style and Design Guidelines. All building style and design shall represent the Winthrop western theme and be period authentic as real structure or replica of buildings and materials from an inland Pacific Northwest town in the time period of 1850 to 1900. The characteristics of a typical Winthrop commercial building are as follows:

1. Building Height. One-story buildings are from fifteen (15) feet and six inches to twenty (20) feet in height. Two-story buildings are from twenty-six (26) feet to thirty (30) feet in height. False facades commonly add height in proportion to the building proportions.
2. Building Setback. Commercial buildings typically are built to the front property line at the street. Residential structures typically are developed with either continuous frontage or set back from the property lines.
3. Building Rhythm. The widths of buildings, either singly or in combination with other structures, create a recurring pattern every approximately thirty (30) feet.
4. Facade Rhythm. The front building face has an alternating pattern of solids (structural mass) and voids (openings which permit freedom of view or passage). A thirty (30) foot bay can be divided into three or four segments, each containing a window or pair of doors. Pairs of columns define openings or segments.
5. Facade Proportions. Building facades can be divided along horizontal and vertical lines into rectangular shapes. The shapes have height-to-width relationships of one-to-one, two-to-three, and three-to-five.
6. Directional Expression. The appearance of individual facade elements in one-story buildings is predominantly vertical. The pattern of repeated bays, detail lines, and structural shape gives a definite horizontal thrust to the overall streetscape of building facades.
7. Doors. Doors are clearly identifiable and complement the overall design and proportions of a facade. Double doors or tall doors make a significant statement about a business establishment. Door openings are trimmed with simple wood material.
8. Covered Boardwalk. A canopy or shed roof covering the boardwalk is not a part of every building. Where present, a boardwalk canopy spans the full width of the public sidewalk. Post heights are a minimum of nine feet and six inches and a maximum of eleven (11) feet and six inches. Post rhythm may vary with porch or

covering length but usually occurs at eight, ten (10), or twelve (12) foot intervals. The slope of the boardwalk cover is a minimum of three-to-twelve (12) and a maximum of four-to-twelve (12).

9. Windows. Storefront display windows may be a large glass pane. Other windows are predominantly small fixed-pane or double-hung sash construction with smaller glass panes in combinations of two by two, two by three, three by three, and three by four, in proportion to the facade. Window openings are trimmed with simple wood material.

10. Details. Details are principally made of wood. Details reflect appropriate frontier vernacular or Greek Revival styles. Greek Revival building details are more elaborate by incorporating planed, surfaced, and sanded siding and milled woodwork on surfaces such as trim, pediments, eaves, corbels, cornices, dentils, plinths, and columns. Roof lines on all buildings should include simple cornices that provide shadow lines. Simple cornice brackets provide architectural detail.

11. Rear Facade. The rear facades of buildings have different functional characteristics and are not expected to replicate the same rhythm, proportions, or western theme details as the front-facing facade.

B. Materials. Visible exterior building materials shall be period-authentic and reflect indigenous/native materials available in the Methow Valley such as logs, poles, rough-sawn lumber boards and battens, wood shakes and shingles, milled horizontal wood siding, trim and finish materials, natural stone, brick and weathered corrugated metal siding and roofing. Except as otherwise indicated in this chapter, pressure-treated woods, concrete, composite materials, and plastics are not permitted where visible from an adjacent public way.

C. Color. All structures, signs and artwork shall be period-authentic color. Untreated new or weathered wood siding is permitted; clear-coating or water-sealing of wood siding with modern sealants is not period-authentic and is not allowed, although use of clear oil as a preservative is permitted. The town council shall adopt a set of allowed westernization colors for structures, signs and artwork subject to this chapter. All colors shall be matte finish and shall match the allowed westernization colors. Colors used for coloring building elements or coloring signs shall be as presented on the set of allowed westernization colors and may be blended, layered, or graded; artwork and murals may employ greater freedom using allowed westernization colors.

D. Hardware. All hardware used on exterior surfaces must be period-authentic in style. Exterior hardware shall be metal with a matte finish. Photographs of proposed hardware must accompany application for a westernization permit and be approved by the WDRB.

E. Lighting Fixtures. All exterior lighting fixtures must be period-authentic in style. Lighting fixtures shall be metal with a matte finish. Photographs of proposed lighting fixtures must accompany application for a westernization permit and be approved by the WDRB.

F. Fonts. All signs and artwork using text shall be period authentic. The town council shall adopt a set of allowed

westernization fonts for exterior signs, artwork or lettering subject to this chapter. Examples of proposed fonts must accompany application for a westernization permit.

G. Boardwalk Decor. Design aspects of permanent/semi-permanent boardwalk decor (benches, flowerpots, wall planters) shall fit within westernization standards and be permitted by the westernization board. Holiday decor is allowed without a permit but must be removed the week after the holiday.

H. Applicant Responsibility. An applicant for a westernization permit is responsible to demonstrate 1850 to 1900 period-authenticity. (Ord. 776 § 1 (Exh. A), 2023; Ord. 713 § 1 (Att. A)(part), 2019; Ord. 692 § 1 (Att. A)(part), 2017)

15.08.220 Design and material standards—Applicability.

A. Design and material standards vary according to the westernization district in which a building, structure, sign, or artwork is located and by the facade of the structure visible to an adjacent public way. Specific standards for the River Walk corridor apply where articulated herein.

B. Westernization Districts. Westernization districts are hereby established that reflect differences in development within the town consistent with the comprehensive plan and zoning code.

1. The W-1 district corresponds to the B-1 commercial district of town where a mix of commercial and noncommercial uses is allowed.
2. The W-2 district corresponds to the B-2 commercial district, the main retail- and tourist-oriented center of town where uses are almost exclusively retail and comprise the main attraction to town visitors. This district permits some distinct standards for the River Walk corridor that reflect the functional needs for rear facades and rear yard areas.
3. The W-3 district corresponds to the B-3 commercial district, the area of mainly highway-oriented retail and services.

C. Application of Design and Material Standards. Visibility of a building front facade or building side or rear wall from an adjacent public way shall determine application of design standards.

1. Building Front Facade. The “building front facade” is the side of the building adjacent to and typically facing onto a public way. The building front facade typically is the public entrance to a building, particularly in a commercial setting, and is nearly always visible from the public street. Design standards of this chapter apply to the building front facade.
2. Building Side Wall. The “building side wall” is the side or wall of a structure that connects the front facade to a building rear wall. Application of standards to a building side requires case-by-case consideration as a building side may or may not be visible from an adjacent public way depending on the

orientation of the building to the street or the relationship to adjacent buildings.

3. Building Rear Wall. The “building rear wall” is the side or wall of a structure opposite the building front facade. A building rear wall is not subject to the provisions of this chapter where the building rear wall is visible from a nonadjacent public way. Where a visible building rear wall is adjacent to a public way, the provisions of this chapter apply. (Ord. 776 § 1 (Exh. A), 2023; Ord. 713 § 1 (Att. A)(part), 2019; Ord. 692 § 1 (Att. A)(part), 2017)

15.08.230 Design and material standards—Buildings and structures.

A. Exterior Siding.

1. W-1 District. Siding on the front facade and visible building side walls shall be rough-sawn lumber using board and batten technique, milled wood horizontal siding, native stone, brick or weathered corrugated metal. Use of weathered corrugated metal is limited to no higher than forty-eight (48) inches above grade.

2. W-2 District. Siding on the front facade shall be vertical rough-sawn lumber using board and batten technique or milled wood horizontal siding with four- to seven-inch reveal. Surfaces shall not be highly finished, refined or expressing regularity or precision achieved by modern building materials. Building side walls and rear walls may be composed of masonry, brick or weathered corrugated metal limited to use no higher than forty-eight (48) inches above grade. No weathered corrugated metal is allowed on the front facade of any building. River Walk: The height limitation for masonry, brick or corrugated metal siding does not apply to rear facades visible from the River Walk, provided siding is weathered or painted an allowable color to blend with the rest of the building.

3. W-3 District. Siding on the front facade and visible building side walls shall be rough-sawn lumber using board and batten technique, milled wood horizontal siding, rough-sawn unplugged plywood with wood lumber battens spaced not more than twelve (12) inches, brick or weathered corrugated metal. Use of weathered corrugated metal is limited to no higher than forty-eight (48) inches above grade.

