

# WASHINGTON STATE BOUNDARY REVIEW BOARD FOR YAKIMA COUNTY

## NOTICE OF INTENTION

for office use only:

**BRB FILE # 2017-08**

1. Name of City, Town or special purpose district: City of Grandview

Action Sought:

**Annexation**  
 Formation of a Special Purpose District  
 Incorporation  
 Other Boundary Change  
 Merger/Consolidation of Special Purpose District  
 Dissolution of Special Purpose District  
 Water or Sewer Extension \_\_\_\_\_ Size of Water Line \_\_\_\_\_ Sewer Line

2. This proposal shall be known as: Port of Grandview & Higgins Family Annexation
3. Driving directions to location of proposed action: I-82 East; take the Stover Road exit, Exit 73, towards Grandview; go straight toward Stover Road west; turn right onto Stover Road; travel 0.83 miles; destination is on your right at the intersection of Stover Road and Puterbaugh Road, Grandview, WA.
4. Briefly describe proposal: Annexation and rezone of property to be developed in the future and to receive City services to include water/sewer/garbage utilities and police/fire protection.
6. Method used to initiate the proposed action:  Petition  Election  Resolution
7. State statute under which action is sought: RCW 35A.14.120, et. seq.

## FACTORS THE BOARD MUST CONSIDER

### POPULATION AND LAND USE:

1. Provide the following information:

POPULATION OF PROPOSED AREA		POPULATION OF EXISTING ENTITY	
	EXISTING	10-YEAR PROJECTION	EXISTING
People	<b>0</b>	<b>Unknown until developed</b>	<b>11,010</b>
Residences	<b>0</b>	<b>Unknown until developed</b>	<b>3424</b>
Businesses	<b>0</b>	<b>Unknown until developed</b>	<b>233</b>

2. What source is the basis for this projection information? U.S. Census Bureau, City utility records and business licenses
3. Acres within the proposed area: 32.06 acres Acres within existing entity: Approximately 3,200  
\$ 384,700
4. Assessed valuation of proposed area: \$240,500.00 of existing entity: \$436,107,256.00
5. Existing land use of the proposed area: Agriculture

6. Existing land use of the area surrounding the proposal:

North - Light Industrial/Vacant across I-82

South - Light Industrial/Single Family Residential

East - Commercial/Vehicle Sales Facility

West - Agriculture/Agriculture

7. Are all surrounding & interior roads included in the annexation?  Yes  No

If no, why not? The cul-de-sac portion of Puterbaugh Road is outside the City's urban growth boundary so the City was unable to include it in the annexation. The City spoke with Kent McHenry, Transportation Engineering Manager with Yakima County Public Services and it was decided that the City would ask for an early jurisdictional transfer of the right of way to the City.

8. Is there new residential, commercial, or industrial development that is associated with this proposal? Not at this time.  
If yes, describe any projects being considered or proposed: \_\_\_\_\_

9. If the proposal is approved, will there be land use changes within the next 18 months?

Land Use - No

Zoning - No

Comprehensive Plan - No

10. Has the proposed area been the subject of land use action by Yakima County? Unknown

If so, please explain \_\_\_\_\_

11. a. Yakima County Comprehensive Plan designation for the proposed area: Industrial

b. For surrounding areas: Industrial and Commercial

c. Yakima County Zoning for the proposed area: Yakima County Industrial (I)

d. For surrounding areas: Industrial and Commercial

12. Is this proposal consistent with the coordinated water system plan, if any? Yes  No

13. Does your jurisdiction have an adopted comprehensive plan? Yes Date Adopted: March 22, 2016

14. Describe how this proposal is consistent with the adopted comprehensive plan: The subject property is within the City's designed Urban Growth Area and has therefore been pre-planned as eventually being annexed into the City of Grandview.

a. Proposed city zoning upon annexation: The future zoning designation was also pre-planned as "Industrial" at such time annexation occurred.

15. Has any portion of this area been previously reviewed by the Boundary Review Board? No

Explain \_\_\_\_\_

16. Describe the following as required by RCW 36.93.170 and the effects on land use, accessibility and potential development:

a. Topography: The properties are well drained with good soil conditions and are not encumbered by floodplains, wetlands, steep slopes or habitat areas.

b. Natural Boundaries: None

c. Drainage Basins: None

17. Is the proposed area within the Urban Growth Area for your municipality? Yes

## MUNICIPAL SERVICES

1. What services will be provided in the proposed area?

	EXISTING PROVIDER	PROPOSED PROVIDER	TIME FRAME for SERVICES	HOW FINANCED
Water	Private well	City of Grandview	Unknown	Developer
Sewer	Private sewer	City of Grandview	Unknown	Developer
Fire	Yakima County Fire District 5	City of Grandview	Unknown	Property Taxes
Stormwater	Yakima County & Sunnyside Valley Irrigation District	City of Grandview	Unknown	Developer
Roads	Yakima County	City of Grandview	Unknown	Developer
Parks	Yakima County	City of Grandview	Unknown	Property Taxes
Police	Yakima County Sheriff; Washington State Patrol	City of Grandview	Unknown	Property Taxes
School	Grandview School District No. 200	Grandview School District No. 200	Unknown	Property Taxes
Library	Yakima Valley Regional Library & City of Grandview	City of Grandview	Unknown	Property Taxes

2. Does your jurisdiction have a current Capital Facilities Plan? Yes

Does it consider the proposed area? Yes

3. Describe the effect your jurisdiction's ordinances, governmental codes, regulations and resolutions will have on existing uses in the proposed area: The close proximity of the governmental body will allow for enhanced legislative input by the property owners and immediate response of police and fire protection. Water, sewer and irrigation services, as well as solid waste collection will be provided by and charges paid to the City.

4. Describe the probable future needs for services and additional regulatory controls in the area? Utility services are available to the area, therefore, any future needs would be met as required urban services consistent with the Growth Management Act - RCW 36.70a.030(16).

5. Describe the probable effects of the proposal on the cost an adequacy of services and regulatory controls: Minimal effect if any. A Water & Sewer Comprehensive Plan has been updated to address future needs. Adequate sized water and sewer lines are in place in this area for development. Costs and controls unique to the development, if any, would be determined at the time of development.

a. In the proposed area? Encourage development within the proposed annexation.

b. In the adjacent area? Encourage development within the Urban Growth Area.

6. Estimate the following to be incurred under the proposal:

a. Proponent Expenditures to be incurred:	\$-0-
b. Proponent Revenues to be gained:	\$101.85
c. County Revenue Lost:	\$211.39
d. County Expenditure Reduction:	\$211.39

- e. Fire District Revenue Lost: \$81.24
- f. Fire District Expenditure Reduction: \$81.24
- g. Financial Impact to Special Districts: Yakima Regional Library \$28.75

7. What is the future impact of your proposal on the school district? Industrial development will not have an impact on the Grandview School District.

## ENVIRONMENTAL INFORMATION

1. Is there an existing environmental review pertinent or related to this proposal?  Yes  No

The City of Grandview issued a Preliminary Determination of Nonsignificance under the State Environmental Policy Act Rules (Chapter 197-11 WAC) for the proposed annexation on August 11, 2017 with a comment period ending on August 28, 2017. A Final Determination of Nonsignificance was issued on August 29, 2017 which determined that the proposed annexation with Light Industrial (M-1) zoning will not have a probable significant adverse environmental impact. This determination was based upon the SEPA Checklist dated July 6, 2017. It was also based upon a Phase 1 Environmental Site Assessment conducted on the property in May 2016 by Environmental Assessment Services, LLC which found no evidence of contamination or recognized environmental conditions on the site; a Critical Areas and Biological Assessment prepared in May 2017 by Vincent Barthels Biological which found no evidence of any environmentally sensitive areas or limits to development; and an Archaeological Review and Inventory completed on June 5, 2017, by Reiss-Landreau Research LLC which identified no historic or pre-contact sites, isolated finds, structures or features on the site.

If No, answer questions 2 through 5.

2. Expected impact of any proposed development to adjacent roads and highways: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

3. Expected impact of any proposed development on air quality: \_\_\_\_\_  
 \_\_\_\_\_

4. Does the area under consideration contain "critical areas"? (floodplain, wetland, steep slope wildlife habitat area, etc.): \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

5. Please describe any potential adverse impacts that could occur upon development: \_\_\_\_\_  
 \_\_\_\_\_

## OBJECTIVES OF THE BOUNDARY REVIEW BOARD

Describe fully which objectives of RCW 36.93.180 this proposal meets and which objectives this proposal does not meet. Please give your reasons for each of the objectives chosen:

1. Preservation of natural neighborhoods and communities: The property is a natural extension of the planned industrial area and is consistent with the Comprehensive Plan for this area.
2. Use of physical boundaries, including but not limited to bodies of water, highways, and land contours: The property borders Yakima Valley Highway, Burlington Northern/Santa Fe Railroad and Interstate 82 to the north and east.

3. Creation and preservation of logical service areas: The property is within the City of Grandview's designated Urban Growth Area and meets the definition of "Urban Growth" as defined under RCW 36.70.030(14) and also "Urban Growth Area" as stated in RCW 36.70a.110.
4. Prevention of abnormally irregular boundaries: The boundary line of the proposed annexation is reasonably regular.
5. Discouragement of multiple incorporations of small cities and encouragement of incorporation of cities in excess of ten thousand (10,000) population in heavily populated urban areas: NA
6. Dissolution of inactive special purpose districts: NA
7. Adjustment of impractical boundaries: NA
8. Incorporation as cities or towns or annexation to cities and towns of unincorporated areas which are urban in character: NA
9. Protection of agricultural and rural lands which are designated for long term productive agricultural and resource use by a comprehensive plan adopted by the county legislative authority: The property is currently zoned Industrial by Yakima County.

## EXHIBITS

See attached **Notice of Intention Filing Instructions** for explanation of Exhibits A, B, C, D, E, and F. Applicable Exhibits must accompany the Notice of Intention document.

**I certify that the above is true and accurate, and that I am an official or employee of the governmental jurisdiction seeking boundary change action or the proponent for the incorporation or formation.**

Dated this 28th day of September, 2017



Signature

Anita Palacios

Name of person completing this form

City Clerk

Title

(509) 882-9208

Phone Number

(509) 882-3099

Fax Number

207 West Second Street, Grandview, WA 98930

Mailing Address

Names and Addresses of other persons who should receive correspondence from the BRB in regard to this Notice:

**230910-33001  
Port of Grandview  
PO Box 392  
Grandview, WA 98930**

**Lois Higgins Family, LLC  
Attn: Sandi Farmer, Manager  
2039 Hoxie Avenue  
Richland, WA 99354**

# **EXHIBIT A**

A copy of the legal description of the boundaries of the area involved in the proposed action certified by the Yakima County Public Works Division.



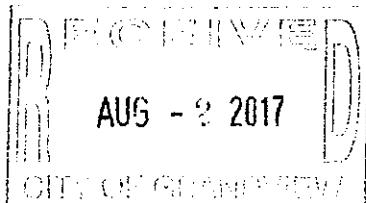
# Public Services

128 North Second Street • Fourth Floor Courthouse • Yakima, Washington 98901  
(509) 574-2300 • 1-800-572-7354 • FAX (509) 574-2301 • [www.co.yakima.wa.us](http://www.co.yakima.wa.us)

VERN M. REDIFER, P.E. - Director

July 31, 2017

Anita Palacios  
City of Grandview  
207 W. 2<sup>nd</sup> Street  
Grandview, WA 98930



## **RE: Port of Grandview/Lois Higgins Family LLC Annexation**

Dear Anita:

The legal description for the proposed Port of Grandview/Lois Higgins Family LLC annexation was prepared by a Professional Land Surveyor and is approved for annexation.

If you have any questions or need additional information, please don't hesitate to contact me.

Sincerely,

Kent L. McHenry, P.E.  
Transportation Engineering Manager

*Yakima County ensures full compliance with Title VI of the Civil Rights Act of 1964 by prohibiting discrimination against any person on the basis of race, color, national origin, or sex in the provision of benefits and services resulting from its federally assisted programs and activities. For questions regarding Yakima County's Title VI Program, you may contact the Title VI Coordinator at 509-574-2300.*

*If this letter pertains to a meeting and you need special accommodations, please call us at 509-574-2300 by 10:00 a.m. three days prior to the meeting. For TDD users, please use the State's toll free relay service 1-800-833-6388 and ask the operator to dial 509-574-2300.*



Public Services (cs)

JUL 24 2017

Vern        Gary        Don        Lynn         
Harold        Lisa        Carmen       

207 W. 2nd Street • Grandview, Washington 98930 • Tel: (509) 882-9200 • Fax: (509) 882-3099 • [www.grandview.wa.us](http://www.grandview.wa.us)

July 20, 2017

Yakima County Public Services  
Attn: Transportation Engineering Manager  
128 North 2nd Street, Fourth Floor  
Yakima, WA 98901

RE: Legal Description Certification – Annexation Petition

Petitioners: Port of Grandview/Lois Higgins Family LLC

General Property Location: Northeast corner of the intersection of Puterbaugh and  
Stover Roads, Grandview, WA

Parcel No(s).: 230910-33001

Proposed Zoning: M-1 Light Industrial

The City of Grandview is in the process of submitting a Notice of Intention to Annex the above-referenced parcel to the Yakima County Boundary Review Board (BRB). The BRB requires that the legal description of the boundaries of the area involved in the proposed action be certified by Yakima County.

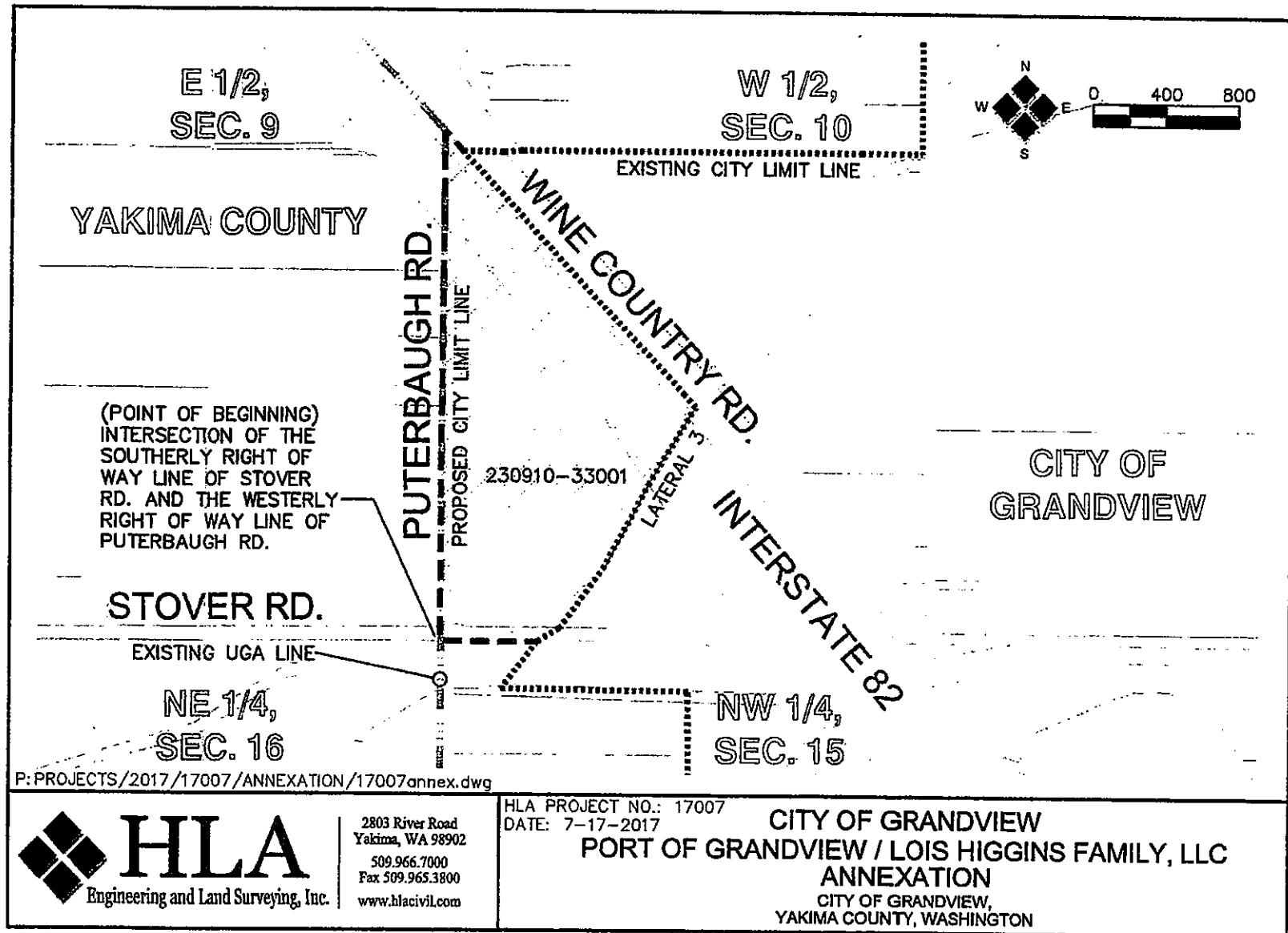
Enclosed herein please find a copy of the legal description along with a map of the parcel proposed to be annexed for review and certification by your department. Once complete, please return to my attention. If you have any questions or require additional information, please contact me at 882-9208.

Thank you in advance for your assistance.

