

ORDINANCE 2024 – 10

A RESOLUTION OF THE CITY COUNCIL OF SUNNYSIDE, WASHINGTON, ANNEXING CERTAIN PROPERTY TO THE CITY OF SUNNYSIDE (SALGADO ANNEXATION)

WHEREAS, the City of Sunnyside Washington, received a Notice of Intent to Commence Annexation, completed by owners of no less than ten (10%) percent of certain real property on December 20, 2023, meeting the requirements of RCW 35A.14.120; and

WHEREAS, a public meeting was held on the proposed Notice of Intent to Commence Annexation on February 12, 2024, wherein City Council Passed Resolution 2024-08, 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 Planning Commission public hearing on the proposed annexation were 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 March 12, 2024; and,

WHEREAS, The Planning Commission recommended that such property should be annexed to the City of Sunnyside with a zoning of High Density Residential, (R-3); and,

WHEREAS, A Notice of Intention was submitted to the Washington State Boundary Review Board for Yakima County on July 18, 2024; 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 September 9, 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 231019-23404, described as: Lot 4 of Short Plat J-4, records of Yakima County, Washington.; to include that section of Washout Road the fronts Parcel 231019-23404, 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 R-3, High Density Residential, 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 23rd day of September 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: October 2, 2024
~~September 25, 2024~~

Exhibit A

Legal Description: Lot 4 of Short Plat J-4

To include that section of Washout Road that fronts Parcel 231019-23404

Salgado Annexation