4. All wood siding and trim shall be left untreated, treated with clear oil-based preservative or colored with paint or stain to conform to the allowed westernization colors.

5. Repainting or re-staining requires a westernization permit; the town shall charge no application fee.

B. Windows, Exterior Window Frame Components and Window Coverings.

1. Windows shall be fixed pane or double-hung sash construction.

2. All window openings shall be trimmed with minimum four-inch-wide rough-sawn or milled lumber.

3. W-1 and W-3 Districts. All exterior window frame components on the front facade and visible side walls

shall be wood, vinyl-clad or metal-clad construction. Visible vinyl or metal exterior window components shall be colored to conform to the allowed westernization colors (white prohibited) or completely masked from view with wood. Window frame components and window trim may be painted. Painted-on (fake) windows are prohibited. All visible interior and exterior window treatments (curtains, shutters, etc.) shall be period-authentic.

4. W-2 District. For street level windows on the adjacent facing public way exterior window frame components shall be wood construction and shall be colored to conform to the allowed westernization colors or left the color of untreated wood. Windows above the public way may be of aluminum-clad wood construction and conform to allowed westernization colors. Alternate materials other than aluminum for windows above the street level must be approved by the WDRB. Where divided light windows are used, only true divided windows shall be used. Window frame components and window trim may be painted. Painted-on (fake) windows are prohibited. All visible interior and exterior window treatments (curtains, shutters, etc.) shall be period-authentic.

C. Exterior Doors.

1. The appearance of exterior doors shall be period-authentic and shall correspond to other exterior design elements on the facade or building side.

2. All window openings shall be trimmed with minimum four-inch-wide rough-sawn or milled lumber.

3. Doors, frames and trim shall be colored to conform to the allowed westernization colors. Door hardware shall be period authentic.

4. W-1. All exterior doors and door frames shall be wood, matte finish metal or wood-grain fiberglass construction.

5. W-2 District. All exterior doors and door frames shall be painted or stained wood, except for doors on the rear facade of buildings along the River Walk may be matte finish metal doors in allowed colors that blend with the building. Door hardware that is not period-authentic may be permitted for security purposes provided it is colored to blend in.

6. W-3 District. All exterior doors and door frames visible from Highway 20 shall be wood, except where the WDRB finds that another material is generally necessary or required for the business and that a wood door would be contrary to the public interest.

D. Roofs.

1. W-1 District. Roof materials shall be of wood, weathered corrugated metal, metal rib or standing seam metal colored per the allowed westernization colors or composite shingles colored pursuant to the allowed

westernization colors.

2. W-2 District. Roof materials shall be wood, tar or weathered corrugated metal. River Walk: Membrane roofing in a tan or brown color is allowed. Metal or synthetic roofing that closely replicates wood shakes or shingles is allowed.

3. W-3 District. Roof materials shall be of wood, weathered corrugated metal, metal rib or standing seam metal colored per the allowed westernization colors or composite shingles colored pursuant to the allowed westernization colors.

4. Roofs not obscured by a false front treatment shall be four-to-twelve (4:12) in pitch or greater, except this requirement shall not apply to roofs visible from the River Walk.

5. Roofs shall incorporate eaves at least one foot wide, except this requirement shall not apply to roofs visible from the River Walk.

6. Cantilevers are prohibited.

7. Reroofing requires a westernization permit; the town shall not charge an application fee.

E. Decks and Stairs.

1. W-1 District. Deck and stair materials shall be dimensional lumber or composite deck material that mimics lumber. Deck and stair materials shall be colored pursuant to the allowed westernization colors.

2. W-2 District. Deck and stair materials shall be rough-sawn dimensional lumber. Deck and stair materials shall be colored to conform to the allowed westernization colors. River Walk: Deck and stair material shall be dimensional lumber, rough sawn or smooth. The support structure for decking may be constructed from pressure-treated lumber.

3. W-3 District. Deck and stair materials shall be dimensional lumber. Deck and stair materials shall be colored to conform to the allowed westernization colors.

4. Cantilevers are prohibited.

F. Handrails and Railings.

1. W-1 District. Handrail and railing materials shall be dimensional lumber, peeled logs, cast iron or composite material mimicking lumber. Handrails and railings may be colored to conform to the allowed westernization colors, left untreated or treated with a clear, nongloss wood preservative. Stainless steel cable railing systems are prohibited.

2. W-2 District. Handrail and railing material shall be dimensional lumber, peeled logs, or cast iron. Handrails and railings may be colored to conform to the allowed westernization colors, left untreated or treated with a clear, nongloss wood preservative. Stainless steel cable railing systems are prohibited.

3. W-3 District. Handrail and railing material shall be dimensional lumber, peeled logs, cast iron or composite material mimicking lumber. Handrails and railings may be colored to conform to the allowed westernization colors, left untreated or treated with a clear, nongloss wood preservative. Stainless steel cable railing systems are prohibited.

G. Foundations. On front facades and visible building side walls, the lower edge of exterior siding shall be no greater than twelve (12) inches above grade, and visible above-grade, plain, smooth concrete is prohibited. Visible above-grade foundation concrete shall be faced with natural stone or textured and stained per the allowed westernization colors to replicate rough wood siding. River Walk: Concrete foundations may be visible for any height above grade provided they are colored or painted to blend visually with the building, or faced with natural stone, brick, or weathered corrugated or flat metal. (Ord. 781 § 1 (Exh. A), 2024; Ord. 776 § 1 (Exh. A), 2023; Ord. 713 § 1 (Att. A)(part), 2019; Ord. 692 § 1 (Att. A)(part), 2017)

15.08.240 Design and material standards—Building elements.

A. All building elements visible from a public way shall be period authentic. Photographs, samples and descriptions of proposed building elements must accompany application for a westernization permit and must be approved by the WDRB. Unless otherwise indicated, the following standards apply:

B. Electrical Meters and Conduit. Electrical meters and conduit are prohibited on the front facade of any building. In the W-2 district, metering boxes and conduit on visible building sides shall be covered and screened by siding materials matching the wall upon which the equipment is fixed. In the W-1 and W-3 districts, metering boxes and conduit on visible building sides shall be covered and screened by siding materials or painted to blend with the facade. Freestanding electrical meters or similar boxes or vaults shall be enclosed within a sight-obscuring enclosure conforming to requirements for materials and color. River Walk: Electrical meters and boxes shall be screened or painted to blend with the building. Conduit will be painted to blend with the building.

C. Fencing. Fences shall be nonpressure-treated, rough-sawn lumber or natural logs. Pressure-treated peeler logs are prohibited. Exposed concrete is prohibited. Galvanized metal and chain-link fabric are prohibited. Fences less than forty-eight (48) inches high may incorporate rope or cast iron. Fencing components in the ground and below six inches above grade may be treated with a wood preservative.

D. Retaining Walls, Landscaping Structures. Retaining walls and landscaping structures visible from an adjacent public way shall be constructed of, or surfaced with, landscaping timbers, natural stone or building siding material. Railroad ties and pressure-treated lumber are prohibited. Exposed concrete is prohibited. River Walk: Retaining walls and landscaping structures visible from River Walk shall be constructed of or surfaced with landscaping timbers, building siding material, natural stone, or brick.

E. Boardwalk.

1. Constructing or reconstructing a boardwalk, sidewalk or walkway in the W-1 or W-3 district requires a westernization permit, but no application fee.
2. In the W-2 district, all construction, reconstruction, repair, and maintenance of the boardwalk shall be done in accordance with town regulations and standards. All exposed and visible components of boardwalks shall be rough-sawn, full-dimensional hemlock or Douglas fir lumber. Exposed wood shall be chemically treated to resist weathering and decay. Boardwalks shall be continuous wood surface across the full width or length of a property, not interrupted by concrete, asphalt or similar materials except at street intersections. Walkways shall be constructed of material matching that of the boardwalk or sidewalk at the public right-of-way line.
3. Except as otherwise provided in this chapter, no appurtenances of any kind may be placed on the public right-of-way of the boardwalk or sidewalk or attached anywhere to the boardwalk structure.
4. Posts supporting a roof structure over the boardwalk shall be placed at the edge of the boardwalk nearest the street to not impede pedestrians on the boardwalk.