Sincerely,

Anita G. Palacios, MMC  
City Clerk

Enclosures



**City of Grandview  
Port of Grandview/Lois Higgins Family, LLC Annexation  
HLA Project#17007  
July 17, 2017**

**Annexation Area**

**That part of the East half of Section 9, the West half of Section 10, the Northwest quarter of Section 15 and the Northeast quarter of Section 16, Township 9 North, Range 23 East, W.M., described as follows:**

**Beginning at the intersection of the Southerly right of way line of Stover Road and the Westerly right of way line of Puterbaugh Road;**

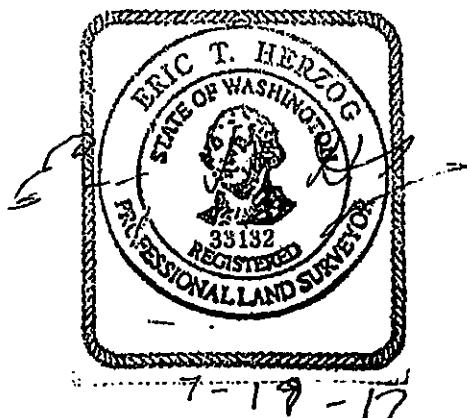
**Thence East along said Southerly right of way line of Stover Road to the Easterly right of way line of Drainage District No. 9 Lateral 3;**

**Thence Northeasterly along said Easterly right of way line to the Southwesterly right of way line of Wine Country Road;**

**Thence Northwesterly along said Southwesterly right of way line to the Northerly extension of the Westerly right of way line of Puterbaugh Road;**

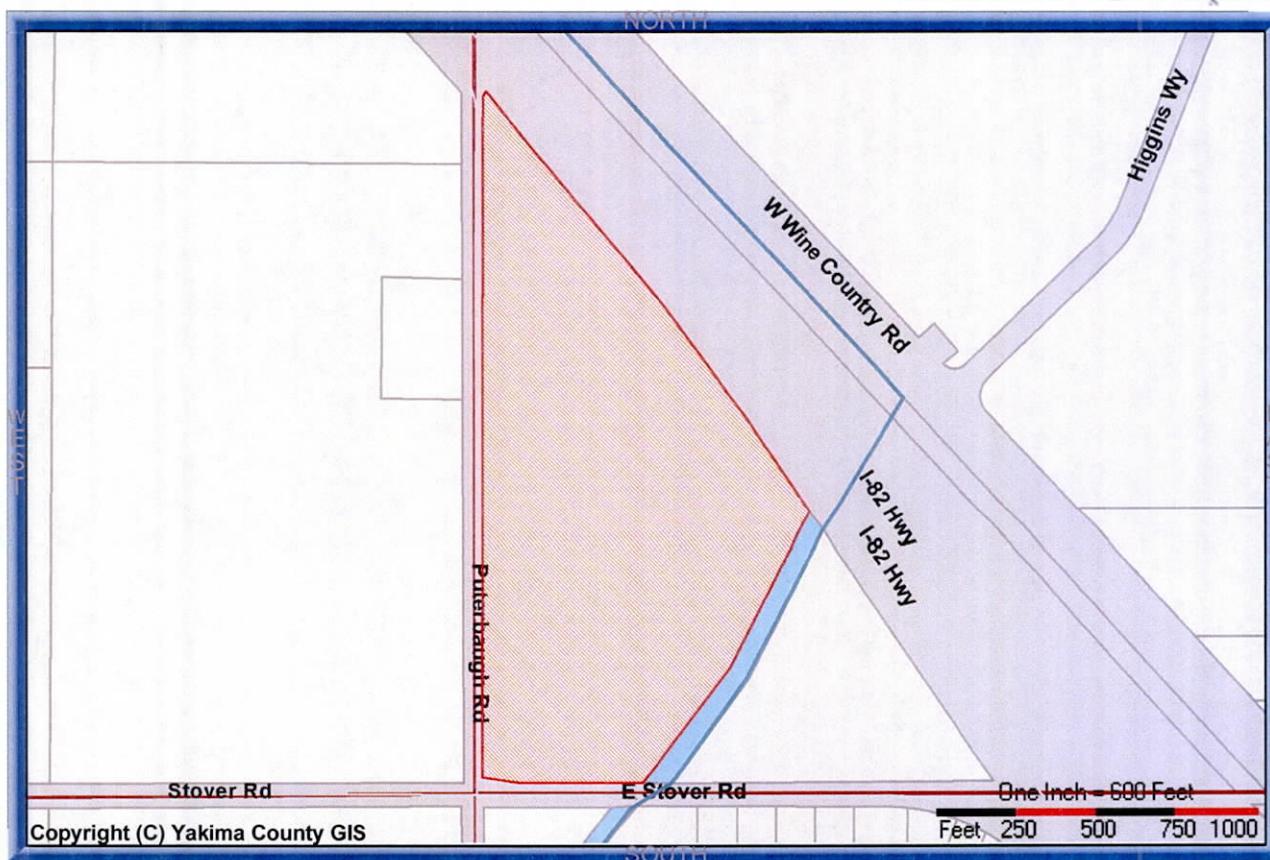
**Thence South along said Westerly right of way line and its Northerly extension to the Point of Beginning;**

**Situate in Yakima County, State of Washington.**



# **EXHIBIT B**

A Yakima County Assessor's map on which the boundary of the area involved in the proposal and the size in acres must be clearly indicated. Include a list of all parcel numbers for lots in proposed area.

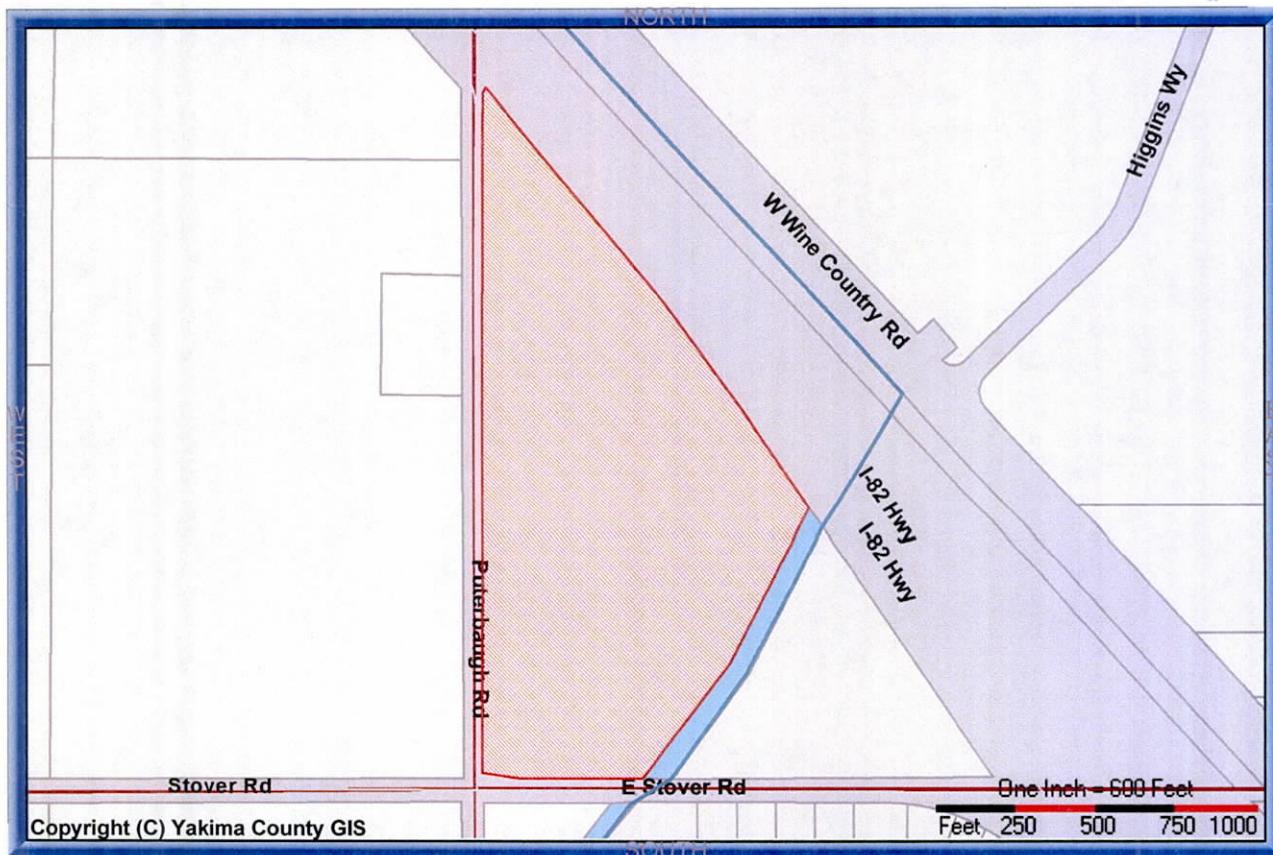
[\[Print Map\]](#)
[\[Close Map\]](#)


PROPERTY PHOTO		PROPERTY INFORMATION			
 <p>230910-33001 3-22-07 #63</p>	Parcel Address: STOVER RD/PUTERBAUGH RD, ,WA				
Parcel Owner(s): PORT OF GRANDVIEW					
Parcel Number: <a href="#">23091033001</a>	Parcel Size: 32.06 Acre(s)	Property Use: 81 Agricultural Not Current Use			
TAX AND ASSESSMENT INFORMATION					
Tax Code Area (TCA): <a href="#">441</a>	Tax Year: 2018	Improvement Value: \$0	Land Value: \$384700		
CurrentUse Value: \$0	CurrentUse Improvement: \$0	New Construction:\$0	Total Assessed Value:\$384700		
OVERLAY INFORMATION					
Zoning: M-1	Jurisdiction: County	Urban Growth Area: Grandview	Future Landuse Designation: (Yakima County Plan 2015)		
FEMA: Not in floodplain (X)	FIRM Panel Number: <a href="#">53077C1925D</a>				
LOCATION INFORMATION					
+ Latitude: 46° 16' 31.751"	+ Longitude: -119° 56' 05.839"	Range:23 Township:09 Section:10			
Narrative Description: Section 10, Township 09 Range 23 Quarter SW: All that portion of the NW1/4 of the SW1/4 lying Southwesterly of the centerline of the State Highway, AND all the portion of the SouthSW1/4 lying Southwesterly of the centerline of the State Highway, EXCEPT that portion lying Easterly of the drainage Lateral No. 3 right of way					
DISCLAIMER					
MAP AND PARCEL DATA ARE BELIEVED TO BE ACCURATE, BUT ACCURACY IS NOT GUARANTEED; THIS IS NOT A LEGAL DOCUMENT AND SHOULD NOT BE SUBSTITUTED FOR A TITLE SEARCH, APPRAISAL, SURVEY, FLOODPLAIN OR ZONING VERIFICATION					

# EXHIBIT C

A vicinity map or series of maps no larger than 11 x 17 and reproducible on a non-color photocopier displaying: **\*\*NOTE: Original should be in color\*\***

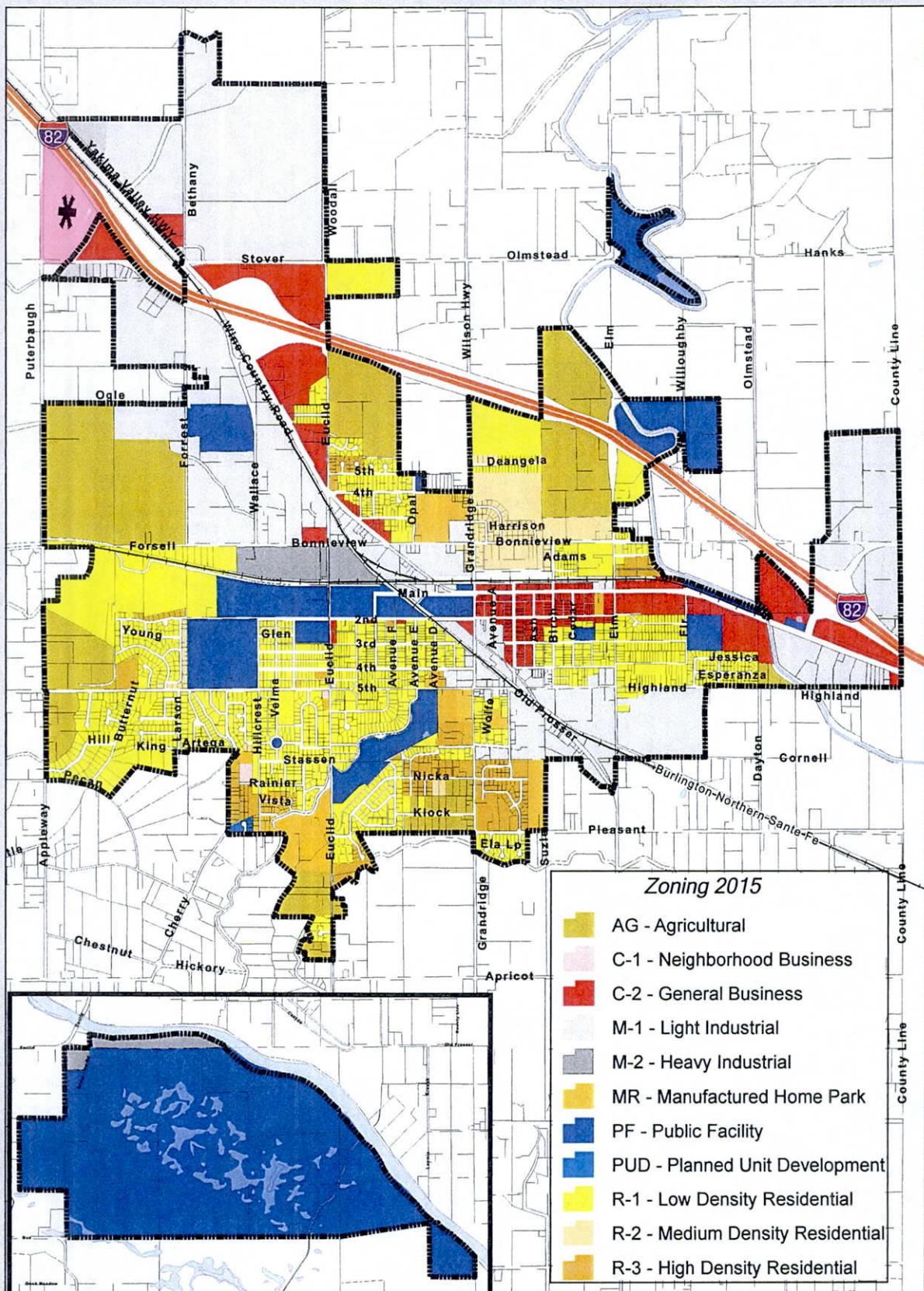
1. The boundary of the area involved in the proposal and the size in acres.
2. The current corporate boundaries of the proposing entity.
3. Existing water & sewer service area boundaries of the proposing entity.
4. Major physical features such as streets and highways, railways public facilities, etc.
5. The boundaries of cities or special purpose districts having jurisdiction in or near the proposed area. **(Not Applicable)**
6. The location of the nearest service point(s) for the required utility services to the area. Show existing and proposed water/sewer lines and diameter. **(See C-3)**
7. The Yakima County zoning, Comprehensive Plan designation, Urban Growth Area Boundary, and proposed city plan and zoning designations.
8. Floodways or floodplains. **(See C-7)**

[\[Print Map\]](#)
[\[Close Map\]](#)


PROPERTY PHOTO		PROPERTY INFORMATION	
	230910-33001 3-22-07 #83	Parcel Address: STOVER RD/PUTERBAUGH RD, WA	
	Parcel Owner(s): PORT OF GRANDVIEW		
Parcel Number: 23091033001	Parcel Size: 32.06 Acre(s)		
Property Use: 81 Agricultural Not Current Use			
TAX AND ASSESSMENT INFORMATION			
Tax Code Area (TCA): 441	Tax Year: 2018		
Improvement Value: \$0	Land Value: \$384700		
CurrentUse Value: \$0	CurrentUse Improvement: \$0		
New Construction: \$0	Total Assessed Value: \$384700		
OVERLAY INFORMATION			
Zoning: M-1	Jurisdiction: County		
Urban Growth Area: Grandview	Future Landuse Designation: (Yakima County Plan 2015)		
FEMA: Not in floodplain (X)	FIRM Panel Number: 53077C1925D		
LOCATION INFORMATION			
+ Latitude: 46° 16' 31.751"	+ Longitude: -119° 56' 05.839"	Range: 23 Township: 09 Section: 10	
Narrative Description: Section 10 Township 09 Range 23 Quarter SW: All that portion of the NW1/4 of the SW1/4 lying Southwesterly of the centerline of the State Highway, AND all the portion of the SouthSW1/4 lying Southwesterly of the centerline of the State Highway, EXCEPT that portion lying Easterly of the drainage Lateral No. 3 right of way			
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**EXHIBIT C-1**
<http://www.yakimap.com/servlet/com.esri.esrimap.Esrimap?name=YakGISH&Cmd=Print...> 10/5/2017

