

1. Call to Order

2. Roll Call

Chairperson Janet Mayer, Vice-Chairperson Christy Doonan, Commissioners Jesus M. Aguirre, Gabriela Guel, and Benita Polina.

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 and state your name 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 October 16, 2024, meeting.

6. New Business

[a.](#) Introduction of Community and Economic Development (CED) Director Andrew Hattori.

[b.](#) Comprehensive Plan Climate Resiliency Element introduction.

[c.](#) Cancellation of December 18, 2024, Planning Commission Meeting.

7. Unfinished Business

[a.](#) Design District Map discussion.

[b.](#) Bylaws and Rules Procedure discussion.

8. Adjournment

Next Regular Planning Commission Meeting Will Be Held on January 15, 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
October 16, 2024

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: City Manager Dan Ford, Permit Coordinator Tami Colley, Executive Assistant Elvia Cisneros, City Clerk Heidi Riojas, and MVTV Communication Managers Sean Davido.

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. Commissioner Polina was not present at the meeting.

APPROVAL OF AGENDA

Commissioner Aguirre moved, seconded by Vice-Chair Doonan, to approve the October 16, 2024, meeting agenda. Motion carried unanimously.

PUBLIC COMMENT

None.

APPROVAL OF MINUTES

Commissioner Aguirre moved, seconded by Commissioner Guel to approve the minutes from the September 18, 2024, meeting. Motion carried unanimously.

NEW BUSINESS

City Manager Ford discussed the Design District map and the areas in town that requires Western Theme. He noted possible alternatives to the requirements and areas that are required to follow the Western Theme.

Communications Manager Davido discussed social media and how to get a possible survey out regarding Western Theming. He requested the Commissioners to provide him with any questions to add to the survey.

Communications Manager Davido advised the Commissioners on social media etiquette.

UNFINISHED BUSINESS

Executive Assistant Cisneros presented the Commissioners with an updated draft of the Bylaws and Rules of Procedure. Commissioners to review the new draft and come back at the next meeting with any corrections or suggestions.

OTHER BUSINESS

City Manager Ford announced the new Community Economic Development Director will start October 17, 2024. His role will be to lead the Planning Commission meetings and address the planning needs for the City.

ADJOURNMENT

There being no further business the meeting was adjourned at 6:35 p.m.

