



## WASHINGTON STATE BOUNDARY REVIEW BOARD FOR YAKIMA COUNTY

128 North Second Street  
Fourth Floor Courthouse  
Yakima, Washington 98901

(509) 574-2300 • FAX (509) 574-2301

Date: Nov 18, 2021

TO: Boundary Review Board Members, Corporate Counsel, City of Yakima, Board of County Commissioners, Assessor, Treasurer, Elections Division, Sheriff's Office, Public Services (Director, Planning, Building & Fire Safety, Code Enforcement, Environmental Services, Transportation, Water Resources, GIS, County Roads), West Valley School District, Fire District #12, Yakima-Tieton Irrigation District, Yakima Valley Libraries, Yakima Valley Conference of Governments, North Yakima Conservation District, Bureau of Indian Affairs, Yakama Nation

FROM: Aman Walia  
Chief Clerk - Boundary Review Board

SUBJ: **File No.: BRB2021-00005, City of Yakima – Anderson Park  
Annexation**

Enclosed is the Notice of Intention packet that proposes the annexation into the City of Yakima of approximately 35.2 acres having an assessed valuation of \$1,475,700. The annexation is known as the **“Anderson Park Annexation”**.

The 45-day review period for this proposed annexation expires **Jan 2, 2022**.

Any governmental unit affected by this proposed annexation may compel the Board's review of this proposal by filing a request for review with the Chief Clerk by the expiration date in accordance with RCW 36.93.100(2). Certain registered voters and property owners may compel review in accordance with RCW 36.93.100(3) and (4).

Enclosure: Notice of Intention

*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.*

# WASHINGTON STATE BOUNDARY REVIEW BOARD FOR YAKIMA COUNTY

## NOTICE OF INTENTION

for office use only:

**BRB FILE #** BRB2021-00005

1. Name of City, Town or special purpose district: Yakima
2. 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
3. This proposal shall be known as: Anderson Park Annexation
4. Driving directions to location of proposed action: From US Hwy 12, take 40<sup>th</sup> Avenue/Fruitvale Blvd exit. Travel South on 40<sup>th</sup> Avenue to W Washington Avenue. Travel West on W Washington Ave to S 64<sup>th</sup> Avenue. Travel South on S 64<sup>th</sup> Avenue to Ahtanum Road. Travel East on Ahtanum Road approximately 0.4 miles. The Annexation area is at the on the North.
5. Briefly describe proposal: Annexing approximately 35.2 acres of unincorporated land into the City of Yakima.
6. Method used to initiate the proposed action:  Petition     Q Election     O Resolution
7. State statute under which action is sought: RCW 35.13.410

### 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	+/- 10	+/- 960	97,340
Residences	3	+/- 253	37,118
Businesses	<b>0</b>	<b>0</b>	6,882

2. What source is the basis for this projection information? 2040 Comp Plan, OFM Estimates, Yakima County Planning, ACS Estimates, City Planning Estimates
3. Acres within the proposed area 35.2 Acres within existing entity 18,091
4. Assessed valuation of proposed area \$ 1,475,700 of existing entity \$ 7,936,363,031
5. Existing land use of the proposed area Single family homes and vacant land
6. Existing land use of the area surrounding the proposal: Single family homes, vacant land, and agriculture

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

If no, why not? There are no publicly owned interior roads. Any interior roads proposed during future development will be dedicated ROW. Only a small section of the proposed annexation area fronts onto Ahtanum Road which is County. Ahtanum Road to the east and west of the proposed annexation area is also under County jurisdiction, it would not be desirable for Ahtanum Road to be in City jurisdiction for such a small area with County jurisdiction on either side.

8. Is there new residential, commercial, or industrial development that is associated with this proposal? No  
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?  
o Land Use It is anticipated that vacant parcels will be developed with residential uses.  
o Zoning none  
o Comprehensive Plan none

10. Has the proposed area been the subject of land use action by Yakima County? Not known  
If so, please explain \_\_\_\_\_

11. a. Yakima County Comprehensive Plan designation for the proposed area: Urban Residential  
b. For surrounding areas: Same  
c. Yakima County Zoning for the proposed area: R-1, R-2  
d. For surrounding areas: R-1, R-2, AG, SR

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: June 6, 2017

14. Describe how this proposal is consistent with the adopted comprehensive plan: This proposal is consistent with the City of Yakima Comprehensive Plan 2040. The annexation area has a future land use designation of Low Density Residential and Mixed Residential and (see map C.7. City Future Land Use). The annexation is consistent with Policy 2.1.9 of the plan – the annexation is within the UGA, is contiguous with the city limits, creates a logical service boundary, and is fiscally self-sufficient.

a. Proposed city zoning upon annexation: R-1, R-2

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: Flat  
b. Natural Boundaries: n/a  
c. Drainage Basins: The annexation area is within the Wide Hollow Creek drainage basin

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	<b>Nob Hill Water</b>	<b>Same</b>	<b>No Change</b>	<b>Developer</b>
Sewer	<b>City of Yakima</b>	<b>Same</b>	<b>No Change</b>	<b>Developer</b>
Fire	<b>Yakima County Fire District 12</b>	<b>City of Yakima</b>	<b>Upon Annexation</b>	<b>Taxes</b>
Stormwater	<b>Yakima County</b>	<b>City of Yakima</b>	<b>Upon Annexation</b>	<b>Taxes</b>
Roads	<b>Yakima County</b>	<b>City of Yakima</b>	<b>Upon Annexation</b>	<b>Taxes</b>
Parks	<b>Yakima County</b>	<b>City of Yakima</b>	<b>Upon Annexation</b>	<b>Taxes</b>
Police	<b>Yakima County Sheriff</b>	<b>City of Yakima</b>	<b>Upon Annexation</b>	<b>Taxes</b>
School	<b>West Valley School District</b>	<b>Same</b>	<b>No Change</b>	<b>Taxes</b>
Library	<b>Yakima Valley Regional Library</b>	<b>Same</b>	<b>No Change</b>	<b>Taxes</b>

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: No effect on existing uses; all uses are permitted under current city codes.

4. Describe the probable future needs for services and additional regulatory controls in the area? Future development will require the extension and connection to utilities, along with new frontage improvements. Regulatory development standards will be implemented for floodplain development, setbacks, lot coverage, building height, parking requirements, and other controls as needed.

5. Describe the probable effects of the proposal on the cost and adequacy of services and regulatory controls:

- In the proposed area? Current services are adequate for the area. The cost to extend services will be borne by future development.
- In the adjacent area? No effect.

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

- Proponent Expenditures to be incurred: \$ not known
- Proponent Revenues to be gained: \$ 3,625
- County Revenue Lost: \$ 1,734
- County Expenditure Reduction: \$ not known
- Fire District Revenue Lost: \$ 1,703
- Fire District Expenditure Reduction: \$ not known
- Financial Impact to Special Districts (library, parks, hospital): \$ no change

7. What is the future impact of your proposal on the school district? No change

## ENVIRONMENTAL INFORMATION

1. Is there an existing environmental review pertinent or related to this proposal?  Yes  No  
If No, answer questions 2 through 5.
2. Expected impact of any proposed development to adjacent roads and highways: The impact to adjacent roads and highways will be minimal and there are no mitigation measures proposed as part of this annexation. When future development occurs the land use, transportation concurrency and traffic impact studies (as necessary) will address the future impact and include mitigation measures as necessary.
3. Expected impact of any proposed development on air quality: No impact to air quality. Future development will require mitigation as necessary. The property is already within the Urban Growth Boundary and as such subject to certain standards, as applicable, of the Yakima Regional Clean Air Agency.
4. Does the area under consideration contain “critical areas”? (floodplain, wetland, steep slope wildlife habitat area, etc.): Portions of the property contain the 100-year floodplain. Any proposed development within the floodplain will be limited to those uses permitted by Yakima Municipal Code Chapter 15.27 – Critical Areas.
5. Please describe any potential adverse impacts that could occur upon development: Future development will undergo land use and environmental review, as appropriate. Potential adverse impacts will be mitigated as required by City Ordinance.

## 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 proposed annexation area includes mostly vacant land. Future development on the vacant R-2 zoned areas is anticipated to be consistent with recent development projects in the area.
2. Use of physical boundaries, including but not limited to bodies of water, highways, and land contours: The annexation area is anticipated to extend development along Occidental Avenue and will likely require future connection to Ahtanum Road.
3. Creation and preservation of logical service areas: The annexation creates a logical service area as it can be served by existing and extended City of Yakima services such as sewer and streets.
4. Prevention of abnormally irregular boundaries: The annexation boundary is along the continued easterly alignment of Occidental Avenue to the north and provides for the continuation of recent residential development in the area. Existing access points off of Ahtanum Road are not likely to change. While the annexation boundary itself is not a regular boundary, it also should not be considered abnormally irregular due to the logical extension of roadways, utilities, and residential development in the area. Parcel 181205-14412 contains a flag connecting the property south to Ahtanum Road. This flag is part of an access and utility easement per Short Plat 86-020 and should not be considered as an abnormally irregular boundary.
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: n/a
6. Dissolution of inactive special purpose districts: n/a
7. Adjustment of impractical boundaries: n/a

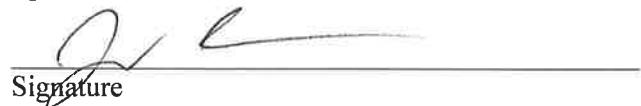
8. Incorporation as cities or towns or annexation to cities and towns of unincorporated areas which are urban in character: n/a
9. Protection of agricultural and rural lands which are designated for long term productive agricultural and resource use by a comprehensive plan adopted by the county legislative authority: n/a

