

RESOLUTION 2023 - 01e

**A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF SUNNYSIDE, WASHINGTON, ACCEPTING
NOTICE OF INTENTION TO COMMENCE ANNEXATION,
SETTING CONDITIONS, AUTHORIZING SUBMISSION
OF PETITION AND REFERRING TO HEARING BODY**

WHEREAS, Steve Urrutia owner of record of Yakima County Assessor's Parcel No. 221035-21443, consisting of 3.23 acres, submits a Notice of Intention to Commence Annexation Proceedings, as shown on the attached Notice of Intention; and

WHEREAS, the City Council, having conducted an Annexation Initiation Meeting on February 27, 2023, finds as follows:

- (a) The Notice of Intention to Commence Annexation Proceedings is hereby received.
- (b) The applicant is hereby authorized to prepare and submit a Petition for Annexation, which shall be referred for consideration and public hearing before the Planning Commission.
- (c) The hearing body shall conduct a public hearing and assign a recommended zoning of the property in substantial compliance with the Comprehensive Plan of the City of Sunnyside.
- (d) The City of Sunnyside will require assumption of all existing City indebtedness by the area to be annexed.

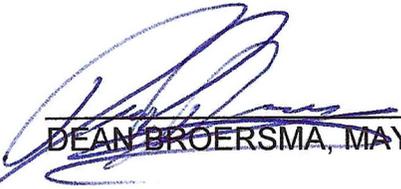
WHEREAS, the City Council finds and determines that this action is in the best interests of residents of the City of Sunnyside and will promote the general health, safety and welfare.

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

1. That the Notice of Intention to Commence Annexation Proceedings, a copy of which is attached hereto as Exhibit "A" and incorporated herein by this reference, submitted by Steve Urrutia for property described above and as further shown and described in Exhibit "B," is hereby received.
2. That the findings and procedures stated in the recitals above are hereby adopted and incorporated within this action.
3. The City Manager is, or her designee, hereby authorized to submit this Resolution and the Petition for Annexation to the Sunnyside Planning Commission.

4. This Resolution shall be effective upon passage, approval and signatures hereon in accordance with law.

PASSED this 27th day of February, 2023.



DEAN BROERSMA, MAYOR

ATTEST:



JACQUELINE RENTERIA, CITY CLERK

APPROVED AS TO FORM:



SAXTON, RILEY & RILEY, LLPC
Attorneys for the City of Sunnyside

EXHIBIT A



Community Development
Building Department
818 East Edison Avenue
Sunnyside, Washington 98944
(509) 837-7999 Office, (509) 836-6383 Fax

ANNEXATION PROCEDURE

I. Introduction.

The Washington State Legislature sets forth procedures for annexations. The following is a description of the new procedures for the "petition" form of annexation.

II. Procedure.

A. Notice of Intention. Under the new law, a "Notice of Intention" to commence annexation must be filed with the City. The Notice of Intention must be signed by the owners of not less than ten percent (10%) of the acreage for which annexation is sought. Once signed, the Notice of Intention must be filed with the City of Sunnyside at the office of Planning & Community Development.

B. "Initiation of Annexation" Meeting before City Council. Within sixty (60) days after receiving the signed Notice of Intention, the City Council will hold a meeting with the initiating parties to:

- (a) Determine whether the City will accept, reject, or geographically modify the proposed annexation; and
- (b) Determine whether it will require the simultaneous adoption of a proposed zoning regulation; and
- (c) Determine whether it will require assumption of all or any portion of existing City indebtedness by the area to be annexed. ("Existing City indebtedness" includes property tax levies to pay bond indebtedness for existing city improvements such as sewer, water, parks, public swimming pool facilities, etc.)

At the "Initiation of Annexation" meeting, the City Council, after making the determinations above, may approve the circulation of a "Petition for Annexation" as described below.

C. Circulation of Petition for Annexation. After the Initiation Meeting described above, the Petition for Annexation (conforming to the Resolution of the City Council announced in the Initiation Meeting) may be circulated for signatures. The Petition for Annexation must be signed by: (a) the owners of a majority of the acreage for which annexation is petitioned, and (b) a majority of the registered voters residing in the area for which annexation

RECEIVED

JUL 7 2022

City of Sunnyside

EXHIBIT A

is petitioned. (If no residents live within the area, the Petition must be signed by the owners of a majority of the acreage subject to the annexation.)

D. Submittal of Signed Petition to City. Once the required signatures are obtained, the Petition is delivered to the Supervisor of Planning & Community Development Department of the City of Sunnyside.