# City of Grandview, WA Zoning 2015

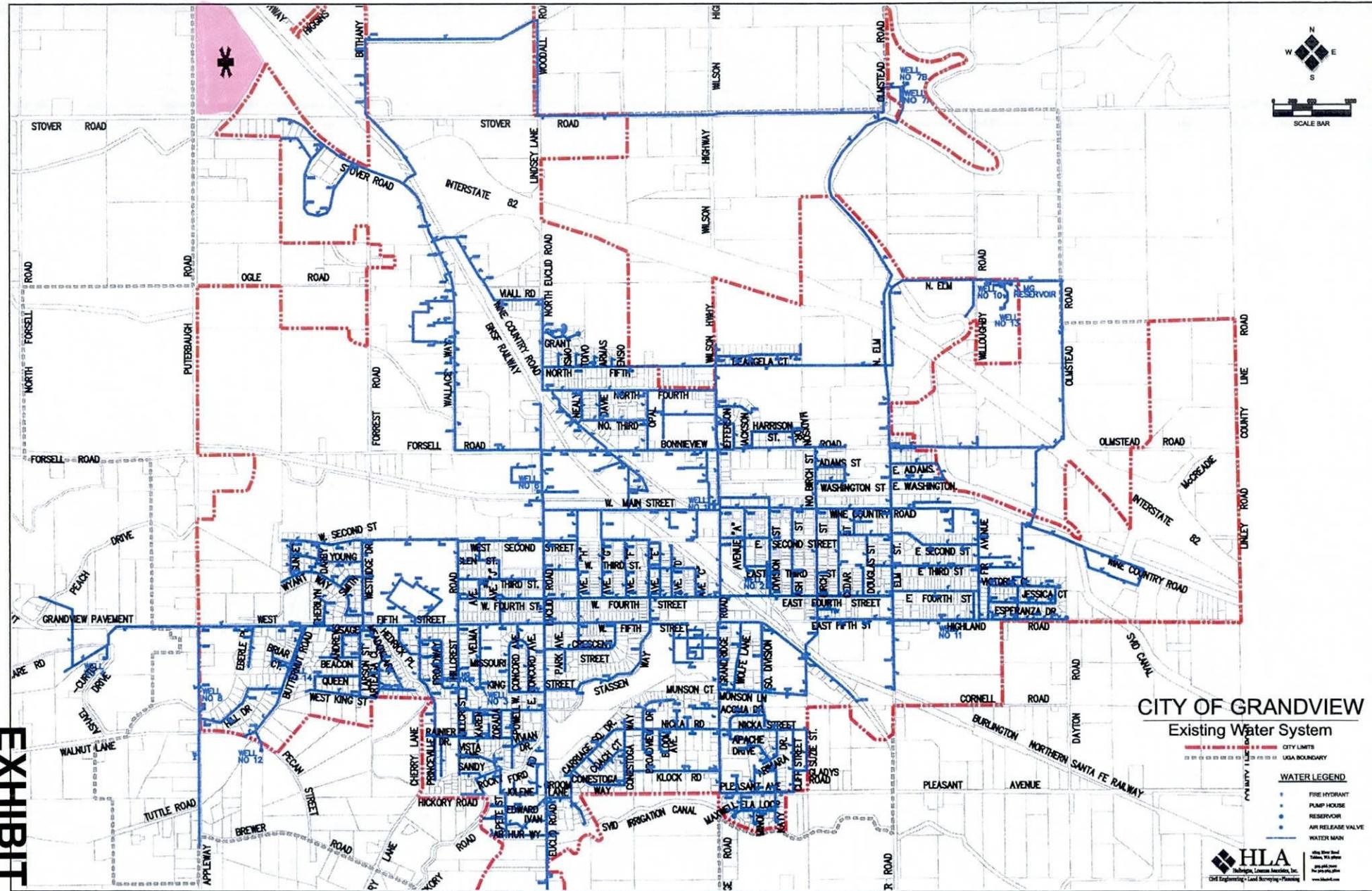


Yakima Valley Conference of Governments  
311 North 4th Street, Suite 204  
Yakima, Washington 98901  
Phone: (509) 574-1550  
June 2015

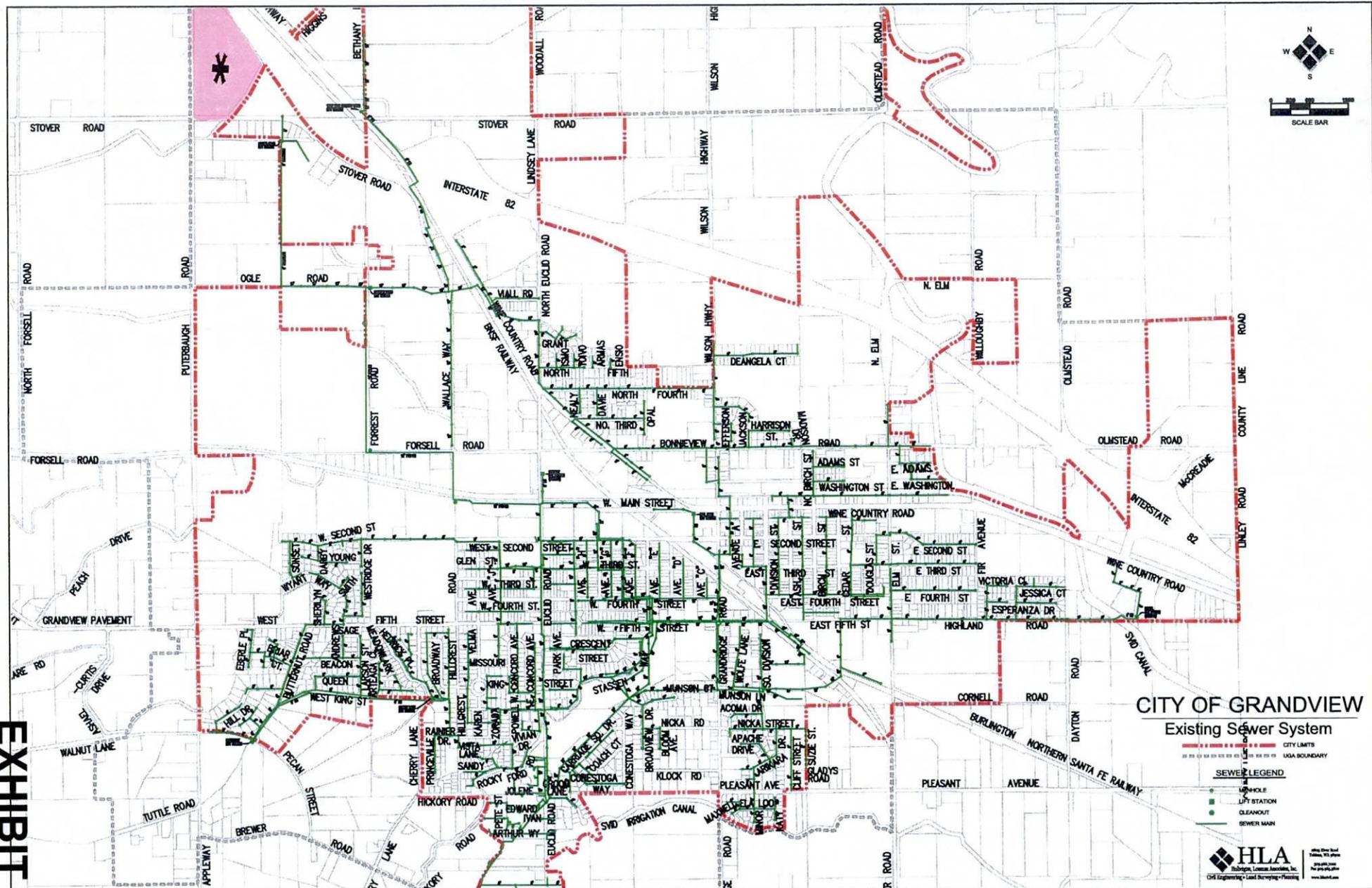


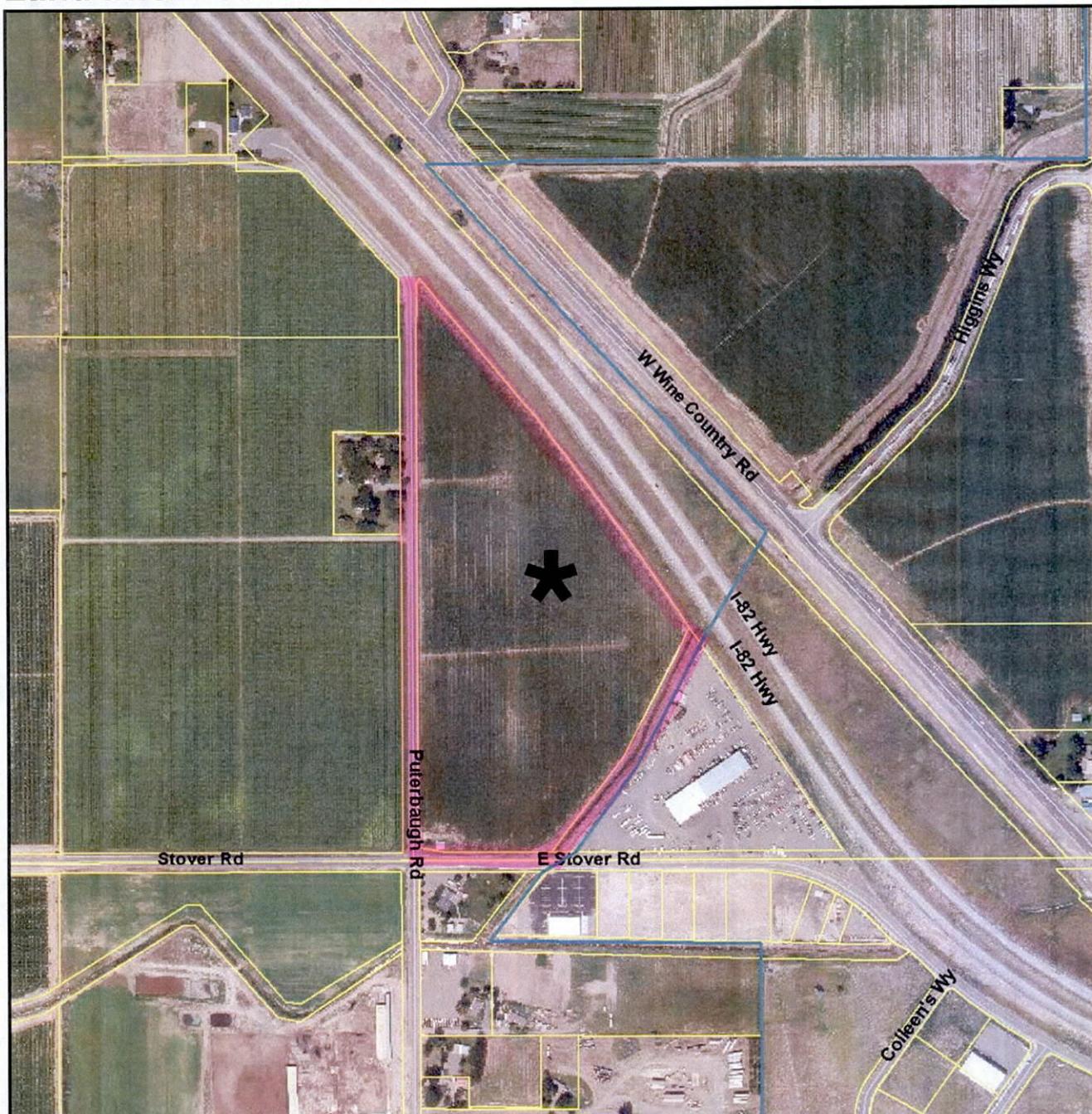
**EXHIBIT C-2**

EXHIBIT C-3



# EXHIBIT C-3



Yakima County GIS - Washington  
Land Information Portal[\[Print Map\]](#)  
[\[Close Map\]](#)**Yakimap.com**

Map Center: Range:23 Township:9 Section:10

2013 Ortho Photography

[WWW.YAKIMAP.COM](http://WWW.YAKIMAP.COM)

Yakima County GIS  
128 N 2nd Street  
Yakima, WA 98901  
(509)574-2992



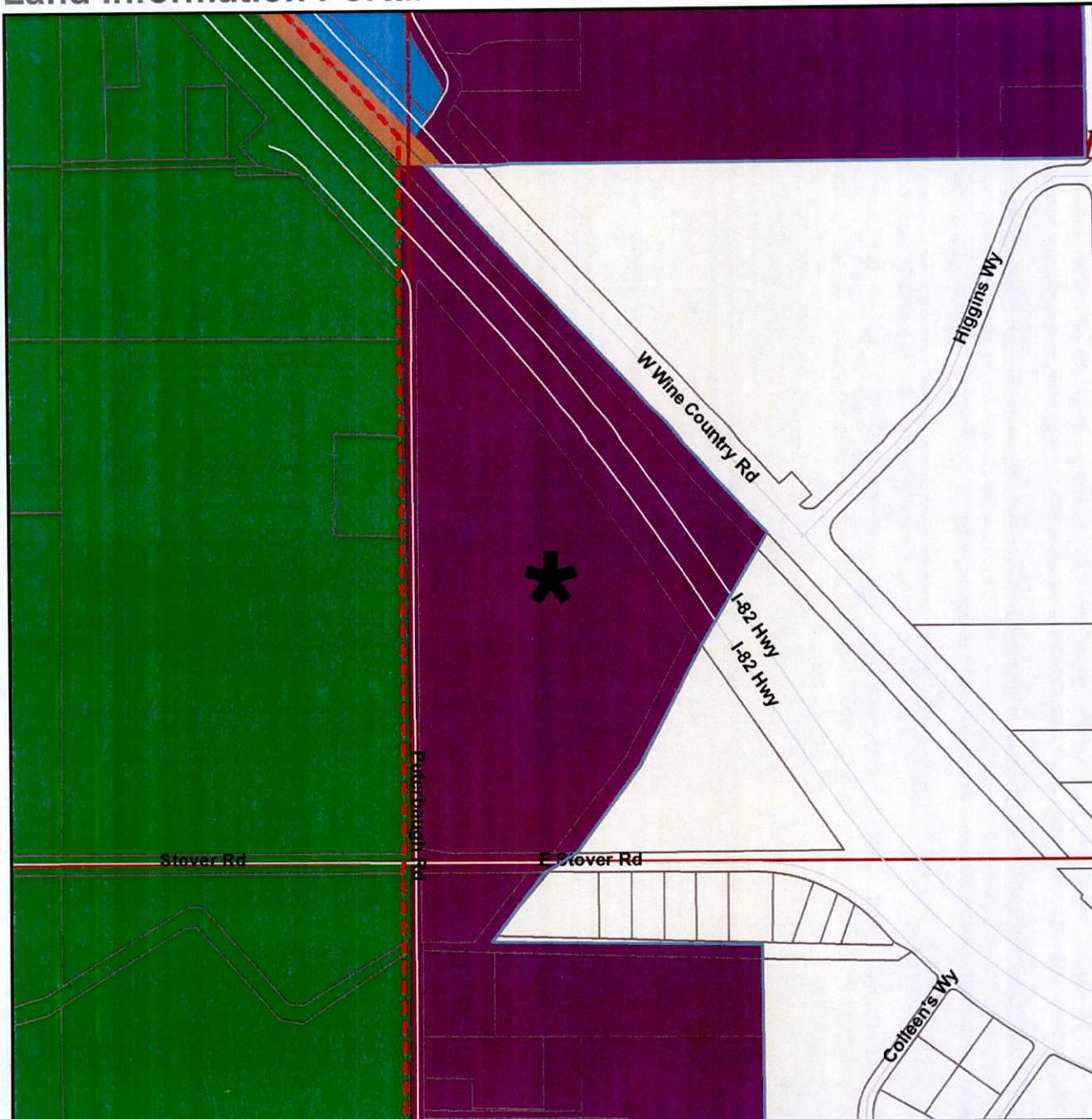
One Inch = 600 Feet

Feet 250 500 750 1000

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**EXHIBIT C-4**  
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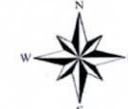


Map Center: Range:23 Township:9 Section:10

 City Limits  
 Sections

 FloodPlain  
 FloodWay
[WWW.YAKIMAP.COM](http://WWW.YAKIMAP.COM)

Yakima County GIS  
128 N 2nd Street  
Yakima, WA 98901  
(509)574-2992



One Inch = 600 Feet  
Feet 250 500 750 1000



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Printed On: 10/6/2017 11:16:51 AM

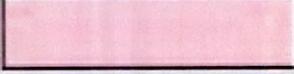
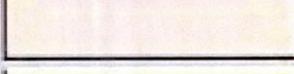
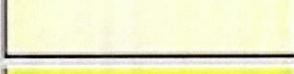
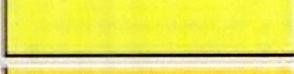
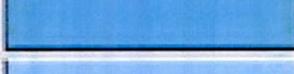
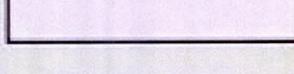
**EXHIBIT C-7**

<http://www.yakimap.com/servlet/com.esri.esrimap.Esrimap?name=YakGISH&Cmd=Print...> 10/6/2017