Janet Mayer, Chairperson

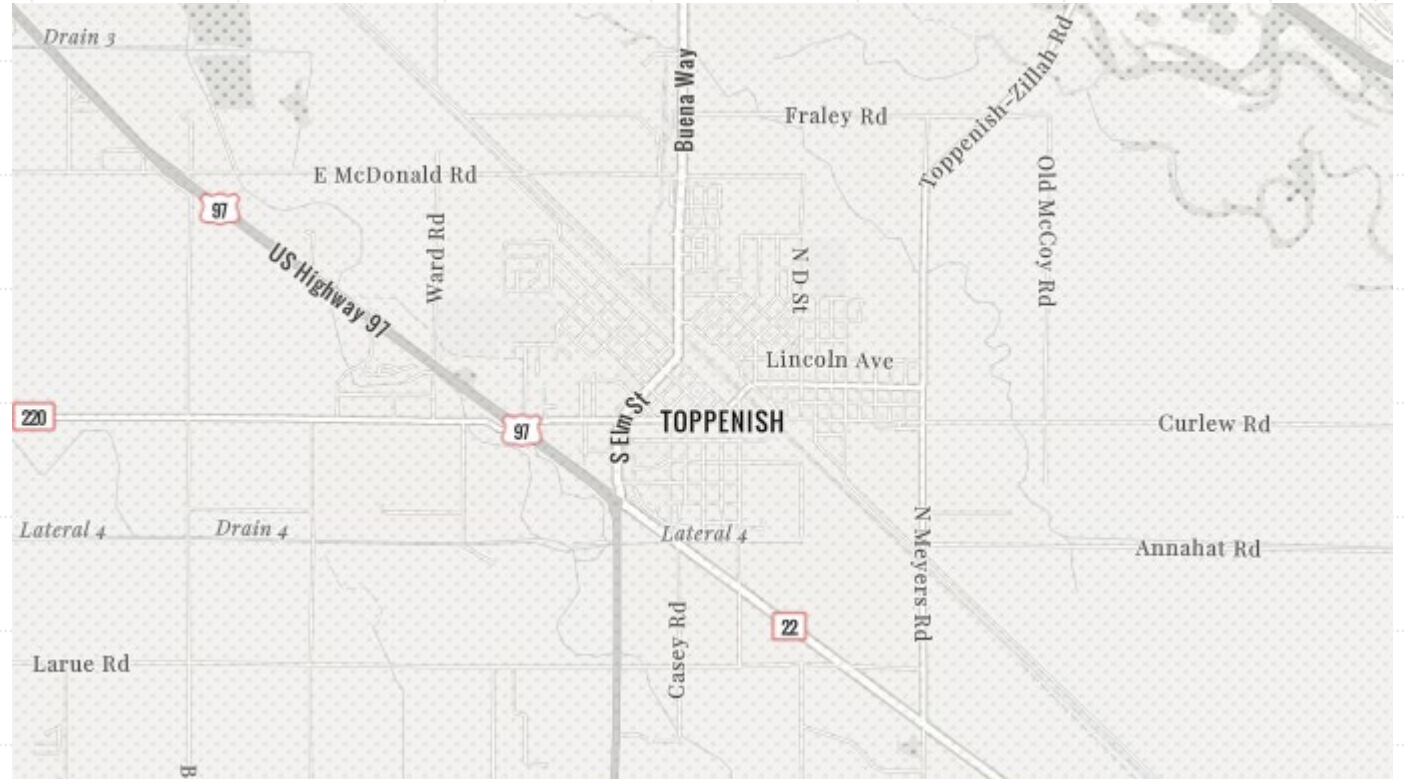
Dan Ford, City Manager

Toppenish Climate Element

Project Kickoff Meeting

Agenda

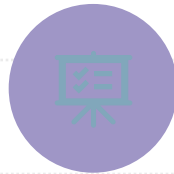
- Background/Process
- CPAT
- Public Engagement Strategy
- Climate Element
- Timeline



Background



HB1181: The WA Legislature passed this house bill into law in 2023 which requires Washington Cities to update their Comprehensive Plan to build community resilience and reduce greenhouse gas emissions that contribute to global climate change.



The WA State Dept. of Commerce has developed a guidance document for implementation, along with grant funding to support the process.



Toppenish received a \$150,000 grant from Commerce.

Process

- **Climate Policy Advisory Team**
 - Press release issued 9/24/24 – no responses
- Public Engagement Strategy
- Draft Climate Resiliency Element
- Adoption

Figure 2: Climate Element Guidance



Figure: Dept. of Commerce Climate Element Planning Guidance – Dec. 2023

Climate Policy Advisory Team



Focus – “Analyze climate information gathered through the periodic update engagement processes and provide recommendations on areas of focus.”



Advisory team members may include people with:

Experience in planning and land use policy

Experts in hazard mitigation, public health, transportation, fish and wildlife habitat, forests, agriculture, education, and other areas with climate nexus

Community engagement specialists

Representatives from regional clean air agencies and MPOs

Legal advisors

Elected officials

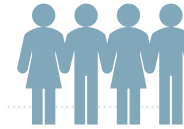
Public Engagement Strategy



Establish goals and outcomes
Design an equitable process
Engage broader community
Establish Tribal Engagement



Develop Vision Statement



Future public engagement as the
plan is developed

Web Page

The city established a project webpage dedicated to the Climate Element development process. Draft documents will be available for public review at various points throughout the planning period. Interested stakeholders will be able to sign up to receive regular updates throughout the planning period. Notices of upcoming public meetings will be posted when scheduled.



Tribal Engagement Strategy

New GMA requirements for Tribal Coordination were established in 2022 by House Bill 1717. RCW 36.70A.040 allows tribes to voluntarily participate in the local comprehensive planning process. The City of Toppenish currently engages with the Yakama Nation through the environmental review process. Additional engagement during this Climate Update process will occur if requested by the Yakama Nation.



