

ORDINANCE NO. 2021 - 06

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUNNYSIDE, WASHINGTON, ANNEXING CERTAIN PROPERTY TO THE CITY OF SUNNYSIDE, ESTABLISHING ZONING AND AMENDING ZONING MAP – HECTOR SALGADO ANNEXATION**

**WHEREAS**, the City of Sunnyside, Washington, has received a Petition for annexation of property into the City of Sunnyside identified as the “Hector Salgado 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 on May 5, 2021; and

**WHEREAS**, the Planning Commission has held a public hearing pursuant to published notice, and has recommended approval of the annexation, and recommended that the property be zoned B-2, General Commercial, and that the City of Sunnyside Comprehensive Plan and zoning map be amended accordingly; and

**WHEREAS**, the owners of Yakima County Assessor’s Parcel NO. 231032-31409, 231032-31401, 231032-31007 and 231032-31006 have requested a zoning of B-2, General Commercial, with proposed development pursuant to B-2, General Commercial standards; and

**WHEREAS**, the City Council has held an open record public hearing pursuant to Title 19 of the Sunnyside Municipal Code on January 25, 2021, considering the record

herein and the recommendations of the Sunnyside Planning Commission concerning the proposed annexation; 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 interest of residents of the City of Sunnyside, and the proposed B-2, General Commercial 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 B-2, General Commercial, and that the Comprehensive Plan and 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 "Hector Salgado Annexation", consisting of four parcels totaling approximately 7.82 acres in total size plus Yakima Valley Highway Right of Way and Railroad Right of Way, commonly known as Yakima County Assessor's Parcel Nos. 231032-31409, 231032-31401, 231032-31007 and 231032-31006 and as legally described in Exhibit "A", and shown on the map attached hereto

as Exhibit "B",, 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 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 B-2, General Commercial 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 purposes 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 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 all 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.

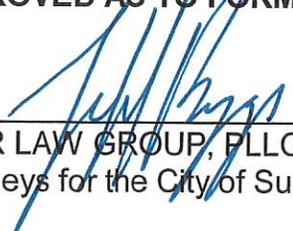
**PASSED** this 24th day of May, 2021.

  
\_\_\_\_\_  
FRANCISCO GUERRERO, MAYOR

**ATTEST:**

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

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
KERR LAW GROUP, PLLC  
Attorneys for the City of Sunnyside

## EXHIBIT "A"

Beginning at the point of intersection of the Northeast corner Lot 3 of Short Plat 96-013 in the Southwest Quarter of Section 32 Township 10 Range 23 and the Southerly right of way line of Burlington Northern Railroad, said point being on the City Limits of the City of Sunnyside, Washington as established by Ordinance 1972 recorded under Yakima County Auditor File Number 7105627;

Thence south and east along said Southerly right of way line of Burlington Northern Railroad to a point on the North line of the City of Sunnyside Annexation under Ordinance 2010-30, recorded under Auditor File Number 7726799, Washington State Boundary Review Board for Yakima County file number 10-010;

Thence Easterly along said north line of the City of Sunnyside Annexation under Ordinance 2010-30 to its intersection with the North right of way line for East Alexander Road;  
Thence north and west along said north line of the right of way line for East Alexander Road to its intersection with the northerly right of way line of Yakima Valley Highway;  
Thence north and west along said northerly right of way line of Yakima Valley Highway to the South line the City Limits of the City of Sunnyside, Washington as established by Ordinance 1972 recorded under Yakima County Auditor File Number 7105627;  
Thence westerly along said south line to the point of beginning.

Together with Lot 3 of SP L-72;

Together with that portion of the vacated Road lying South of Lot 3 of Short Plat L-72;

Together with Parcel 1 of Book L-0072;

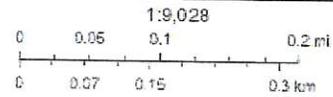
Together with that Portion of vacated County Road thru North 1/2 of the Southwest Quarter, lying southwesterly of a line 139 FT Northeasterly of the LE line of SR-12 Survey Sulphur Cr to Stover Road; 50 FT Northeasterly of LE Line; Westerly of a line 270 feet west of the East line the West 1/2 of the Northeast Quarter of the Southwest Quarter.

# HECTOR SALGADO ANNEXATION EXHIBIT B



5/18/2021, 11:16:24 AM

- Taxlots
- City Limits



Esri Community Maps Contributor: City of Yakima, WA State Parks GIS  
 Esri Canada Esri HERE Garmin SafeGraph INCREMENT P, METUNSA  
 JCSO Bureau of Land Management EPA NPS US Census Bureau USDA

Yakima county boundaries from the Washington State Department of Ecology and the City limits shown in this County Records. Map by Esri Community Maps Contributor City of Yakima, WA  
 Yakima County GIS

**WHEN RECORDED RETURN TO:**

City of Sunnyside  
Office of City Clerk  
818 E. Edison Avenue  
Sunnyside, WA 98944

**Document Title:** Hector Salgado Annexation/City of Sunnyside  
BRB 2020-00003

**Grantor(s):** CITY OF SUNNYSIDE

**Grantee(s):** THE PUBLIC

**Legal Description (abbreviated):**

Lot 3 of SP L-72;

Together with that portion of the vacated Road lying South of Lot 3 of Short Plat L-72;

Together with Parcel 1 of Book L-0072;

Together with that Portion of vacated County Road thru North 1/2 of the Southwest Quarter, lying southwesterly of a line 139 FT Northeasterly of the LE line of SR-12 Survey Sulphur Cr to Stover Road; 50 FT Northeasterly of LE Line; Westerly of a line 270 feet west of the East line the West 1/2 of the Northeast Quarter of the Southwest Quarter. Together with Right of Way.

**Assessor's Tax Parcel Nos.:** Parcel Nos. 231032-31409, 231032-31401, 231032-31007 and 231032-31006