----- Urban Growth Boundary

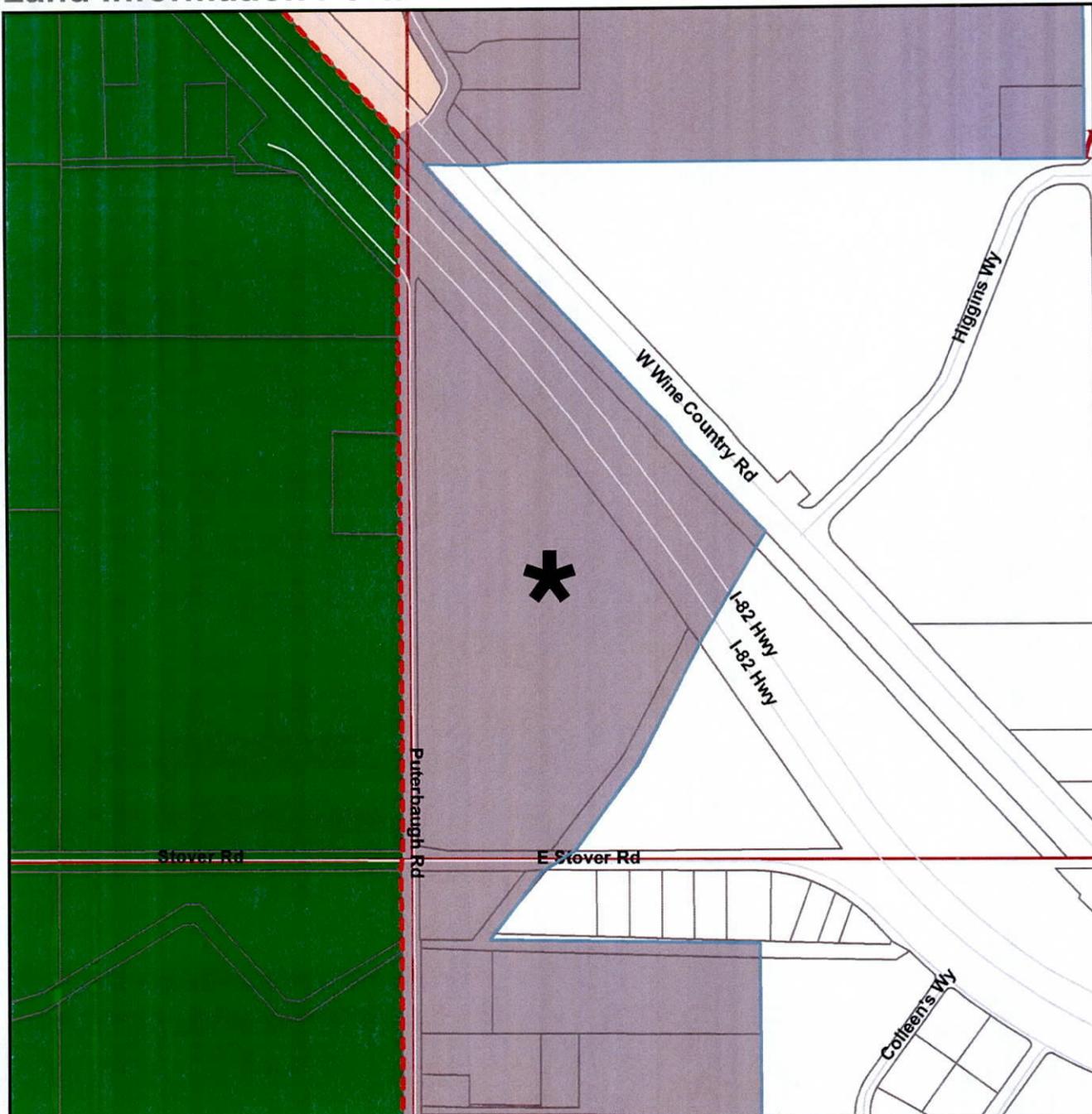
## Yakima County Zoning

### YCC Title 19

	Forest Watershed (FW)
	Agriculture (AG)
	Remote/Extremely Limited (R/ELDP)
	Rural-10/5 (R-10/5)
	Rural Transitional (RT)
	Rural Settlement (RS)
	Highway/Tourist Commerical (HTC)
	Mining (MIN)
	Planned Development (PD)
	Suburban Residential(SR)
	Single Family Residential (R-1)
	Two Family Residential (R-2)
	Multi-Family Residential (R-3)
	Professional Business (B-1)
	Local Business (B-2)
	Small Convenience Center (SCC)
	Large Convenience Center (LCC)
	General Commercial (GC)
	Light Industrial (M-1)
	Yakama Nation Closed Area

**EXHIBIT C-7**

## Yakima County Plan 2015 Designations

Yakima County GIS - Washington  
Land Information Portal[\[Print Map\]](#)[\[Close Map\]](#)**Yakimap.com**

Map Center: Range:23 Township:9 Section:10

City Limits
Sections

FloodPlain
FloodWay

[WWW.YAKIMAP.COM](http://WWW.YAKIMAP.COM)

Yakima County GIS  
128 N 2nd Street  
Yakima, WA 98901  
(509)574-2992



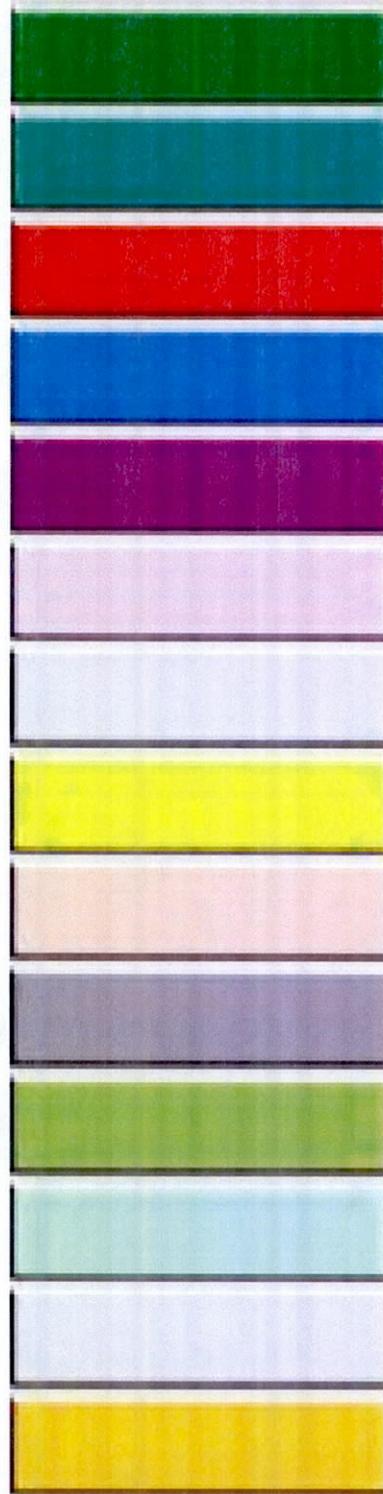
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Feet 250 500 750 1000

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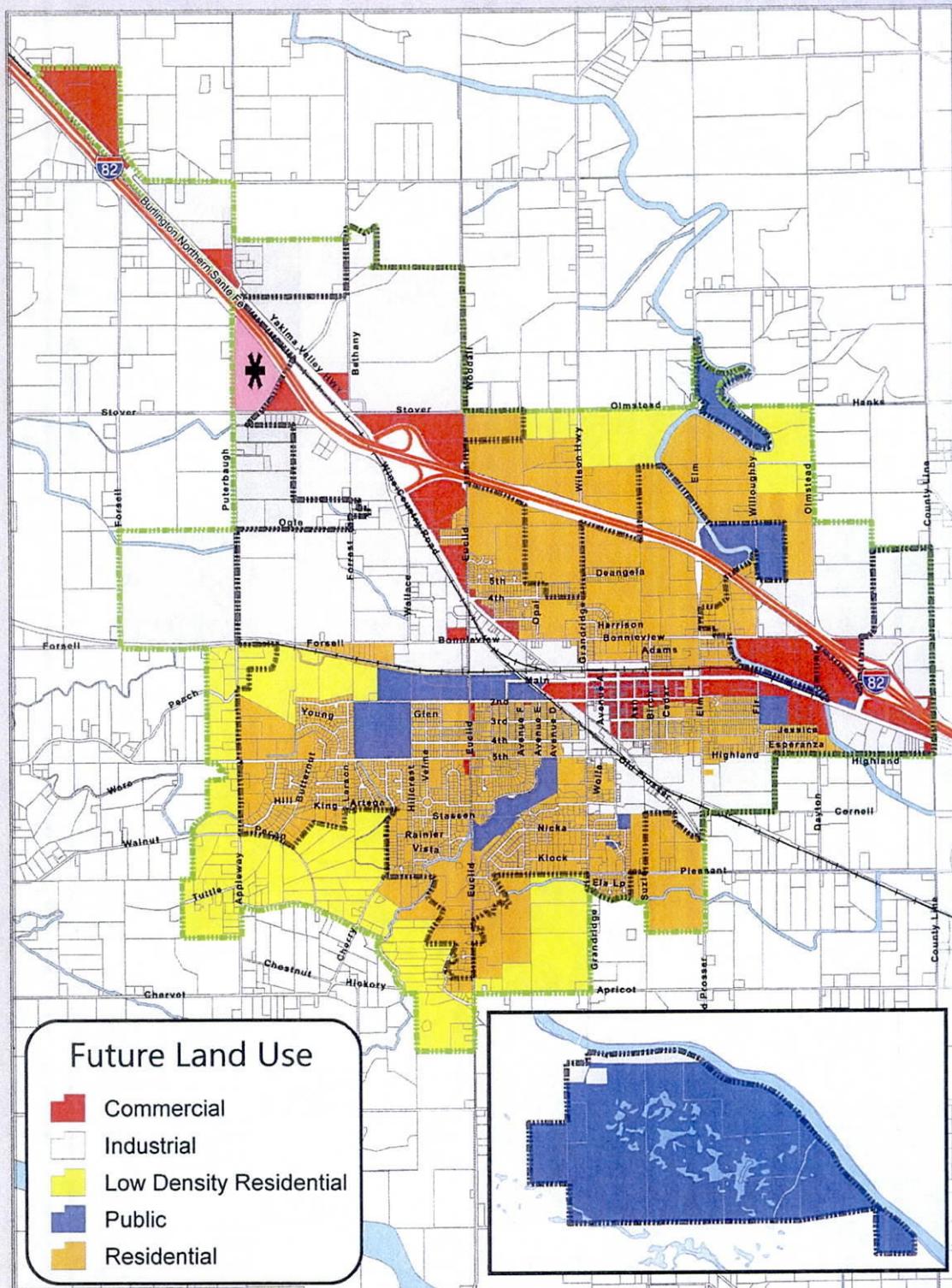
Copyright (C) Yakima County GIS  
Printed On: 10/6/2017 11:17:30 AM

## **Yakima County Plan2015 Designations**





## City of Grandview, WA Future Land Use 2016



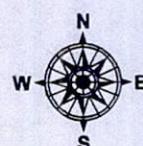
### Future Land Use

- Commercial
- Industrial
- Low Density Residential
- Public
- Residential



Yakima Valley Conference of Governments  
311 North 4th Street, Suite 204  
Yakima, WA 98901  
October 2016

Grandview City Boundary  
 Grandview Urban Growth Area



**EXHIBIT C-7**

# EXHIBIT D

Documentation of the process:

1. certified copy of the petition;
2. proof of assessed valuation;
3. affidavit of publication of public hearing notice;
4. copy of the minutes of public hearing; and
5. a signed and certified copy of the resolution accepting the proposal as officially passed



**CITY OF GRANDVIEW, WASHINGTON**

**PETITION CERTIFICATION**

I, Anita G. Palacios, am appointed by the Mayor of the City of Grandview as the City Clerk. I am the custodian of the City's records and I am authorized to make certified copies of official records. I do hereby certify under penalty of perjury that the attached Petition for Annexation submitted by the Port of Grandview and Lois Higgins Family LLC for Parcel No. 230910-33001 is a certified copy of an official record maintained by the City of Grandview and is an exact, complete, and unaltered photocopy of such official record.

Dated: October 5, 2017

  
Anita G. Palacios, MMC  
City Clerk

**LETTER OF INTENTION (60% PETITION METHOD) TO COMMENCE ANNEXATION  
PROCEEDINGS TO THE CITY OF GRANDVIEW, WASHINGTON**

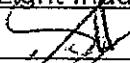
TO: The City Council  
City of  
Grandview  
Grandview, Washington

We, the undersigned, owners of property representing not less than 10% of the assessed value of the property for which annexation is sought, described herein below, lying contiguous to the City of Grandview, Washington do hereby notify the City Council of the City of Grandview of our intention to seek annexation to and be made a part of the City of Grandview under the provisions of R.C.W. 35A.14.120, et seq., and any amendments thereto, of the State of Washington.

The territory proposed to be annexed is within Yakima County, Washington, and is legally described as follows: (Attach map outlining the boundaries of the property sought to be annexed).

**ATTACHED**

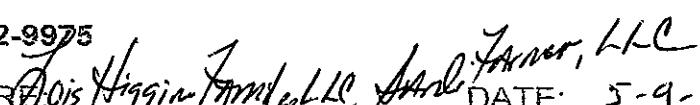
We are requesting City Council consideration of our request and are asking that the above property as M-1 Light Industrial zone.

OWNER'S SIGNATURE:  C. James Sewell, President DATE: 3/29/2017

PRINTED NAME: The Port of Grandview

MAILING ADDRESS: PO Box 392, Grandview, WA 98930

TELEPHONE NO.: 509-882-9975

CREDITOR'S SIGNATURE:  DATE: 5-9-2017

PRINTED NAME: Lois Higgins Family LLC, Sandi Farmer, Manager

MAILING ADDRESS: 2039 Hoxie Ave, Richland WA 99354

TELEPHONE NO.: 509-830-3818

PARCEL NO.: 230910-33001

**PROPERTY LEGAL DESCRIPTION:**

That tract of land commonly known as Mains (West) and described as follows:  
All that portion of the Northwest 1/4 of the Southwest 1/4 lying Southwesterly of the centerline of State Highway;  
All that portion of the South 1/2 of the Southwest 1/4 lying Southwesterly of the centerline of the State Highway;  
EXCEPT that portion lying Easterly of the drainage lateral No. 3 right of way;  
EXCEPT for road right-of-way.

**60% PETITION METHOD FOR ANNEXATION  
TO THE CITY OF GRANDVIEW, WASHINGTON**

TO: The City Council  
City of Grandview  
Grandview, Washington

We, the undersigned, being owners of not less than 60% of the assessed value of the property for which annexation is petitioned lying contiguous to the City of Grandview, Washington do hereby petition that such territory be annexed to and made a part of the City of Grandview under the provisions of RCW 35A.14.120 and any amendments thereto, of the State of Washington.

The territory proposed to be annexed is within Yakima County, Washington, and is legally described as follows: (Attach map outlining the boundaries of the property sought to be annexed).

**ATTACHED**

WHEREFORE, the undersigned respectively petition the Honorable City Council and ask:

- A. That appropriate action be taken to entertain this petition, fixing a date for public hearing, causing notice to be published and posted, specifying the time and place of such hearing and inviting all persons interested to appear and voice approval or disapproval of such annexation; and
- B. 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 effective; and that property to be annexed shall become part of the City of Grandview, Washington, subject to its laws and ordinances then and after 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 Grandview for any now outstanding

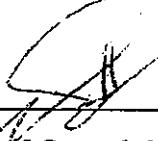
indebtedness of said City, including assessments or taxes in payment of any bonds issued or debts contracted, prior to or existing at the date of annexation, and that simultaneous adoption of proposed zoning regulations be required" in accordance with the requirements of the City Council of said City, and as quoted herein from the minute entry of the records of said City Council meeting. It is further understood that the zoning of said area proposed for annexation as shown in the Comprehensive Plan as adopted by Resolution No. 95-33 is M-1 Light Industrial

This petition is accompanied and has attached hereto as Exhibit "A" a diagram which outlines the boundaries of the property sought to be annexed.

**PRAYER OF PETITION:**

1. Annexation of area described herein and on Exhibit "A";
2. Assumption of indebtedness of the City of Grandview; and
3. Zoning of M-1 Light Industrial, consistent with the City of Grandview Comprehensive Plan

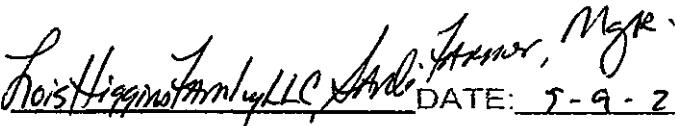
**WARNING:** Every person who signs this petition with any other than his/her true name, or who knowingly signs a petition when he/she is otherwise not qualified to sign, or who makes any false statements, shall be guilty of a misdemeanor.

OWNER'S SIGNATURE:  C. James Sewell, President DATE: 3/24/2017

PRINTED NAME: The Port of Grandview

MAILING ADDRESS: PO Box 392, Grandview, WA 98930

TELEPHONE NO.: 509-882-9975

CREDITOR'S SIGNATURE:  Lois Higgins Family LLC, Sandi Farmer, Manager DATE: 5-9-2017

PRINTED NAME: Lois Higgins Family LLC, Sandi Farmer, Manager

MAILING ADDRESS: 2039 Hoxie Ave, Richland WA 99354

TELEPHONE NO.: 509-830-3818

PARCEL NO.: 230910-33001

**PROPERTY LEGAL DESCRIPTION:**

That tract of land commonly known as Mains (West) and described as follows:  
All that portion of the Northwest  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  lying Southwesterly of the centerline of State Highway;  
All that portion of the South  $\frac{1}{2}$  of the Southwest  $\frac{1}{4}$  lying Southwesterly of the centerline of the State Highway;  
EXCEPT that portion lying Easterly of the drainage lateral No. 3 right of way;  
EXCEPT for road right-of-way.

## EXHIBIT "A"

**Yakima County GIS - Washington Land Information Portal**

**Yakima County Assessor**  
**Yakima County GIS**  
**Yakima County**

**First American Title**  
[www.firstam.com](http://www.firstam.com)  
509.248.7550

**Assessor** **Planning** **Real Estate** | **FAQ** **Help** **Legend** | **Search** **Tools** **Overview**

**Search By:** **Parcel Number**   
**Parcel #:**

Enter a complete or partial PARCEL NUMBER. Parcel Numbers must be 8 characters. Click the Search button to continue.

