

**ORDINANCE 2013 - 08**

**AN ORDINANCE OF THE CITY OF SUNNYSIDE  
AMENDING THE CITY'S COMPREHENSIVE PLAN;  
AMENDING THE CITY'S DEVELOPMENT  
REGULATIONS; UPDATING THE OFFICIAL CITY  
ZONING MAP; AND READOPTING THE FUTURE LAND  
USE MAP**



**E-File**

**WHEREAS**, the City of Sunnyside has abated a threat to the public health and safety of the community through the acquisition of a commercial feedlot located within the City limits; and

**WHEREAS**, the City subsequently received a grant from the Yakima County Development Association to conduct a feasibility study on the redevelopment of this site, commonly known as the West Sunnyside Business Park, for economic development purposes; and

**WHEREAS**, the City has extended municipal water and sewer service to the site; and

**WHEREAS**, the City has approved an application to annex property within its Urban Growth Area, which includes the West Sunnyside Business Park; and

**WHEREAS**, it is the intent of the City to actively market parcels within the West Sunnyside Business Park for redevelopment with uses that create jobs, add to the tax base of the community, and otherwise enhance the local economy; and

**WHEREAS**, the City Planning Commission has reviewed and recommended to the City Council amendments to the City's Comprehensive Plan and Development Regulations that would promote the preparation of a master plan to guide the redevelopment and reuse of the West Sunnyside Business Park; and

**WHEREAS**, the City conducted an integrated SEPA/GMA review of the proposed amendments to the Comprehensive Plan and Development Regulations that would promote the preparation of a master plan to guide the redevelopment and reuse of the West Sunnyside Business Park; and

**WHEREAS**, it is the intent of the City to adopt the proposed amendments to the Comprehensive Plan and Development Regulations to guide the redevelopment of the West Sunnyside Business Park; and

**WHEREAS**, the City desires to update its Official Zoning Map to reflect this most recent annexation; and

**WHEREAS**, in an effort to avoid any unnecessary confusion the City also desires to readopt its Future Land Use Map; and

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

**Section 1. Comprehensive Plan Amended.** The proposed new Economic Development Goals and Policies substantially in the form as the attached Exhibit "A" are hereby adopted and shall be integrated into the Sunnyside Comprehensive Plan.

**Section 2. Revised Development Regulations Adopted.** A new Chapter to the Sunnyside Municipal Code, SMC 17.54, substantially in the form as the attached Exhibit "B", is hereby adopted and shall be integrated into the Sunnyside Development Regulations.

**Section 3. Zoning Maps Repealed.** All versions of the Sunnyside Zoning Map dated prior to the effective date of this Ordinance are hereby repealed.

**Section 4. Official Zoning Map Adopted.** The Official Zoning Map dated July 15, 2013 and substantially in the form as the attached Exhibit "C" is hereby adopted as the Official Zoning Map of the City of Sunnyside.

**Section 5. Future Land Use Map Repealed.** All versions of the Sunnyside Future Land Use Map dated prior to the effective date of this Ordinance are hereby repealed.

**Section 6. Revised Future Land Use Map Adopted.** The map dated July 15, 2013 and substantially in the form as the attached Exhibit "D" is hereby adopted as the Official Future Land Use Map of the City of Sunnyside and shall be integrated into the City Comprehensive Plan.

**Section 7. Severability.** If any provision of this Ordinance or its application to any person or circumstances is held to be invalid the remainder of this Ordinance or the application of the provisions to other persons or circumstances, shall not be affected.

**Section 8. Effective Date.** This ordinance shall become effective five days after its passage, approval and publication as required by law.

**PASSED** this 26<sup>th</sup> day of August, 2013.

  
DONAVON VLIEGER, DEPUTY MAYOR

**ATTEST:**

  
DELILAH SAENZ, CMC, CITY CLERK

**APPROVED AS TO FORM:**

  
KERR LAW GROUP, LLP  
Attorneys for the City of Sunnyside

EXHIBIT "A"

**City of Sunnyside Washington  
2013 Comprehensive Plan Amendments**

The following draft goals and policies have been prepared for consideration by the City as potential amendments to the Comprehensive Plan.

**Proposed New Economic Development Goal:** Promote new private development on the City-owned property known as the West Sunnyside Business Park with uses that create or retain jobs and/or that increase the local tax base.

**Proposed New Economic Development Policy:** The West Sunnyside Business Park has unique attributes and should be designated as a Unique Community Asset.