Climate Resilience Sub-Element

Figure 3: Steps and Pathways to Integrate Resilience into Comprehensive Plan

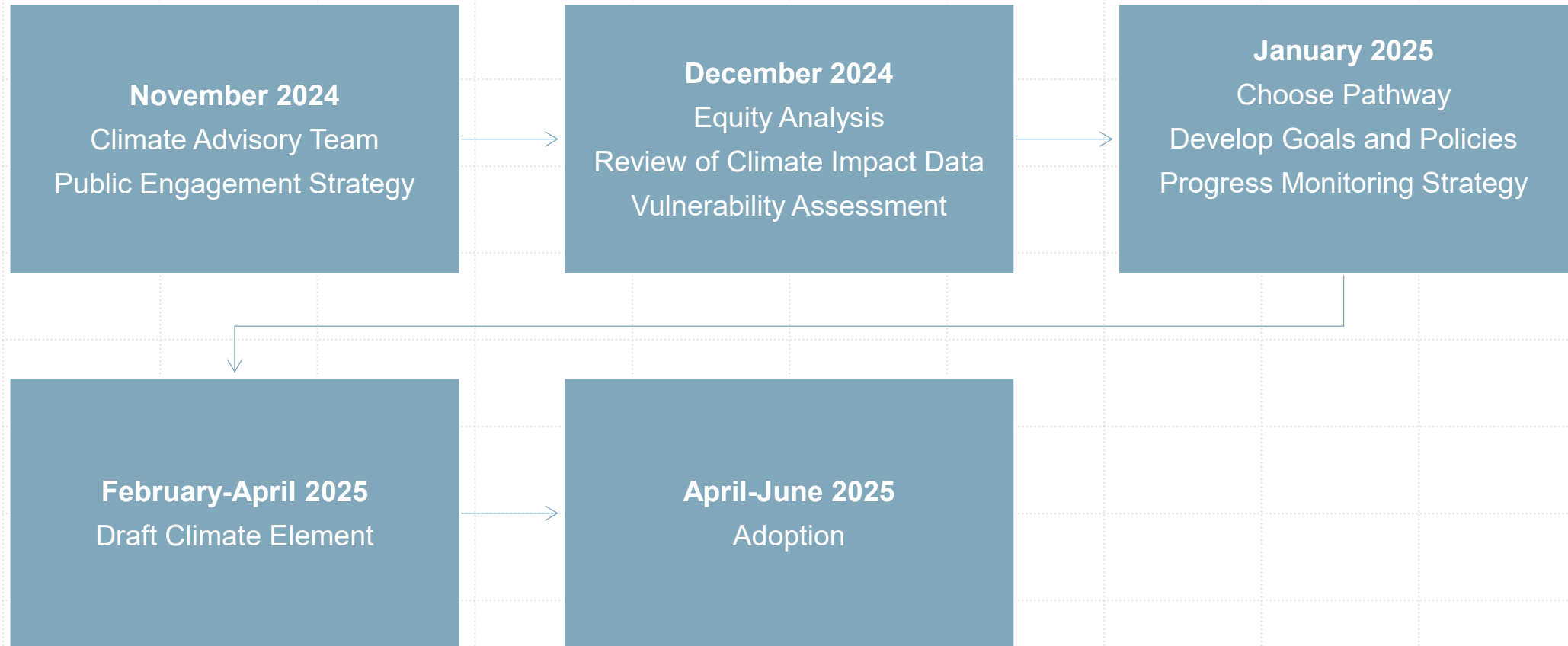


Figure: Dept. of Commerce Climate Element Planning Guidance – Dec. 2023

Hazards, Inventory, and Sectors

- Hazards
 - Drought
 - Extreme Heat
 - Extreme Precipitation
 - Flooding
 - Wildfire
- Inventory
 - Commercial/Industrial Buildings
 - Local Retail and Service
 - Floodplain
 - Parks and Open Space
 - Medical Practitioners
 - Transportation Facilities
 - Refuse Pickup
 - Water Distribution
 - Residential Uses
- Sectors
 - Agriculture
 - Buildings and Energy
 - Cultural Resources
 - Economic Development
 - Ecosystems
 - Emergency Management
 - Human Health
 - Transportation
 - Waste Management
 - Water Resources
 - Zoning and Development

Timeline



Questions?