**Search**

**MapScale:** 1 Inch = 1600 ft.

**Overlays:** **Aerial Photography**  **FEMA**  **Critical Areas**   
**Contours**  **Utilities**

**MapSize:** **Small (800x600)**

**Maps brought to you by:**  
**Valley Title Guarantee**  
 **Title Insurance & Escrow Service**  
[www.vtgco.com](http://www.vtgco.com)  
(509) 248-4442

**Map** **Report**

**Copyright (C) Yakima County GIS**

**Easting (ft)** | **Northing (ft)**   
**Longitude (E)** | **Latitude (N)**

**Click Map to: Get Information** **One Inch = 1600 Feet** **Feet**

PROPERTY PHOTOS:			PROPERTY INFORMATION AS OF 2/22/2017 11:01:43 PM							PRINTING								
			Parcel Address: <b>STOVER RD/PUTERBAUGH RD, WA</b>							<b>Printer-Friendly Page</b>								
			Parcel Owner(s): <b>PORT OF GRANDVIEW</b>							<b>Detailed Report</b>								
			Parcel Number: <b>23091033001</b> <b>Parcel Size: 32.06 Acre(s)</b>							<b>Print Detailed MAP</b>								
			Property Use: <b>91 Undeveloped Land</b>							<b>SECTION MAPS</b>								
			<b>TAX AND ASSESSMENT INFORMATION</b>							<b>Section Map 1in=400ft</b>								
			Tax Code Area (TCA): <b>441</b> Tax Year: <b>2017</b>							<b>Otr SECTION MAPS</b>								
			Improvement Value: <b>\$0</b> Land Value: <b>\$240500</b>							<b>NW-Qtr 1"=200ft NE-Qtr 1"=200ft</b>								
			Current Use Value: <b>\$0</b> Current Use Improvement: <b>\$0</b>							<b>SW-Qtr SE-Qtr 1"=200ft 1"=200ft</b>								
			New Construction: <b>\$0</b> Total Assessed Value: <b>\$240500</b>															
<b>RESIDENTIAL INFORMATION</b>																		
Quality	Year Built	Stories	Main SqFt	Upper SqFt	Bsmt SqFt	Bedrooms	Bathrooms (full/3/4,1/2)	Garage (bsmt/att/btn)	Carport	<b>Section Map 1in=400ft</b>								
No Residence Information Found.																		
<b>SALE INFORMATION</b>																		
Excise	Sale Date	Sale Price	Grantor	Portion							<b>Otr SECTION MAPS</b>							
446386	11/29/2016	\$336630	LOIS HIGGINS FAMILY LLC	N							<b>NW-Qtr 1"=200ft NE-Qtr 1"=200ft</b>							
<b>DISCLAIMER</b>																		
While the information is intended to be accurate, any manifest errors are unintentional and subject to correction. Please let us know about any errors you discover and we will correct them. To contact us call either (509) 574-1100 or (800) 572-7354, or email us.																		

OVERLAY INFORMATION																								
Zoning:	<b>M-1</b>			Jurisdiction: <b>County</b>																				
Urban Growth Area:	<b>Grandview</b>			Future Landuse Designation: <b>UGA (Yakima County Plan 2015)</b>																				
FEMA 100 Year:	<b>Not in floodplain (X)</b>			FIRM Panel Number: <b>53077C1926D</b>				<b>Download Map</b>																
LOCATION INFORMATION																								
+ Latitude: <b>46° 16' 32.364"</b>			+ Longitude: <b>-119° 56' 05.831"</b>			Range: <b>23</b> Township: <b>09</b> Section: <b>10</b>																		
Narrative Description: Section 10 Township 09 Range 23 Quarter SW: All that portion of the NW1/4 of the SW1/4 lying Southwesterly of the centerline of the State Highway, AND all the portion of the SouthSW1/4 lying Southwesterly of the centerline of the State Highway, EXCEPT that portion lying Easterly of the drainage Lateral No. 3 right of way																								
DISCLAIMER																								



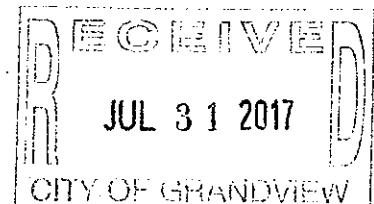
# Dave Cook, Assessor

Courthouse • Room 112 • Yakima, WA 98901 • (509) 574-1100

Toll Free 800-572-7354 • FAX (509) 574-1101

website: [www.co.yakima.wa.us/assessor](http://www.co.yakima.wa.us/assessor)

**Determination of Sufficiency of Annexation Petition;  
City of Grandview – Higgins Annexation  
(RCW 35A.01.050(4))**



To: Anita Palacios, City Clerk  
City of Grandview

On July 17<sup>th</sup> 2017 a petition for annexation was received by this office for determinations of the sufficiency of the petition per RCW 35.13.130 and 35.21.005 from the City of Grandview.

The determination of the sufficiency was begun by this office on the terminal date of July 17<sup>th</sup> 2017, and has now been completed based on the records of this office, the above-mentioned Certificate of Transmittal, and the agreements and legal authorities cited therein.

The owners of and real properties comprising not less than 100% of the assessed value of real property in the areas proposed for annexation are signers of an annexation petition, and the above numbered petition is determined and declared sufficient.

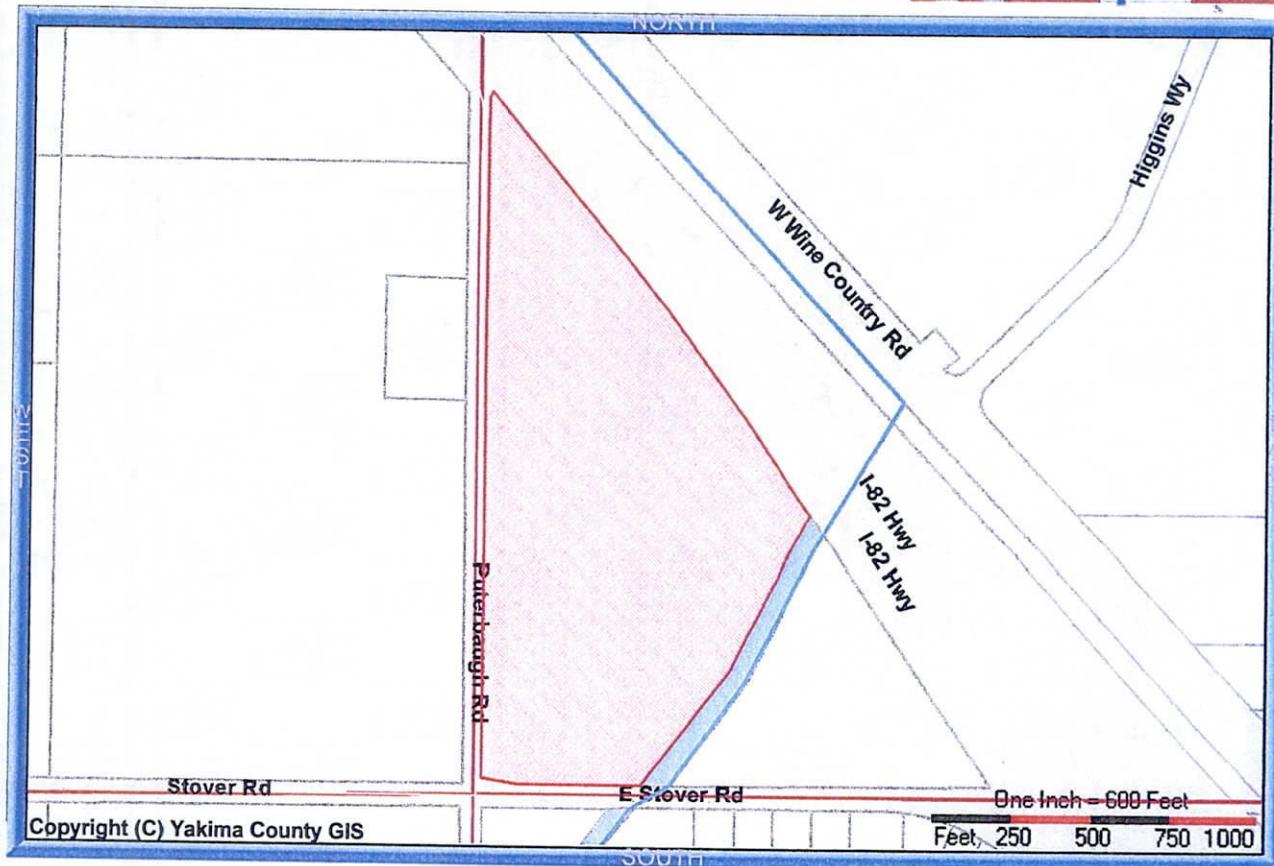
Done this 17<sup>th</sup> day of July 2017



Dave Cook, Yakima County Assessor

Determination of Sufficiency of Annexation Petition

**EXHIBIT D-2**



PROPERTY PHOTO		PROPERTY INFORMATION			
	230910-33001 3-22-07 #83	Parcel Address: STOVER RD/PUTERBAUGH RD, ,WA			
		Parcel Owner(s): PORT OF GRANDVIEW			
		Parcel Number: <a href="#">23091033001</a>	Parcel Size: 32.06 Acre(s)		
Property Use: 81 Agricultural Not Current Use					
TAX AND ASSESSMENT INFORMATION					
Tax Code Area (TCA): <a href="#">441</a>	Tax Year: 2018				
Improvement Value: \$0	Land Value: \$384700				
CurrentUse Value: \$0	CurrentUse Improvement: \$0				
New Construction:\$0	Total Assessed Value \$384700				
OVERLAY INFORMATION					
Zoning: M-1	Jurisdiction: County				
Urban Growth Area: Grandview	Future Landuse Designation: (Yakima County Plan 2015)				
FEMA: Not in floodplain (X)	FIRM Panel Number: <a href="#">53077C1925D</a>				
LOCATION INFORMATION					
+ Latitude: 46° 16' 31.751"	+ Longitude: -119° 56' 05.839"	Range:23 Township:09 Section:10			
Narrative Description: Section 10 Township 09 Range 23 Quarter SW: All that portion of the NW1/4 of the SW1/4 lying Southwesterly of the centerline of the State Highway, AND all the portion of the SouthSW1/4 lying Southwesterly of the centerline of the State Highway, EXCEPT that portion lying Easterly of the drainage Lateral No. 3 right of way					
DISCLAIMER					
MAP AND PARCEL DATA ARE BELIEVED TO BE ACCURATE, BUT ACCURACY IS NOT GUARANTEED; THIS IS NOT A LEGAL DOCUMENT AND SHOULD NOT BE SUBSTITUTED FOR A TITLE SEARCH, APPRAISAL, SURVEY, FLOODPLAIN OR ZONING VERIFICATION					

**CITY OF GRANDVIEW  
NOTICE OF  
DEVELOPMENT  
APPLICATION  
PRELIMINARY  
DETERMINATION OF  
NON-SIGNIFICANCE &  
NOTICE OF PUBLIC  
HEARING**

The general public is hereby provided notice of the following development application, pursuant to GMC 14.07 and WAC 197-11-355. Applicant(s): Port of Grandview and Lois Higgins Family LLC Proposed Project: Annexation & Rezone

Application Date: July 13, 2017

Annexation Acceptance: August 8, 2017

Decision-Making Authority: City of Grandview

Location of Project: Parcel No. 230910-33001 consisting of 32.06 acres located on Stover Road and Puterbaugh Road, Grandview, WA 98930

Project Description: Applicant requests annexation and rezone of their property into the City limits of Grandview with an M-1 Light Industrial zoning designation.

Requested Approvals & Actions: Annexation and rezone to M-1 Light Industrial

Existing Environmental Documents: An Environmental Checklist has been prepared and is available from the City upon request.

A decision on this application will be made within 120 days of the date of the letter of completeness.

Preliminary Determination of Non-Significance:

The City of Grandview is the lead agency for this application, and intends to issue a Determination of Non-Significance. The City is utilizing the optional DNS process set forth in WAC 197-11-355. This may be the general public's only opportunity to comment on the environmental impacts of this proposal. The proposal may include mitigation measures under applicable codes, and the project review process may incorporate or require mitigation measures regardless of whether an Environmental Impact Statement is prepared. The City will review all timely comments prior to making a final threshold determination. Any person has the right to comment on the application, and receive notice of and par-

ticipate in any hearings on the application, if any are schedule or held. At this time, the City does not intend to hold a public hearing to consider the environmental aspects of this application. A copy of the threshold determination ultimately issued with respect to this application may be obtained upon request. Comments on the environmental impacts of this proposal must be received by MONDAY, AUGUST 28, 2017.

Public Hearing:

The City of Grandview Hearing Examiner will hold a public hearing pursuant to GMC 14.03 on WEDNESDAY, SEPTEMBER 6, 2017 at 3:00 p.m. in the Council Chamber at City Hall, 207 West Second Street, Grandview, Washington. The public hearing will consider the application of the project described above. To request accommodation for special needs, contact Anita Palacios, City Clerk, 24-hours in advance at (509) 882-9208. Interpreters will be available upon request. The Council Chamber is handicapped accessible. American Disabilities Act (ADA) accommodations provided upon request 24-hours in advance.

Comment Period and Where to View Documents:

The development application and environmental checklist may be viewed at the City of Grandview, 207 West Second Street, Grandview, WA 98930. Interested persons are invited to (a) comment on the application, (b) receive notice of and participate in any hearings, and (c) receive a copy of the decision by submitting such written comments/requests to the City of Grandview, Attn: City Clerk, 207 West Second Street, Grandview, WA 98930, ph. (509) 882-9208. Comments concerning the application should be submitted no later than WEDNESDAY, SEPTEMBER 6, 2017 at 2:00 p.m. While comments will be accepted through closing of the public hearing on this proposal, comments received after SEPTEMBER 6, 2017 may not be considered in the staff report.

CITY OF GRANDVIEW  
Anita G. Palacios, MMC,  
City Clerk

Publication: Daily Sun News - August 14, 2017

PUBLISH DAILY SUN NEWS

August 14, 2017

# Affidavit of Publication

STATE OF WASHINGTON

ss.

County of Yakima

Roger Harnack, being first duly sworn on oath deposes and says that he is the Publisher of the DAILY SUN NEWS, a daily newspaper.

That said newspaper is a legal newspaper and it is now and has been for more than six months prior to the date of publications hereinafter referred to, published in the English language continually as a daily newspaper in the city of Sunnyside, YAKIMA County, Washington, and it is now and during all of said time printed in an office maintained at the aforesaid place of publication of said newspaper, and that the said Daily Sun News was on the 4th Day of April, 1969 approved as a legal newspaper by the Superior Court of said Yakima County.

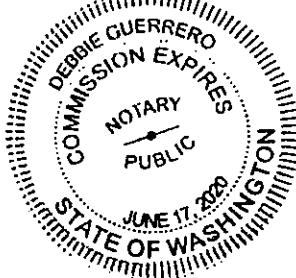
That the annexed is a true copy of a LEGAL PUBLICATION  
City of Grandview  
Development Notice

published in regular issues (and not in supplemental forms) of said newspaper once each week for a period of 1 consecutive issue(s) commencing 08/14/17 and ending on 08/14/17, both dates inclusive, and that such newspaper was regularly distributed to its subscribers during all of said period. That the full amount of the fee charged for the foregoing publication is the sum of \$72.77, amount has been paid in full, at the rate of \$4.10 Gra per column inch per insertion.

Subscribed and sworn to before me 08/14/17

*Debbie Guerrero*  
Notary Public in and for the State of Washington

060706-00000



# Affidavit of Publication

STATE OF WASHINGTON

ss.

County of Yakima

CITY OF GRANDVIEW NOTICE  
OF CLOSED RECORD PUBLIC  
HEARING PETITION FOR AN-  
NEXATION & REZONE  
NOTICE IS HEREBY GIVEN that  
the City Council of the City of  
Grandview will hold a closed  
record public hearing on Tuesday,  
September 26, 2017 at 7:00 p.m.  
in the Council Chamber at City  
Hall, 207 West Second Street,  
Grandview, Washington.  
The purpose of the closed record  
public hearing is for Council to  
consider the Hearing Examiner's  
recommendation on a Petition for  
Annexation and Rezone on the fol-  
lowing:  
Petitioner: Port of Grandview and  
Lols... Higgins Family  
LLC Proposed Project: Annexation  
& Rezone  
General Location: Stover Road &  
Puterbaugh Road, Grandview, WA  
Parcel No(s): 230910-33001  
Acres: 32.06  
Current Zoning: Light Industrial  
(UGA Future Land Use  
Designation)  
Proposed Zoning: M-1 Light In-  
dustrial  
A copy of the Hearing Examiner's  
recommendation is available at no  
charge from the City Clerk's Of-  
fice, 207 West Second Street,  
Grandview, WA 98930, PH: (509)  
882-9208  
CITY OF GRANDVIEW  
Anna G. Palacios, CMC, City  
Clerk  
PUBLISH DAILY SUN NEWS  
September 8, 2017

Roger Harnack, being first duly sworn on oath deposes  
and says that he is the Publisher of the DAILY SUN  
NEWS, a daily newspaper.

That said newspaper is a legal newspaper and it is now  
and has been for more than six months prior to the  
date of publications hereinafter referred to, published in  
the English language continually as a daily newspaper  
in the city of Sunnyside, YAKIMA County, Washington,  
and it is now and during all of said time printed in an  
office maintained at the aforesaid place of publication  
of said newspaper, and that the said Daily Sun News  
was on the 4th Day of April, 1969 approved as a legal  
newspaper by the Superior Court of said Yakima County.