F. Utility Lines. In the W-2 district, all utility lines shall be placed underground.

G. Exterior Furnishings. Umbrellas, awnings, and outdoor seating for nonresidential properties shall be period authentic. Exterior chairs and benches may be wood, black matte finish metal, or plastic that closely replicates natural colors (green, tan, or brown). Fabric used in awnings and umbrellas shall be woven material colored green, tan or brown. Lettering and graphics of any kind are prohibited on awnings and umbrellas.

H. Outdoor Appurtenances.

1. Security cameras and web cameras shall be small, inconspicuous and textured/colored to blend into the facade or wall on which they are mounted. In the W-2 district, the body of a security camera shall be boxed or shrouded with material matching the exterior siding so that only the lens may be visible.
2. Heat pumps, generators, fuel tanks and freestanding solar power arrays shall not be visible from an adjacent public way. Structures created to screen items from view require a westernization permit.
3. Outdoor deck heaters must be of matte finish metal colored black, dark brown or dark green.
4. All private garbage dumpsters, trash cans, recycling material, business inventory, and property shall not be visible from an adjacent public way. Structures created to screen items from view require a westernization permit.

- a. Trash cans and recycling bins shall not be placed on Riverside Avenue more than twelve (12) hours before pickup.
- b. Trash cans and recycling bins shall be removed from Riverside Avenue no later than two hours after pickup.

5. Public trash containers and recycle bins shall be dimensional lumber or acid-washed metal and require a westernization permit.

6. Solar power arrays in the W-2 district shall not be visible from the adjacent public way, as demonstrated through a computer-generated sightline analysis. For businesses in the W-1 and W-3 districts, rooftop solar arrays shall not be visible from Highway 20.

7. Other Appurtenances. Any element attached or incorporated onto a building facade not specifically listed herein must be period-authentic or fully screened from view from an adjacent public way or, if screening is not practicable, all appurtenances must be made to appear small and inconspicuous through texturing and coloring. All work requires a westernization permit. River Walk: Building appurtenances that are not period-authentic shall be covered, screened, colored, or textured to blend with the surroundings and be visually subdued.

I. Merchandise and Inventory.

1. Display of for-sale merchandise in the W-2 district shall be restricted to the interior of buildings and structures and may be exhibited in display windows or affixed on the business door when such door is fully and completely opened and securely latched to the building; provided, that the merchandise does not block required egress, project more than one foot off the door, or project beyond the door threshold. Display of merchandise shall not be adhered to, leaned against, or placed upon the building face. A business may display merchandise on privately owned space only when it is completely contained upon the subject property and displayed upon fixtures conforming to the material and color requirements of this chapter.

2. Storage of nonsale business inventory in the W-1, W-2, and W-3 districts shall not be visible from an adjacent public way.

3. In the W-1 and W-3 districts, display of for-sale merchandise outside the business is allowed when contained entirely on the subject property, not obstructing building entryways or public travel ways, and at no time shall for-sale merchandise be placed in public rights-of-way.

J. Miscellaneous.

1. Outside vending machines, newspaper racks of any kind, lending libraries, and telephone booths are

prohibited. Lighted vending machines inside businesses must not be visible from an adjacent public way.

2. Brochure or display boxes are prohibited on the exterior of buildings.

3. Flags. Official flags of the United States of America, Canada, Washington State and POW-MIA are permitted. A flagstaff or flagpole shall meet standards of this chapter related to materials and color.

4. Storage Sheds and Shipping Containers. Storage sheds require a westernization permit and shall conform to the standards of the applicable westernization district related to exterior siding materials and color. Metal shipping containers are prohibited in all business districts.

5. Speakers, equipment and devices broadcasting or playing exterior sound or music are prohibited on the building front facade in the W-2 district.

6. Flower baskets must be a neutral or muted color, no plastic allowed. Hanging material must be rustic in appearance, such as rusted or black chain. Baskets shall not impede pedestrian access to and from the public parking area and boardwalk. Flower baskets on or near pedestrian access must be more than eighty-two (82) inches above the walking surface.

K. Other Elements. Any element attached or incorporated onto a nonresidential building facade not specifically listed in this chapter must be period-authentic, shall be fully screened from view from an adjacent public way or if screening is not practicable made to appear small and inconspicuous through texturing and coloring. All work requires a westernization permit. (Ord. 781 § 1 (Exh. A), 2024; Ord. 776 § 1 (Exh. A), 2023; Ord. 713 § 1 (Att. A)(part), 2019; Ord. 692 § 1 (Att. A)(part), 2017)

15.08.250 Design and material standards—Signs, artwork, murals.

A. General Provisions.

1. Basis for Design. Winthrop has a sense of time and place dating from the late nineteenth century. Signage at that time was pedestrian oriented. The size, lettering and placement of signs were, for the most part, designed to attract the attention of slower-moving foot and horse traffic. Signs typical of a western frontier town tended toward basic design emphasizing hand-painted words and graphic images. The basis for design of signs is consistent with and implements the Winthrop western theme.

2. All signage will incorporate at least four or more of the following elements:

- a. Three or more colors;
- b. Varying fonts (size, style, italics);
- c. Letter shadowing;

- d. Letter outlining;
 - e. Letter highlighting;
 - f. Painted framing;
 - g. Images, pictorial and/or decorative elements;
 - h. Transparent faded, color-washed over newer color.
3. Elements of proportion, appearance and configuration of signs reflecting design and style can be found primarily in “Atkinson Sign Painting” by Frank H. Atkinson and “Sign Painting Course” by E.C. Matthews. These and other reference materials are available at Town Hall.
4. Fonts. All lettering shall conform to the allowed westernization fonts.
5. Permitted Materials. For signs not painted directly to a building face, dimensional lumber is required as the substrate. Supporting brackets, stanchions, posts or timbers shall be logs or dimensional lumber. Base structures used with a ground-mounted sign shall be constructed of or faced with logs, dimensional lumber, aged metal or natural stone. All hardware shall be matte finish metal and must be period-authentic.
6. Sign techniques shall conform to the Winthrop western theme and are permitted as follows:
- a. Hand-painting the sign directly on the facade of the building, windows or doors.
 - b. Hand-painting or hand-carving of a sign on permitted material which is subsequently mounted to the building or a freestanding sign frame.
 - c. Mounting hand-carved, hand-painted raised block letters directly on the facade of the building.
7. Artwork on signs, including fonts, borders, pictures or graphics is encouraged, but if used, must carry out the Winthrop western theme. Artwork may be incorporated into the design of a sign and shall be regulated as part of the allowable sign area. Artwork shall be period-authentic, not bearing post-1920 influence. Designs suggesting machine-produced images, stencils, photographs, or representations are not allowed.
8. Logos. In the W-2 district, corporate, business or organizational logos and color schemes shall be consistent with the Winthrop western theme, use approved colors and fonts and no post-1900 influence in design. In the W-1 and W-3 districts applicants may use a corporate, business or organizational logo in a manner that the WDRB determines is consistent with the Winthrop western theme or may use a logo that is not more than ten (10) percent of the total sign area and located in the lower right or lower left quadrant of

the sign face.

9. River Walk. One security notice sign, indicating the premises are protected or under surveillance, shall be allowed per parcel. Such signs or stickers shall be provided by the security company and shall not exceed four by eight inches. These may be placed on the back or side entrances to the building.

B. Definitions.

“Banner” means any sign hung, with or without framing, and possessing characters or illustrations applied to canvas or other woven, nonreflective fabric. Flags are not banner signs.

“Directional sign” means a sign designed to identify and locate a business, service, point of interest, route or similar.

“Flexible sign” means a windsock, flag, pennant, streamer or banner or similar sign or structure constructed of cloth, canvas or similar material which serves to identify the building or the business and/or attract attention to the business.

“Freestanding sign” means a sign supported by one or more uprights or braces and not attached or incidentally attached to any building or structure. A “monument sign” is a low- profile, ground-mounted freestanding sign that is supported by a solid base as an essential element of the sign’s design.

“Logo” means pictures, figures, symbols, letters, sign copy or similar graphic design which advertises or identifies a business, building or use. A logo may be widely recognized and used, but that does not mean it is consistent with the Winthrop western theme.

“Off-premises sign” means a sign on property which is not the property occupied by the business.

“Projecting signs” means signs other than wall signs which are attached to and project from a structure or building facade/side, usually perpendicular to the building.

“Roof sign” means a sign located on the roof of any building.

“Sign face” means the single side of a sign typically visible at any one time from any vantage point. A double-faced sign has two surfaces back-to-back and viewed from different aspects.