## 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 12 day of November, 2021.



Signature

Joseph Calhoun

Name of person completing this form

City of Yakima Planning Manager

Title

509-575-6042

Phone Number

509-575-6105

Fax Number

129 N 2<sup>nd</sup> St, Yakima WA, 98901

Mailing Address

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

Raymond and Pamela Novobielski  
200 Abbess Ln  
Yakima, WA 98908

Charles and Kathryn Ralph  
5809 Lower Ahtanum Rd  
Yakima, WA 98903

Cottonwood Partners  
PO Box 8353  
Yakima, WA 98908

## **Exhibit A - Legal Description**

**February 26, 2021**  
**HLA No. 21036**

### **LEGAL DESCRIPTION FOR COTTONWOOD / NOVOBIELSKI ANNEXATION**

THAT PORTION OF THE NORTHWEST QUARTER OF SECTION 4 AND THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 12 NORTH, RANGE 18 EAST, W.M. DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 4;  
THENCE EASTERLY ALONG THE NORTH LINE THEREOF TO THE NORTHEAST CORNER OF THE WEST 505.86 FEET OF GOVERNMENT LOT 4 OF SAID SECTION 4;  
THENCE SOUTHERLY ALONG THE EAST LINE OF SAID WEST 505.86 FEET TO THE SOUTH LINE OF SAID GOVERNMENT LOT 4;  
THENCE SOUTH  $89^{\circ}43'30''$  EAST 148.14 FEET TO THE NORTHEAST CORNER OF PARCEL "B" AS SHOWN ON THAT RECORD OF SURVEY FILED UNDER AUDITOR'S FILE NUMBER 8055964, RECORDS OF YAKIMA COUNTY, WASHINGTON;  
THENCE SOUTH  $00^{\circ}57'29''$  EAST ALONG THE EAST LINE OF SAID PARCEL "B" 517.10 FEET;  
THENCE NORTH  $89^{\circ}59'58''$  WEST 186.46 FEET;  
THENCE SOUTH  $00^{\circ}57'29''$  EAST 349.41 FEET TO THE NORTHEAST CORNER OF LOT 1 OF THAT SHORT PLAT RECORDED IN BOOK 86 OF SHORT PLATS, PAGE 21, RECORDS OF YAKIMA COUNTY, WASHINGTON.  
THENCE SOUTHERLY ALONG THE EAST LINE OF LOTS 1 AND 4 OF SAID SHORT PLAT TO THE SOUTHEAST CORNER OF SAID LOT 4;  
THENCE WESTERLY ALONG THE SOUTH LINE OF LOTS 3 AND 4 OF SAID SHORT PLAT TO THE SOUTHWEST CORNER OF SAID LOT 3;  
THENCE NORtherly ALONG THE WEST LINE OF SAID LOT 3 TO THE NORTHWEST CORNER OF SAID LOT 3;  
THENCE WESTERLY TO THE NORTHEAST CORNER OF LOT 4 OF THAT SHORT PLAT RECORDED IN BOOK 86 OF SHORT PLATS, PAGE 20, RECORDS OF YAKIMA COUNTY, WASHINGTON;  
THENCE WESTERLY TO THE NORTHWEST CORNER OF SAID LOT 4;  
THENCE SOUTHERLY TO THE SOUTHWEST CORNER OF SAID LOT 4;  
THENCE WESTERLY TO THE SOUTHEAST CORNER OF LOT 3 OF SAID SHORT PLAT RECORDED IN BOOK 86 OF SHORT PLATS, PAGE 20, RECORDS OF YAKIMA COUNTY, WASHINGTON;  
THENCE NORtherly ALONG THE EAST LINE OF SAID LOT 3 TO THE NORTHEAST CORNER THEREOF;  
THENCE WESTERLY ALONG THE NORTH LINE OF LOT 3 AND LOT 2 OF SAID SHORT PLAT TO THE NORTHWEST CORNER OF SAID LOT 2;  
THENCE NORtherly ALONG THE WEST LINE OF LOT 1 OF SAID SHORT PLAT RECORDED IN BOOK 86 OF SHORT PLATS PAGE 20, RECORDS OF YAKIMA COUNTY, WASHINGTON, TO THE NORTHWEST CORNER OF LOT 1 OF SAID

**Exhibit A - Legal Description**

SHORT PLAT, SAID POINT BEING ON THE SOUTH LINE OF PARCEL "B" OF THAT SHORT PLAT RECORDED IN BOOK "J" OF SHORT PLATS, PAGE 6, RECORDS OF YAKIMA COUNTY, WASHINGTON;  
THENCE WESTERLY ALONG THE SOUTH LINE OF SAID PARCEL "B" TO THE SOUTHWEST CORNER THEREOF;  
THENCE NORtherly ALONG THE WEST LINE OF SAID PARCEL "B" TO THE NORTHWEST CORNER THEREOF;  
THENCE EASTERLY TO THE NORTHEAST CORNER OF SAID PARCEL "B";  
THENCE NORtherly TO THE POINT OF BEGINNING.

SITUATE IN YAKIMA COUNTY, WASHINGTON.

**Exhibit A - Legal Description**



## **Yakima County Roads**

**Matt Pietrusiewicz P.E – County Engineer**

128 N 2<sup>nd</sup> Street · Fourth Floor Courthouse · Yakima, WA 98901  
(509)547-2300 · 1-800-572-7354 · (FAX) 509-574-2301 · [www.co.yakima.wa.us](http://www.co.yakima.wa.us)

June 22nd, 2021

City of Yakima Planning Division  
ATTN: Joseph Calhoun  
129 N. 2<sup>nd</sup> Street, 2<sup>nd</sup> Floor  
Yakima, WA 98901

**RE: Certification of Legal Description; Anderson Park**

As requested in your letter dated June 3<sup>rd</sup>, 2021, the legal description for the Anderson Park Annexation; including tax parcels: 181204-22002, 181205-14402, 181204-23005, 181204-23401, 181204-23403, 181204-23404, 181205-14413, and 181205-14412 has been reviewed and certified to be true and accurate for the purpose of annexation. The documents reviewed have been attached for ease and clarity.

If you need any further assistance, please contact me at (509)574-2300.

