

**ORDINANCE 2024 - 04**

**AN ORDINANCE OF THE CITY COUNCIL OF SUNNYSIDE,  
WASHINGTON, ANNEXING CERTAIN PROPERTY TO THE CITY  
OF SUNNYSIDE (PHILLIPS ANNEXATION)**

**WHEREAS**, the City of Sunnyside Washington, Received a Petition application completed by owners of no less than ten (10%) percent of certain real property on August 24, 2023), meeting the requirements of RCW 35A.14.120; and

**WHEREAS**, a public meeting was held on the proposed annexation application on September 25, 2023, wherein City Council Passed Resolution 2023-26, accepting the Intent to annex, determining the property will be required to assume all proportionate bonded indebtedness, determining that simultaneous zoning will be required, and determining the property to be annexed as set forth in Section 1 below (property); and,

**WHEREAS**, the City received a petition signed by not less than sixty (60) percent owners of the Property; and,

**WHEREAS**, the petition meets the requirements of RCW 35A.01 .040 and has been determined to be sufficient by the Yakima County Assessor; and,

**WHEREAS**, notices of the public hearing on the proposed annexation has been published and posted as required by law; and,

**WHEREAS**, the City of Sunnyside Planning Commission held a public hearing pursuant to Title 19 of the Sunnyside Municipal Code on November 14, 2023; and,

**WHEREAS**, The Planning Commission recommended that such property should be annexed to the City of Sunnyside with a zoning of Planned Unit Development, (PUD); and,

**WHEREAS**, The City Council directed staff to submit to the Washington State Boundary Review Board for Yakima County a notice of Intention to Annex; and,

**WHEREAS**, The Washington State Boundary Review Board for Yakima County did notify the City of Sunnyside that no one invoked the Washington State Boundary Review Board for Yakima County jurisdiction, therefore the annexation was deemed approved by the Board March 25, 2024; and,

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

**SECTION 1:** That the following described property, situated in Yakima County, Washington is hereby annexed into the City of Sunnyside: Consisting of Tax Parcel 231032-31402, described as: Lot 2 of Short Plat as recorded in Volume "L" of Plats, page 72, records of Yakima County, Washington., as depicted in the map attached hereto and labeled Exhibit A

**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 PUD, Planned Unit Development, and that all parcels included within such annexation are hereby deemed permitted for purposes of zoning designation.


**SECTION 4:** That this Ordinance shall be effective 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 certified copy of this Ordinance be recorded with the Yakima County Auditor.

**SECTION 5:** The City Manager or his/her designee is hereby authorized to clerically amend or supplement this Ordinance by attaching to this Ordinance, as exhibit, the legal description of the property subject to this annexation ordinance, is attached as to this Ordinance as Exhibit 'A'.

**SECTION 6: SEVERABILITY.** The provisions of this ordinance are hereby declared to be severable. If any section, subsection, sentence, clause, or phrase of this ordinance or its application to any person or circumstance is for any reason held to be invalid or unconstitutional, the remainder of this ordinance shall

not as a result of said section, sentence, clause, or phrase be held unconstitutional or invalid.