“Temporary sign” means a sign which is portable and not permanently affixed to a building or to a ground-mounted structure. Sandwich board signs or A-frame signs are examples of a temporary sign.

“Wall sign” means a sign attached to, erected against or painted onto the wall of a building with the face in a parallel plane of the building wall.

“Window sign” means a sign painted on, attached to or placed upon glass surfaces of windows or doors and intended for viewing from the exterior of the building.

C. Number and Size of Signs. Except as otherwise specified, individual signs for any property/parcel are not limited except by a total amount of sign area as a percentage of front building facade. The size of specific types of signs is regulated as described in this section, below. Each permitted sign shall include an associated fee, so that each sign is charged a base fee plus an amount calculated by the area (square feet) of each individual sign. River Walk: Individual signs on the River Walk side of buildings shall be allowed separately, and in addition to, signs allowed elsewhere on a building. The aggregate sign area shall not exceed one hundred (100) square feet.

D. Sign Measurement. The following criteria shall be used in measuring a sign to determine compliance with this chapter:

1. Area. The area of the sign surface is computed by calculating the area encompassed within any regular geometric figure which would enclose all parts of the sign (excluding structural supports, provided they are not used to attract attention).
2. Double-Faced Signs. Allowable sign is based on one side of double-faced signs, but content may be placed on both sides.
3. Clearance. Clearance of a sign is measured from the average grade at the base of the sign to the lowest point of the sign overhead. Signs on or near pedestrian access must be more than eighty-two (82) inches above the walking surface.
4. Height. Signs shall comply with the following requirements:
 - a. Height is measured from the average finish grade at the base of the sign to the highest point of the sign.
 - b. The maximum height of any sign shall be as stated herein, but in no case shall a ground-mounted sign exceed twenty (20) feet in height nor shall a sign project above the roof line of any building.
 - c. The height of an attached sign shall not exceed the roof line of the building or the top of the facade.
5. Images may be incorporated into the design of a sign and shall be considered as part of the allowable sign area. Except as expressly allowed, images shall be period-authentic original artwork, not bearing post-1900 influence of corporate, business or organization logos or color schemes or designs suggesting machine-produced images, stencils, photographs, or representations.

E. Prohibitions.

1. No sign shall have or consist of any moving, rotating or otherwise animated part or any flashing, blinking, fluctuating or otherwise animated light. Neon or florescent colors, lights or neon tubing visible from a public way are prohibited.
2. Signs that are placed on, affixed to or painted on a motor vehicle or trailer and placed on public or private property for the primary purpose of providing a sign not otherwise permitted by this chapter are prohibited. Lettering and images on vehicles used in the normal course of business are not signs.
3. Signs or structures that obstruct a clear view of pedestrian and vehicular traffic are prohibited.
4. Flexible signs are prohibited.
5. Service signs, decals such as those identifying credit cards, partnerships, products served shall not be displayed where visible from a public way.
6. No sign shall be attached to or placed against a building or other structure in such a manner as to prevent or inhibit ingress or egress through any door or window.
7. Signs in Right-of-Way. Signs shall not be located in or extended onto public rights-of-way except as otherwise provided in this chapter.
8. Signs that emit sounds.
9. Internally Illuminated Signs. Outdoor internally illuminated signs are prohibited. Internally illuminated signs are prohibited indoors within six feet of windows where the illuminated face is visible from the street.
10. Off-premises signs are prohibited, except as specified in this chapter.
11. Private signs attached to trees, utility poles, public benches, streetlights or placed on any public property or public right-of-way are prohibited.
12. Roof signs that exceed the height of the existing building or structure are prohibited.
13. Temporary signs are prohibited except for signs displayed at the intersection of White Avenue and Highway 20 and at the Winthrop Barn pursuant to Section [15.08.040](#).

F. W-1 District.

1. Allowed Sign Area. The total area of all signs affixed to any facade or side wall of all buildings on a parcel shall not exceed twenty (20) percent of the square footage of the front facade of the primary building on the parcel.

2. Limitations.

- a. Freestanding or Monument Signs. One freestanding or monument sign may be permitted per parcel. The sign shall not project over public rights-of-way, shall not obstruct walkways and shall not obscure visibility of pedestrians or motorists. A freestanding sign, including structural elements, shall be not greater than eight feet high. A single sign face shall not be larger than twenty-five (25) square feet in area. Double-faced signs are allowed.
- b. Projecting Signs. A projecting sign face shall not exceed more than six square feet in area. The structure of a projecting sign shall not extend more than eight feet from the building face and clearance under the lowest point of any projecting sign to a public walkway shall not be less than eight feet. A projecting sign shall not be attached to a railing, fence, or deck support, but may be attached to a building canopy or roof eave. Double-faced signs are allowed.

3. Materials.

- a. A sign structure may be dimensional lumber, timbers, or hewn logs. A sign base may be dimensional lumber, timbers, logs, or natural stone. Exposed, plain unfinished concrete is prohibited.
- b. A sign face may be dimensional lumber, acid-washed galvanized corrugated steel, flat iron or hand-painted directly on the building siding. Window signs are not permitted.
- c. Exterior hardware shall be metal with a matte finish.

G. W-2 District.

1. Allowed Sign Area. The total area of all signs affixed to any facade or side wall of all buildings on a parcel shall not exceed thirty (30) percent of the square footage of the front facade of the primary building on the parcel. River Walk: The aggregate area of all signs affixed to the River Walk side of buildings shall not exceed one hundred (100) square feet.

2. Limitations.

- a. Freestanding or Monument Signs. One freestanding sign may be permitted per parcel provided the building is located twenty-five (25) feet or more from the front or side property line of the parcel. The sign shall not project over public rights-of-way, shall not obstruct walkways and shall not obscure visibility of pedestrians or motorists. A freestanding sign, including structural elements, shall be not greater than eight feet high. A single sign face shall not be larger than fifteen (15) square feet in area. Double-faced signs are allowed.
- b. Projecting Signs. A projecting sign face shall not exceed more than six square feet in area, except

that a projecting sign mounted above a boardwalk canopy shall not exceed thirty (30) square feet in area. The structure of a projecting sign shall not extend more than eight feet from the building face and clearance under the lowest point of any projecting sign to a public walkway shall not be less than eight feet. A projecting sign shall not be attached to a railing, fence, or deck support, but may be attached to a building canopy or roof eave. Double-faced signs are allowed.

3. Materials.

- a. A sign structure may be dimensional lumber, timbers, or hewn logs. A sign base may be lumber, timbers, log or natural stone. Exposed, plain unfinished concrete is prohibited.
- b. A sign face may be dimensional lumber, acid-washed galvanized corrugated steel, flat iron or hand-painted directly on the building siding or window.
- c. Exterior hardware shall be metal with a matte finish.

River Walk: A sign base shall be lumber, timbers, logs, natural stone, period-authentic brick.

H. W-3 District.

1. Allowed Sign Area. The total area of all signs affixed to any facade or side wall of all buildings on a parcel shall not exceed thirty (30) percent of the square footage of the front facade of the primary building on the parcel.

2. Limitations.

- a. Freestanding or Monument Signs. One freestanding or monument sign may be permitted per parcel. Where multiple businesses are located on a parcel, all individual business signs shall be located on the one freestanding or monument sign; each individual business sign must obtain a westernization permit for its portion of the larger sign. A sign shall not project over public rights-of-way, shall not obstruct walkways and shall not obscure visibility of pedestrians or motorists. A freestanding sign, including structural elements, shall not be greater than twenty (20) feet high. A single sign face shall not be larger than one hundred fifty (150) square feet in area. Double-faced signs are allowed.
- b. Projecting Signs. A projecting sign face shall not exceed more than six square feet in area. The structure of a projecting sign shall not extend more than eight feet from the building face; clearance under the lowest point of any projecting sign to a public walkway shall not be less than eight feet. A projecting sign shall not be attached to a railing, fence or deck support, but may be attached to building canopy or roof eave. Double-faced signs are allowed.

3. Materials.

- a. A sign structure may be dimensional lumber, timbers, or hewn logs. A sign base may be lumber, timbers, logs, or natural stone. Exposed, plain unfinished concrete is prohibited.
- b. A sign face may be dimensional lumber, acid-washed galvanized corrugated steel, flat iron or hand-painted directly on the building siding or window.
- c. Exterior hardware shall be metal with a matte finish.

