

ORDINANCE 2020-06A

**AN ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF SUNNYSIDE, WASHINGTON, ANNEXING CERTAIN
PROPERTY TO THE CITY OF SUNNYSIDE, ESTABLISHING ZONING
AND AMENDING ZONING MAP – RODRIGUEZ/BOS ANNEXATION**

WHEREAS, the City of Sunnyside, Washington, has received a Petition for annexation of property into the City of Sunnyside identified as the “Rodriguez/Bos 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 June 1, 2020; and

WHEREAS, the Planning Commission has held a public hearing pursuant to published notice on February 11, 2020, and has recommended approval of the annexation, and recommended that the property be zoned R-3, High Density Residential, and that the City of Sunnyside Comprehensive Plan and zoning map be amended accordingly; and

WHEREAS, the owners of Yakima County Assessor's Parcel NO. 221023-43400 (6.85 acres), 221023-44400 (4.75 acres), 221023-43401 (10.11 acres), 221023-44401 (5.71 acres), and 221023-44013 (4.31 acres) have requested a zoning destination of R-3, High Density Residential, with proposed development pursuant to R-3, High Density Residential standards; and

WHEREAS, the City Council has held an open record public hearing pursuant to Title 19 of the Sunnyside Municipal Code on March 11, 2019 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 of Sunnyside is in the best interest of residents of the City of Sunnyside, and the proposed R-3, High Density Residential zoning is consistent with the Comprehensive Plan of the City of Sunnyside, and the Findings and Conclusion of the Sunnyside Planning Commission are hereby adopted and approved;
- (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;

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 R-3, High Density Residential, 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 "Rodriguez/Bos Annexation", consisting of five parcels totaling approximately 32.69 acres in total size, commonly known as Yakima County Assessor's Parcel Nos. 221023-43400, 221023-44400, 221023-43401, 221023-44401 and 221023-44013 and as legally described in Exhibit "A", and shown on the map attached hereto as Exhibit "B", incorporated herein by this reference, is hereby annexed to the City of Sunnyside.

Section 2: That all of the property within the territory hereby annexed shall be assessed and taxed at the same rate and on the same basis as other property within the City of Sunnyside for any outstanding indebtedness of the City of Sunnyside, including assessments on 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 R-3, High Density Residential and that the zoning maps 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; and that all parcels included within such annexation are hereby deemed permitted for purposes of zoning designation.

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: That this Ordinance shall be effective July 27, 2020, or five (days) after passage, approval and publication as required by law and a copy of this Ordinance shall be filed with the office of the Yakima County Commissioners and with the Yakima County Auditor, and with all other appropriate entities or agencies with jurisdiction.

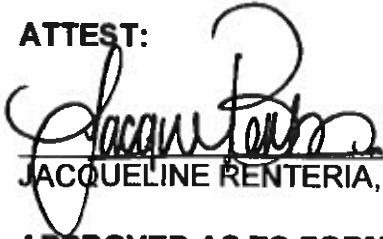
Section 6: This Ordinance replaces and supersedes any and all other ordinances affecting the subject matter of this Ordinance insofar as they may be inconsistent herewith. If any provisions of this Ordinance shall be held to be invalid, the remainder of this Ordinance shall not be affected.

Section 7: The City Manager or his designee is hereby authorized to clerically amend and/or supplement this Ordinance by attaching to this Ordinance, as exhibit, the legal description of the property subject to this annexation ordinance, upon receipt of such legal description from Yakima County Public Works Department, and that upon such attachment, such references in this Ordinance to exhibits shall be deemed incorporated herein by reference, and to supersede and replace such legal description of the property subject to this annexation.

PASSED this 27th day of July, 2020.

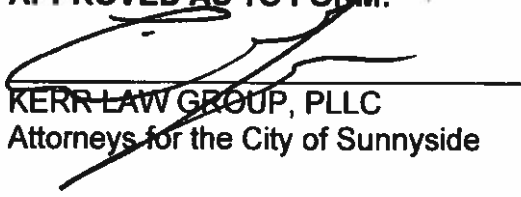

FRANCISCO GUERRERO, MAYOR

ATTEST:



JACQUELINE RENTERIA, CITY CLERK

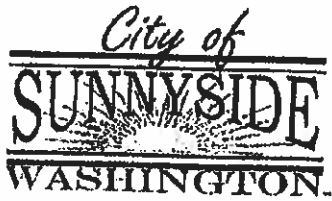
APPROVED AS TO FORM:



KERR LAW GROUP, PLLC
Attorneys for the City of Sunnyside

EXHIBIT A

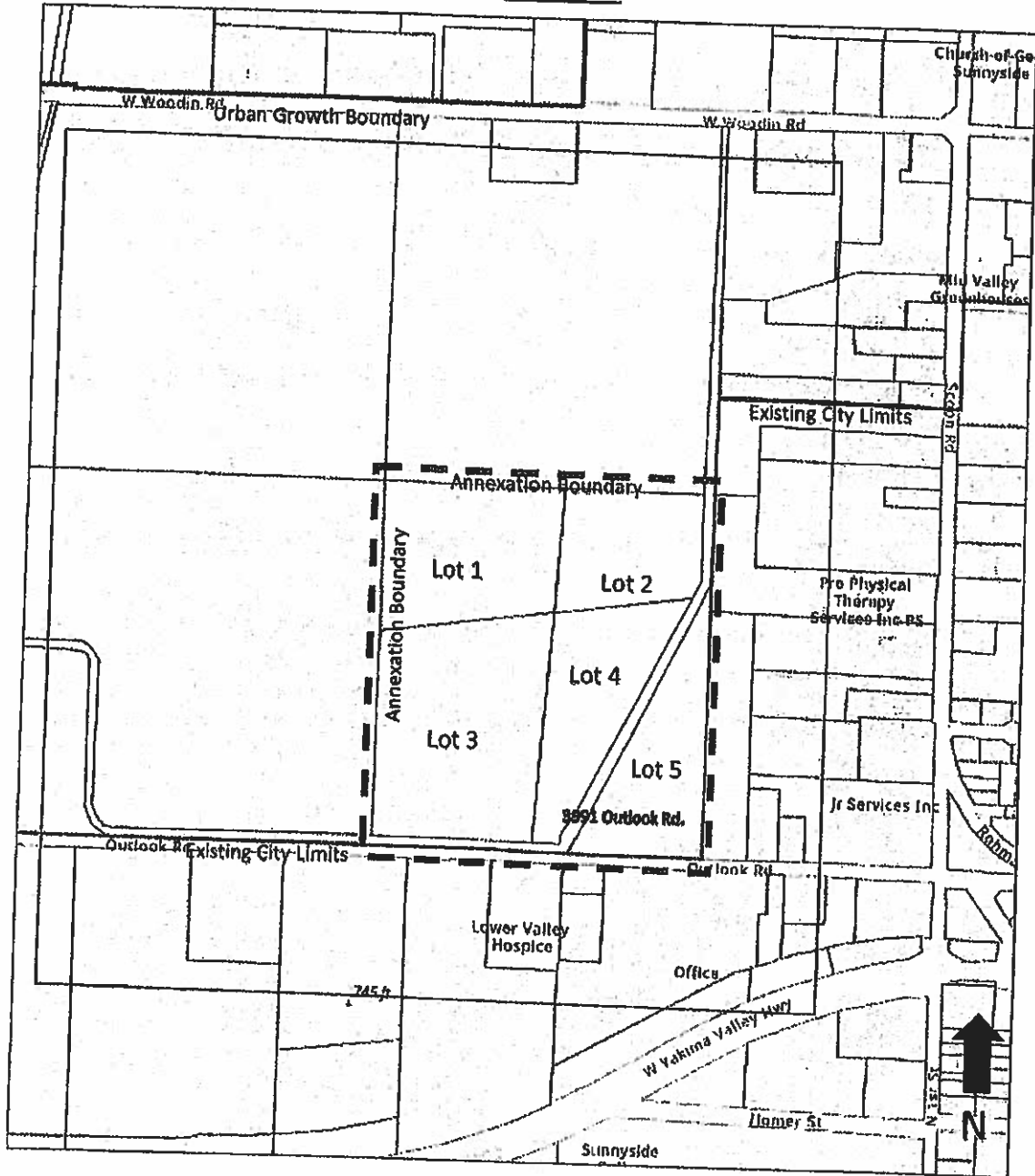
Beginning at the Southeast corner of Section 23, Township 10, Range 22, Thence North $89^{\circ} 24' 15''$ West, 1999.72 feet, along the centerline of Outlook Road, Thence North $0^{\circ} 07' 40''$ West 30 feet to the true point of beginning, and the Southwest Corner of Parcel 4 of Book 80-0109 and the South Line of the SVID 40' D.I.D. #3, Sub 2 Easement, Thence North $0^{\circ} 07' 40''$ West, 1,281.11 feet to the Northwest corner of Parcel 1, Book 80-0109, Thence South $89^{\circ} 42' 08''$ East, 1191.69 more or less to the East line of the D.I.D. #3 and the West line of the City Boundary for the City of Sunnyside, Thence South along said west line of the city boundary to the North Right of Way line for Outlook Road, Thence West along said North Right of Way line to the true point of beginning.



Planning & Community Development

818 East Edison Avenue
Sunnyside, Washington 98944
(509) 837-7999 Office, (509) 836-6383 Fax

BOS & RODRIGUEZ ANNEXATION 2020 VICINITY MAP



Map drafted: 01/29/20 - Not to scale

The geographic data layers produced by the City of Sunnyside, WA and any associated maps and applications, are provided as a public resource. While every reasonable effort is made to ensure the accuracy and completeness of the data, the City of Sunnyside makes no warranties, expressed or implied, concerning the accuracy, completeness or suitability of its data, and it should not be construed or used as a legal description.