That the annexed is a true copy of a LEGAL PUBLICATION  
City of Grandview  
PETITION FOR ANNEXATION

published in regular issues (and not in supplemental  
forms) of said newspaper once each week for a period  
of 1 consecutive issue(s) commencing 09/08/17 and  
ending on 09/08/17, both dates inclusive, and that such  
newspaper was regularly distributed to its subscribers  
during all of said period. That the full amount of the  
fee charged for the foregoing publication is the sum of  
\$23.57, amount has been paid in full, at the rate of \$4.10 per  
column inch per insertion.

Subscribed and sworn to before me 09/08/17

Notary Public in and for the State of Washington

060706-00000



## STAFF REPORT

**TO:** City of Grandview - Hearing Examiner

**FROM:** Mike Shuttleworth, Planning Manager  
Yakima Valley Conference of Governments

**DATE:** August 29, 2017

**SUBJECT:** Public hearing to receive comments on proposed Port of Grandview application to annex tax parcel 230910-33001 into the City of Grandview. The parcel is located at the Northeast corner of the intersection of Stover Road and Puterbaugh Road. This annexation request includes that portion of Puterbaugh Road that is adjacent to parcel 230910-33001, the intersection of Puterbaugh Road and Stover Road and that portion of Stover Road that is adjacent to parcel 230910-33001. This property is referred to as the Puterbaugh Business Park.

### Site

The subject parcel (230910-33001) is approximately 32.06 acres in size. The parcel is currently zoned by Yakima County as Industrial (M-1) and has a Grandview Comprehensive Plan Future Land Use Map (FLUM) designation of Industrial. The parcel is located on the northeast corner of the intersection of Stover Road and Puterbaugh Road, adjacent to the west city limit boundary of the City of Grandview. The property and road right of ways are located within the City of Grandview's Urban Growth Area (UGA).

### Proposal

The applicant, Port of Grandview, has petitioned to annex the subject property into the City of Grandview and requested that the zoning district of the property be Light Industrial (M-1). The City Council accepted the letter of intent to annex and a petition was circulated to receive signatures from property owners representing 60% of the assessed property value. The petition was forwarded on to the Office of the Yakima County Assessor for a certification of sufficiency. The City of Grandview received a letter dated July 17, 2017 from the Yakima County Assessor determining that owners of not less than 100% of the assessed property value had signed the annexation petition.

On August 8, 2017, the City Council accepted the request for annexation subject to the following conditions:

1. The annexation be accepted as proposed on the Exhibit A attachment to the petition for annexation.
2. That the City requires the simultaneous adoption of the City's zoning regulations consistent with the Urban Growth Area Future Land Use Designation: M-1 Light Industrial for the proposed annexation.
3. That the City requires the assumption of an appropriate share of all existing City indebtedness by the area to be annexed.

The City Council directed staff to present the Petition for Annexation to the Hearing Examiner to receive and examine available information, conduct a public hearing, prepare a record thereof and enter findings of facts and conclusions based upon those facts, together with a recommendation to the City Council.

## **Public Notice**

Public notice was provided in the following manner:

- Notice posted on property: August 11, 2017
- SEPA Notice of Application, Public Hearing, and DNS distributed: August 11, 2017
- Notification of properties by mail within 300' of subject property: August 11, 2017
- Notice of public hearing posted in official newspaper of the City (Daily Sun News): August 14, 2017.

## **State Environmental Policy Act**

The City of Grandview issued a Determination of Non-Significance (DNS) on August 11, 2017. The comment period ended on August 28, 2017.

The City of Grandview has determined that the proposed parcel annexation and integration into the City of Grandview will not have a probable adverse environmental impact. This determination is based upon previous environmental reviews conducted by the Port of Grandview for the Puterbaugh Business Park Master Plan.

A Phase 1 Environmental Site Assessment was conducted on the subject property in May 2016 by Environmental Assessment Services, LLC. There is no evidence of contamination or recognized environmental conditions and no de minimis conditions were observed on the site.

A Critical Areas and Biological Assessment of the 32-acre site was prepared by Vincent Barthels, Biological in May, 2017. No evidence of environmental sensitive areas or limits to development were found.

An Archaeological Review and Inventory was completed for the site by Reiss-Landreau Research LLC on June 5, 2017. No historic or pre-contact sites, isolated finds, structures or features were identified during the survey.

## **Current Zoning and Land Uses**

The subject parcel is currently zoned by Yakima County as Industrial (M-1). Characteristics of properties adjacent to the subject properties are:

<i>Location</i>	<i>Zoning</i>	<i>Land Use</i>	<i>Jurisdiction</i>
North	Light Industrial (M-1)	Vacant land/Freeway	City of Grandview/Yakima County
South	Light Industrial (M-1)	Residential Single Unit	Yakima County
East	Commercial (C-2)	Vehicle sales facility	City of Grandview
West	Agricultural (Ag)	Agricultural	Yakima County

Surrounding land uses should not be affected by the annexation of the proposed M-1 zoned property. As indicated above, the property is adjacent to the city on one side. The residential property to the south is zoned for industrial uses.

## Comments

The Sunnyside Valley Irrigation District (SVID) submitted comments dated August 17, 2017. SVID comments were:

1. SVID does have an open drainage facility, JD 43.9, adjacent to the parcel for development.
2. Runoff into JD 43.9 will not be allowed.
3. Use of SVID right of way will not be allowed without prior approval through the permitting process.

The Washington State Department of Transportation (WSDOT) submitted comments dated August 28, 2017. WSDOT comments were:

- The subject property is adjacent to Interstate 82 (I-82), a fully controlled limited access facility with a posted speed limit of 70 miles per hour. WSDOT has acquired all access rights to the highway. Direct access to I-82 is prohibited.
- Traffic in this area is served by the I-82 Exit 73 interchange. Currently, this interchange functions within acceptable safety and operational standards; however, we are concerned about the cumulative impact development will have on this interchange. At some point, continued development in this area will create the need for additional capacity at the westbound and eastbound ramp terminals. We recommend the City consider assessing pro rata share contributions from developers for future improvements to the interchange. Specifically, additional storage at the interchange left-turn lanes.
- Any outdoor advertising or motorist signing considered for this project will need to comply with state criteria. Please contact Trevor McCain of the WSDOT Headquarters Traffic Office for specifics. He can be reached at (360) 705-7282.
- Any storm water or surface runoff generated by this project must be retained and treated on-site and not allowed to flow onto WSDOT rights-of-way.
- I-82 is an existing facility and if the proponent will be generating more noise-sensitive land uses, it is the developer's responsibility to dampen or deflect any traffic noise.
- Thank you for the opportunity to review and comment on this proposal. If you have any questions regarding these comments, please contact Jacob Prilucik at (509) 577-1635.

Both the comments from SVID and WSDOT should be considered when the property is developed and should not impact the annexation of the property.

## Comprehensive Plan Future Land Use Designation

Per GMC § 17.96.040 (Annexation Procedure), "The establishment of zoning for annexation areas shall be guided by the land use designations and policies of the Comprehensive Plan."

The 2016 Grandview Comprehensive Plan Future Land Use Map (FLUM) designation of the site as Industrial, which is consistent with the proposed M-1 zoning of City of Grandview. The establishment of the M-1 zoning district on the subject parcel is consistent with the following Goals and Policies of the 2016 Grandview Comprehensive Plan:

**GOAL 4:** To pursue well-managed, orderly expansion of the urban area in a manner that is within the sustainable limits of the land.

**Policy 4.1** The future distribution, extent, and location of generalized land uses will be established by the Future Land Use Map contained within this plan.

**Policy 4.4** Discourage incompatible uses from locating adjacent to each other. Encourage protection of other land uses from the negative impacts of industrial uses through appropriate siting, setbacks, landscaping and buffering.

**Policy 4.5** Provide ample opportunities for light industrial development at locations with suitable access and adequate municipal services. At these locations, encourage industrial park-like development.

The 2016 Comprehensive Plan further states:

“In the City of Grandview, the Port of Grandview owns approximately 100 acres of property that is zoned and available for light industrial development. The Port of Grandview works to broaden and strengthen Grandview’s economic base and is an important partner with the City of Grandview in economic development. The Port of Grandview’s Strategic Goals and Objectives, adopted February 2016, are hereby incorporated by reference, as amended. (2016 Grandview Comprehensive Plan, Land Use Element – Page 2-21).”

#### **Zoning**

Per GMC § 17.96.030 (Annexation Procedure, Zoning), “At the time of the official public hearing on any proposed annexation to the city, the hearing examiner shall recommend a district classification of the area to be annexed...which recommendation shall be in keeping with the overall comprehensive plan for the urban area, and the best arrangement of land uses to promote public health, safety, morale, and general welfare.”

The Grandview Comprehensive Plan Future Land Use Map shows the annexation areas future land use as “Industrial”

GMC 17.88.060 provides findings and recommendations for the Hearing Examiner to consider when approving the proposed zoning for the annex property.

**“17.88.060 Hearing Examiner-Findings and recommendations.** After completion of an open record hearing on a petition for reclassification of property, the hearing examiner shall make and enter findings from the records and conclusions thereof which support its recommendation and find whether or not:

1. The proposal is in accord with the goals and policies of the comprehensive plan.
2. The effect of the proposal on the immediate vicinity will be materially detrimental.
3. There is merit and value in the proposal for the community as a whole.
4. Conditions should be imposed in order to mitigate any significant adverse impacts from the proposal.
5. A development agreement should be entered into between the city and the petitioner, and if so, the terms and conditions of such an agreement.”

#### **Floodway and Shoreline**

##### **Floodway**

There are no FEMA floodplains or other flood hazard areas within or near the subject parcels.

##### **Shoreline**

There are no designated Shoreline Environments regulated by the Yakima County Regional Shoreline Master Program within or near the subject parcels.

##### **Critical Areas**

There are no known critical areas, as defined by GMC Chapter 18.06 (Critical Areas), in or near the subject parcel.

### **Concurrency**

Because no development is proposed at this time, this proposal is not governed by GMC Chapter 14.10 (Transportation Concurrency Management). Future development(s) may require an updated Certificate of Concurrency.

### **Development Standards**

Because no development is proposed at this time, this proposal is not governed by development standards contained in the Grandview Municipal Code.

### **Infrastructure**

*Sewer & Water:* The City of Grandview has water and sewer capacity for future development. An existing sewer main will need to be extended approximately 1,000 feet to provide sanitary sewer to the site.

*Streets:* This parcel will be accessed from both Puterbaugh Road and Stover Road. The portions of Puterbaugh Road and Stover Road adjacent to the property will also be annexed.

### **Findings & Conclusions**

1. The public notice requirements of the Grandview Municipal Code have been satisfied.
2. SEPA Environmental review, as required by RCW 43.21C, has been completed, resulting in the issuance of a Determination of Non-significance.
3. The City of Grandview has sufficient water, sewer and street capacity for the proposed annexation.
4. The proposed annexation and establishment of M-1 zoning meets the applicable criteria in GMC §§ 17.88.060 and 17.96.030, and is compliant with the City of Grandview Comprehensive Plan.
5. The public use and interest will be served.

### **Recommendation**

The Yakima Valley Conference of Governments, acting as staff for the City of Grandview, recommends approval of the proposed annexation of the property described below and establishment of the Light Industrial (M-1) zoning district.

#### **Annexation Area:**

That part of the East Half of Section 9, the West Half of Section 10, the Northwest Quarter of Section 15 and the Northeast Quarter of Section 16, Township 9 North, Range 23 East, W.M. described as follows:

Beginning at the intersection of the Southerly right of way line of Stover Road and the Westerly right of way line of Puterbaugh Road; Thence East along said Southerly right of way line of Stover Road to the Easterly right of way line of Drainage District No. 9, Lateral 3; Thence Northeasterly along said Easterly right of way line to the Southwesterly right of way line of Wine County Road; Thence Northwesterly along said Southwesterly right of way line to the Northerly extension of the Westerly right of way line of Puterbaugh Road; Thence South along said Westerly right of way line and its northerly extension to the Point of Beginning.

# **City of Grandview, Washington Hearing Examiner's Recommendation**

**September 13, 2017**

<b>In the Matter of a Petition for</b>	<b>)</b>	
<b>Annexation of Property with</b>	<b>)</b>	
<b>M-1 Zoning Submitted by:</b>	<b>)</b>	
	<b>)</b>	<b>Annexation Resolution No. 2017-30</b>
<b>Port of Grandview and</b>	<b>)</b>	
<b>Lois Higgins Family, LLC</b>	<b>)</b>	
	<b>)</b>	
<b>Relative to 32.06 Acres at Stover</b>	<b>)</b>	
<b>Road and Puterbaugh Road</b>	<b>)</b>	

**A. Introduction.** The findings relative to the hearing procedure for this petition are as follows:

(1) The Hearing Examiner conducted an open record public hearing on September 6, 2017, regarding this petition to annex 32.06 acres into the City of Grandview (City) with Light Industrial (M-1) zoning.

(2) A thorough staff report was prepared and was presented by Mike Shuttleworth, Planning Manager of the Yakima Valley Conference of Governments acting as the City's Planner. He recommended approval of the proposed annexation with Light Industrial zoning and answered questions relative to the Comprehensive Plan designations.

(3) The Port of Grandview's President, C. James Sewell, testified in favor of the requested annexation with M-1 zoning and answered questions regarding the SEPA "Quicksites" environmental review process which is intended to address any environmental concerns early in the process and avoid any later uncertainties.

(4) City Clerk Anita G. Palacios testified that written comments were received from Sunnyside Valley Irrigation District and the Washington State Department of Transportation and answered questions about zoning in the area.

(5) No one else testified at the hearing.

(6) This recommendation has been issued within ten working days of the open record public hearing in accordance with Subsection 2.50.130(A) of the Grandview Municipal Code.

**B. Summary of Recommendation.** The Hearing Examiner recommends that the Grandview City Council approve this proposed annexation with Light Industrial (M-1) zoning as requested by the petitioners and as recommended by the City's Planner.

**C. Basis for Recommendation.** Based upon a view of the site without anyone else present on September 6, 2017; the information contained in the staff report, the exhibits, the testimony, the SEPA Determination of Nonsignificance and the other evidence presented at the open record public hearing on September 6, 2017; and a consideration of the Grandview Comprehensive Plan and the Grandview Zoning Ordinance; the Hearing Examiner makes the following:

## **FINDINGS**

**I. Petitioners/Property Owners.** The petitioner Port of Grandview, P.O. Box 392, Grandview, WA 98930 has purchased the subject parcel of property by means of a real estate contract from the petitioner Lois Higgins Family, LLC whose Manager is Sandi Farmer, 2039 Hoxie Avenue, Richland, WA 99354.

**II. Location.** The parcel proposed for annexation with M-1 zoning is located at the northeast corner of the intersection of Stover Road and Puterbaugh Road. The parcel is contiguous to the City of Grandview city limits and is within the City of Grandview Urban Growth Area. It is Yakima County Assessor's Parcel No. 230910-33001. The annexation includes the portion of Stover Road and the portion of Puterbaugh Road which are adjacent to the parcel.

**III. Petition.** The background relative to this annexation petition may be summarized as follows:

(1) The Letter of Intention (60% Petition Method) to Commence Annexation Proceedings to the City of Grandview, Washington and the 60% Petition Method for Annexation to the City of Grandview, Washington were both signed by the Port of Grandview on March 29, 2017, and by Lois Higgins Family, LLC on May 9, 2017. The letter and the petition are both signed by the owners of 100% of the property.

(2) The petition requests annexation of this 32.06-acre parcel with assumption of existing City indebtedness and with Light Industrial (M-1) zoning which is consistent with the City's Industrial Comprehensive Plan designation for the property.

(3) The annexation would allow the Port of Grandview to develop the Puterbaugh Business Park. The Port has prepared a Master Plan to guide the future use and development of this site, but no specific development proposals have been prepared or are under review at this time.

(4) The sufficiency of the petition signed by 100% of the owners was confirmed by a letter from Yakima County Assessor Dave Cook dated July 17, 2017. Yakima County Transportation Engineering Manager Kent L. McHenry, P.E. confirmed by letter dated July 31, 2017, that the legal description for the proposed Port of Grandview/Lois Higgins Family, LLC annexation was prepared by a Professional Land Surveyor and is approved for annexation. At the City Council's regular meeting of August 8, 2017, the City Council voted to accept the parcel proposed for annexation with an assumption of the existing City

indebtedness and with Light Industrial (M-1) zoning. By means of Resolution No. 2017-30, the petition was referred to the hearing examiner to receive and examine available information, conduct a public hearing, prepare a record thereof, and enter findings of fact and conclusions based upon those facts, together with a recommendation to the City Council.

(5) If the City Council agrees with this recommendation, it will authorize the annexation petition to be forwarded to the Boundary Review Board. If it is approved by that Board, it will be returned for the City Council's adoption of an annexation ordinance. Yakima County's understanding is that the City will request an early jurisdictional transfer of the portion of Puterbaugh Road to the City that runs northwest from the subject parcel to a dead-end cul-de-sac since it cannot be part of this annexation due to the fact that it is not located within the City's Urban Growth Area.

#### **IV. State Environmental Policy Act.** The main aspects of the environmental review process for this petition may be summarized as follows:

(1) In order to integrate and streamline the processing of permits and approvals proposed for the 32.06-acre site, the Port, in partnership with the City of Grandview, has initiated a "Quicksites" environmental review. This will allow the Port and the City, in consultation with agencies with jurisdiction and neighboring property owners, to identify early in the process potential adverse environmental impacts that may be associated with the development of the site as a business park and to avoid, minimize and/or mitigate those effects through the design and development of the business park. Upon completion of the Quicksites process, the Port intends to market the Puterbaugh Business Park as shovel ready for development in accordance with the approved Master Plan and the Grandview Municipal Code.