4. Sports Venues and Facilities. Off-premises signs affixed to the public ball field fence or to the public ice rink dasher boards are allowed. Ball field signs may use plywood and dasher board signs may use plastic. All signs shall conform to allowed westernization colors and westernization fonts and may use logos otherwise prohibited by this chapter. No westernization permit or fee is required.

I. One freestanding, off-premises sign advertising businesses on Horizon Flat Road is allowed at the intersection of Twin Lakes Road and Horizon Flat Road. Each individual business must obtain a westernization permit for its portion of the freestanding sign. The freestanding sign shall not exceed one hundred twenty-five (125) square feet in area and shall not exceed fifteen (15) feet in height. The sign structure may be dimensional lumber, timbers, or hewn logs. The sign base may be dimensional lumber, timbers, logs or natural stone. Exposed, plain unfinished concrete is prohibited. The sign face may be dimensional lumber, acid-washed galvanized corrugated steel, or flat iron.

J. Directional Signs. Directional signs are limited to three per parcel. Individual signs may not exceed two square feet in area. Directional signs shall not count against an overall limit on sign area for any building or parcel.

K. Artwork, Murals, Historic Replicas or Reproductions. A westernization permit is required for installation or renovation of artwork, murals, historic replicas, or reproductions. An applicant must demonstrate that the artwork, mural, replica, or reproduction is period-authentic or otherwise represents a late nineteenth century theme of indigenous people of the Methow Valley, settler activities of mining, logging, ranching and pioneer life, or the native landscape or geography. A mural may not be for advertising commercial endeavors, except fictitious ones from the time period of 1850 to 1900, and is not a sign. (Ord. 776 § 1 (Exh. A), 2023; Ord. 713 § 1 (Att. A)(part), 2019; Ord. 692 § 1 (Att. A)(part), 2017)

15.08.260 Design and material standards—Exterior lighting.

- A. A westernization permit is required for all exterior lighting (except for decorative holiday and winter lighting).
- B. All exterior lighting fixtures shall be period-authentic in style and require a westernization permit. Exterior lighting shall be shrouded to cast light in a downward direction forty-five (45) to ninety (90) degrees below horizontal. A light bulb or other source of illumination shall not be visible when viewing a light fixture horizontal to the bottom edge of the fixture shroud or enclosure. All lighting must be placed so as not to interfere with safe vision upon the public roadways and pedestrian walkways. Exterior lighting of outdoor public spaces such as

patios, decks and courtyards of eating/drinking establishments may be string lights provided they are nonflashing and generate subdued, warm spectrum white or yellow light that approximates period-authentic illumination as approved by the WDRB. Examples of acceptable lighting are available at Town Hall. All outdoor string lighting will be shut off at the closing hours of the business it is for.

C. Boardwalk Lighting. Businesses fronting the town boardwalk must provide illumination where awnings or canopies attached to buildings obscure direct overhead view to the sky. Lighting fixtures shall be period-authentic in style and require a westernization permit.

D. Sign Lighting. No sign shall be internally illuminated. Fixtures illuminating signs shall be period-authentic and require a westernization permit. All sign illumination shall be hooded, screened, shrouded and oriented so that the light source is not directly visible from a public way.

E. Town Winter Lighting. The town winter lighting program is an integral part of the community's economic development strategy. As such, the town declares that all commercial properties in the W-2 district shall participate in the town's community lighting program to ensure a comprehensive and consistent presentation of the Main Street businesses to residents and visitors. Exterior lighting must be less than three thousand (3,000) kelvin.

1. In the W-2 district, white, nonflashing string lights shall be used to outline the tops of buildings, including gables and adjacent eaves. Lights outlining the tops of the buildings must be C-7 sized, warm, white, LED bulbs spaced twelve (12) inches apart. Lights outlining the tops of buildings shall be lit starting with the community's lighting celebration the weekend following the Thanksgiving holiday and continue to be lit each day until April 1st the following year. Holiday lighting below the roof line may be used; however, the lighting must be C-7 sized, warm, white LED bulbs spaced twelve (12) inches apart. All lights must be a warm, white LED bulb and shall emit steady lighting (not flashing). Holiday lighting must be removed by January 15th of the following year.

2. In the W-1 and W-3 districts, white, nonflashing string lights may be used to outline the tops of buildings, including gables and adjacent eaves. Lights outlining the tops of the buildings must be C-7 sized, warm, white LED bulbs spaced twelve (12) inches apart. Lights outlining the tops of buildings may be lit starting with the community's lighting celebration the weekend following the Thanksgiving holiday and continue to be lit each day until April 1st the following year. Holiday lights may be used to decorate any portion of a business and its property boundaries below building tops, gables and adjacent eaves. These lights must be warm white, nonflashing, string, holiday-style lights. All holiday lights decorating the building below the roofline of outside premises, or within six feet of inside windows, shall be removed by January 15th the following year. (Ord. 776 § 1 (Exh. A), 2023; Ord. 713 § 1 (Att. A)(part), 2019; Ord. 692 § 1 (Att. A)(part), 2017)

15.08.270 Design and material standards—Mobile food vending.

A. All signs for mobile food vending units shall require a westernization sign permit and comply with the applicable provisions set forth in Section [15.08.250](#).

B. Mobile food vending units in zones B-I, B-II, B-III, and public use (PU) must meet the same standards as specified in Sections [15.08.210](#) through [15.08.260](#). (Ord. 776 § 1 (Exh. A), 2023)

15.08.300 General application requirements.

An applicant for a westernization permit shall provide the following information, as deemed applicable by the administrator, on forms provided by the town. The administrator may request any information needed to review the proposal and to prepare a complete staff report with recommendation to the review body:

A. Preapplication Conference. An applicant for a westernization permit for new building construction, reconstruction or remodeling are encouraged to have a preapplication meeting with the WDRB prior to submittal of application(s).

B. Site Map. A site map shall contain the following information:

1. The applicant's entire property and the surrounding property sufficient to determine the location of the development in the town and the relationship between the proposed development site and adjacent property. The property boundaries and dimensions shall be identified.
2. The location of all adjacent public ways.
3. Site features, including existing structures and signs.
4. North arrow, scale, names and addresses of all persons listed as owners of the subject property on the most recently recorded deed.
5. Name of project architect, designer, engineer, surveyor, or planner, as applicable.

C. Proposed Plan. The proposed plan shall contain the following information:

1. The proposed development site, including boundaries and dimensions.
2. Features identified on the site map that are proposed to remain on the site.
3. Features identified on the site map, if any, which are proposed to be removed or modified by the development.
4. The location and dimensions of all existing and proposed structures, utilities (including solar) and other improvements on the site.

5. Locations, sizes, and types of signs.
6. Location, type, and height of outdoor lighting.
7. Loading and service areas for waste disposal, loading and delivery, inventory storage.
8. Outdoor recreation spaces, common areas, plazas, outdoor seating, street furniture, and similar improvements.
9. Name of project architect, designer, engineer, surveyor, or planner, as applicable.

D. Scaled Drawings. Projects involving installation, alteration or renovation of a building facade or wall, roofs, replacement of windows or doors other than in-kind replacement, installation or modification of signs shall submit scaled drawings and photographs:

1. Building elevations with dimensions, sign dimensions.
2. Building materials and color.
3. Sign design, materials, color, fonts.
4. Photographs of existing building conditions and existing signs.
5. Name of project architect, designer, engineer, surveyor, or planner, as applicable.

E. Narrative. A written statement describing the proposed development and compliance with the applicable standards and criteria.

F. Other Information Determined by the Administrator. The town may require studies or exhibits prepared by qualified professionals to address specific site features or project impacts as necessary to determine a proposal's conformance with this chapter. (Ord. 776 § 1 (Exh. A), 2023; Ord. 713 § 1 (Att. A)(part), 2019; Ord. 692 § 1 (Att. A)(part), 2017)

15.08.310 Review procedures.

A. All public meetings in which the WDRB conducts business shall be open to the public. All actions of the WDRB shall be made following public notice of meetings. At each meeting, the WDRB shall provide opportunity for public comment on any matter related to implementation of this chapter.

B. Review of applications shall be pursuant to Chapter 19.02, except as follows:

1. Ministerial decisions on westernization permits involving no interpretation of facts or law shall be made by the administrator.