Sincerely,

Matt Pietrusiewicz, P.E.  
Yakima County Engineer

RECEIVED

JUN 22 2021

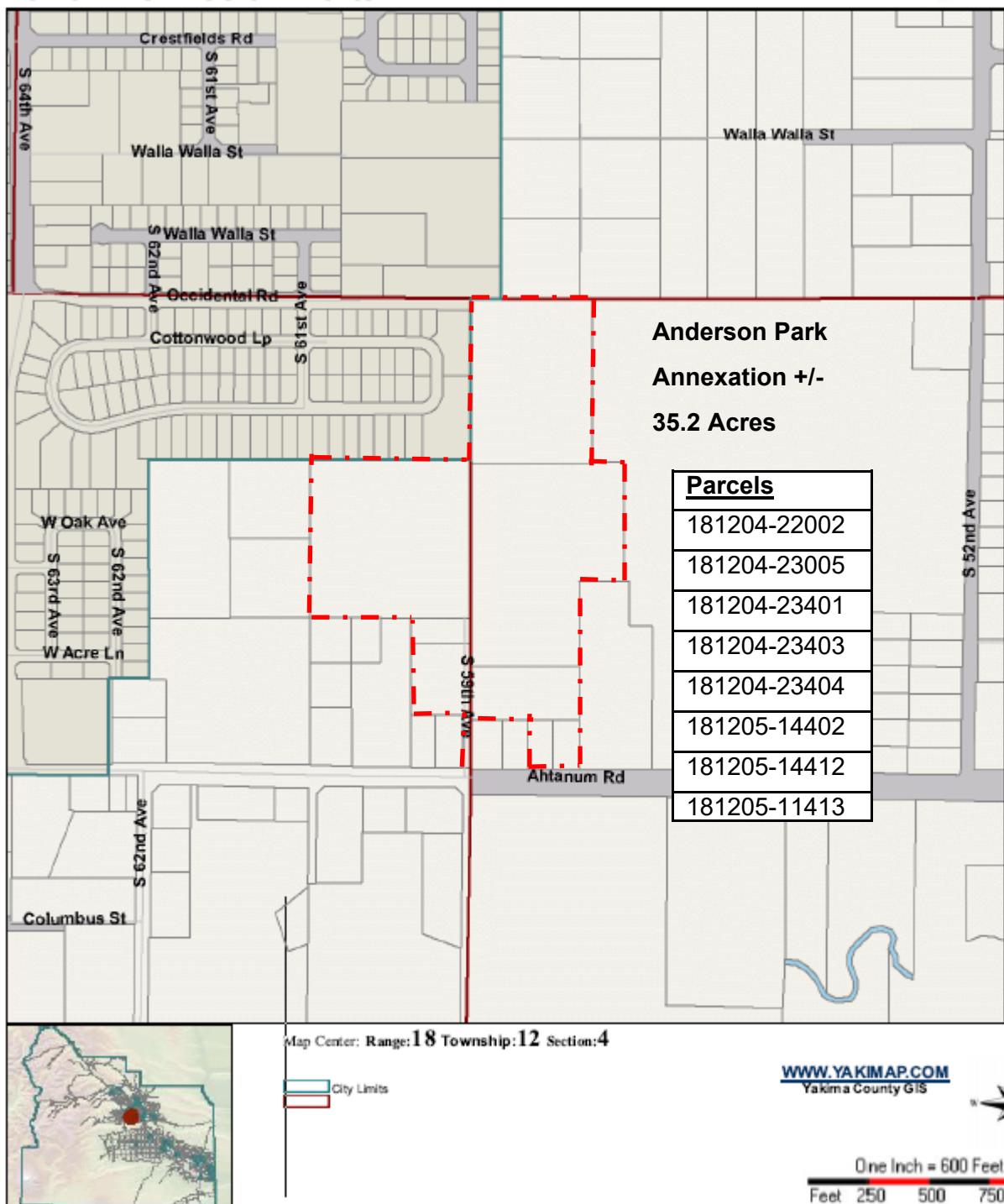
CITY OF YAKIMA  
COMMUNITY DEVELOPMENT

Yakima County GIS - Washington  
Land Information Portal

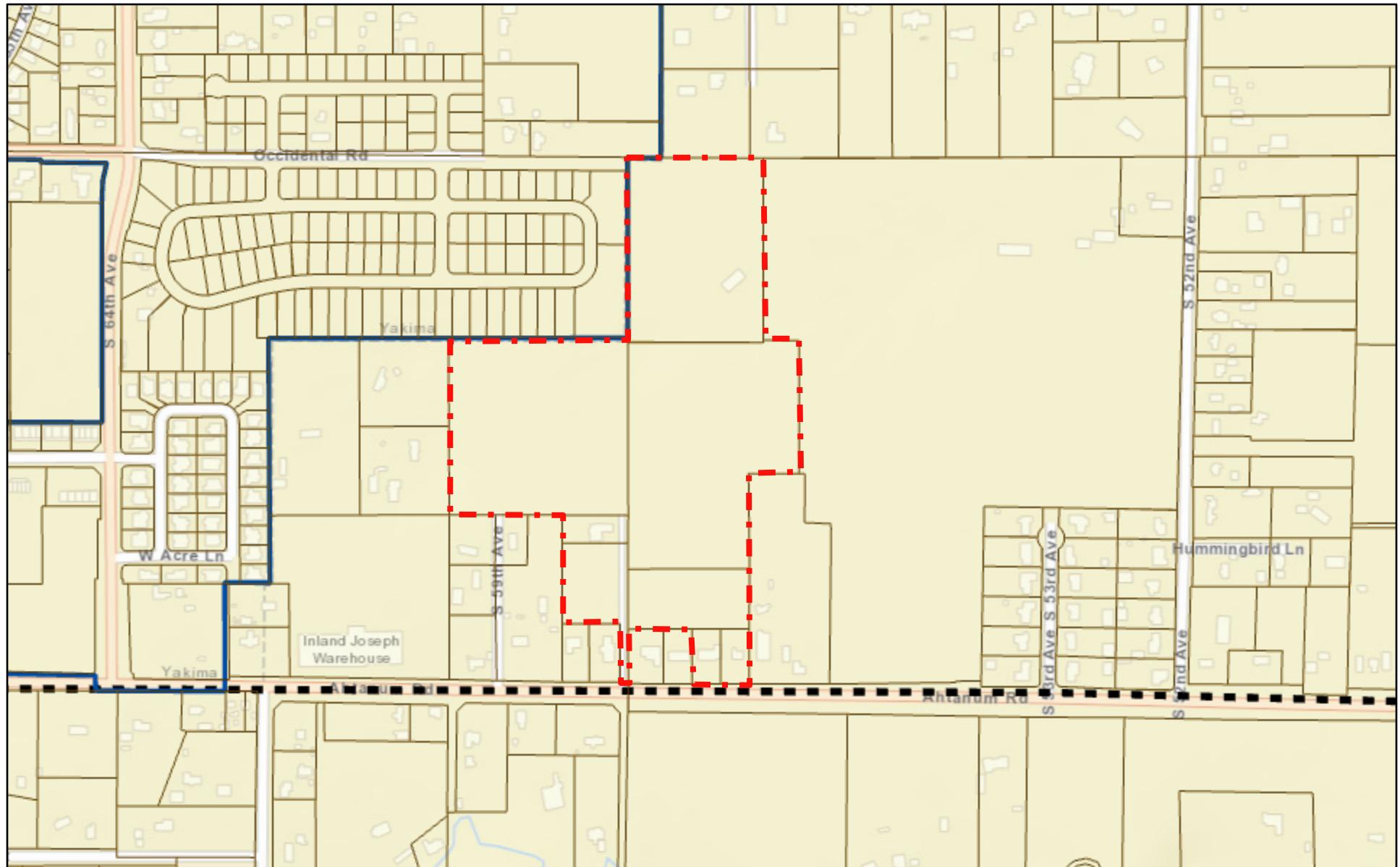
Exhibit B—Assessor's Map

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

[Yakimap.com](#)



## C.1. Annexation Boundary



October 20, 2021

Parcels

Yakima City Limits

Yakima Urban Area

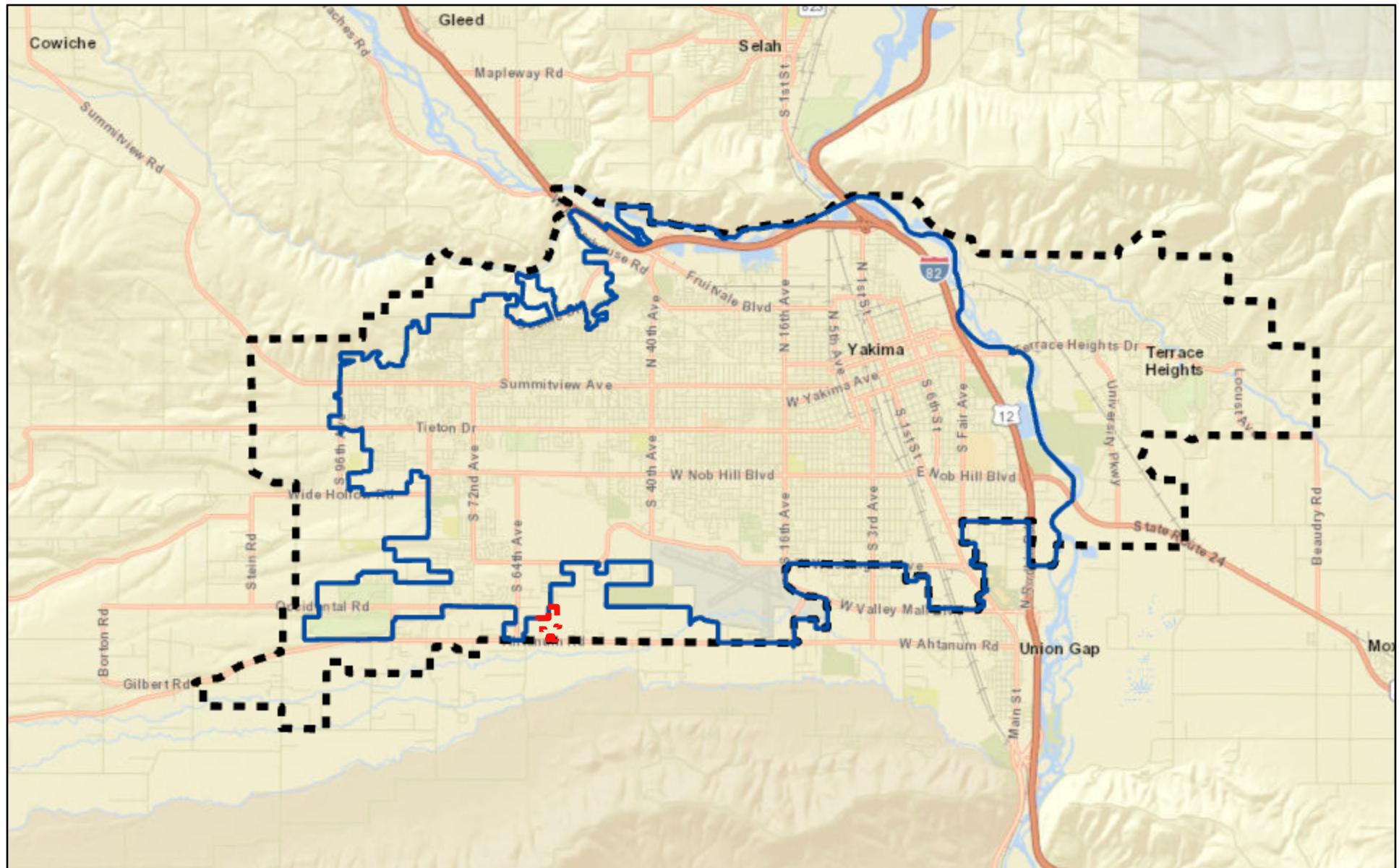
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0 0.05 0.1 0.2 mi  
0 0.07 0.15 0.3 km

Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand),

City of Yakima, Washington  
City of Yakima, Washington - 2017

## C.2. City of Yakima Boundary



October 20, 2021

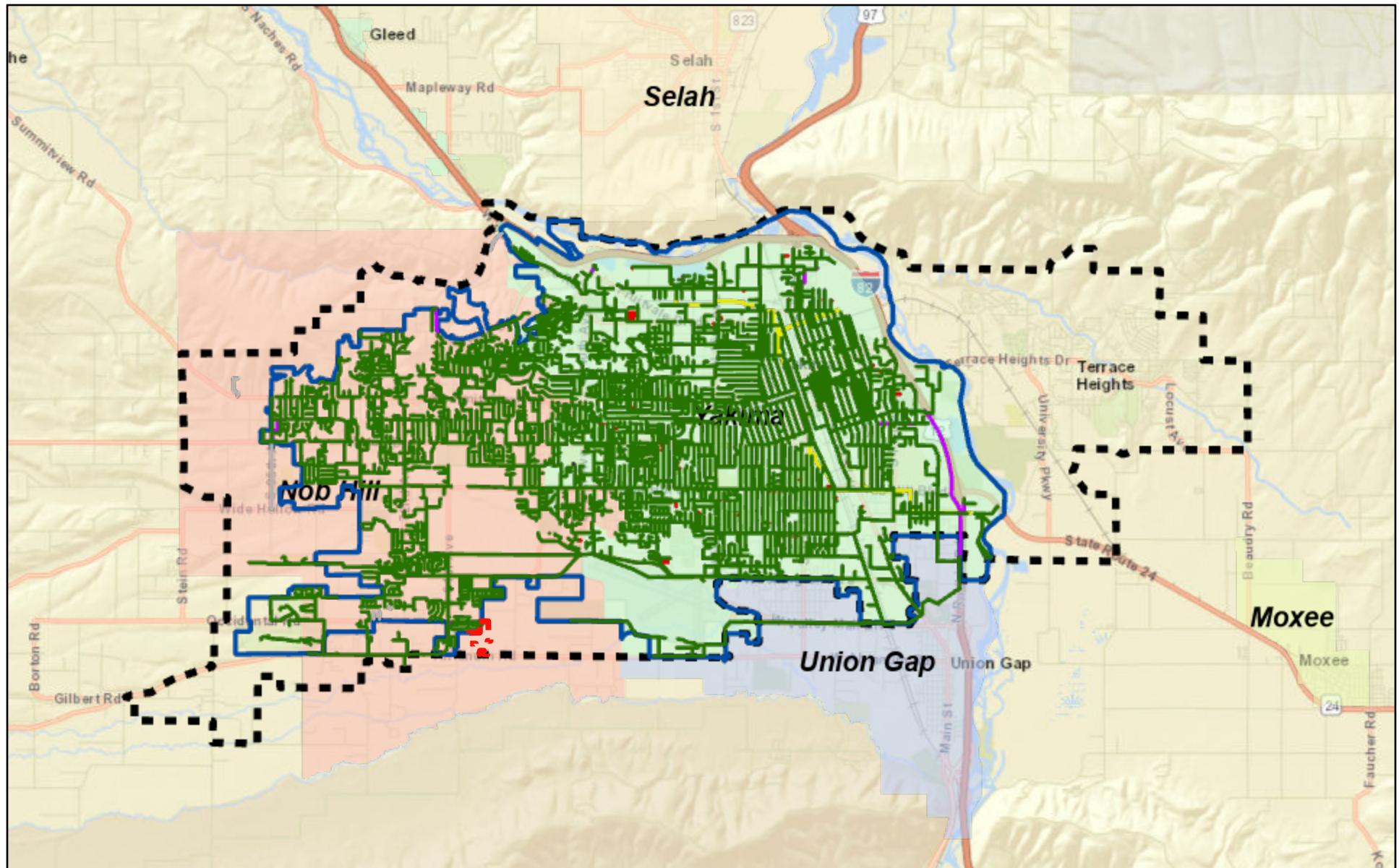
- Yakima Urban Area
- Yakima City Limits

1:144,448  
0 0.75 1.5 3 mi  
0 1.25 2.5 5 km

Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand),

City of Yakima, Washington  
City of Yakima, Washington - 2017

### C.3. Water and Sewer Service Areas



October 20, 2021

Sewer Pipes  
 — Industrial Waste Pipe  
 — Abandoned Pipe  
 — Dry Line Pipe  
 — Private Pipe Line

Sewer Pipes  
 — Industrial Waste Pipe  
 — Abandoned Pipe  
 — Dry Line Pipe  
 — Private Pipe Line