E. City and County Administrative Review of Petition. When the Petition is presented to the City, the City must transmit the Petition for review of signatures for "registered voters" to the County Auditor and review of signatures by land owners to the County Assessor. These County officers will proceed with reasonable promptness to review the validity of the signatures. During the time the Petition is under review by the County, the City of Sunnyside staff will review the Petition for completeness and compliance with the directives of Council established at the Initiation Meeting. A review of the sufficiency of the legal description of the area to be annexed will also be made, subject to final description affirmed by the County.

F. Hearing before Planning Commission. After City review, including certification of the signatures and legal description by the County, a public hearing will be set before the Planning Commission. The Planning Commission will hold the public hearing, recommend appropriate zoning(s), and adopt findings of fact, conclusions of law and a recommendation regarding the proposed annexation, for final decision by the City Council.

G. Boundary Review Board. After the Planning Commission adopts its decision and recommendation, City staff will prepare documents for submission to the Boundary Review Board. The Boundary Review Board is created pursuant to state law to review proposed annexations for conformity to applicable zoning standards and County and City comprehensive plans. The Boundary Review Board has authority to modify a proposed annexation to mandate inclusion of other properties to make the entire annexed area a "logical" annexation. This means, for example, that the Boundary Review Board can approve a proposed annexation on condition that property be added to eliminate "islands" or isolated pockets of property. The Boundary Review Board procedure takes approximately 45 days if the proposed annexation is relatively uncomplicated. If the jurisdiction of the Board is "invoked" (to add additional property, or if there is any objection), the process can take up to about 180 days. After conclusion of the Board procedures, the proposed annexation is submitted to the City for final action and approval.

H. City Council Ordinance. After approval by the Boundary Review Board, the City Council holds a hearing (public hearing or closed record hearing, at its option). At the conclusion of the hearing, the Council will adopt findings, conclusions and the annexation ordinance.

I. Copy of Ordinance to County and Franchisees. After adoption of the annexation ordinance, the ordinance is sent to the County Auditor, and also to

EXHIBIT A

holders of City franchises, including Yakima Waste Systems, Inc. and Charter Communications, etc.

J. Changes to City Maps and Comprehensive Plan. Copies of the ordinance are also distributed to City departments to make changes to the City's official zoning map, comprehensive plan (if necessary), billing service, police and fire departments, public works department, etc., for coordination of services.

EXHIBIT A

**NOTICE OF INTENTION TO COMMENCE
ANNEXATION PROCEEDINGS**

To: The City of Sunnyside City Council
818 E. Edison Avenue
Sunnyside, WA 98944

City Council:

The undersigned, who are owners of not less than 10 percent (10%) of the acreage for which annexation is sought, hereby notify the City Council of the City of Sunnyside that it is the desire and intention of the undersigned to commence annexation proceedings pursuant to Chapter 35A.14 RCW.

The property subject to the proposed annexation is shown on Exhibit "A" attached hereto and incorporated herein by this reference.

It is requested that the City Council set a date not later than sixty (60) days after the filing of this Notice of Intention for a meeting with the undersigned initiating parties to determine:

- (1) Whether the City Council will accept, reject or geographically modify the proposed annexation; and
- (2) Whether the City Council will require the simultaneous adoption of a proposed zoning regulation for the subject property in substantial compliance with the Comprehensive Plan as adopted by the City of Sunnyside, or other zoning regulations adopted pursuant to RCW 35A.14.330 and 35A.14.430; and
- (3) Whether the City of Sunnyside shall require the assumption of all or any portion of existing City indebtedness by the area to be annexed.

This page is one of a group of pages containing identical text material, and is intended by the signers of this *Notice of Intention* to be presented and considered as one *Notice of Intention*, and may be filed with other pages containing additional signatures which cumulatively may be considered as a single *Notice of Intention*.

Principal contact person for this annexation is:

Name: Steve Urrutia (Frances Urrutia) Phone ~~509~~ 509/439-1561

Address: 114 E. Riverside Sunnyside WA

Why is annexation being requested? _____

Subdivide for housing units

What is intended use?

Present: Vacant

Future: Housing - multiple

EXHIBIT A

WHEREFORE, the undersigned respectfully petition the City Council of the City of Sunnyside as follows:

- (1) That the appropriate action be taken to receive this Petition, refer for consideration and action to the Sunnyside Planning Commission in accordance with Title 19 of the Sunnyside Municipal Code, and causing a notice of public hearing to be published and posted in accordance with law specifying the time, date and place of such hearing, and inviting all persons interested to appear and present testimony and evidence in approval or disapproval of such annexation; and
- (2) That following such hearing, and subsequent to approval of the Yakima County Boundary Review Board if such is convened, the City Council determine by Ordinance that such annexation shall be adopted and effective; and that the property so annexed shall become a part of the City of Sunnyside, Washington, subject to its laws and ordinances then and thereafter in force.

