

ORDINANCE 2019-07

**AN ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF SUNNYSIDE, WASHINGTON, ANNEXING CERTAIN
PROPERTY TO THE CITY OF SUNNYSIDE, AMENDING
COMPREHENSIVE PLAN AND ZONING SAID PROPERTY
"Haley Annexation"**

WHEREAS, the City of Sunnyside has received a Petition for Annexation of property into the City of Sunnyside, identified as the "Haley 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 April 3, 2018; and

WHEREAS, the Planning Commission has held a public hearing pursuant to published notice on November 8, 2016 and has recommended approval of the annexation, and recommended that the property be zoned M-1, Light-Industrial, and that the City of Sunnyside Comprehensive Plan and Zoning Map be amended accordingly; and

WHEREAS, the owners (Larry Helberg) of Yakima County Assessor's Parcel NO. 220902-44004 (4.31 acres) have requested a zoning destination of M-1, Light Industrial, with proposed development pursuant to M-1, Light Industrial standards; 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 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 M-1, Light Industrial, and

that the Comprehensive Plan and the 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 "Haley Annexation," consisting of one parcel totaling approximately 4.31 acres in total size, commonly known as Yakima County Assessor's Parcel Nos. 220902-44004 acres and as legally described and shown on the map attached hereto as Exhibit "A", 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 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 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 the purpose of zoning designation.

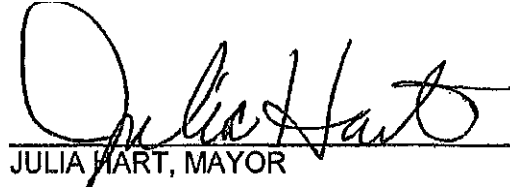
Section 4. That the City Manager or his designee is hereby authorized and directed to notify the Washington Utilities and Transportation Commission, together with utility providers, of this annexation, and to approve, on behalf of the City of Sunnyside, an appropriate transition franchise agreement with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

Section 5. That this Ordinance shall be effective July 15, 2019 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 other appropriate entities or agencies with jurisdiction.

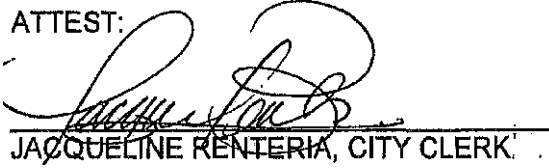
Section 6. This Ordinance replaces and supersedes any and all other Ordinances affecting the subject matter of this Ordinance insofar as they may be inconsistent herewith. If any provisions of this Ordinance shall be held to be invalid, the remainder of this Ordinance shall not be affected.

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 22nd day of July, 2019.


JULIA HART, MAYOR

ATTEST:


JACQUELINE RENTERIA, CITY CLERK

APPROVED AS TO FORM:

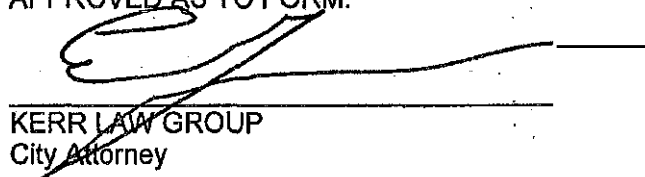

KERR LAW GROUP
City Attorney

Exhibit A

Tax Parcel 220902-44004