(2) The City of Grandview issued a Preliminary Determination of Nonsignificance on August 11, 2017, with a comment period ending on August 28, 2017. A Final Determination of Nonsignificance was issued on August 29, 2017, which determined that the proposed annexation with Light Industrial (M-1) zoning will not have a probable significant adverse environmental impact. This determination was based upon the SEPA Checklist dated July 6, 2017. It was also based upon a Phase 1 Environmental Site Assessment conducted on the property in May 2016 by Environmental Assessment Services, LLC which found no evidence of

contamination or recognized environmental conditions on the site; a Critical Areas and Biological Assessment prepared in May 2017 by Vincent Barthels Biological which found no evidence of any environmentally sensitive areas or limits to development; and an Archaeological Review and Inventory completed on June 5, 2017, by Reiss-Landreau Research LLC which identified no historic or pre-contact sites, isolated finds, structures or features on the site.

(3) WAC 197-11-390 provides that the Determination of Nonsignificance (DNS) issued on August 29, 2017, is a final SEPA threshold determination to be considered along with the other criteria relative to this annexation request.

**V. Zoning and Land Uses.** The subject parcel is currently zoned Light Industrial (M-1) by Yakima County. Corn is presently being grown on the parcel. The properties near this parcel have the following characteristics:

<i>Location</i>	<i>Zoning</i>	<i>Existing Use</i>	<i>Jurisdiction</i>
North	Light Industrial (M-1)	Vacant across Freeway	City/County
South	Light Industrial (M-1)	Single-Family Residence	County
East	Commercial (C-2)	Vehicle Sales Facility	City
West	Agriculture (AG)	Agriculture	County

**VI. Comprehensive Plan.** The City's Comprehensive Plan Future Land Use Map designation for this parcel is Industrial (I). The proposed initial zoning within the City would be Light Industrial (M-1) which would be consistent with the City's Comprehensive Plan Industrial designation.

**VII. Floodways or Shorelines.** There are no FEMA floodways, floodplains or other flood hazard areas within or near this parcel. Likewise, there are no designated Shoreline Environments regulated by the Yakima County Regional Shoreline Master Program within or near this parcel.

**VIII. Critical Areas.** There are no known critical areas in or near this parcel.

**IX. Concurrency.** This petition is not subject to GMC Chapter 14.10 relative to Transportation Concurrency Management because no development is proposed at this time. An updated Certificate of Concurrency may be required for future development(s).

**X. Development Standards.** This petition is likewise not subject to development standards contained in the Grandview Municipal Code because no development of the parcel is proposed at this time.

**XI. Infrastructure.** The City of Grandview has water and sewer capacity for future development. An existing sewer main will need to be extended approximately 1,000 feet to provide sanitary sewer to the site. The parcel will be accessed from both Puterbaugh Road and Stover Road. The portions of those roads which are adjacent to the site are included within the legal description of the area to be annexed.

**XII. Hearing Examiner Jurisdiction.** Annexation procedures are governed by Chapter 17.96 of the Grandview Municipal Code (GMC) and Chapter 35A.14 of the Revised Code of Washington (RCW). The hearing examiner has jurisdiction to make a recommendation regarding annexation with appropriate zoning to the City Council based on the findings that are set forth in GMC §17.96.030 and GMC §17.96.040 after a public hearing with prior notice described in RCW 35A.14.130.

**XIII. Notices of Hearing.** Notices of the hearing examiner's open record public hearing of September 6, 2017, were provided as follows:

(1) The type of notice required for annexations by GMC §2.50.120(B) to be provided at least 10 days prior to the hearing is not specified by GMC Chapter 17.96 or GMC Chapter 2.50. But RCW 35A.14.130 requires the City to "cause notice of the hearing to be published in one or more issues of a newspaper of general circulation in the city" and requires that "The notice shall also be posted in three public places within the territory proposed for annexation, and shall specify the time and place of hearing and invite interested persons to appear and voice approval or disapproval of the annexation."

(2) Notice of the public hearing of September 6, 2017, was published in the City's official newspaper, the Daily Sun News, on August 14, 2017, at least 10 days prior to the hearing in accordance with RCW 35A.14.130 and GMC §2.50.120(B).

(3) Notice of the public hearing before the hearing examiner was posted on August 14, 2017, in three places on the property proposed for annexation in accordance with RCW 35A.14.130 and GMC §2.50.120(B).

(4) Additional notice which does not appear to be required for annexations was provided on August 11, 2017, in the same manner as is required for permit or development applications such as rezones by mailing hearing notice to property owners within 300 feet of the parcel proposed for annexation and by posting hearing notice at City Hall, the Library, the Community Center and Police Department.

(5) The type of public hearing notice provided for this annexation process therefore exceeds the requirements for the types of notice required by RCW 35A.14.130 and GMC §2.50.120(B).

**XIV. Comments.** The only written comments received relative to this petition were a letter of August 17, 2017, from the Sunnyside Valley Irrigation District and a letter of August 28, 2017, from the Washington State Department of Transportation which should be considered when the property is developed and should not impact the annexation of the property. The comments were as follows:

(1) Sunnyside Valley Irrigation District (SVID): The SVID comments were as follows:

- (i) SVID has an open drainage facility, JD 43.9, adjacent to the subject parcel.
- (ii) Runoff into JD 43.9 will not be allowed.
- (iii) Use of SVID right-of-way will not be allowed without prior approval through the permitting process.
- (iv) Questions can be directed to Diane Weber at (509) 837-6980.

(2) Washington State Department of Transportation (WSDOT): The WSDOT comments were as follows:

- (i) The subject parcel is adjacent to Interstate 82 (I-82), a fully controlled limited access facility with a posted speed limit of 70 miles per hour. WSDOT has acquired all access rights to the highway. Direct access to I-82 is prohibited.
- (ii) Traffic in this area is served by the I-82 Exit 73 interchange. Currently this interchange functions within acceptable safety and operational standards; however, WSDOT is concerned about the cumulative impact development will have on this interchange. At some point, continued development in this area will create the need for additional capacity at the westbound and eastbound ramp terminals. WSDOT recommends the City consider assessing pro rata share contributions from developers for future improvements to the interchange, specifically for additional storage at the interchange left-turn lanes.
- (iii) Any outdoor advertising or motorist signing considered for this project will need to comply with state criteria. Please contact Trevor McCain of the WSDOT Headquarters Traffic Office for specifics. He can be reached at (360) 705-7282.
- (iv) Any storm water or surface runoff generated by this project must be retained and treated on-site and not allowed to flow onto WSDOT rights-of-way.
- (v) I-82 is an existing facility and if the proponent will be generating more noise-sensitive land uses, it is the developer's responsibility to dampen or deflect any traffic noise.

(vi) Questions can be directed to Jacob Prilucik at (509) 577-1635.

**XV. Annexation Review Criteria.** Annexation review criteria include the following requirements prescribed in State statutes and City ordinances:

(1) 60% Petition (RCW 35A.14.120). This annexation petition satisfies the requirements of RCW 35A.14.120 because 100% of the owners of the parcel of property in the proposed annexation have submitted the petition even though only 60% rather than 100% is required.

(2) Consistency with the Comprehensive Plan (GMC §17.96.030). The proposed annexation with Light Industrial (M-1) zoning is consistent with the City's Comprehensive Plan for the following reasons:

(a) GMC §17.96.030 requires a recommendation regarding the zoning district classification for an area to be annexed to be in keeping with the overall Comprehensive Plan for the urban area. The City Planner's recommendation at the hearing of Light Industrial (M-1) zoning for this parcel is consistent with the Comprehensive Plan's Industrial designation for the parcel prescribed by the 2016 Grandview Comprehensive Plan Future Land Use Map.

(b) GMC §17.96.040 requires the establishment of zoning for annexation to be governed by the land use designations and the policies of the Comprehensive Plan. Besides being consistent with the Industrial land use designation of this parcel, the proposed Light Industrial zoning is also consistent with the following policies of the 2016 Comprehensive Plan:

Goal 4: To pursue well-managed, orderly expansion of the urban area in a manner that is within the sustainable limits of the land.

Policy 4.1: The future distribution, extent, and location of generalized land uses will be established by the Future Land Use Map contained within this plan.

Policy 4.4: Discourage incompatible uses from locating adjacent to each other. Encourage protection of other land uses from the negative impacts of industrial uses through appropriate siting, setbacks, landscaping and buffering.

**Policy 4.5:** Provide ample opportunities for light industrial development at locations with suitable access and adequate municipal services. At these locations, encourage industrial park-like development.

(c) The 2016 Comprehensive Plan further states: "In the City of Grandview, the Port of Grandview owns approximately 100 acres of property that is zoned and available for light industrial development. The Port of Grandview works to broaden and strengthen Grandview's economic base and is an important partner with the City of Grandview in economic development. The Port of Grandview's Strategic Goals and Objectives, adopted February 2016, are hereby incorporated by reference, as amended. (2016 Grandview Comprehensive Plan, Land Use Element – Page 2-21)."

(3) **The Best Arrangement of Land Uses (GMC §17.96.030):** GMC §17.96.030 also requires a recommendation regarding the zoning district classification for an area to be annexed to be in keeping with the best arrangement of land uses to promote public health, safety, morals and general welfare. This general criterion is satisfied through a consideration of the following more specific criteria in GMC §14.09.030(A)(3)(c) and GMC §17.88.060 that would apply if this petition were considered to be a request for a rezone from County Light Industrial zoning to City Light Industrial zoning rather than a request to initially establish a City zoning classification for this parcel in connection with annexation of the property to the City. The specific criteria and findings that lead the hearing examiner to find that this petition is in keeping with the best arrangement of land uses to promote public health, safety, morals and general welfare are:

(a) The proposed annexation area is within the City's Urban Growth Area and is contiguous to the current City limits. Approval of the proposed annexation would result in a natural and expected expansion of the City's boundaries which will square off the City's boundary in that area.

(b) Future development of the annexed area will have to meet the requirements and intent of the GMC as specific uses are proposed in the future. Actual development within the proposed annexation area will necessitate future applications and review of specific proposals to ensure their consistency with the requirements and intent of the GMC.

(c) Adequate drainage, streets, water supply and sanitary wastes can be provided through appropriate methods to be determined at the time of development.

(d) The proposed annexation with Light Industrial zoning has been determined to lack any probable significant adverse impacts on the environment through the SEPA Determination of Nonsignificance issued on August 29, 2017, which is considered a final threshold determination.

(e) The proposed annexation does not lower the level of service of transportation below the minimum standards as shown within the Comprehensive Plan because no development is proposed at this time and future development will be subject to the Transportation Concurrency Management requirements of GMC Chapter 14.10.

(f) The proposed annexation with Light Industrial zoning does not involve a proposed dedication of land or require any development agreement for the property.

(g) The proposed annexation with Light Industrial zoning will not be materially detrimental to the immediate vicinity and will have merit and value for the community as a whole. It will provide additional property to be used for future Light Industrial development in the Puterbaugh Business Park. Such uses will be compatible with that type of development currently existing in the vicinity of this parcel and that type of additional development that may be developed in the vicinity of this parcel in the future.

## **CONCLUSIONS**

Based on the above findings, the hearing examiner reaches the following conclusions:

(1) The hearing examiner has jurisdiction under GMC §17.96.030 and GMC §2.50.080(C)(1) to make a recommendation to the Grandview City Council regarding this petition for annexation with Light Industrial zoning.

(2) Notice of the hearing examiner's open record public hearing was given in compliance with the requirements of RCW Chapter 35A.14 and of GMC Chapter 2.50, and additional types of notice were also provided.

(3) A Final SEPA Determination of Nonsignificance (DNS) was issued on August 29, 2017.

(4) The parcel proposed for annexation is located within the City of Grandview Urban Growth Area and is contiguous to the corporate limits of the City of Grandview.

(5) The annexation petition has met the signature threshold requirements for the 60% petition method authorized by RCW 35A.14.120.

(6) The City of Grandview has sufficient water, sewer and street capacity for the proposed annexation.

(7) The proposed annexation area should be zoned Light Industrial (M-1) upon annexation.

(8) The requested annexation with Light Industrial (M-1) zoning satisfies the applicable requirements and criteria in the Grandview Municipal Code needed to recommend its approval by the Grandview City Council.

## **RECOMMENDATION**

The hearing examiner recommends to the Grandview City Council that this petition for annexation of parcel number 230910-33001 as described in the documentation submitted for this request be **APPROVED** with Light Industrial (M-1) zoning. The legal description of the annexation area including the road right of way of Stover Road and of Puterbaugh Road that is adjacent to the subject parcel is as follows:

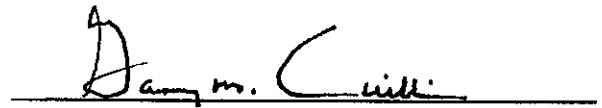
That part of the East half of Section 9, the West half of Section 10, the Northwest quarter of Section 15 and the Northeast quarter of

Section 16, Township 9 North, Range 23 East, W.M., described as follows:

Beginning at the intersection of the Southerly right of way line of Stover Road and the Westerly right of way line of Puterbaugh Road; Thence East along said Southerly right of way line of Stover Road to the Easterly right of way line of Drainage District No. 9 Lateral 3; Thence Northeasterly along said Easterly right to way line to the Southwesterly right of way line of Wine Country Road; Thence Northwesterly along said Southwesterly right of way line to the Northerly extension of the Westerly right of way line of Puterbaugh Road; Thence South along said Westerly right of way line and its Northerly extension to the Point of Beginning.

Situate in Yakima County, State of Washington.

**DATED** this 13<sup>th</sup> day of September, 2017.



Gary M. Cuillier  
Gary M. Cuillier, Hearing Examiner

**GRANDVIEW CITY COUNCIL  
REGULAR MEETING MINUTES EXCERPT  
SEPTEMBER 26, 2017**

**1. CALL TO ORDER**

Mayor Norm Childress called the regular meeting to order at 7:00 p.m. in the Council Chambers at City Hall.

Present were: Mayor Childress and Councilmembers Gaylord Brewer, Mike Everett, Dennis McDonald, Bill Moore, Gloria Mendoza and Joan Souders.

Absent from the meeting was Councilmember Javier Rodriguez. Council excused Councilmember Rodriguez from the meeting at the previous C.O.W. meeting.

Staff present were: City Administrator/Public Works Director Cus Arteaga, City Attorney Quinn Plant, City Treasurer Matt Cordray, Fire Chief Pat Mason, Wastewater Treatment Plant Superintendent Dave Lorenz and City Clerk Anita Palacios.

**6. ACTIVE AGENDA**

**A. Closed Record Public Hearing – Petition for Annexation & Rezone – Port of Grandview & Lois Higgins Family, LLC – Stover Road/Puterbaugh Road**

Mayor Childress opened the closed record public hearing to consider a petition for annexation and rezone submitted by the Port of Grandview and Lois Higgins Family, LLC by reading the public hearing procedure.

There was no one in the audience who objected to his participation as Mayor or any of the Councilmembers' participation in these proceedings. None of the Councilmembers had an interest in this issue nor did any stand to gain or lose any financial benefit as a result of the outcome of this hearing and all indicated they could hear and consider the issue in a fair and objective manner.

The purpose of the hearing was for the Council to review the record and consider the pertinent facts relating to this issue. No new public testimony was allowed.

City Clerk Palacios provided the following review of the record:

- The City received a Letter of Intent and Petition for Annexation and Rezone signed by the Port of Grandview and Lois Higgins Family LLC requesting annexation of Parcel No. 230910-33001 consisting of 32.06 acres to the City of Grandview. The petitioners elected to request annexation under the 60% petition method of annexation. The 60% petition method required signatures by owners of not less than 60% of the assessed value of the total property proposed for annexation. The petition contained sufficient signatures. The petitioners requested the area be annexed with an M-1 Light Industrial zoning. The parcel was included in the City's Urban Growth Area and the Comprehensive Future Land Use Map designation was industrial.
- At the August 8, 2017 City Council meeting, Council accepted the proposed annexation, required the simultaneous adoption of zoning regulations consistent with the Urban Growth Area Future Land Use Map Designations—M-1 Light Industrial, and required the

assumption of all existing City indebtedness by the properties proposed to be annexed the same as all other property within the City in accordance with past practice, and agreed to have the annexation petition heard by a Hearing Examiner.

- On September 6, 2017, a public hearing was held before the Hearing Examiner to receive comments on the proposed annexation and rezone. A copy of the Hearing Examiner's recommendation was attached hereto and incorporated herein as part of these minutes. The Hearing Examiner recommended City Council approve the Petition for Annexation of Parcel No. 230910-33001 with M-1 Light Industrial zoning.

Council requested clarification of the record as follows:

- Councilmember Brewer asked whether there were any critical areas on the property proposed for annexation. City Clerk Palacios advised that there were none as identified in the Critical Areas and Biological Assessment prepared on behalf of the Port of Grandview.

The public hearing was declared closed.