Service Areas  
 Nob Hill  
 Moxee  
 Selah  
 Naches  
 Tieton

[ ] Yakima Urban Area  
 [ ] Yakima City Limits

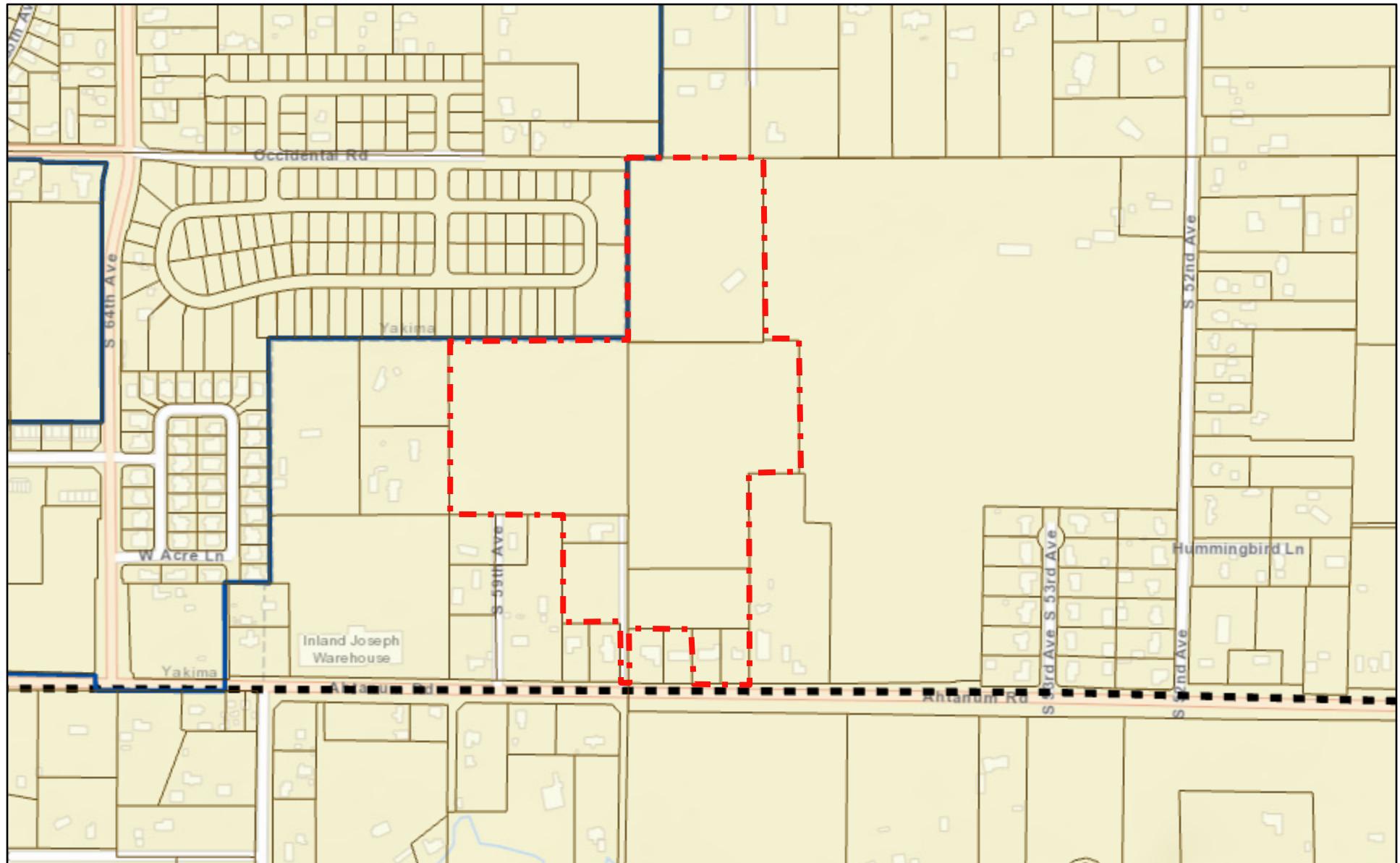
1:144,448

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City of Yakima, Washington  
 City of Yakima, Washington - 2017

## C.4. Physical Features



October 20, 2021

 Parcels

 Yakima City Limits

 Yakima Urban Area

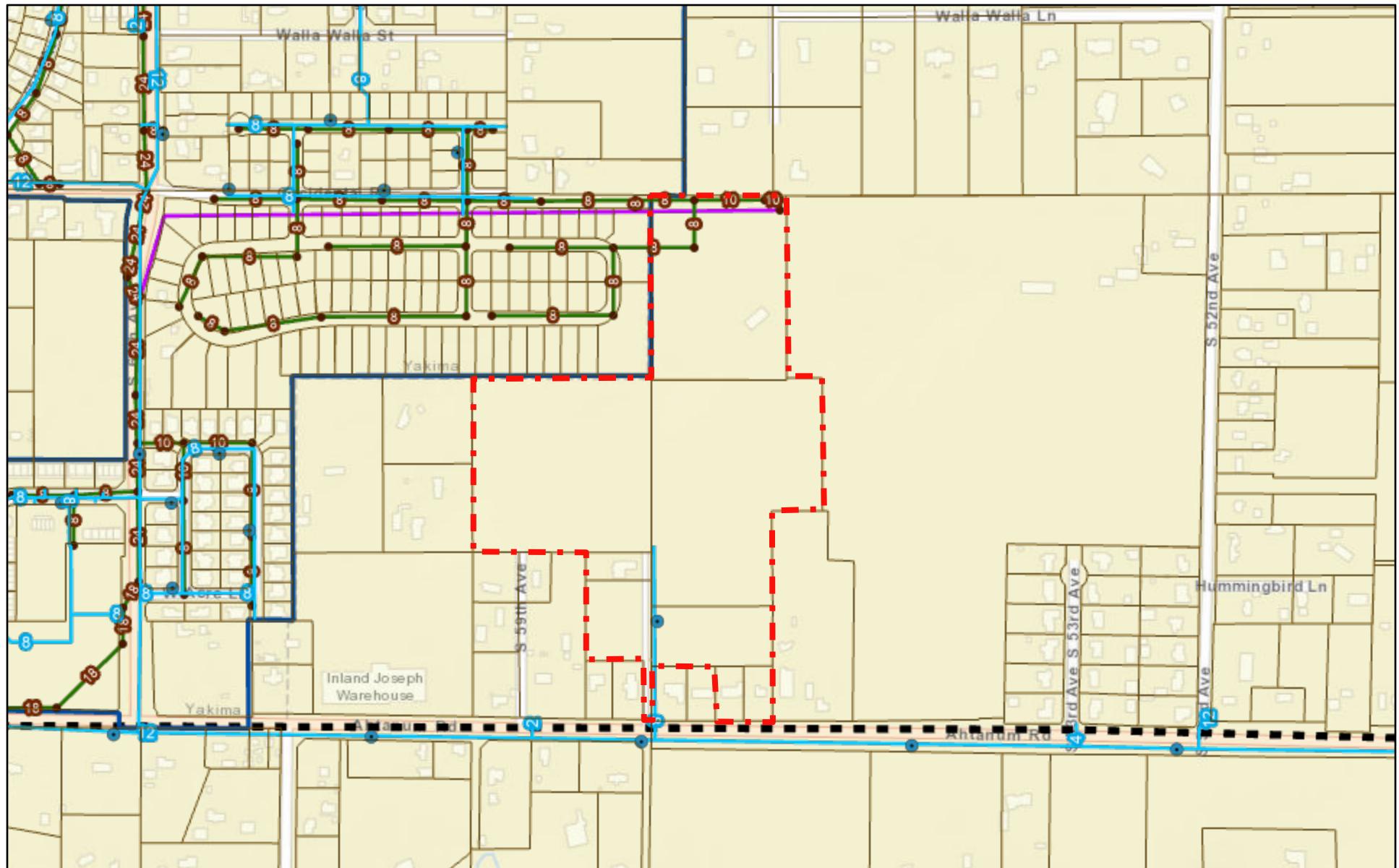
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City of Yakima, Washington  
City of Yakima, Washington - 2017