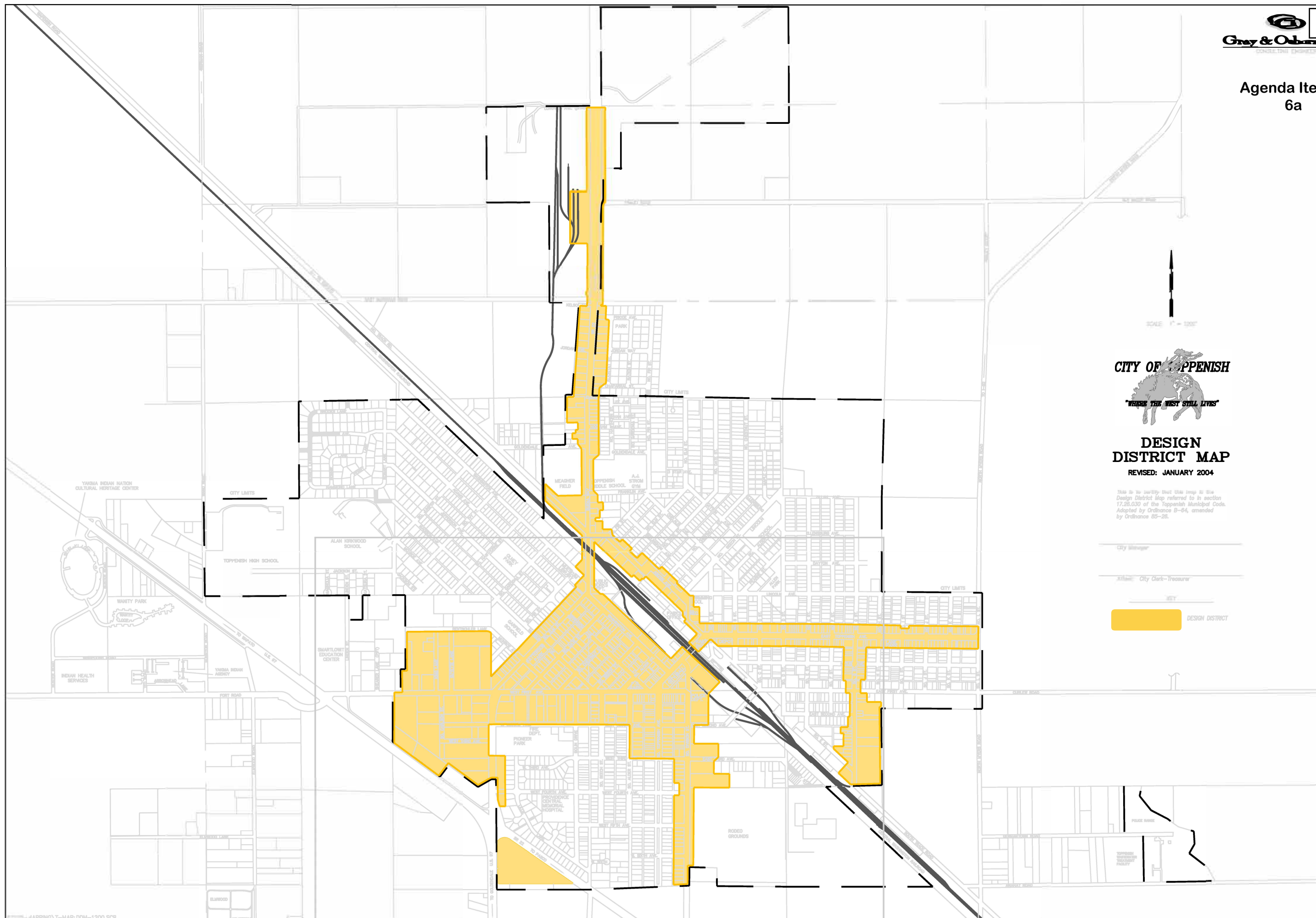
Project Kickoff Meeting



November 20, 2024

"The WA Department of Commerce climate planning grant is supported with funding from Washington's Climate Commitment Act. The CCA supports Washington's climate action plans by putting cap-and-invest dollars to work reducing climate pollution, creating jobs, and improving public health. Information about the CCA is available at www.climate.wa.gov."

**Agenda Item
6a**



**DESIGN
DISTRICT MAP**
REVISED: JANUARY 2004

This is to certify that this map is the
Design District Map referred to in section
17.26.030 of the Tappanish Municipal Code.
Adopted by Ordinance B-64, amended
by Ordinance B-26.