C. Decisions of the administrator or WDRB may be appealed to the town council. (Ord. 776 § 1 (Exh. A), 2023; Ord. 713 § 1 (Att. A)(part), 2019; Ord. 692 § 1 (Att. A)(part), 2017)

15.08.320 Certificate of completion.

A. Upon receipt of a photograph showing the completed project, the westernization administrator shall inspect the project to ensure the project complies with the approved plans and photos submitted by the owner. The westernization administrator upon confirmation of compliance shall issue a certification of completion.

B. In the event the project deviates from the plans and the terms of the westernization structure and/or sign permit, the westernization administrator shall issue a notice of correction. This requires the owner to conform the completed project, or remove it, within a specified timeline.

C. The westernization administrator shall meet with the owner to discuss the items contained in the notice of correction and a timeline for compliance. If the owner does not meet the agreed upon notice of correction timeline, Section [15.08.100](#) shall go into effect.

D. Any project for which a westernization structure or sign permit is required by this chapter shall be deemed completed and in conformance only upon the signature by the westernization administrator and issuance of the certificate of completion. (Ord. 776 § 1 (Exh. A), 2023; Ord. 713 § 1 (Att. A)(part), 2019)

1/14/2025

PLANNING COMMISSION

Bylaws and Rules of Procedure



Dan Ford
CITY MANAGER

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1.0 OFFICIAL NAME/SEAT

The official name of the organization shall be the “City of Toppenish Planning Commission,” hereafter referred to as the “Commission.” The Commission is an advisory commission as selected by City Council.

The official seat of the commission shall be in the Toppenish City Hall, Council Chambers.

LOCATION: Address: 21 W 1st Avenue, Toppenish, Washington 98948.

DATE AND TIME: 3rd Wednesday of every month at 5:30pm.

All meetings will be held there except on such occasions and at such times as the commission may, by a majority vote of the commissioners present at a duly held meeting, otherwise direct.

2.0 LEGISLATIVE AUTHORITY:

The Commission is created under the authority of Chapter 2.30 of the Toppenish Municipal Code hereafter referred to as the “TMC”. The Bylaws and Rules of Procedure are created pursuant to RCW 35.63.040 and RCW 35A.63.020

3.0 PURPOSE

The purpose of the Commission is to perform the function of a Municipal Planning Commission as outlined in RCW 35A.63 and RCW 35.63 and Section 2.30.120 TMC. The Commission serves in an advisory capacity to the City of Toppenish City Council. It is the responsibility of the Commission to make recommendations to the City Council on land use, planning, and community development and to consider all amendments to the city’s comprehensive plan. The Commission shall also conduct hearings as required in the TMC

DUTIES OF THE PLANNING COMMISSION

The responsibility of the planning commission shall be to consider all amendments, modifications or alterations to the city’s comprehensive plan, to conduct hearings as otherwise specified by this code, and to perform other planning functions for the city. Planning commission members shall attend at least seven of the regular planning commission meetings during each calendar year and shall not have more than one unexcused absence from a regular planning commission meeting during any calendar year. Any member who fails to attend regular meetings as specified herein or who fails to devote the time and effort necessary to competently and conscientiously perform planning commission duties may lose his or her membership on the planning commission

and the vacancy shall be filled by the city council. (Ord. 2024-08 § 1, 2024; Ord. 2004-4 § 1, 2004).

ORGANIZATION OF THE PLANNING COMMISSION

4.0 COMISSION APPOINTMENT / TERMS OF SERVICE

The City Council recognizes and values the opinions of the citizens of the City of Toppenish as well as those individuals who own and operate a commercial business and appreciates the value of the Toppenish Mural Society, to assist in planning and directing the safe and prosperous growth and overall wellbeing of the City of Toppenish. With that in mind, the City Council shall appoint all Commission members with the consideration of the Toppenish Municipal Code 2.30.040. Any appointee must be at least one of the following:

1. The majority of commissioners shall be a verifiable resident living within the corporate limits of the City of Toppenish.
2. The following (2) minority positions are at large and can only consist of one each:
 - a. The owner and operator of a commercial business located within the corporate limits of the City of Toppenish; Be a representative of the Toppenish Mural Society.
 - b. If any Commissioner should resign, be removed, or otherwise vacate his/her office, the City Council shall appoint a replacement.

Pursuant to RCW 35.63.030, term limits for members of the parks and recreation advisory board, the planning commission, and the lodging tax advisory committee shall be for six years. Those members who have served for the longest period of time will be reappointed for the shortest terms ranging from one year to six years in such a manner as to provide that the fewest possible terms will expire in any one year. Advisory board, commission or committee members may be reappointed to serve more than one term at the discretion of the city council.

A. B. Unless otherwise provided, all members of the advisory board, commission, and committee shall be appointed by the city council. (Ord. 2023-08 § 1, 2023; Ord. 2008-3 § 1, 2008; Ord. 2004-4 § 1, 2004).

B. 2.30.110 Membership of the planning commission.

The planning commission shall consist of either five or seven members but shall at no time consist of an even number of six members. The city council recognizes and values the opinions of the residents of the city of

Toppenish, as well as those individuals who own and operate a commercial business in the city, and also appreciates the input of the Toppenish Mural Society to assist in planning and directing the safe and prosperous growth and overall well-being of the city. With that in mind, so long as a majority of the planning commission members are verifiable residents living within the corporate limits of the city of Toppenish, the city council may appoint up to a total of two nonresident planning commission members who may consist of one owner and operator of a commercial business located within the corporate limits of the city of Toppenish and/or one representative of the Toppenish Mural Society. (Ord. 2024-08 § 1, 2024; Ord. 2004-4 § 1, 2004).

MEETINGS

5.0 REGULAR MEETINGS

Regular meetings shall be held on a day, time and location that is announced and consistent by a vote of the Planning Commissioners and as approved by the City Liaison assigned by for such work.

Meetings shall be held in accordance with RCW 35.63.040. The commission shall hold at least one regular meeting in each month for not less than nine months in each year. Should there be sufficient business, a second regular meeting shall be held on the third of every month. If the regular meeting day falls on an official holiday, the meeting shall be held on the following business day unless the commission has, in the prior month, determined that a day and time is better suited for a regular meeting and is approved by both the Planning Commission and the City liaison. Such a meeting must make a proper advanced notice to the public. At such meetings, the Commission may consider all matters that properly come before them without prior notice being given to the members as would be the case with public comment.

[RCW 35.63.040](#)

Commissions—Organization—Meeting—Rules.

The commission shall elect its own chair and create and fill such other offices as it may determine it requires. The commission shall hold at least one regular meeting in each month for not less than nine months in each year. It shall adopt rules for the transaction of business and shall keep a written record of its meetings, resolutions, transactions, findings and determinations about which record shall be made public.

RCW [42.30.075](#)

Schedule of regular meetings—Publication in state register—Notice of change—"Regular" meetings defined.

State agencies which hold regular meetings shall file with the code reviser a schedule of the time and place of such meetings on or before January of each year for publication in the Washington state register. Notice of any change from such meeting schedule shall be published in the state register for distribution at least twenty days prior to the rescheduled meeting date.

For the purposes of this section "regular" meetings shall mean recurring meetings held in accordance with a periodic schedule declared by statute or rule.

RCW [42.30.030](#)

Meetings declared open and public.

(1) All meetings of the governing body of a public agency shall be open and public and all persons shall be permitted to attend any meeting of the governing body of a public agency, except as otherwise provided in this chapter.

(2) Public agencies are encouraged to provide for the increased ability of the public to observe and participate in the meetings of governing bodies through real-time telephonic, electronic, internet, or other readily available means of remote access that do not require an additional cost to access the meeting.

Meetings

A "meeting" under the OPMA occurs when a quorum (majority) of a city council, board of county commissioners, or other governing body (including certain kinds of committees) gathers with the collective intent of transacting the governing body's business. In order to be valid, ordinances, resolutions, rules, regulations, orders, and directives must be adopted at meetings conducted in compliance with the OPMA.

Meetings do not have to be in person to be subject to the OPMA. Meetings can occur by telephone, email, or other [electronic media](#).

Electronic communications

If you, as a member of the governing body (e.g., city council, board of commissioners, planning commission), communicate with other members of the governing body by electronic means (email, chat, text message, or using social media), keep in mind that exchanges involving a majority of members of the governing body can be considered an illegal “meeting” under the OPMA.

Social media is not to be used as mechanisms for conducting official city business other than informally communicating with the public.

