

**ORDINANCE 2018 - 01**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUNNYSIDE, WASHINGTON, REZONING PROPERTY (.30 acres) FROM M-1 LIGHT INDUSTRIAL TO B-3, RETAIL CORE FOR PORT OF SUNNYSIDE PROPERTY**

**WHEREAS**, The Port of Sunnyside, has submitted an application for change of zone classification for two parcels (Yakima County Assessor's Parcel Numbers 221025-24599 and -24538), which is .30 acres in size, situated within the corporate limits of the City of Sunnyside, generally located at the intersection of South 5<sup>th</sup> Street and E. Edison Ave, legally described as:

SUNNYSIDE: LOTS 11,12 & 13 BLK 21 and beginning at the northeast corner of lot 14 thence west 53.69 feet to the north line of lot 15 to the north easterly rail road right-of-way line thence southwesterly along said right-of-way to the east line of lot 14 thence north to point of beginning, records of Yakima County, Washington.

and as shown on the map attached hereto jointly as Exhibit "A" and incorporated herein by this reference; and

**WHEREAS**, the subject property is currently zoned M-1 Light Industrial pursuant to Title 17 of the Sunnyside Municipal Code; and

**WHEREAS**, the Applicant is requesting that the zone classification for the subject property be changed from M-1 Light Industrial zoning to B-3 Retail Core zoning, as set forth in Chapter 17.48 of the Sunnyside Municipal Code; and

**WHEREAS**, the Planning Commission conducted a public hearing on November 21, 2017, pursuant to notice duly published, to receive public testimony and evidence concerning such requested rezone, and, having received

and considered all testimony and evidence presented, and made recommendation for approval; and

**WHEREAS**, the City Council has received the recommendation of the Planning Commission, and has held a closed record hearing on January 22, 2018 to consider legislative action to effect a zoning district amendment to change the zoning designation of the subject property pursuant to such recommendation and record herein; and

**WHEREAS**, the City Council has received and reviewed the record of the hearing before the Planning Commission and recommendation therein; and

**WHEREAS**, the City Council concurs with the findings, conclusions and recommendation of the Planning Commission herein, and;

**WHEREAS**, the City Council finds and determines that such requested rezone should be approved, and that such approval is in the best interests of residents of the City of Sunnyside and will promote the general health, safety and welfare.

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

**Section 1.** The zone classification of the subject property, consisting of .30 acres in a two parcels currently described as Yakima County Assessor's Parcel Number 221025-24599 and -24538 located within and upon the property

at the intersection of south 5<sup>th</sup> street and E Edison Ave, Sunnyside, Washington, all as shown on the map attached hereto as Exhibit "A" and incorporated herein, is hereby changed from M-1 Light Industrial zoning to B-3 Retail Core zoning, all subject to Chapter 17.48 of the Sunnyside Municipal Code.

**Section 2.** The official zoning map of the City of Sunnyside is hereby amended in conformity with this Ordinance, and the Comprehensive Plan of the City of Sunnyside is hereby deemed amended as necessary or appropriate to accomplish the purposes of this Ordinance.

**Section 3.** Except as amended herein the zoning designations and Comprehensive Plan of the City of Sunnyside shall remain unchanged.

**Section 4.** Copies of this Ordinance will be provided to all appropriate state and county agencies as required by law.

**Section 5.** This Ordinance shall be in full force and effect five (5) days after passage, approval and publication as required by law.

PASSED this 22<sup>nd</sup> day of January, 2018.

  
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Julia Hart, MAYOR

ATTEST:

  
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Jacqueline Renteria  
Deputy City Clerk

APPROVED AS TO FORM:



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Kerr Law Group  
Attorneys for the City of Sunnyside

# Exhibit "A"

- Tax Lots
- Zoning Area
- AP
- B1
- B2
- B3
- B4
- B5
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Parcel Lot lines are for visual display only. Do not use for legal purposes.