City Manager

Attest: City Clerk-Treasurer

JST

DESIGN DISTRICT

Chapter 17.26

DESIGN REVIEW DISTRICT

Sections:

17.26.010 Creation – Purpose.

17.26.020 Responsible agency.

17.26.030 Boundaries.

17.26.040 General criteria for determination of design district.

17.26.050 Criteria evaluation for the design district.

17.26.060 Permitted uses.

17.26.070 Permit approval required.

17.26.080 Application procedure.

17.26.090 Application requirements.

17.26.100 Criteria evaluation for permit approval or disapproval – Generally.

17.26.110 General criteria – Western design.

17.26.120 Powers – Duties – Jurisdiction.

17.26.130 Findings.

17.26.140 Expiration of approval.

17.26.150 Enforcement.

17.26.160 Appeal and city council review.

17.26.170 Signs.

17.26.180 Compliance.

17.26.010 Creation – Purpose.

In order that the city and buildings within the city may not be injuriously affected; to promote the public welfare and to provide for the enhancement of the city and its structures thereby contributing to the social, cultural and economic welfare of the citizens of the city by developing an awareness of its historical heritage; to return unproductive structures to useful purposes and to attract visitors to the city, to allow for a reasonable degree of control to be exercised over the site development and architecture of the private and public buildings erected therein, recognizing the interdependence of land values, aesthetics and good site planning; to promote economic and environmental well-being as they are affected by the distinctive character and natural attractiveness which contributes substantially to the recreational resort area and regional trade center of the city; to enrich the lives and well-being of the citizens by promoting harmonious, safe, attractive and compatible development of the private and public buildings and therefore being in

furtherance of the public peace, health, safety and social, cultural and economic welfare of the citizens of the city; there is created a design review district, hereinafter called “design district.” (Ord. 2008-15 § 1, 2008; Ord. B-64 § 3, 1975).

17.26.020 Responsible agency.

The planning commission, which is the advisory commission created by Chapter [2.30](#) TMC, is designated as the official body on matters concerning the design district and the buildings and structures within its bounds. The planning commission shall review and act upon all architectural and historic preservation matters, applying the criteria as set forth in TMC [17.26.040](#) through [17.26.110](#), as such matters apply to buildings and structures, site plans, interdependence of land uses and values, and aesthetics, except as to “minor work” as provided in TMC [17.26.080](#). (Ord. 2008-15 § 1, 2008; Ord. B-64 § 4, 1975).

17.26.030 Boundaries.

The boundaries of the design district shall be as shown on a map, entitled “Design District Map,” which, together with all explanatory matter thereon, is incorporated herein by this reference. The design district map shall be identified by the signature of the city manager, attested by the city clerk with the seal of the city under the following words:

This is to certify that this map is the Design District map referred to in TMC [17.26.030](#).

(Ord. 2008-15 § 1, 2008; Ord. 93-32, 1993; Ord. 85-26 § 1, 1985; Ord. B-64 § 5, 1975).

17.26.040 General criteria for determination of design district.

The following criteria as proposed by the National Trust for Historic Preservation for determination of historic districts are adopted as general guidelines for the design district. Districts, sites, buildings, structures, and objects of national, state, and local importance are of historic significance if they possess integrity of location, design, setting, materials, workmanship, feeling and association, and:

- A. That are associated with events that have made a significant contribution to the broad patterns of our history; or
- B. That are associated with the lives of persons significant in history; or
- C. That embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
- D. That have yielded or may be likely to yield information important in prehistory or history. (Ord. 2008-15 § 1, 2008; Ord. B-64 § 6, 1975).

17.26.050 Criteria evaluation for the design district.

- A. The western design has played a significant role in the development of the city, the Yakima Valley and the state in that it is representative of settlements established to support the early growth of the cattle and range industry, the trade center of the Indian reservation in this region, and was a focus of industry and trade in the Yakima Valley since the late 1880s.

B. The design district is associated with the lives of many of the pioneers through property, business and commercial activities that were concentrated in that area.

C. Many of the buildings within the district embody the distinctive characteristics of the western style. For these and other reasons, the buildings combine to create an outstanding example which is significant and distinguishable in style, form, character, and construction, representative of its era. The district possesses integrity of location, original construction, and of feeling and association.