## C.6. - Water and Sewer Lines



October 6, 2021

Parcels

Nob Hill Water Pipes

Fire Hydrants

Firing Center

Gleed

Nob Hill

Private

Selah

Union Gap

Unknown

West Valley

Yakima

Sewer Manholes

Sewer Pipes

Abandoned Pipe

Dry Line Pipe

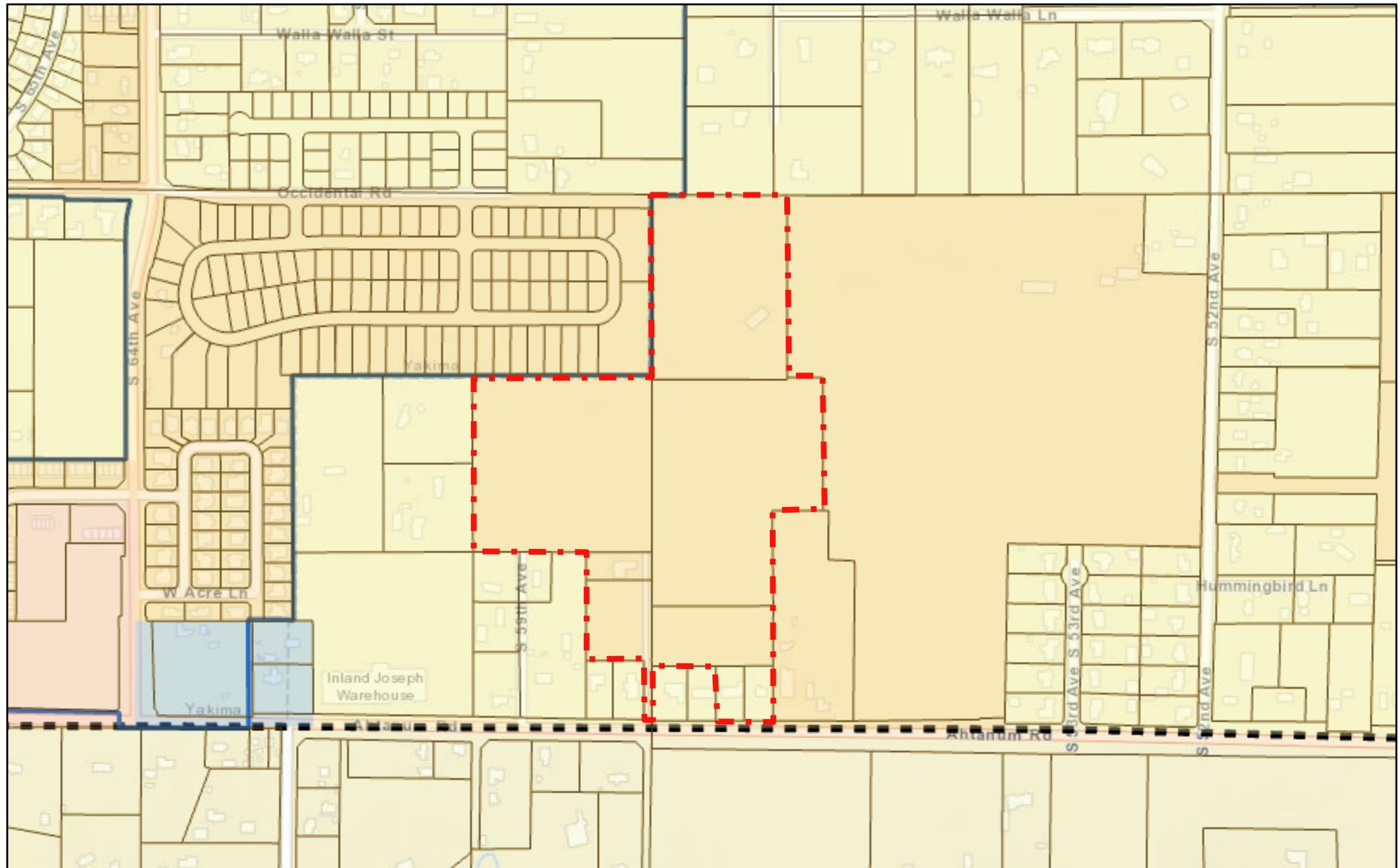
Sewer Pipes

1:9,028  
0 0.05 0.1 0.2 mi  
0 0.07 0.15 0.3 km

Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand),

City of Yakima, Washington  
City of Yakima, Washington - 2017

## C.7. City Comprehensive Plan Designation



October 6, 2021

Parcels

Mixed Residential

Regional Commercial

Future Land Use

Central Business Core Commercial

Community Mixed Use

Low Density Residential

Commercial Mixed Use

Industrial

1:9,028

0 0.05 0.1 0.2 mi

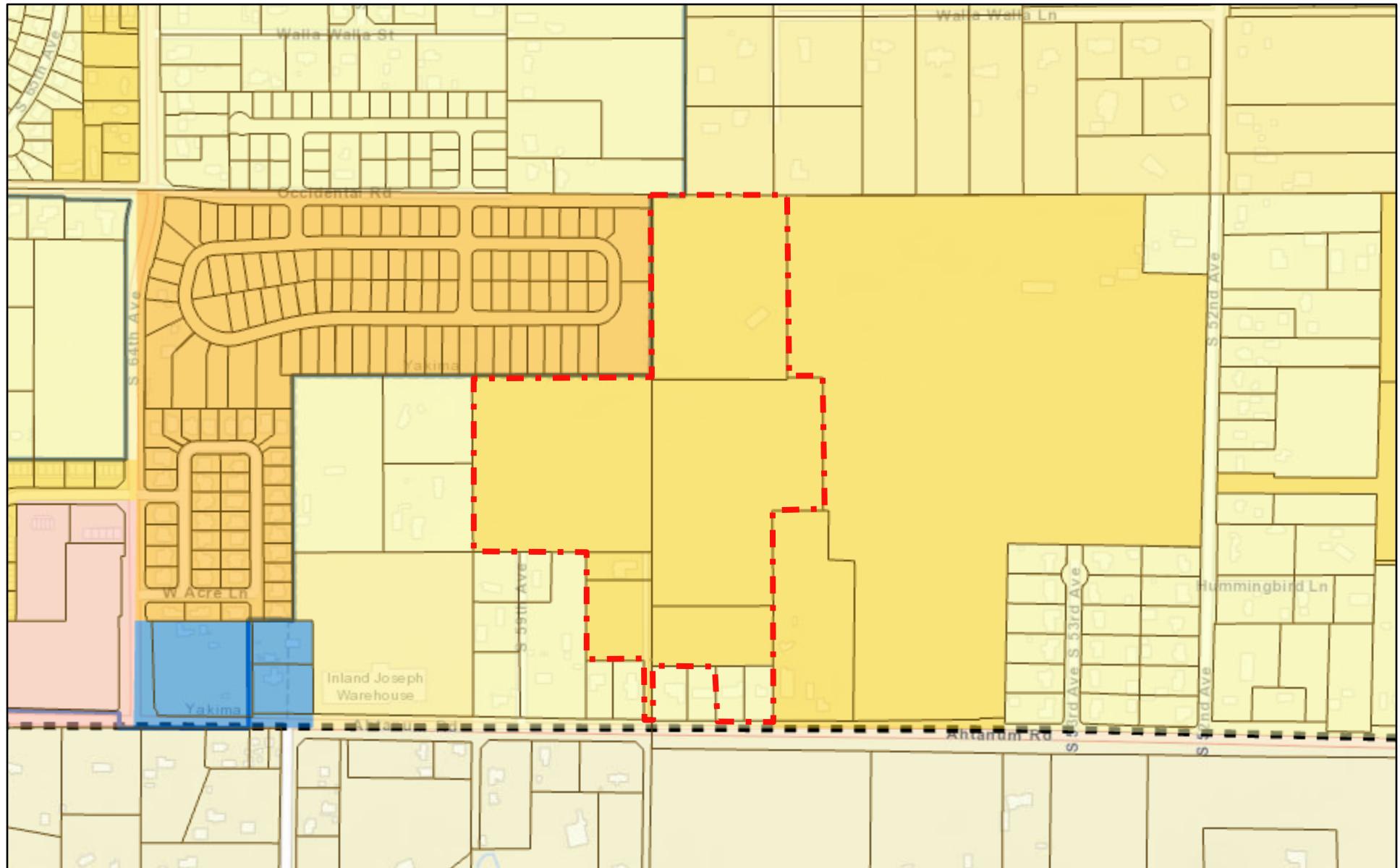
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City of Yakima, Washington

City of Yakima, Washington - 2017

## C.7. City Zoning



October 6, 2021

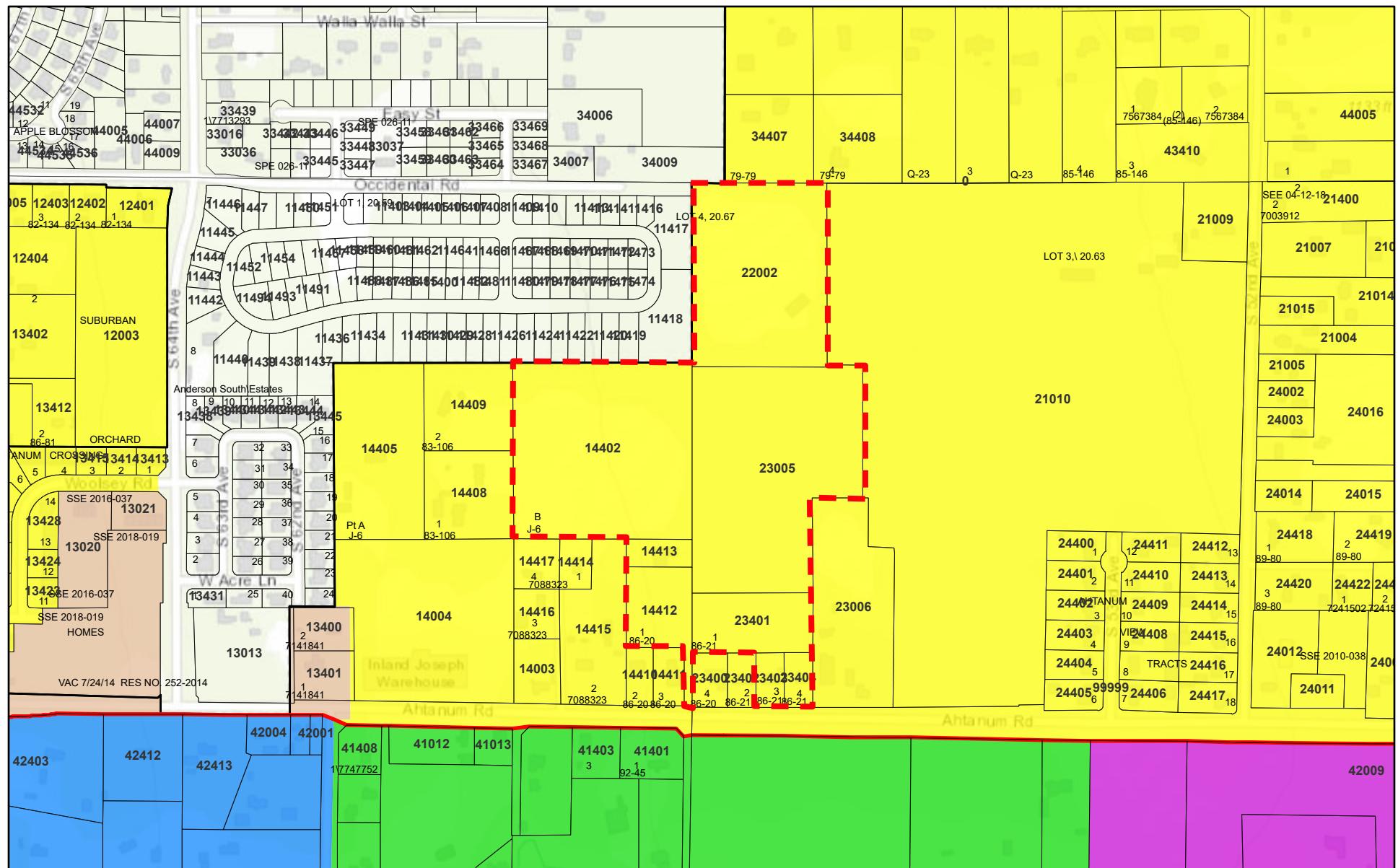
Parcels	R-1 Single Family	B-1 Professional Business	SCC Small Conveneice Center
Yakima Urban Area Zoning	R-2 Two Family	B-2 Local Business	LCC Large Convenience Center
SR Suburban Residential	R-3 Multi-Family	HB Historical Business	CBD Central Business District

