

**ORDINANCE NO. 2015-17**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUNNYSIDE, WASHINGTON, ANNEXING CERTAIN PROPERTY TO THE CITY OF SUNNYSIDE AND ZONING SAID PROPERTY (Messmore Annexation)**

**WHEREAS**, the City of Sunnyside has received a Petition for Annexation of property into the City of Sunnyside, identified as the “Messmore Annexation” and

**WHEREAS**, the documentation filed is in proper form and a Notice of Intention has been submitted to and approved by the state Boundary Review Board for Yakima County, which approval was granted by Order of the Board on September 29, 2015; and

**WHEREAS**, the Planning Commission has held a public hearing pursuant to published notice on May 27, 2015, and has recommended approval of the annexation, and recommended that the property be zoned M-1, light industrial, and that the City of Sunnyside Zoning Map be amended accordingly; and

**WHEREAS**, the City Council has held a closed record hearing pursuant to Title 19 of the Sunnyside Municipal Code on October 26, 2015 considering the record herein and the recommendations of the Sunnyside Planning Commission concerning the proposed annexation; and

**WHEREAS**, the City Council finds and determines as follows:

- (a) The City Council has jurisdiction to determine all matters and issues herein.

- (b) All procedures and requirements of law and the Sunnyside Municipal Code have been performed and satisfied regarding such proposed annexation.
- (c) The annexation of the proposed property into the City of Sunnyside is in the best interests of residents of the City of Sunnyside, and the proposed M-1, Light industrial is consistent with the Comprehensive Plan of the City of Sunnyside, and the findings and conclusions of the Sunnyside Planning Commission are hereby adopted and approved; and
- (d) Approval of such annexation will promote the general health, safety and welfare, and will preserve the existing neighborhood and promote quality of life and quiet enjoyment of the residents in the subject area;

and

**WHEREAS**, the City Council, having made the above findings, determines that such property should be annexed to the City of Sunnyside with a zoning of M-1, Light Industrial, and that the Comprehensive Plan and Zoning Map of the City of Sunnyside should be amended accordingly and as necessary.

**NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF SUNNYSIDE, WASHINGTON**, as follows:

**Section 1.** That the property of the “Messmore Annexation,” consisting of seven (7) parcels 18.41 acres in total size, commonly known as Yakima County Assessor’s Parcel Numbers:

221035-44015	6.52 acres
221035-44016	3.13 acres
221035-44017	0.45 acres
221035-44039	2.70 acres
221035-44014	1.15 acres
221035-44033	1.01 acres
220902-11400	3.15 acres

and as legally described and shown on the map attached hereto as Exhibit "A," both incorporated herein by this reference, is hereby annexed to the City of Sunnyside.

**Section 2.** That all of the property within the territory herein annexed shall be assessed and taxed at the same rate and on the same basis as other property within the City of Sunnyside for outstanding indebtedness of the City of Sunnyside, including assessments and taxes in payment of any bonds issued or debts contracted prior to or existing on the date hereof.

**Section 3.** That the property subject to this annexation shall be, and the same hereby is, zoned M-1, Light Industrial and that the Zoning Map of the City of Sunnyside shall be amended to reflect the same, together with appropriate designation and amendment of the City of Sunnyside Comprehensive Plan as necessary.

**Section 4.** That the City Manager or his designee is hereby authorized and directed to notify the Washington Utilities and Transportation Commission, together with utility providers, of this annexation, and to approve, on behalf of the City of Sunnyside, an appropriate transition franchise agreement with any existing utility provider for the property subject to this annexation.

**Section 5.** This Ordinance shall be effective October 27 or five (5) days after passage, approval and publication as required by law, whichever later occurs, and a copy of this Ordinance shall be filed with the Yakima County

Commissioners and with the Yakima County Auditor, and with other appropriate entities or agencies with jurisdiction.

PASSED this 26<sup>th</sup> day of October, 2015.

**James A Restucci, MAYOR**

ATTEST:

**DELILAH SAENZ**  
City Clerk

APPROVED AS TO FORM:

**Kerr Law Group**  
City Attorney