D. The restoration and preservation of the district will yield information of educational significance regarding the way of life and the architecture of the late nineteenth century as well as adding interest and color to the city. Restoration of the district will preserve the environment which was characteristic of an important era of the city's history and will be considerably more meaningful and significant educationally than if done for individual buildings. (Ord. 2008-15 § 1, 2008; Ord. B-64 § 7, 1975).

17.26.060 Permitted uses.

Any use permitted by the existing zones over which this design district is superimposed shall be allowed. (Ord. 2008-15 § 1, 2008; Ord. B-64 § 8, 1975).

17.26.070 Permit approval required.

The building inspector shall not issue any permit which by this chapter requires approval of the planning commission until such approval has been obtained, or until the passage of 180 days from the date of the hearing on the application for permit where the applicant has been heard, whichever is shorter. The cost and burden of obtaining planning commission approval shall be borne by the applicant. (Ord. 2008-15 § 1, 2008; Ord. B-64 § 9, 1975).

17.26.080 Application procedure.

Any application for a permit for the erection or construction of a new building or structure or modification, addition, alteration, moving or demolition of existing structures which would affect the exterior appearance of any existing building or structure, located within the district shall be filed with the building inspector. Upon preliminary approval by the building inspector, the application shall be forwarded to the planning commission for review and the applicant shall be notified of the time and place thereof and he shall be heard; provided, that forwarding of applications to the planning commission shall not be required in the case of modification or alteration of the interior of a building or structure; provided further, that forwarding of applications to the planning commission shall not be required in the case of minor work, modifications, alterations, repairs or maintenance to the exterior of a building or structure which do not materially change the appearance of such building or structure with respect to any of the criteria set forth in TMC [17.26.100](#) and [17.26.110](#); provided further, that forwarding of applications to the planning commission shall not be required in the case of single-family dwellings or noncommercial buildings. (Ord. 2008-15 § 1, 2008; Ord. B-64 § 10(a), 1975).

17.26.090 Application requirements.

The planning commission may require the applicant to submit to it any or all of the following items:

A. Color photographs showing external views of all existing structures, both on the site and within the land use zone;

B. A development plan showing:

1. The legal description of the property;
2. The elevation by colored rendering;
3. The architectural design of the proposed buildings, structures or additions to existing buildings or structures, including signs, or the modification or alteration of existing buildings or structures in relationship to property lines, abutting streets and alleys;
4. The dimension of the property;
5. The traffic circulation within the area, including points of ingress and egress;
6. The location of usable open space;
7. Other information as may be required;

C. Nothing in this chapter shall be construed to reduce or alter any other building, plumbing, electrical, structural or other requirements as may be required by the building inspector. (Ord. 2008-15 § 1, 2008; Ord. B-64 § 10(b), 1975).

17.26.100 Criteria evaluation for permit approval or disapproval – Generally.

In considering any application for planning commission approval, the planning commission shall be guided by the following criteria:

- A. The planning commission shall examine the application to insure that all provisions of this chapter and all other ordinances, master plans, general plans and standards of the city shall be complied with where applicable.
- B. The proposal shall not have any detrimental effect upon the general health, welfare, safety, and convenience of persons residing or working in the neighborhood; or shall not be detrimental or injurious to the neighborhood.
- C. The proposal shall promote a desirable relationship of structures to one another, to open spaces and topography both on the site and in the surrounding neighborhood, all in keeping with the western design.
- D. The height, area, setbacks, and overall mass, as well as parts of any structure (buildings, walls, signs, lighting, etc.) and landscaping shall be appropriate to the proposal, the neighborhood and the community.
- E. Ingress, egress, internal traffic circulation, off-street parking facilities, loading and service areas and pedestrian ways shall be so designed as to promote safety and convenience.
- F. The architectural character of the proposed structure shall be in harmony with, and compatible to, those structures in the neighboring environment, and the architectural character adopted for any given area, avoiding excessive variety or monotonous repetition.

G. All mechanical equipment, appurtenances and utilities, shall be concealed from view and integral to the building design.

H. The architectural character of a proposal shall take cognizance of the unique climatological and other environmental factors of this region and promote an indigenous architectural feeling. (Ord. 2008-15 § 1, 2008; Ord. B-64 § 11(1), 1975).