**PASSED** this 22nd day of April 2024.

  
\_\_\_\_\_  
DEAN BROERSMA, MAYOR

**ATTEST:**

  
\_\_\_\_\_  
JACQUELINE RENTERIA, CITY CLERK

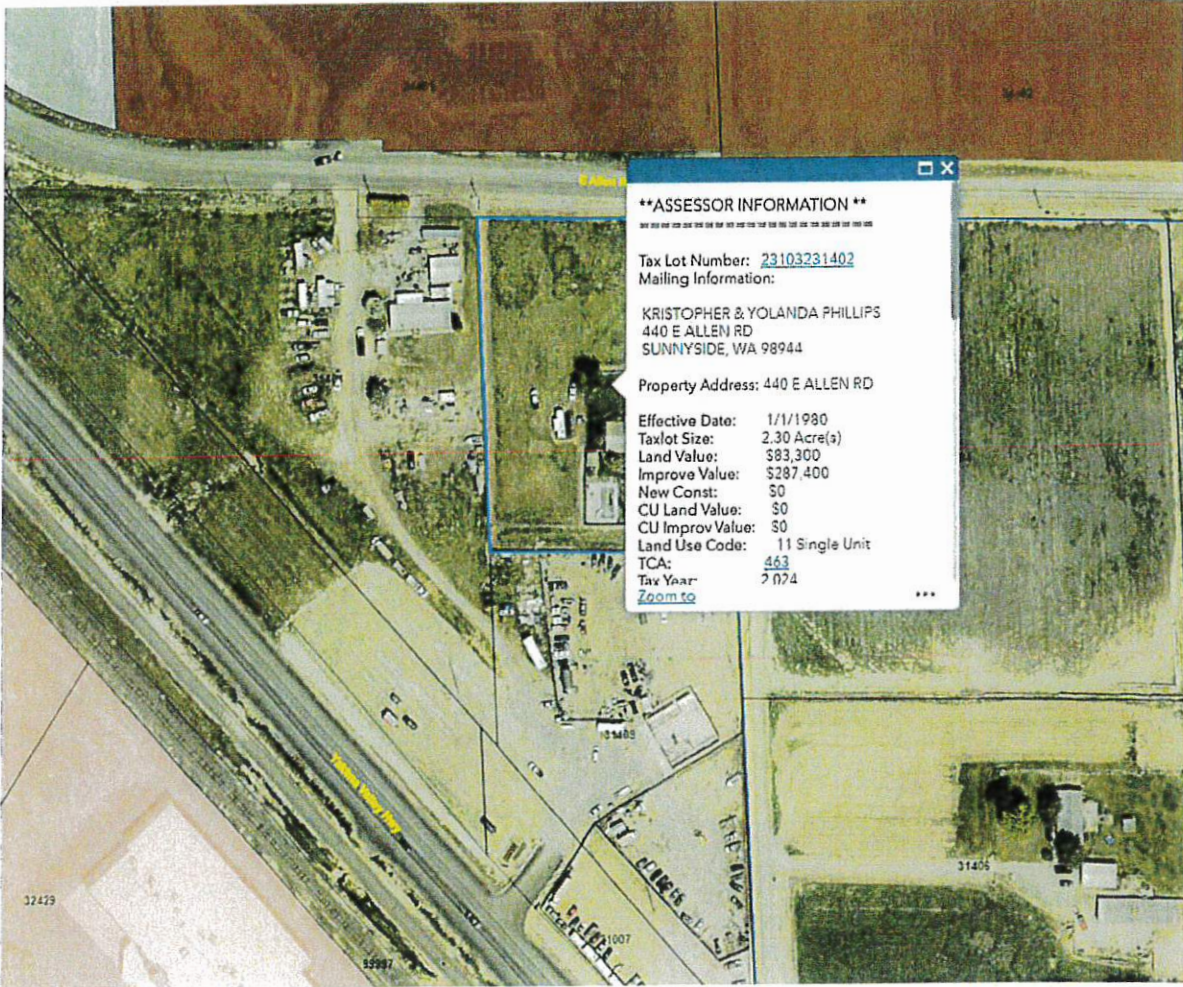
**APPROVED AS TO FORM:**  
SAXTON, RILEY & RILEY, LLPC

  
\_\_\_\_\_  
BENJAMIN J. RILEY  
Attorneys for the City of Sunnyside

Date of Publication: 5-1-2024

## Exhibit A

Legal Description: Lot 2 of Short Plat as recorded in Volume "L" of Plats, page 72, records of Yakima County, Washington.



# City of Sunnyside



9/14/2023, 2:56:26 PM

- World Imagery
- Low Resolution 15m Imagery
- High Resolution 60cm Imagery

- High Resolution 30cm Imagery
- Citations
- 60cm Resolution Metadata

- Taxlots
- Water - Hydrants
- Water - Main Lines
- Unknown
- Sewer - Pipe
- Polyvinyl Chloride - PVC

1:2,257  
 0 0.01 0.03 0.05 mi  
 0 0.02 0.04 0.08 km  
 Esri Community Maps Contributors, City of Yakima, WA State Parks GIS, @ OpenStreetMap, Microsoft, Esri, HERE, Garmin, SafeGraph, Yakima County GIS  
 Esri Community Maps Contributors, City of Yakima, WA State Parks GIS, @ OpenStreetMap, Microsoft, Esri, HERE, Garmin, SafeGraph, Yakima County GIS  
 Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, MET/NASA, USGS, Bureau of Land Management, EPA, NPS, US Census Bureau, USDA | Yakima county