**On motion by Councilmember McDonald, second by Councilmember Moore, Council accepted the Hearing Examiner's conclusions and recommendation that the Port of Grandview and Lois Higgins Family LLC Petition for Annexation of Parcel No. 230910-33001 be approved with M-1 Light Industrial zoning.**

**B. Resolution No. 2017-37 authorizing the petition to annex properties known as the Port of Grandview & Lois Higgins Family LLC, that is contiguous to the City of Grandview and providing for transmittal of said petition to the Yakima County Boundary Review Board for a 45-day review prior to taking final action**

**On motion by Councilmember Moore, second by Councilmember Mendoza, Council approved Resolution No. 2017-37 authorizing the petition to annex properties known as the Port of Grandview & Lois Higgins Family LLC, that is contiguous to the City of Grandview and providing for transmittal of said petition to the Yakima County Boundary Review Board for a 45-day review prior to taking final action.**



**CITY OF GRANDVIEW, WASHINGTON**

**RESOLUTION CERTIFICATION**

I, Anita G. Palacios, am appointed by the Mayor of the City of Grandview as the City Clerk. I am the custodian of the City's records and I am authorized to make certified copies of official records. I do hereby certify under penalty of perjury that the attached Resolution No. 2017-30 accepting a request from the Port of Grandview and Lois Higgins Family LLC for annexation of Parcel No. 230910-33001 consisting of approximately 32.06 acres located at the intersection of Stover Road and Puterbaugh Road, Grandview, Yakima County, Washington, is a certified copy of an official record maintained by the City of Grandview and is an exact, complete, and unaltered photocopy of such official record.

Dated: October 5, 2017

  
\_\_\_\_\_  
Anita G. Palacios, MMC  
City Clerk

RESOLUTION NO. 2017-30

**A RESOLUTION OF THE CITY OF GRANDVIEW, WASHINGTON,  
ACCEPTING A REQUEST FROM THE PORT OF GRANDVIEW AND LOIS  
HIGGINS FAMILY LLC FOR ANNEXATION OF PARCEL NO. 230910-33001  
CONSISTING OF APPROXIMATELY 32.06 ACRES LOCATED AT THE  
INTERSECTION OF STOVER ROAD AND PUTERBAUGH ROAD,  
GRANDVIEW, YAKIMA COUNTY, WASHINGTON**

**WHEREAS**, the Port of Grandview and Lois Higgins Family LLC, the owners of Parcel No. 230910-33001 consisting of approximately 32.06 acres located at the intersection of Stover Road and Puterbaugh Road, Grandview, Yakima County, Washington, submitted a Letter of Intent to the City requesting annexation of said property to the City of Grandview; and

**WHEREAS**, on July 25, 2017, the City Council was presented with the Letter of Intent and Petition for Annexation and reviewed the proposed annexation,

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRANDVIEW, AS FOLLOWS:**

Section 1. The City of Grandview hereby accepts the request for annexation subject to the following conditions:

- That the annexation be accepted as proposed on Exhibit "A" attached hereto.
- That the City requires the simultaneous adoption of the City's zoning regulations consistent with the Urban Growth Area Future Land Use Designation: M-1 Light Industrial for the proposed annexation.
- That the City requires the assumption of an appropriate share of all existing City indebtedness by the area to be annexed.

Section 2. Staff is hereby directed to present the Petition for Annexation to the Hearing Examiner who shall receive and examine available information, conduct a public hearing, prepare a record thereof and enter findings of fact and conclusions based upon those facts, together with a recommendation to the City Council.

**PASSED** by the **CITY COUNCIL** and **APPROVED** by the **MAYOR** at its regular meeting on August 8, 2017.

**MAYOR**



**ATTEST:**



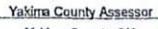
**CITY CLERK**

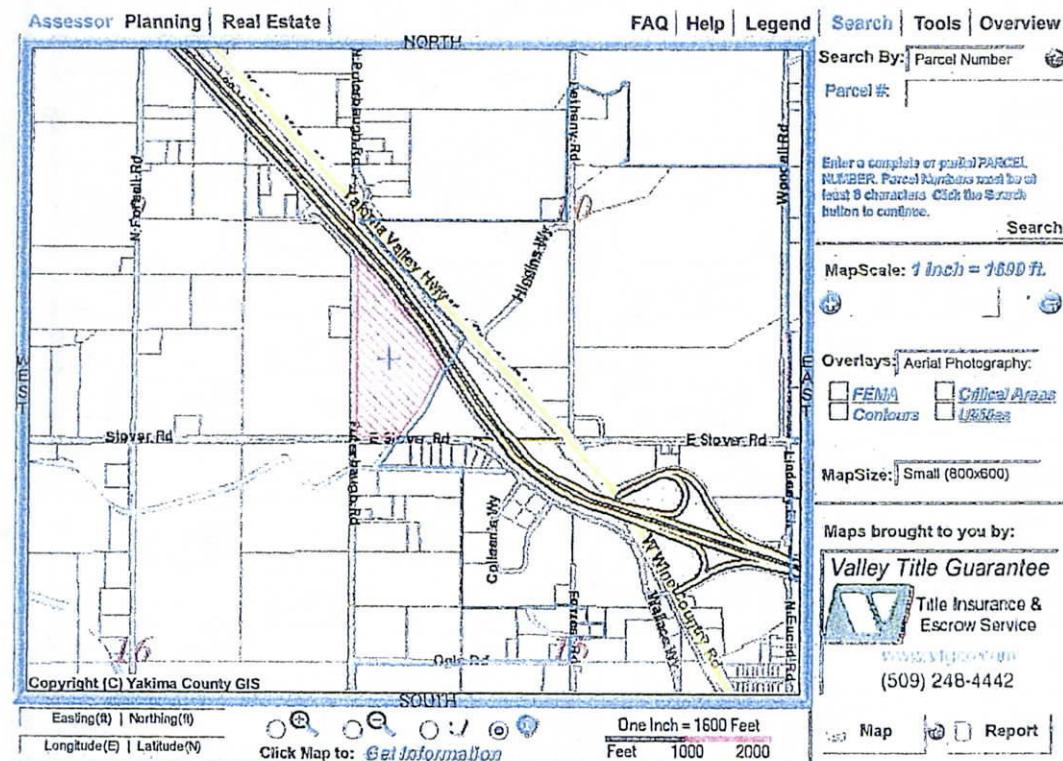
**APPROVED AS TO FORM:**



**CITY ATTORNEY**

## EXHIBIT "A"

<b>Yakima County GIS - Washington Land Information Portal</b>	 Yakima County Assessor Yakima County GIS Yakima County	 <b>First American Title</b> <a href="http://www.firstam.com">www.firstam.com</a> 509.248.7550
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<b>PROPERTY PHOTOS: 1</b>		<b>PROPERTY INFORMATION AS OF 2/22/2017 11:01:43 PM</b>						<b>PRINTING</b>				
		Parcel Address: <b>STOVER RD/PUTERBAUGH RD, WA</b> Parcel Owner(s): <b>PORT OF GRANDVIEW</b> Parcel Number: <b>23091033001</b> Parcel Size: <b>32.06 Acre(s)</b> Property Use: <b>91 Undeveloped Land</b>						<a href="#">Printer-Friendly Page</a>				
		<b>TAX AND ASSESSMENT INFORMATION</b>						<a href="#">Detailed Report</a>				
		Tax Code Area (TCA): <b>441</b>			Tax Year: <b>2017</b>							
		Improvement Value: <b>\$0</b>			Land Value: <b>\$240500</b>							
		Current Use Value: <b>\$0</b>			Current Use Improvement: <b>\$0</b>							
		New Construction: <b>\$0</b>			Total Assessed Value: <b>\$240500</b>			<a href="#">Print Detailed MAP</a>				
<b>RESIDENTIAL INFORMATION</b>										<b>SECTION MAPS</b>		
Quality	Year Built	Stories	Main SqFt	Upper SqFt	Bsmt SqFt	Bedrooms	Bathrooms (full/3/4,1/2)	Garage (bsmt/att/builtin)	Carport	<a href="#">Section Map 1in=400ft</a>		
No Residence Information Found.												
<b>SALE INFORMATION</b>										<b>Qtr SECTION MAPS</b>		
Excise	Sale Date	Sale Price	Grantor: <b>LOIS HIGGINS FAMILY LLC</b>				Portion: <b>N</b>					
446386	11/29/2016	\$336630										
<b>DISCLAIMER</b> While the information is intended to be accurate, any manifest errors are unintentional and subject to correction. Please let us know about any errors you discover and we will correct them. To contact us call either (509) 574-1100 or (800) 572-7354, or <a href="#">email us</a> .												
<b>OVERLAY INFORMATION</b>												
Zoning: <b>M-1</b>					Jurisdiction: <b>County</b>							
Urban Growth Area: <b>Grandview</b>					Future Landuse Designation: <b>UGA (Yakima County Plan 2015)</b>							
FEMA 100 Year: <b>Not in floodplain (X)</b>					FIRM Panel Number: <b>53077C1925D</b>					<a href="#">Download Map</a>		
<b>LOCATION INFORMATION</b>												
Latitude: <b>46° 16' 32.364"</b>					Longitude: <b>-119° 56' 05.831"</b>					Range: <b>23</b> Township: <b>09</b> Section: <b>10</b>		
Narrative Description: Section 10 Township 09 Range 23 Quarter SW: All that portion of the NW1/4 of the SW1/4 lying Southwesterly of the centerline of the State Highway, AND all the portion of the SouthSW1/4 lying Southwesterly of the centerline of the State Highway, EXCEPT that portion lying Easterly of the drainage Lateral No. 3 right of way												

<b>DISCLAIMER</b>									
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**CITY OF GRANDVIEW, WASHINGTON**

**RESOLUTION CERTIFICATION**

I, Anita G. Palacios, am appointed by the Mayor of the City of Grandview as the City Clerk. I am the custodian of the City's records and I am authorized to make certified copies of official records. I do hereby certify under penalty of perjury that the attached Resolution No. 2017-37 authorizing the petition to annex properties known as the Port of Grandview & Lois Higgins Family LLC, that is contiguous to the City of Grandview and providing for transmittal of said petition to the Yakima County Boundary Review Board for a 45-day review prior to taking final action, is a certified copy of an official record maintained by the City of Grandview and is an exact, complete, and unaltered photocopy of such official record.

Dated: October 5, 2017

  
\_\_\_\_\_  
Anita G. Palacios, MMC  
City Clerk

**RESOLUTION NO. 2017-37**

**A RESOLUTION OF THE CITY OF GRANDVIEW, WASHINGTON,  
AUTORIZING THE PETITION TO ANNEX PROPERTY KNOWN AS THE  
PORT OF GRANDVIEW & LOIS HIGGINS FAMILY LLC, THAT IS CONTIGUOUS TO  
THE CITY OF GRANDVIEW AND PROVIDING FOR TRANSMITTAL OF SAID  
PETITION TO THE YAKIMA COUNTY BOUNDARY REVIEW BOARD FOR A 45-DAY  
REVIEW PRIOR TO TAKING FINAL ACTION**

**WHEREAS**, the City of Grandview, Washington received a petition for annexation commonly known as the Port of Grandview & Lois Higgins Family LLC, Annexation of certain real property pursuant to RCW 35A.14.120, a legal description of which is attached hereto as Exhibit "A";

**WHEREAS**, that said petition set forth the fact that the City Council of the City of Grandview required the assumption of City indebtedness by the area requesting to be annexed;

**WHEREAS**, prior to filing of said petition, the City Council had indicated a tentative approval of said annexation;

**WHEREAS**, petitioners further understood the zoning of said area proposed for annexation would be M-1 Light Industrial zoning for Parcel No. 230910-33001;

**WHEREAS**, notices of hearings before the Hearing Examiner and the City Council were published in the manner as provided by law;

**WHEREAS**, all property within the territory so annexed shall be subject to and is a part of the Urban Growth Area of the City of Grandview as presently adopted or as is hereafter amended;

**WHEREAS**, the Council of the City of Grandview has determined that the best interests and general welfare of the City would be served by the annexation; and

**WHEREAS**, prior to the City Council taking final action on this annexation, the "Notice of Intention" is to be completed by an elected official or employee of the governmental jurisdiction that is seeking the boundary change action or the proponent in the case of incorporation or formation and submitted to the Yakima Boundary Review Board for a 45-day review period,

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRANDVIEW**, that the Notice of Intention to annex property described on Exhibit "A", be completed by the City Clerk of the City of Grandview and thereafter forwarded to the Yakima Boundary Review Board for a 45-day review period.

**PASSED** by the **CITY COUNCIL** and **APPROVED** by the **MAYOR** at its regular meeting on September 26, 2017.

**MAYOR**

**ATTEST:**

**CITY CLERK**

**APPROVED AS TO FORM:**

**CITY ATTORNEY**

EXHIBIT "A"

**City of Grandview**

**Port of Grandview/Lois Higgins Family, LLC Annexation**

**HLA Project#17007**

**July 17, 2017**

**Annexation Area**

That part of the East half of Section 9, the West half of Section 10, the Northwest quarter of Section 15 and the Northeast quarter of Section 16, Township 9 North, Range 23 East, W.M., described as follows:

Beginning at the intersection of the Southerly right of way line of Stover Road and the Westerly right of way line of Puterbaugh Road;

Thence East along said Southerly right of way line of Stover Road to the Easterly right of way line of Drainage District No. 9 Lateral 3;

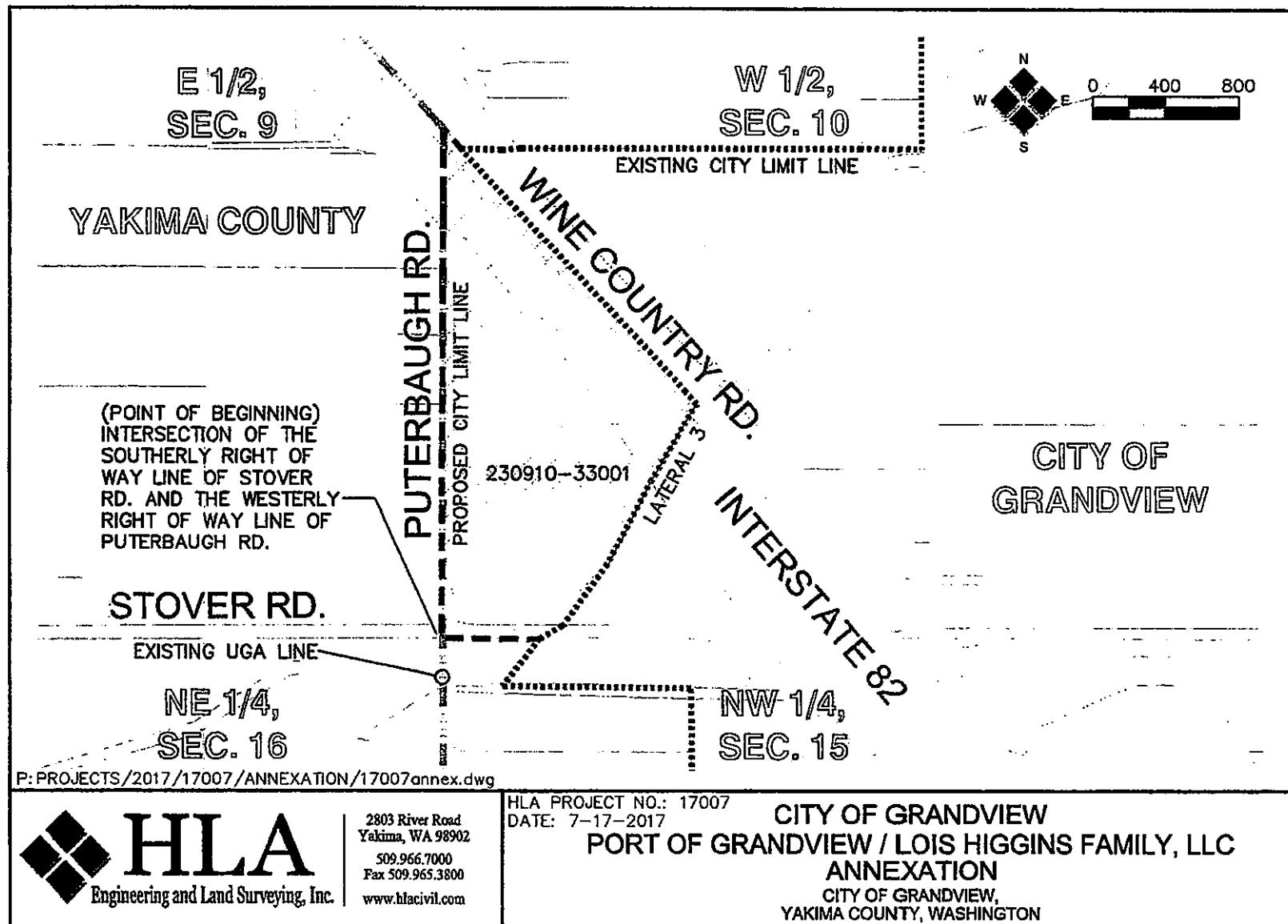
Thence Northeasterly along said Easterly right of way line to the Southwesterly right of way line of Wine Country Road;

Thence Northwesterly along said Southwesterly right of way line to the Northerly extension of the Westerly right of way line of Puterbaugh Road;

Thence South along said Westerly right of way line and its Northerly extension to the Point of Beginning;

Situate in Yakima County, State of Washington.





# EXHIBIT E

A copy of the Threshold Determination and completed SEPA checklist pertaining to the proposed BRB action with full explanations. Include the list of persons who were sent the checklist and all written comments from governmental agencies and the general public.

**NOTE: *This is NOT to be completed by municipalities for annexation purposes.***

# EXHIBIT F

A copy of any Interlocal agreements entered into under RCW 39.34 (Interlocal Cooperation Act) and under RCW 36.115 (Service Agreements) establishing which jurisdictions should provide various local government services and facilities and how those services and facilities will be financed.

***NOTE: There are no interlocal agreements related to this proposed annexation.***