The Petitioners subscribing hereto agree that "all property within the territory hereby sought to be annexed shall be assessed and taxed at the same rate and on the same basis as property within the City of Sunnyside for any now outstanding indebtedness of said city, including assessments or taxes in payment of any bonds issued or debts contracted prior to or existing at the date of annexation, and that simultaneous adoption of proposed zoning regulation be required" in accordance with the requirements of the City Council of the City of Sunnyside, and as quoted herein from the minute entry of the records of said Council meeting. It is further understood that the proposed zoning of said area proposed for annexation shall be in substantial conformity with the Comprehensive Plan of the City of Sunnyside.

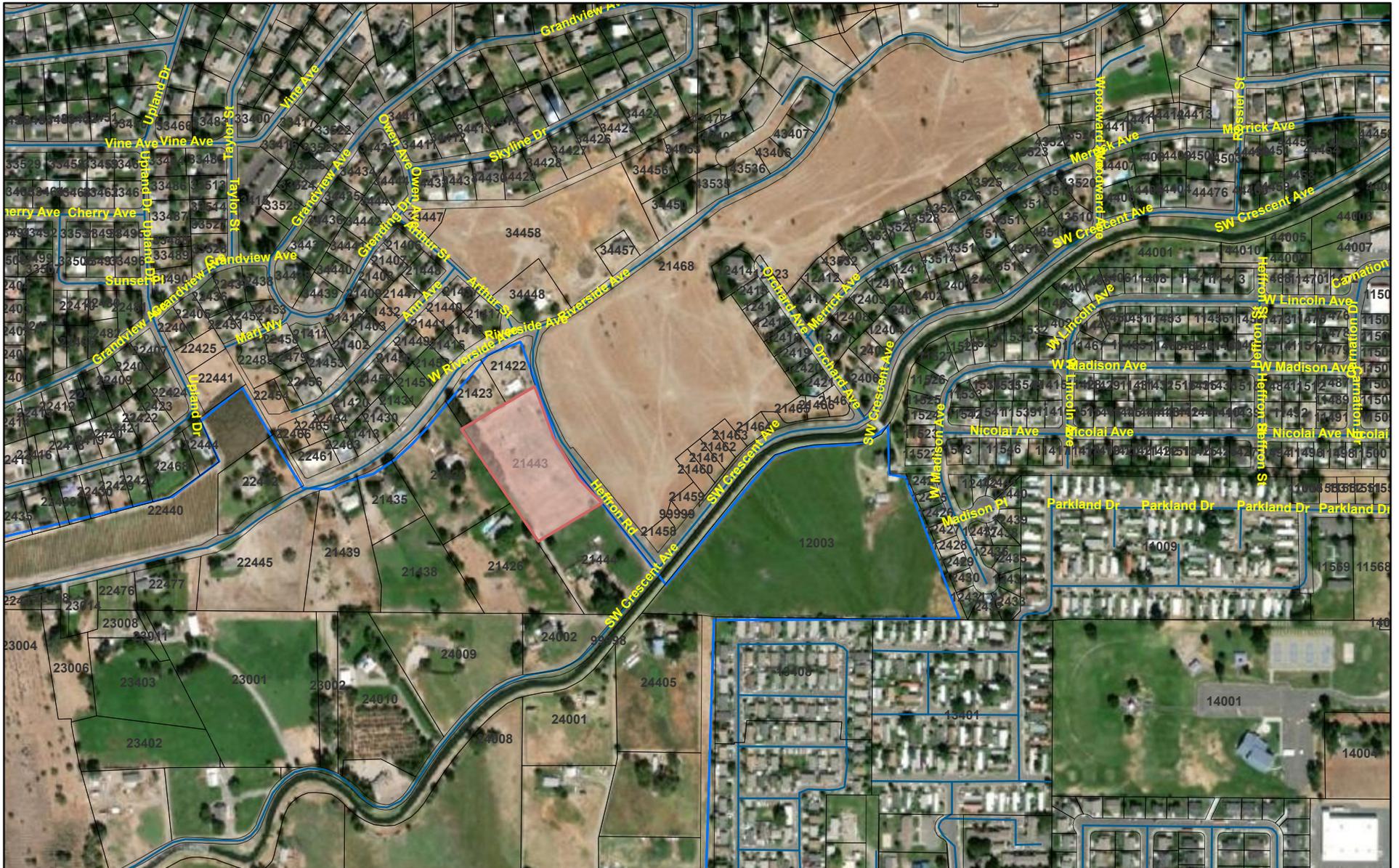
These pages are a group of pages containing identical text and prayer intended by the signers of the Petition to be presented and considered as one Petition, and may be filed with other pages containing additional signatures which cumulatively may be considered as a single Petition.