17.26.110 General criteria – Western design.

The following general criteria is set forth for western design:

A. Western architecture of the 1800s and early 1900s usually involved wooden false front effects and usually contained a wooden post-supported, shake shingle marquee. Building styles also included exteriors of masonry, brick, and stone.

B. The false fronts normally used gave the viewer a square impression, although many buildings had gabled roof lines which were often hidden by the false fronts. The masonry and stone buildings used during that period were predominately flat-roofed, although residences infrequently had pitched roofs.

C. Shake shingles were often used on the face of the building forming a parapet of varying proportions but usually the parapet did not extend downward past the top of the windows.

D. Marquees were usually pitched and often covered with shake shingles; however, many of these porches were flat to allow for a sun deck which was usually enclosed by an ornate wooden fence and handrail. Sometimes, wrought iron was used for fencing of the sun deck.

E. Window shapes during this period were often square, arched, or rectangular and frequently were large enough to extend from floor to ceiling. Bay windows protruding outward from the main building walls were often used in four- to six-sided extensions. Window frames were usually simple and plain – free from ornate designs.

F. Doors were usually centered equidistant from the sides of the building front; however, buildings on corner lots often had entrances at the corner. Plain designs were predominate and glass doors were infrequent.

G. Street lighting and the exterior lighting on buildings usually were enclosed by carriage lamp fixtures. Gas lights of wrought iron and glass were frequent and lamps on the exteriors of buildings were usually of the same type but more infrequent. (Ord. 2008-15 § 1, 2008; Ord. B-64 § 11(2), 1975).

17.26.120 Powers – Duties – Jurisdiction.

A. The planning commission shall have the power to approve, conditionally approve, or disapprove all applications for permits as required by this chapter basing its decision on the criteria as set down in TMC [17.26.100](#) and [17.26.110](#).

B. It shall be the responsibility of the applicant to prove that the intent and purpose of the design district will be accomplished.

C. The planning commission, upon hearing an application, may impose such reasonable conditions as it may deem necessary in order to fully carry out the provisions and intent of this chapter. Violation of any such condition shall render any permit null and void as of the date of such violation.

D. The secretary of the planning commission shall advise the building inspector of any final action taken by the planning commission. (Ord. 2008-15 § 1, 2008; Ord. B-64 § 12, 1975).

17.26.130 Findings.

A. The planning commission shall approve, with or without conditions, an application or portion thereof, if they find that:

1. All provisions of ordinances of the city have been complied with.
2. Where applicable, all provisions of the master plans, the general plan and development policies and standards of the city have been complied with.

B. The planning commission shall deny an application or a portion of an application if they find that any ordinance of the city, the general plan, or the development policies and standards of the city have not been complied with. (Ord. 2008-15 § 1, 2008; Ord. B-64 § 13, 1975).

17.26.140 Expiration of approval.

A. The approval of an application shall expire and become null and void six months from the date of approval, providing that a building permit has not been issued, unless a different time period is made a condition of planning commission approval.

B. An extension of approval for an additional six-month period may be granted if the applicant files for the extension prior to the approval becoming void and the applicant shows reasons which justify extension of approval. (Ord. 2008-15 § 1, 2008; Ord. B-64 § 13, 1975).

17.26.150 Enforcement.

A. Prior to issuance of any required permit, under the ordinances of the city, if planning commission approval is required the building inspector shall ascertain that the planning commission has approved plans which are in conformance to those presented with the permit application and that the time limitations imposed by this chapter upon the planning commission have not elapsed.

B. The building inspector of the city shall insure that all matters approved by the planning commission are undertaken and completed according to the approval of the planning commission and is authorized to enforce the requirements set forth in this chapter, including the authority to issue a notice of civil infraction as set forth in TMC [17.26.180](#). (Ord. 2008-15 § 1, 2008; Ord. B-64 § 14, 1975).

17.26.160 Appeal and city council review.

A. The approval, with or without conditions, or denial by the planning commission of an application may be appealed within 20 days from the date of the planning commission's decision. Any appeal therefrom shall be in writing to the hearing examiner of the city. Such appeal shall be filed with the city clerk and shall indicate where, in the opinion of the appellant, the planning commission was in

error. The city clerk shall schedule the appeal for a hearing examiner agenda, and the hearing examiner shall uphold, modify, or reverse the decision of the planning commission.