1:9,028  
 0 0.05 0.1 0.2 mi  
 0 0.07 0.15 0.3 km

Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand),

City of Yakima, Washington  
 City of Yakima, Washington - 2017

## C.7. Yakima County Comprehensive Plan Designation



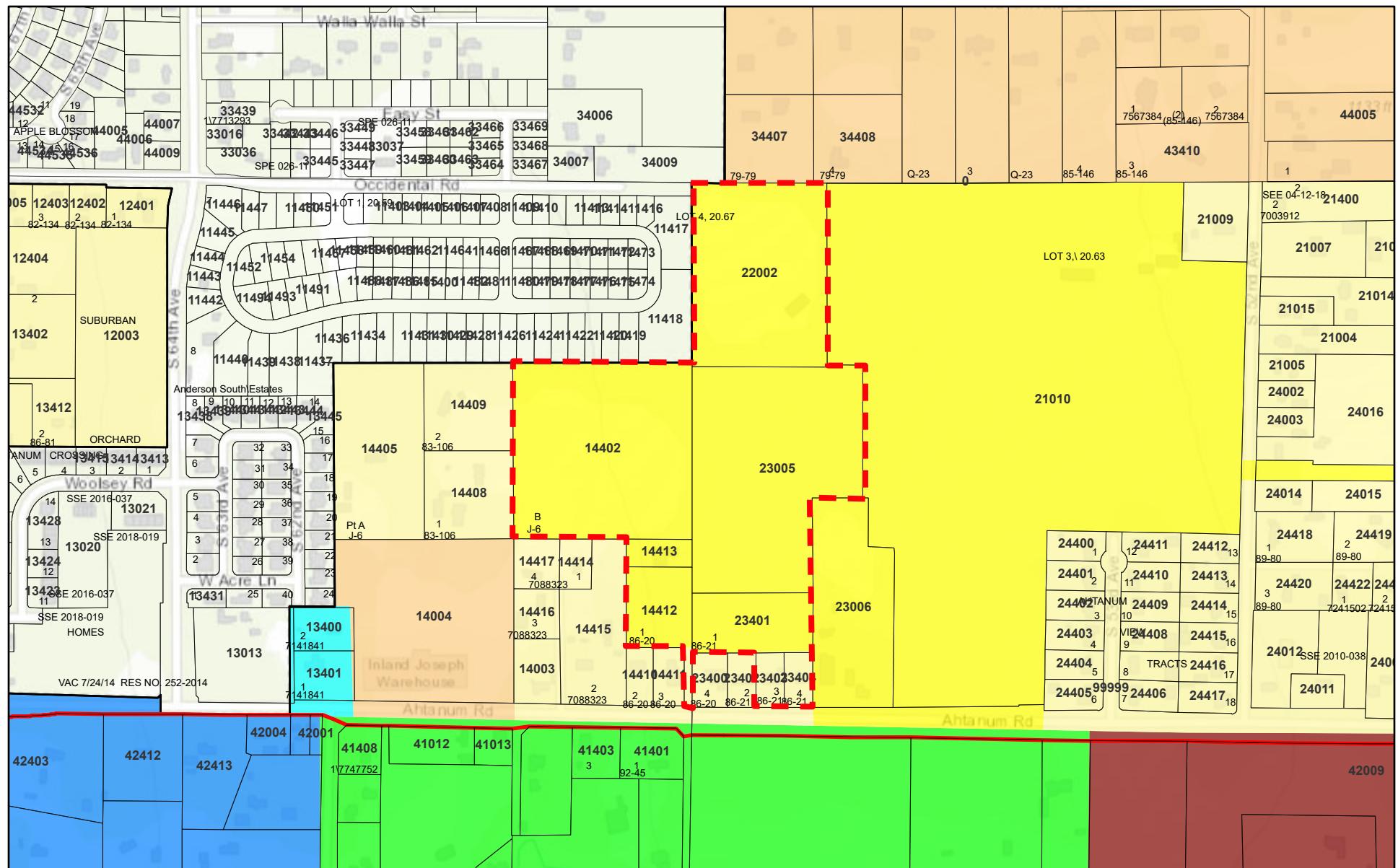
10/6/2021, 11:02:50 AM

Tax Lot Text  City Limits  Rural Transitional  Urban Commercial  
 Taxlots  PlanDesignations  Rural Self-Sufficient  
 UGA  Agricultural Resource  Urban Residential

City of Yakima, Bureau of Land Management, Esri Canada, Esri, HERE, Yakima County

City of Yakima, Bureau of Land Management, Esri Canada, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA | Yakima county boundary is from the Washington State Department of Ecology, but the City limits is from Yakima County Records. |

## C.7. Yakima County Zoning



10/6/2021, 11:05:09 AM

1:9,028

City of Yakima, Bureau of Land Management, Esri Canada, Esri, HERE.

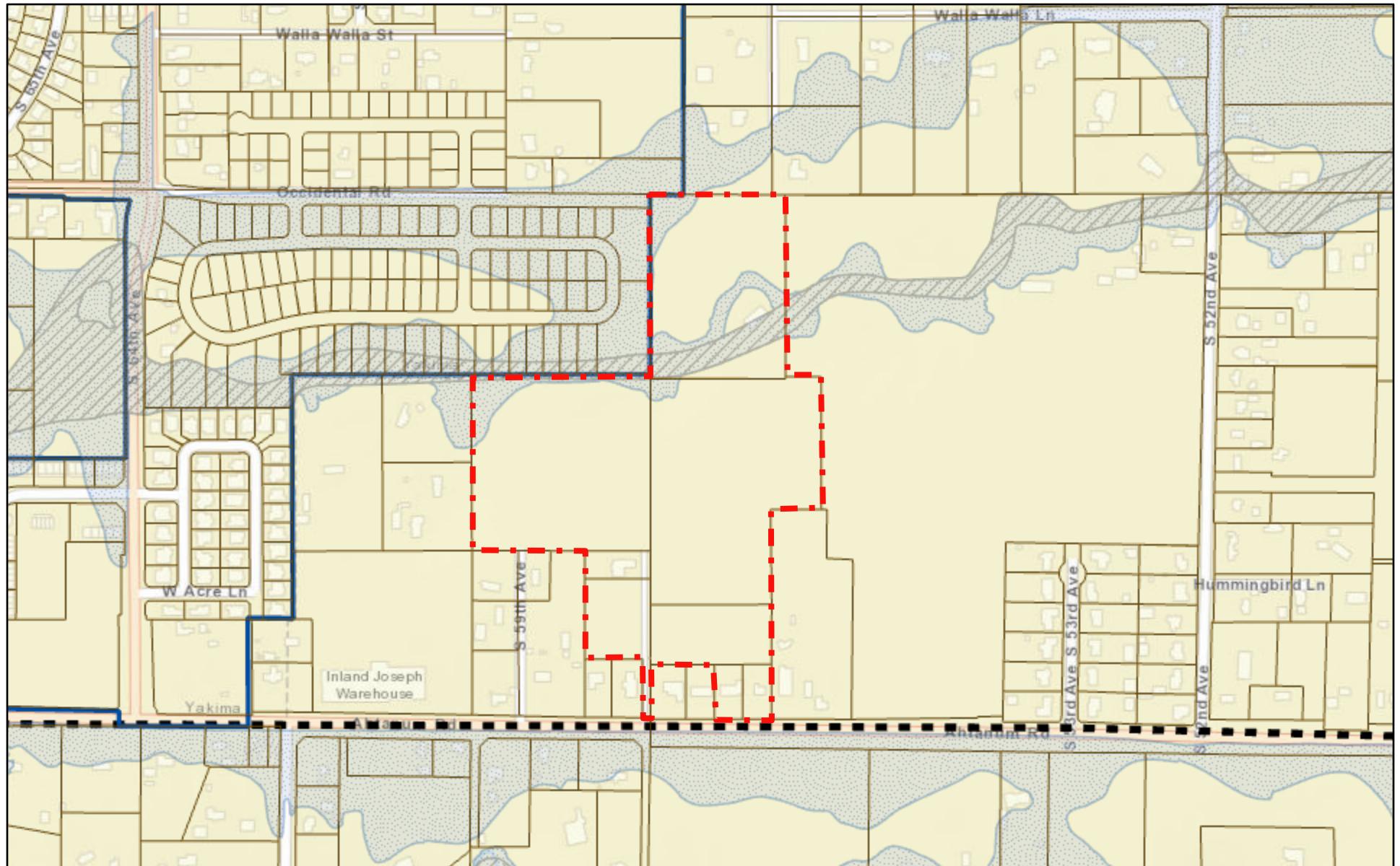
## Yakima County

City of Yakima, Bureau of Land Management, Esri Canada, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA | Yakima county boundary is from the Washington State Department of Ecology, but the City limits is from Yakima County Records. |

Tax Lot Text	<input type="checkbox"/>	City Limits		Rural-10/5
<input type="checkbox"/>	Taxlots	Zoning		Rural Transitiona
<input type="checkbox"/>	UGA	Agriculture		Suburban Reside

- Single-Family Residential
- Two-Family Residential
- Local Business

## C.8. Floodway and Floodplain



October 6, 2021

Parcels

Floodway Areas

FEMA Floodplain Zones

A

AE

Yakima Urban Area

A

Yakima City Limits

1:9,028

0 0.05 0.1 0.2 mi  
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Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand),

City of Yakima, Washington

City of Yakima, Washington - 2017

## BEFORE THE CITY COUNCIL OF THE CITY OF YAKIMA

IN THE MATTER OF THE PETITION )  
 FOR THE ANNEXATION OF THE )  
 PROPERTY DESCRIBED BELOW ) PETITION FOR ANNEXATION

**WE THE UNDERSIGNED**, being the OWNERS of a majority of the acreage, of the real property described on **EXHIBIT A** attached hereto or any portion thereof, lying contiguous to the City of Yakima, Washington, do hereby petition that such territory be annexed to and made a part of the City of Yakima, Washington under the provisions of RCW 35.13, et seq., and any amendment thereto, of the State of Washington.

The territory proposed to be annexed is within Yakima County, Washington and is described on **EXHIBIT A** attached hereto and depicted on **EXHIBIT B**, a diagram which outlines the boundaries of the property sought to be annexed, further attached hereto.

**WHEREFORE**, the undersigned respectfully petition the Honorable City Council of the City of Yakima and ask:

1. 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
2. That following such hearing, and subsequent to approval by the Boundary Review Board for Yakima County, if such is convened, the City Council determine by ordinance that such annexation shall be effective; and that property so annexed shall become a part of the City of Yakima, Washington subject to its laws and ordinances then and thereafter in force

**THE PETITIONERS HERETO AGREE:** ". . . that all property within the territory hereby sought to be annexed shall be assessed and taxed at the same rate and at the same basis as property within the City of Yakima including any outstanding indebtedness of said City which may appropriately be applied," in accordance with the requirements of the City Council of the City of Yakima.

If more than one petition is necessary, all such pages will be presented and considered as one Petition and may be filed with other pages containing additional signatures which cumulatively may be considered as a single Petition.

**PRAYER OF PETITION:**

1. Annexation of area described in **EXHIBIT A** - Legal Description & **EXHIBIT B** - Map; and
2. There will be an assumption of indebtedness of the City of Yakima; and
3. Retention of the City of Yakima Comprehensive Plan 2040 for the subject area; and
4. Retention of zoning consistent with the City of Yakima Comprehensive Plan 2040.