**Proposed New Economic Development Policy:** Upon annexation, the West Sunnyside Business Park should be zoned M-1 Light Industrial with a Master Planned Development or comparable Overlay Zone designation.

**Proposed New Economic Development Policy:** The City may consider approving a railroad spur with an at-grade crossing of the Yakima Valley Highway to service the West Sunnyside Business Park.

**Proposed New Economic Development Policy:** The City may consider innovative approaches to encouraging the development of the West Sunnyside Business Park. This may include putting the property up for sale and/or soliciting private development proposals.

**Proposed Chapter 17.54  
Master Planned Development Overlay Zone  
August 15, 2011**

**Sections:**

<b>17.54.010</b>	<b>Purpose.</b>
<b>17.54.020</b>	<b>Unique Community Asset Defined.</b>
<b>17.54.030</b>	<b>Applicability.</b>
<b>17.54.040</b>	<b>Administration.</b>
<b>17.54.050</b>	<b>Permitted Uses.</b>
<b>17.54.060</b>	<b>Minimum Requirements.</b>
<b>17.54.070</b>	<b>Development Standards.</b>
<b>17.54.080</b>	<b>Cost Recovery.</b>
<b>17.54.090</b>	<b>Development Agreements.</b>
<b>17.54.100</b>	<b>Modification to Master Planned Development.</b>

**17.54.010 Purpose.** The purpose of the Master Planned Development (“MPD”) Overlay Zone is to establish a master planning process to guide the public review and approval of proposed development activities in designated areas. More specifically, it is the purpose of the Master Planned Development Overlay zone to:

- A. Encourage development of a viable economic base that enhances the image of the City.
- B. Encourage creativity in design.
- C. Provide for maximum efficiency in the layout of streets, utility networks and other public improvements.
- D. Encourage the development of uses that will be compatible with adjacent existing and proposed uses and that will be beneficial to the community.
- E. Allow development of parcels of property in phases over a period of time, as specified in the plan.
- F. Encourage flexibility that will permit a more creative approach to the development of land and will result in a more efficient, aesthetic and desirable use of open spaces.
- G. Encourage and permit flexibility and design, placement of buildings, use of open spaces, circulation facilities, parking areas, and to best utilize the potential of sites characterized by special features of geography, topography, size or shape of proposed uses of geography, topography, size or shape of proposed uses of land.

**17.54.020 Unique Community Asset Defined.** A Unique Community Asset is a parcel or contiguous parcels, under common ownership or control, located solely within the City's municipal boundaries, and designated by the City Council as a Unique Community Asset based on a finding that the site has unique attributes or characteristics, contains or is adjacent to environmentally sensitive areas, and/or is located near or adjacent to public facilities.

**17.54.030 Applicability.** The provisions of this Chapter shall be applicable only to parcels designated by the City Council as a Unique Community Asset.

**17.54.040 Administration.** As an alternative to developing parcel(s) pursuant to other Chapters of the Sunnyside City Code and consistent with the underlying zoning, an Applicant may request that the City process its development applications in accordance with the provisions of this Chapter, provided the subject parcel(s) has been designated as an Unique Community Asset by the City Council.

- A. Proposed Master Planned Developments shall be processed as a Type VI permit application.
- B. The City may simultaneously review the Applicant's proposed Master Planned Development with all required permits and approvals, including non-project and project specific environmental reviews.
- C. In an effort to facilitate the development of sites designated as a Community Asset, the City may prepare a conceptual master plan and conduct the required environmental reviews in advance of receiving a project specific development proposal.

**17.54.050 Permitted Uses.** Permitted uses for parcel(s) located in an MPD Overlay Zone shall be consistent with the Master Planned Development approved by the City.

**17.54.060 Minimum Requirements.** Proposals for Master Planned Development shall include the following:

- A. The range, mix, and intensity of the proposed uses;
- B. A conceptual site layout defining areas not suitable for development with inclusion of setbacks, buffers, open space, and landscaping requirements;
- C. Vehicular and pedestrian access and development standards;
- D. Proposed parking standards;
- E. Provisions for water and sewer services;
- F. Conceptual storm water management plans;

- G. Design guidelines including height limitations and lot coverage standards; and
- H. Other measures as may be proposed to ensure that the project is consistent with the provisions of the Comprehensive Plan, compatible surrounding land uses, does not adversely affect environmentally sensitive areas, and to mitigate potential adverse project impacts.