6.0 SPECIAL MEETINGS

Special meetings of the Commission may be called by the Chair or City Liaison and must be called upon written request of any three Commission members. Such a request shall be made to the Chair and City Liaison.

RCW [42.30.080](#)

The City Liaison shall provide a meeting notice to all Commissioners at least three days before any regular or special Commission meeting. Members of the Planning Commission shall fully comply with code of ethics for municipal officers (RCW 42.23), appearance of fairness (RCW 42.36), and such other rules and regulations may be adopted from time to time by the City Council regulating the conduct of any person holding appointive office within the City. No elected official or City employee may be a voting member of the Planning Commission.

7.0 CONFLICTS OF INTEREST

All Commissioners shall exercise every effort to avoid conflicts of interest, or an appearance of fairness problem in the actions of the Commission. Any Commissioner, who in his/her judgment has an interest in any matter before the Commission that would tend to prejudice his/her actions shall so publicly indicate, step down and abstain from the deliberations and voting on that matter.

8.0 CODE OF CONDUCT

1. It is the constant duty of each Commission member to maintain respect for each other, the staff, and the public. Likewise, the Commission shall require corresponding respectful behavior from all persons who attend a meeting.

2. It shall be the obligation of every Commission member forming Planning Commission recommendations to be familiar with the facts in order to reach an informed and independent judgment. To discuss or vote on a matter heard at a meeting from which a member was absent, said member shall have familiarized himself with the subject matter, using the file of record and/or recording of the hearing. Such familiarization shall be confined to the official files and referenced documents.
3. Except at public meetings of the Commission, its members shall not discuss the resolution of specific cases scheduled or likely to come before the Commission with applicants, their representatives, proponents or opponents, or other public with direct interest, unless directed by the Chair to meet with an applicant in a committee forum which is also open to the public to discuss making modifications to an amendment. Questions of fact or clarification concerning these cases prior to hearing are normally to be addressed to the City Manager or designee rather than to Commission members.
4. While any member has a right to express personal views and opinions pursuant to our Constitutional guarantees of freedom of speech, statements purporting to represent the view or pronouncements of the Commission or committees thereof shall not be made in advance of the Commission's final determination of the matter, except as directed or authorized by a majority of the entire Commission at any special or regular meeting or public hearing. The Commission shall appoint one of its members to issue such statements as the Commission deems necessary. This shall not prejudice the right of any dissenting members to express their minority position.
5. Commission members may speak as an individual member, reflect and inform about Commission positions and activities and on their own position as long as it is clear whether such position is or is not a Commission position and clearly specifying they are speaking as an individual, or as an individual Planning Commissioner articulating their own views and concerns.
6. Planning Commission members may attend meetings held by applicants with adjacent property owners, however, only in the capacity of an observer. If a Planning Commission member does decide to take part in discussions at said meeting, he/she shall disclose the nature of their participation to the Planning Commission prior to participating in a hearing or deliberations on a request.
7. Each Commission member decides which invitations to public and private functions can appropriately be accepted as a member of the

Commission. A member must differentiate whether a stated action or comment is solely the member's or represents the official position of the Commission.

8. Commission members shall not engage in any profitable employment or in any personal business transaction in which the fact of membership on the Commission or any knowledge of its actions unique to membership would be a qualification for such employment or a significant reason for the personal business transaction. Commission members shall not benefit in any financial way due to their Commission participation or confidential knowledge.
9. Commission members shall not accept gifts from applicants, their representative, or other persons and institutions concerned with matters which have been or might come before the Commission. Well intended acceptance of such gifts could lead to misconceptions by prospective donors or the public.
10. When a commission member concludes a matter before the commission involving a conflict of interest on the commissioner's part he/she should request permission to step down before the matter is heard, and the request shall be granted by the Chair and recorded by the City Manager or designee. Where the Chair considers a conflict of interest to exist, before the matter is heard, a commission member may be asked to request disqualification. If the commission member declines, the Chair will request that the member confer with legal counsel from the City legal staff or this matter may be decided by a majority vote of the members, other than said commission member. In cases where no conflict of interest exists, a commission member may occasionally choose to abstain from voting in accordance with the member's best judgment.
11. A Commission member shall disqualify him(her)self from participating in a hearing whenever bias, interest, or other influences will prevent or appear to prevent him or her from exercising fair-minded, independent judgment on the facts and established policy.
12. Disqualifying influences include prejudgment of the issues that cannot be swayed by the facts in evidence, a partiality or personal bias for or against a party, and a personal pecuniary interest in the subject matter. Examples of disqualifying bias include a close personal, family or business relationship with a party, ownership of property the value of which might be affected by the decision, and business or personal financial situations that might be affected by the decision.
13. Should a Commission member be aware of circumstances which might appear to disqualify him or her, he or she can either disqualify

him(her)self or explain the circumstances before the hearing and let the rest of the Commission, by majority vote, decide whether he or she participates. Should the Commission be aware of circumstances which might appear to disqualify a member, the Commission may, by majority vote, disqualify the member.

14. It is in the public interest that, to the greatest extent possible, all members of the Commission should have an opportunity to be aware of and act upon the information that is available to other members. Therefore, all members are encouraged to place upon the record of the Planning Commission the substance of all ex-parte contacts that have occurred during the time that a legislative matter has been introduced and is still before the Planning Commission for a decision.
15. Except for submitting a written dissenting opinion as provided under these rules of procedure, no Commission member shall work for the frustration, or overturn of any decision made by a majority of the Commission outside the framework of the Commission.
16. Except for submitting a written dissenting opinion as provided under these rules of procedure, no Commission member shall lobby City Council members for votes or actions that undermine the decisions of the Planning Commission.

9.0 REQUIRED MEETING POSTINGS AND PUBLICATIONS

The posting and publication of a meeting shall be as required by state law or the TMC and at a minimum shall include:

- a. The meeting agenda shall be posted at City Hall.
- b. The meeting agenda and full meeting packet shall be posted on the city's website.
- c. When required, legal notices of hearings and meeting notices shall be posted at City Hall, two public places, distributed to local media outlets, and published in the city's Official Newspaper as designated in Chapter 1.12 TMC.

10.0 RULES FOR CONDUCTING COMMISSION BUSINESS

Unless otherwise specified or differing herein or in the TMC, Commission meetings and business shall be conducted according to Robert's Rules of Order.

11.0 MEETING ETIQUETTE

To provide a fair and efficient forum for the conduct of business at Commission meetings, the following rules of etiquette shall apply:

- a. No person shall address the Commission without first obtaining recognition from the Chair.
- b. The order of business shall be as presented on the agenda; changes to the agenda order shall be made by the Chair.
- c. For an agenda item in which a request has been made to the Commission, the applicant or proponent, upon recognition by the Chair, shall state his/her request. If the applicant or proponent, or his/her representative, is not present, the Chair may present the request (on behalf of the applicant) or postpone the item until the next regularly scheduled Planning Commission meeting.
- d. For agenda items where a written staff report has been prepared, the staff person, upon recognition by the Chair, shall summarize the report at the meeting.
- e. Following the summary of the staff report, the Commission members shall be allowed to question staff regarding the material in the report.
- f. After the Commissioner's questions have been answered, the Chair may recognize the applicant or proponent of that item of business to speak. Following the proponent's statements, any other person wishing to speak on the subject may be recognized by the Chair.
- g. Once a person has spoken concerning a specific item before the Commission, he or she shall not be recognized to speak again until all persons wishing to speak have been allowed to do so first.

12.0 VOTING

Voting on all items of Commission business and matters brought before the Commission shall be conducted upon a motion and a second to the motion and presented to the Commission by the Chair. It shall take a simple majority of the Commissioners present voting in the affirmative for a matter to be approved by the Commission. Each Commissioner shall have only one vote on any particular item of business. The Chair shall have one vote and shall have the same opportunity to vote as other Commissioners. On items considered of extreme importance, the Chair may call for a roll call vote. There shall be no voting by proxy.

The following shall be done for an item to be voted upon:

- a. The item has been placed on the agenda before the meeting, or
- b. The item has been discussed at a previous meeting and tabled for future consideration, or
- c. The item is considered by a majority vote of the Commission to constitute an emergency and as such warrant immediate decision.

Each formal action of the Commission shall be made by a formal motion, which will be entered into the minutes. The Chair shall, at his/her discretion, or the request of any Commissioner, read the motion before being voted on. Voting on the original adoption of and subsequent amendments to the Bylaws and Rules of Procedure shall be done according to Section 26.