**MINUTES FROM THE April 20, 2021 CITY COUNCIL MEETING:**

- ACCEPT the annexation as proposed;
- NOT REQUIRE the simultaneous adoption a comprehensive plan; and
- REQUIRE the assumption of any share of the existing City indebtedness by the area to be annexed that may appropriately be applied to them.

**INSTRUCTIONS TO SIGNERS AND VOLUNTEER SOLICITORS**

1. Sign your name as you sign on legal documents. Married women sign "Mary D. Jones," not "Mrs. John D. Jones."
2. The signature of an owner of record, as determined by the records of the county auditor, shall be sufficient without the signature of his or her spouse.
3. In the case of mortgaged property, the signature of the mortgagor shall be sufficient.
4. In the case of property purchased on contract, the signature of the contract purchaser, as shown by the records of the County Auditor, shall be deemed sufficient, without the signature of his or her spouse.
5. Any officer of a corporation owning land within the area involved who is duly authorized to execute deeds or encumbrances on behalf of the corporation, may sign on behalf of such corporation, and shall attach to the petition a certified excerpt from the bylaws of such corporation showing such authority.
6. When property stands in the name of a deceased person or any person for whom a guardian has been appointed, the signature of the executor, administrator, or guardian, as the case may be, shall be equivalent to the signature of the owner of the property; and
7. When a parcel of property is owned by multiple owners, the signature of an owner designated by the multiple owners is sufficient.

Please submit this 'Petition for Annexation to the City of Yakima, Washington' to the Planning Division located at 129 N 2<sup>nd</sup> St, Yakima, WA 98901 for formal processing.

If you have any questions regarding this document or a question regarding annexations, please contact the Planning Division at 509-575-6183

## Exhibit D

Owner Signature	Printed Name	Address	Phone Number	Parcel Number(s) Represented	Date Signed
<i>Davis K Alderman</i>	Cottonwood Partners, LLC	P O Box 8853 Yakima, WA 98903		181204-22002	<b>MAY 17 2021</b> RECEIVED CITY OF YAKIMA COMMUNITY DEVELOPMENT
<i>Reg Novobelski - Co-Trstee Dithm C.R.W. L. Trustee</i>	Novobelski Survivors Trust	5809 Ahtanum Rd. Yakima, WA 98903	509-952-9000	181205-14402 181204-23005 181204-23401 181204-23403 181204-23404	<b>MAY 17 2021</b> RECEIVED CITY OF YAKIMA COMMUNITY DEVELOPMENT
<i>Charles and Kathryn Ralph</i>	Charles and Kathryn Ralph	5809 Ahtanum Rd. Yakima, WA 98903	509) 961-8417	181205-14413 181205-14412	<b>MAY 17 2021</b> RECEIVED CITY OF YAKIMA COMMUNITY DEVELOPMENT

**EXHIBIT "A"**

**February 26, 2021**  
**HLA No. 21036**

**LEGAL DESCRIPTION FOR ANDERSON PARK ANNEXATION**

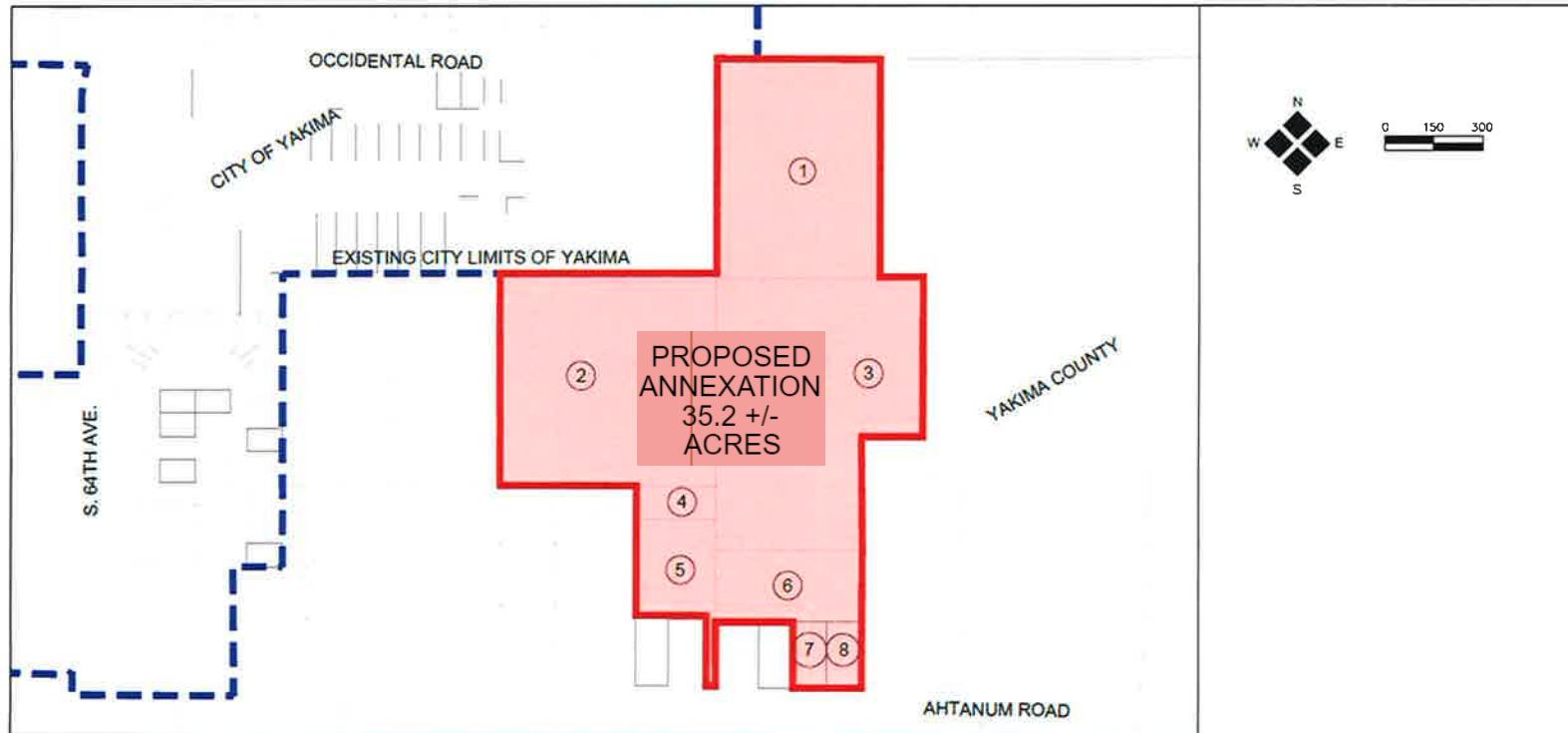
THAT PORTION OF THE NORTHWEST QUARTER OF SECTION 4 AND THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 12 NORTH, RANGE 18 EAST, W.M. DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 4;  
THENCE EASTERLY ALONG THE NORTH LINE THEREOF TO THE NORTHEAST CORNER OF THE WEST 505.86 FEET OF GOVERNMENT LOT 4 OF SAID SECTION 4;  
THENCE SOUTHERLY ALONG THE EAST LINE OF SAID WEST 505.86 FEET TO THE SOUTH LINE OF SAID GOVERNMENT LOT 4;  
THENCE SOUTH 89°43'30" EAST 148.14 FEET TO THE NORTHEAST CORNER OF PARCEL "B" AS SHOWN ON THAT RECORD OF SURVEY FILED UNDER AUDITOR'S FILE NUMBER 8055964, RECORDS OF YAKIMA COUNTY, WASHINGTON;  
THENCE SOUTH 00°57'29" EAST ALONG THE EAST LINE OF SAID PARCEL "B" 517.10 FEET;  
THENCE NORTH 89°59'58" WEST 186.46 FEET;  
THENCE SOUTH 00°57'29" EAST 349.41 FEET TO THE NORTHEAST CORNER OF LOT 1 OF THAT SHORT PLAT RECORDED IN BOOK 86 OF SHORT PLATS, PAGE 21, RECORDS OF YAKIMA COUNTY, WASHINGTON.  
THENCE SOUTHERLY ALONG THE EAST LINE OF LOTS 1 AND 4 OF SAID SHORT PLAT TO THE SOUTHEAST CORNER OF SAID LOT 4;  
THENCE WESTERLY ALONG THE SOUTH LINE OF LOTS 3 AND 4 OF SAID SHORT PLAT TO THE SOUTHWEST CORNER OF SAID LOT 3;  
THENCE NORtherly ALONG THE WEST LINE OF SAID LOT 3 TO THE NORTHWEST CORNER OF SAID LOT 3;  
THENCE WESTERLY TO THE NORTHEAST CORNER OF LOT 4 OF THAT SHORT PLAT RECORDED IN BOOK 86 OF SHORT PLATS, PAGE 20, RECORDS OF YAKIMA COUNTY, WASHINGTON;  
THENCE WESTERLY TO THE NORTHWEST CORNER OF SAID LOT 4;  
THENCE SOUTHERLY TO THE SOUTHWEST CORNER OF SAID LOT 4;  
THENCE WESTERLY TO THE SOUTHEAST CORNER OF LOT 3 OF SAID SHORT PLAT RECORDED IN BOOK 86 OF SHORT PLATS, PAGE 20, RECORDS OF YAKIMA COUNTY, WASHINGTON;  
THENCE NORtherly ALONG THE EAST LINE OF SAID LOT 3 TO THE NORTHEAST CORNER THEREOF;  
THENCE WESTERLY ALONG THE NORTH LINE OF LOT 3 AND LOT 2 OF SAID SHORT PLAT TO THE NORTHWEST CORNER OF SAID LOT 2;  
THENCE NORtherly ALONG THE WEST LINE OF LOT 1 OF SAID SHORT PLAT RECORDED IN BOOK 86 OF SHORT PLATS PAGE 20, RECORDS OF YAKIMA COUNTY, WASHINGTON, TO THE NORTHWEST CORNER OF LOT 1 OF SAID SHORT PLAT, SAID POINT BEING ON THE SOUTH LINE OF PARCEL "B" OF THAT SHORT PLAT RECORDED IN BOOK "J" OF SHORT PLATS, PAGE 6, RECORDS OF YAKIMA COUNTY, WASHINGTON;  
THENCE WESTERLY ALONG THE SOUTH LINE OF SAID PARCEL "B" TO THE SOUTHWEST CORNER THEREOF;  
THENCE NORtherly ALONG THE WEST LINE OF SAID PARCEL "B" TO THE NORTHWEST CORNER THEREOF;  
THENCE EASTERLY TO THE NORTHEAST CORNER OF SAID PARCEL "B";  
THENCE NORtherly TO THE POINT OF BEGINNING.

SITUATE IN YAKIMA COUNTY, WASHINGTON.