WARNING

Every person who signs this Notice of Intention with any other than his or her true name, or who knowingly signs more than one of these petitions, or who signs a petition seeking an election when he or she is not a legal voter, or signs a petition when he or she is otherwise not qualified to sign, or who makes herein any false statement, shall be guilty of a misdemeanor.

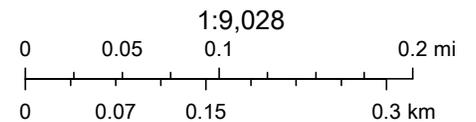
EXHIBIT B

City of Sunnyside



2/22/2023, 4:20:17 PM

-  Taxlots
-  City Limits
-  Street Names
-  Urban Growth Boundary



Maxar

Yakima County GIS

Yakima county boundary is from the Washington State Department of Ecology, but the City limits is from Yakima County Records. | Maxar | Maxar |



Yakima County WA, Property Record Card

221035-21443
Heffron/Riverside

Owners Francisca Urrutia

Assessed Value
\$32,000

PROPERTY DETAILS

Parcel Number	221035-21443
Situs Address	Heffron/Riverside
Property Use	91 Undeveloped Land
Tax Code Area	463
Property Size	3.23
Neighborhood	2313
Owners	Francisca Urrutia
Legal Description	2ND GRANDVIEW ADD TO SUNNYSIDE LOT 1 EX TH PT LY N OF A LN BEG 150 FT SE'LY OF NW COR,TH NE'LY 248 FT M OR L TO A PT ON E LN 191 FT SE'LY OF NE COR LOT 1,ALSO LOT 2 EX TH PT LY S OF A LN BEG 336.2 FT NW'LY OF SW COR,TH NE'LY 253.1 FT M OR L TO A PT ON E'LY LN 279.2 FT NW'LY OF SE COR LOT 2
Fire District	Yakima County Fire District 5
School District	Sunnyside School District #201

UTILITY INFORMATION

Gas	No	Electricity	Yes	Water	-
Sewer / Septic	-				

SITE INFORMATION

Property Type	Residential	Zoning	R1	Street Type	Two-Way
Street Finish	Paved/Asphlt	Traffic	Light	Side Walk	No
Curbs	No	Location	Road-Frntage		

LAND

DETAILS FOR LAND RECORD #1

Land Flag	Mdl	Soil Class	-	Calc CU	No
Water Source	-	Sewer Source	-	Flood Plain	No
Lot Shape	Irregular	Topography	Rolling	Land View	Limited View
Landscaping	None	Value Method	Sq-Feet	Lots	-
Square Feet	140,503 sqft	Acre(s)	3.230		

RESIDENTIAL

No data to display

COMMERCIAL

No data to display

DETACHED STRUCTURES

No data to display

EXCISE TRANSACTIONS

EXHIBIT B

VALUES

VALUE TYPE	2022	2021	2020	2019	2018	2017	2016
Taxable Value Regular	\$32,000	\$24,600	\$24,600	\$24,600	\$24,600	\$24,600	\$24,550
Taxable Value Excess	\$32,000	\$24,600	\$24,600	\$24,600	\$24,600	\$24,600	\$24,550
Market Land	\$32,000	\$24,600	\$24,600	\$24,600	\$24,600	\$24,600	\$24,550

TAX BREAKDOWN

DISTRICT	TAX RATE	ASSESSED VALUE	TAX
County Ems	0.19014186752400	\$32,000	\$6.08
County Flood Control	0.06914568292600	\$32,000	\$2.21
State School Levy	1.91645641797500	\$32,000	\$61.33
State School Levy Part 2	1.03426811251200	\$32,000	\$33.10
Sunnyside Port Regular	0.33534527691600	\$32,000	\$10.73
Sunnyside School	1.71287392346500	\$32,000	\$54.81
Sunnyside School Bonds	0.53502711834400	\$32,000	\$17.12
Yakima County	1.25054251306900	\$32,000	\$40.02
Yakima County Fire District 5	1.10628646011500	\$32,000	\$35.40
Yakima County Road	1.53639680985800	\$32,000	\$49.16
Yakima Valley Regional Library	0.36595868613100	\$32,000	\$11.71



HEFFRON/RIVERSIDE , WA