The Chair shall be responsible to personally report Planning Commission activities, updates, and status to the City Council no less than quarterly.

13.0 QUORUM

A quorum shall consist of a majority of the total number of Commissioners duly appointed by the City Council. No action or Commission business shall be taken in the absence of a quorum. If a quorum is not present at any meeting, the Chair, Vice-chair, one Commissioner, or the City Liaison shall call the meeting to order, conduct a roll call for the record, and then adjourn the meeting to a future date.

Meeting minutes of any meeting for which there is not a quorum shall consist of a call to order, roll call, and adjournment and shall be entered into the record at the next meeting of the Commission.

14.0 OFFICERS

The officers of the Commission shall consist of a Chair and Vice-Chair. Officers shall be selected from among the five Commission members at the first Commission meeting of the year and shall serve from January 1 through December 31.

DUTIES

15.0 DUTIES OF THE CHAIR

It shall be the duty of the Chair to:

- a. Preside at all meetings of the Commission,
- b. Enforce the Commission's Bylaws and Rules of Procedure,
- c. Execute the will of the Commission,
- d. Appoint all Commission committees, and
- e. Ensure that each newly appointed Commissioner receives the current version of the Bylaws and Rules of Procedure.

16.0 DUTIES OF THE VICE-CHAIR

It shall be the duty of the Vice-Chair to assist the Chair and fulfill the duties of Chair in the Chair's absence.

17.0 DUTIES OF THE CITY STAFF AND CONTRACTED CONSULTANTS

The City Manager appoints a City Liaison to serve at the pleasure of the Commission and shall facilitate Commission business. It shall be the duty of the City Liaison to:

- a. Call regular or special meetings and public hearings when required or deemed necessary,
- b. Maintain a record of Commission member attendance at Commission Meetings,
- c. Keep a current roster of Commission members,
- d. Prepare the minutes of all Commission meetings,
- e. Prepare and deliver Commission agenda packets,
- f. Maintain a record of all correspondence, minutes, and records,
- g. Ensure all legal and public noticing occurs, and
- h. Assist the Chair.

City staff and subject matter consultants shall prepare and present staff reports, supply technical information, make presentations to the Commission and provide any other support determined necessary by the Commission.

18.0 ABSENCE OF CHAIR AND VICE-CHAIR

In the absence of the Chair and Vice-Chair, a Chair may be selected from the Commissioners present to conduct the current meeting. The meeting may be canceled, postponed, or continued to a future date as determined by the Commission.

19.0 COMMISSIONERS ATTENDANCE

Commissioners shall notify the City Liaison no later than 24 hours prior to the scheduled meeting when they will be absent for a meeting. If no notice is given it shall be an unexcused absence. Commissioner absences are governed by section 2.30.030 TMC and commissioner removals from the commission shall follow the process in RCW 35.63.030.

RCW 35.63.030

Commissioners—Number—Tenure—Compensation.

The ordinance, resolution, or act creating the commission shall set forth the number of members to be appointed, not more than one-third of which number may be ex officio members by virtue of office held in any municipality. The term of office for ex officio members shall correspond to their respective tenures. The term of office for the first appointive members appointed to such commission shall be designated from one to six years in such manner as to provide that the fewest possible terms will expire in any one year. Thereafter the term of office for each appointive member shall be either four or six years, as determined by legislative action of the council.

Vacancies occurring otherwise than through the expiration of terms shall be filled for the unexpired term. Members may be removed, after public hearing, by the appointing official, with the approval of his or her council or board, for inefficiency, neglect of duty, or malfeasance in office.

The members shall be selected without respect to political affiliations and they

shall serve without compensation.

TMC 2.30.060 Absenteeism.

Each member of an advisory commission, other than the planning commission, shall not be absent and unexcused from any three consecutive commission meetings and shall attend at least seven of the commission’s preceding 12 regular meetings. Any member who fails to attend regular meetings as above mentioned shall lose his or her membership on the advisory commission and the vacancy shall be filled by the city council. (Ord. 2024-08 § 1, 2024; Ord. 2004-4 § 1, 2004).

20.0 PUBLIC HEARING PROCEDURES

- a. General. Public hearings provide an opportunity for citizens to give direct input to the Planning Commission on matters being considered. It is the policy of the Planning Commission to conduct hearings in a manner that allows input from the maximum number of citizens possible and respects the opinion of all those wishing to testify.
- b. Conducting the Hearing. Public hearings are conducted as regular items on the Commission’s published agenda. To ensure that the public hearing is conducted in a manner that encourages maximum public participation and respect for varying opinions, the Planning Commission will generally adhere to the following rules:
 - 1. A sign-up sheet will be available for the public to indicate their desire to testify. Speakers will generally be heard in the order in which they sign up, followed by an opportunity for those who did not sign up to comment.
 - 2. The Chair will open the public hearing and accept any written testimony. All written testimony received before the closing of the public hearing will be considered.
 - 3. The Chair will request planning staff to provide a staff report and recommendation on the matters being considered. Planning Commission members are permitted to ask staff any relevant questions regarding the matter being considered.
 - 4. To maintain an accurate public record, all citizens testifying will be required to state their name, address, and nature of interest in the matter for the permanent record.
 - 5. For any application before the Planning Commission, the applicant will be allowed to testify first with a limit of 20 minutes divided among as many of the speakers as determined by the applicant. The applicant will also be given an opportunity, at the end of the testimony period, to have one rebuttal, limited to 10 minutes. Rebuttal comments shall be limited to factual statements relating to previous testimony. The Chair has the discretion to allow more time to speak and/or additional

opportunities to comment to ensure adequate time for all present to have an opportunity to comment and in consideration of meeting time and other agenda items.

6. The Chair, at its discretion, may limit the comment period for each speaker so that all can be heard. As a general rule, testimony will be limited to three minutes per person, except for a group spokesperson, who will be allowed up to 10 minutes.
7. Public hearings are intended to provide information and opinions from citizens to the Planning Commission. They are not intended to be a debate between those on opposing sides of an issue, nor to weigh how many on each side of an issue attend. The Chair, at its discretion, may limit testimony that provides no new information and/or comments intended solely to debate another person's position on a particular issue while not providing new information to the Planning Commission.
8. The public hearing is closed. Planning Commission members may voice other significant considerations and pose any relevant questions through the Chair. The Chair will question the proper party for answers.
9. The Chair with a majority vote may extend the written comment period at their discretion.
10. Motion for disposition.

21.0 COMMITTEES

The Chair may from time to time appoint sub-committees of the Commission membership, or a Committee-of-the-Whole thereof, to carry out certain specific duties or functions as the Commission deems advisable. The Chair shall appoint the members of each committee and shall name the Chair of each committee.

The committee shall complete its assigned tasks expeditiously and report its findings to the Commission at their next meeting or as soon thereafter as feasibly possible. The committee may request assistance from the City Liaison.

22.0 ADOPTION OF AND AMENDMENTS TO THE BYLAWS AND RULES OF PROCEDURE

- a. The original adoption of the Bylaws and Rules of Procedure shall be by a vote of two-thirds in the affirmative of the Commissioners present at the regular meeting where they are considered.
- b. Any sitting Commissioner or the City Liaison may propose amendments to the Bylaws and Rules of Procedure.
- c. Proposed amendments to the Bylaws and Rules of Procedure shall be prepared in writing and submitted to the City Liaison who shall then include them as an agenda item for the next regular Commission

meeting. The Chair, by having a majority vote in the affirmative by the Commissioners present shall recommend to the City Council to approve the amendments. The City Liaison shall prepare a resolution to present the amendments to the City Council for approval.

- d. After receiving approval from the City Council, these Bylaws and Rules of Procedure may be amended by a two-thirds vote in the affirmative of the Commissioners present at any regular or special Commission meeting, provided the requirements of subsection b. and c. of this section have been fulfilled.
- e. A revision date and history shall be kept after the signature blocks noted herein.

23.0 References:
[Chapter 2.30 ADVISORY COMMISSIONS \(codepublishing.com\)](#)
[Chapter 42.30 RCW: OPEN PUBLIC MEETINGS ACT \(wa.gov\)](#)
[MRSC - Planning Commissions](#)

Planning Commission Chair

Date

Adopted:

Approved as to Form

City Attorney

Date