**17.54.070 Development Standards.** Development activities within a MPD Overlay Zone shall comply with the conditions of the approved Master Planned Development, the conditions of any required permits and approvals, and the provisions of the Sunnyside Municipal Code unless a development agreement or similar agreement approved by the City Council provides alternative measures for adequately addressing the objectives of the code requirements.

- A. Except as may be specifically provided in a development agreement, implementation of an approved Master Planned Development shall comply with the general provisions applicable to all zoning districts.
- B. In addition to the requirements set forth above, approved Master Planned Developments in a MPD Overlay Zone shall meet the following development standards, unless otherwise authorized by the City:
  - 1. **Traffic Impacts.** The Applicant shall prepare and submit for City review and approval, at no cost to the City, a traffic study that identifies and proposes mitigation for, the traffic impacts of the proposed development. Mitigation may include, but is not limited to ongoing monitoring as may be required by the City;
  - 2. **Sewer and Water Services.** The Applicant shall provide documentation to verify sufficient provisions have been made to provide water and sewer service to the development, provided said services neither reduce the level of service below the City's approved minimum level of service standards nor adversely affect the City's capacity to provide water or sewer service to existing and future customers. This shall include, but is not limited to documentation that adequate capacity exists in the regional sewage treatment facility and that all required approvals and authorizations has been obtained;
  - 3. **Storm Water Management.** All development activities in a MPD Overlay Zone shall meet or exceed the design standards for an urban area contained in the Department of Ecology Storm Water Design Manual for Eastern Washington as determined by the City of Sunnyside. The Applicant shall be responsible for all costs reasonably incurred by the City in making this determination; and
  - 4. **Environmentally Sensitive Areas.** The Applicant shall, at no cost to the City, identify all environmentally sensitive areas on the site, and all environmentally sensitive areas adjacent to the site that are likely to be impacted by the proposed development. The Applicant shall, at no cost to the City, make adequate

provisions to avoid or mitigate potential adverse impacts.

**17.54.080 Cost Recovery.** The Applicant shall be responsible for reimbursing the City for all reasonable and necessary costs, including City staff time, associated with reviewing, approving, publishing, and implementing the Master Planned Development in accordance with the provisions of SMC 2.02, unless otherwise authorized by the City. Upon the Applicant's submittal of a proposed Master Planned Development, the Applicant may be required to deposit funds in an amount reasonably established by the City to ensure that all costs incurred by the City are recovered.

**17.54.090 Development Agreement(s).** The City and the Project Sponsor may execute, in accordance with the provisions of State law, development agreement(s) to implement the provisions of the approved Master Planned Development and related permits and approvals.

**17.54.100 Modification to Master Planned Development.** Proposed modifications to an approved Master Planned Development shall be submitted in writing for City review and approval. Modifications that do not substantially change the nature or level of use or that do not require a new environmental review, may be considered minor amendments and shall be processed as a Type I permit. Modifications that result in a substantial change of use, that substantially change the nature or level of activity, or that require the need for additional environmental review, shall be considered a major modification and shall be subject to a Type VI review and approval process.