B. Any applicant, or the city building inspector, having completed the appeal process described in subsection A of this section, and having further complaint, may appeal the decision of the hearing examiner directly to the city council. Such appeal shall be in writing and filed with the city clerk within 20 days from the date of the decision by the hearing examiner. Such appeal shall indicate where, in the opinion of the appellant, the planning commission or the hearing examiner was in error. The city clerk shall schedule the appeal for a city council agenda and the city council shall uphold, modify, or reverse the decisions of either the planning commission or the hearing examiner. The decision of the city council shall be final. (Ord. 2008-15 § 1, 2008; Ord. B-64 § 15, 1975).

17.26.170 Signs.

All signs erected within the boundaries of the design district must comply with the provisions of Chapter [15.10](#) TMC. (Ord. 2008-15 § 1, 2008).

17.26.180 Compliance.

Any person who violates or fails to comply with any of the provisions of this chapter, or who counsels, aids or abets any such violation or failure to comply, shall be deemed to have committed a civil infraction, punishable as set forth in Chapter [2.90](#) TMC, Civil Infractions. The procedural requirements for issuing a notice of civil infraction, the duties and rights of the parties, the hearing procedures, penalties, restitution, and all other matters regarding processing a civil infraction notice shall be as set forth in Chapter [2.90](#) TMC. (Ord. 2008-15 § 1, 2008; Ord. 2008-8, 2008; Ord. B-64 § 16, 1975. Formerly 17.26.180).

10/1/2024

PLANNING COMMISSION

Bylaws and Rules of Procedure



Dan Ford
CITY MANAGER

TABLE OF CONTENTS

1.0	OFFICIAL NAME AND SEAT.....	Page 2
2.0	LEGISLATIVE AUTHORITY.....	Page 2
3.0	PURPOSE.....	Page 2
4.0	COMMISSION APPOINTMENT.....	Page 3-4
	TERMS OF SERVICE.....	Page 3-4
5.0	REGULAR MEETING.....	Page 4
6.0	SPECIAL MEETINGS.....	Page 5
7.0	CONFLICTS OF INTEREST.....	Page 5
8.0	CODE OF CONDUCT.....	Page 6-8
9.0	REQUIRED MEETING POSTING AND PUBLICATIONS	Page 8
10.0	APPLICATION PROCEDURES.....	Page 9
11.0	RULES FOR CONDUCTING COMMSION BUSINESS...	Page 9
12.0	MEETING ETIQUETTE.....	Page 9
13.0	VOTING.....	Page 10
14.0	QUORUM.....	Page 10
15.0	OFFICERS.....	Page 11
16.0	DUTIES OF CHAIR.....	Page 11
17.0	DUTIES OF VICE-CHAIR.....	Page 11
18.0	DUTIES OF STAFF AND CONTRACTED CONSULTANTS	Page 11
19.0	ABSENCES OF CHAIR AND VICE-CHAIR.....	Page 12
20.0	COMMISSIONER ATTENDANCE.....	Page 12
21.0	PUBLIC HEARING PROCEDURES.....	Page 13
22.0	COMMITTEES.....	Page 14
23.0	ADOPTION OF AND AMENDMENTS TO BYLAWS AND RULES OF PROCEDURES.....	Page 14
24.0	REFERENCES.....	Page 15

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 nine 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 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:
3. 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.

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 transaction of business and shall keep a written record of its meetings, resolutions, transactions, findings and determinations which record shall be a public record.

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 are not to be used as mechanisms for conducting official city business other than informally communicate 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 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 recoding 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 do 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 involves a conflict of interest on the commissioner's part he/she should request permission to step down before the matter is heard, which 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 a business or personal financial situation 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 the 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 APPLICATIONS PROCEDURES

Applications for consideration of business items before the Commission shall be made on forms provided by the City. Complete applications shall be processed by the appropriate city staff, departments, and professional consultants retained by the City.

11.0 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.

12.0 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.

13.0 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.

14.0 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.

15.0 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

16.0 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.

17.0 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.

18.0 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.

19.0 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.

20.0 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 35A.12.060

Vacancy for nonattendance.

In addition, a council position shall become vacant if the councilmember fails to attend three consecutive regular meetings of the council without being excused by the council.

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).

21.0 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.

22.0 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.

23.0 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 recommending 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.

24.0 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