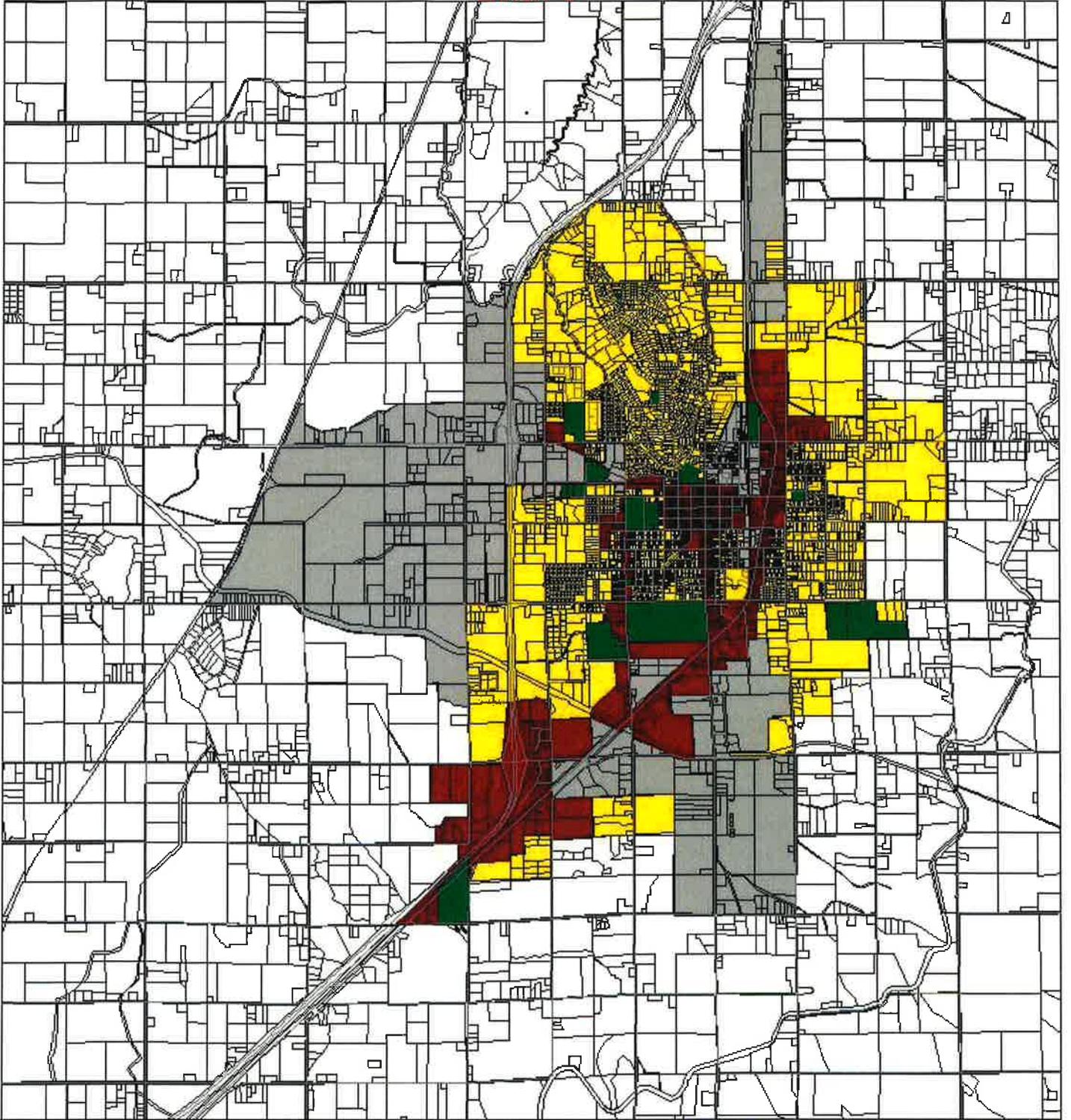
# Zoning

EXHIBIT "C"

- Zoning: AP, R1, R2, R3, R4, R5, R6, R7, R8, R9, R10, R11, R12, R13, R14, R15, R16, R17, R18, R19, R20, R21, R22, R23, R24, R25, R26, R27, R28, R29, R30, R31, R32, R33, R34, R35, R36, R37, R38, R39, R40, R41, R42, R43, R44, R45, R46, R47, R48, R49, R50, R51, R52, R53, R54, R55, R56, R57, R58, R59, R60, R61, R62, R63, R64, R65, R66, R67, R68, R69, R70, R71, R72, R73, R74, R75, R76, R77, R78, R79, R80, R81, R82, R83, R84, R85, R86, R87, R88, R89, R90, R91, R92, R93, R94, R95, R96, R97, R98, R99, R100, R101, R102, R103, R104, R105, R106, R107, R108, R109, R110, R111, R112, R113, R114, R115, R116, R117, R118, R119, R120, R121, R122, R123, R124, R125, R126, R127, R128, R129, R130, R131, R132, R133, R134, R135, R136, R137, R138, R139, R140, R141, R142, R143, R144, R145, R146, R147, R148, R149, R150, R151, R152, R153, R154, R155, R156, R157, R158, R159, R160, R161, R162, R163, R164, R165, R166, R167, R168, R169, R170, R171, R172, R173, R174, R175, R176, R177, R178, R179, R180, R181, R182, 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Parcel Lot lines are for visual display only. Do not use for legal purposes.





# Future Landuse Designation Map

- All Roads
- Tax Lots
- Comp plan designations 370
- Commercial
- Public Use
- Public Facilities
- Residential

Parcel Lot lines are for visual display only. Do not use for legal purposes.