Exhibit D

**EXHIBIT "B"**



PROPERTY OWNERSHIP TABLE

① 181204-22002	COTTONWOOD PARTNERS, LLC	⑤ 181205-14412	RALPH
② 181205-14402	NOVOBIELSKI SURVIVORS TRUST	⑥ 181204-23401	NOVOBIELSKI SURVIVORS TRUST
③ 181204-23005	NOVOBIELSKI SURVIVORS TRUST	⑦ 181204-23403	NOVOBIELSKI SURVIVORS TRUST
④ 181205-14413	RALPH	⑧ 181204-23404	NOVOBIELSKI SURVIVORS TRUST



2803 River Road  
Yakima, WA 98902  
509.666.7000  
Fax 509.665.3800  
[www.hlaevl.com](http://www.hlaevl.com)

JOB NUMBER: 21036  
DATE: 2-22-21  
FILE NAMES: 21036ANNEX.dwg  
DRAWN BY: TDF/APP  
CHECKED BY: ETW/MRH

COTTONWOOD PARTNERS  
ANDERSON PARK ANNEXATION  
YAKIMA COUNTY, WASHINGTON

ANNEXATION EXHIBIT

1  
or  
1

## Exhibit D

Owner Signature	Printed Name	Address	Phone Number	Parcel Number(s) Represented	Date Signed
Davis K Alderman	Cottonwood Partners, LLC	P O Box 8853 Yakima, WA 98903		181204-22002	MAY 17 2021 COM
Key Novobelski - CO-TRUSTEE Dithmara C Ryn LWT/WR	Novobelski Survivors Trust	5809 Ahtanum Rd. Yakima, WA 98903	509-952-9000	181205-14402 181204-23005 181204-23401 181204-23403 181204-23404	RECEIVED MAY 17 2021 CITY OF YAKIMA COMMUNITY
Charles and Kathryn Ralph	Charles and Kathryn Ralph	5809 Ahtanum Rd. Yakima, WA 98903	(509) 961-8417	181205-14413 181205-14412	RECEIVED MAY 17 2021 CITY OF YAKIMA COMMUNITY

OVERLAY INFORMATION			
Zoning:	R-2	Jurisdiction:	County (Urban Area Zoning Ordinance)
Urban Growth Area:	Yakima	Future Landuse Designation:	(MD) Medium Density Residential (Yakima Urban Area Plan)
FEMA:	FEMA Map	FIRM Panel Number:	53077C1029F
LOCATION INFORMATION			
+ Latitude:46° 33' 45.822"	+ Longitude:-120° 35' 07.445"	Range:18	Township:12
Narrative Description: Section 04 Township 12 Range 18 Quarter NW The West 505.86 feet of Government Lot 4, Section 4			
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			

PROPERTY PHOTO		PROPERTY INFORMATION AS OF 10/19/2021 11:08:03 PM							
		Parcel Address: LOWER AHTANUM/53RD, ,WA							
Parcel Owner(s): NOVOBIELSKI SURVIVORS TRUST									
Parcel Number: 18120423005		Parcel Size: 11.46 Acre(s)							
Property Use: 99 Other Undeveloped Land									
TAX AND ASSESSMENT INFORMATION									
Tax Code Area (TCA): 584		Tax Year: 2022							
Improvement Value: \$0		Land Value: \$229200							
CurrentUse Value: \$0		CurrentUse Improvement: \$0							
New Construction: \$0		Total Assessed Value: \$229200							

RESIDENTIAL INFORMATION									
Quality	Year Built	Stories	Main SqFt	Upper SqFt	Bsmt SqFt	Bedrooms	Bathrooms (full/3/4,1/2)	Garage (bsmt/att/bltin)	Carport
No Residence Information Found.									
Excise	Sale Date	Sale Price	Grantor					Portion	
No Sales Information Found.									
VALUE HISTORY INFORMATION									
Tax Year	TCA	Land	Improvement	New Construction	CurrentUse	CurrentUse Improvement			
2022	584	\$229200	\$0	\$0	\$0	\$0			
2021	584	\$229200	\$0	\$0	\$0	\$0			
2020	584	\$207800	\$0	\$0	\$0	\$0			
2019	584	\$84300	\$0	\$0	\$0	\$0			
2018	584	\$84300	\$0	\$0	\$0	\$0			
2017	584	\$84300	\$0	\$0	\$0	\$0			
2016	584	\$38500	\$0	\$0	\$0	\$0			
2015	584	\$38500	\$0	\$0	\$0	\$0			
2014	584	\$38500	\$0	\$0	\$0	\$0			
2013	584	\$38500	\$0	\$0	\$0	\$0			
2012	584	\$38500	\$0	\$0	\$0	\$0			

DISCLAIMER									
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> .									

OVERLAY INFORMATION									
Zoning:	R-2	Jurisdiction:	County (Urban Area Zoning Ordinance)						
Urban Growth Area:	Yakima	Future Landuse Designation:	(MD) Medium Density Residential (Yakima Urban Area Plan)						
FEMA:	FEMA Map	FIRM Panel Number:	53077C1037E						

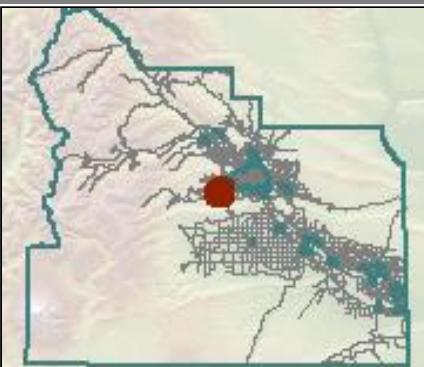
LOCATION INFORMATION									
+ Latitude: 46° 33' 38.623"	+ Longitude: -120° 35' 06.931"	Range: 18	Township: 12	Section: 04					
Narrative Description: Section 04 Township 12 Range 18 Quarter NW That portion of the West half, of the NW quarter, of Section 4, described as follows: Beginning at the NW corner of Lot 1 of Short Plat 86-Yakima County; thence East, 473.39 feet; thence North 0° 57' 37" West to the South line of the NW quarter, of the SW quarter, of the NW quarter, of said section; thence North 0° 57' 37"feet; thence East, 200 feet, to a point on the East line of said subdivision hereinafter referred to as Point "A"; thence North to the NE corner of said subdivision; thence North 89° 44' along the North line of said subdivision 678.86 feet tot eh NW corner of said subdivision; thence South along the West line of said subdivision, 860.89 feet to the Point of Beginning; A148.14 feet, of the South 8.50 feet, of the West 654 feet of Government Lot 4, of said Section 4; EXCEPT that portion thereof described as follows: Beginning at Point "A"; thence Northcorner of said subdivision; thence North 89° 44' 43" West, along the North line, of the SW quarter, of the NW quarter, Section 4, 24.83 feet to a point of the East line of the West 654quarter, of the NW quarter, of said Section 4; thence Southerly along said East line 508.74 feet to a point that bears West of the Point of beginning; thence East 21.56 feet to the poinbeginning.									
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
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OVERLAY INFORMATION			
Zoning:	R-2	Jurisdiction:	County (Urban Area Zoning Ordinance)
Urban Growth Area:	Yakima	Future Landuse Designation:	(MD) Medium Density Residential (Yakima Urban Area Plan)
FEMA:	FEMA Map	FIRM Panel Number:	53077C1037E
LOCATION INFORMATION			
+ Latitude:46° 33' 33.016"	+ Longitude:-120° 35' 07.817"	Range:18	Township:12
Narrative Description: Section 04 Township 12 Range 18 Quarter NW: SHORT PLAT 86-021 Lot 1			
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			

OVERLAY INFORMATION			
Zoning:	R-1	Jurisdiction:	County (Urban Area Zoning Ordinance)
Urban Growth Area:	Yakima	Future Landuse Designation:	(LD) Low Density Residential (Yakima Urban Area Plan)
FEMA:	FEMA Map	FIRM Panel Number:	53077C1037E

OVERLAY INFORMATION			
Zoning:	R-1	Jurisdiction:	County (Urban Area Zoning Ordinance)
Urban Growth Area:	Yakima	Future Landuse Designation:	(LD) Low Density Residential (Yakima Urban Area Plan)
FEMA:	FEMA Map	FIRM Panel Number:	53077C1037E
LOCATION INFORMATION			
+ Latitude:46° 33' 30.910"	+ Longitude:-120° 35' 05.355"	Range:18	Township:12 Section:04
Narrative Description: SP 86-21: LOT 4 EX S CO RD R/W			
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			

PROPERTY PHOTO			PROPERTY INFORMATION AS OF 10/19/2021 11:08:03 PM							
			Parcel Address: LOWER AHTANUM RD/62, ,WA							
Parcel Owner(s): NOVOBIELSKI SURVIVORS TRUST			Parcel Number: <b>18120514402</b> Parcel Size: 10.12 Acre(s)							
Property Use: 99 Other Undeveloped Land										
TAX AND ASSESSMENT INFORMATION										
Tax Code Area (TCA): <b>584</b>			Tax Year: <b>2022</b>							
Improvement Value: <b>\$0</b>			Land Value: <b>\$129700</b>							
CurrentUse Value: <b>\$0</b>			CurrentUse Improvement: <b>\$0</b>							
New Construction: <b>\$0</b>			Total Assessed Value: <b>\$129700</b>							
RESIDENTIAL INFORMATION										
Quality	Year Built	Stories	Main SqFt	Upper SqFt	Bsmt SqFt	Bedrooms	Bathrooms (full/3/4,1/2)	Garage (bsmt/att/bltin)	Carport	
No Residence Information Found.										
SALE INFORMATION										
Excise	Sale Date		Sale Price		Grantor				Portion	
No Sales Information Found.										
VALUE HISTORY INFORMATION										
Tax Year	TCA	Land	Improvement	New Construction	CurrentUse	CurrentUse Improvement				
2022	<b>584</b>	\$129700	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>				
2021	<b>584</b>	\$129700	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>				
2020	<b>584</b>	\$129700	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>				
2019	<b>584</b>	\$54500	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>				
2018	<b>584</b>	\$54500	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>				
2017	<b>584</b>	\$54500	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>				
2016	<b>584</b>	\$26300	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>				
2015	<b>584</b>	\$26300	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>				
2014	<b>584</b>	\$26300	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>				
2013	<b>584</b>	\$26300	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>				
2012	<b>584</b>	\$26300	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>				
DISCLAIMER										
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> .										

OVERLAY INFORMATION		
Zoning:	<b>R-2</b>	Jurisdiction: <b>County (Urban Area Zoning Ordinance)</b>
Urban Growth Area:	<b>Yakima</b>	Future Landuse Designation: <b>(MD) Medium Density Residential (Yakima Urban Area Plan)</b>
FEMA:	<a href="#">FEMA Map</a>	FIRM Panel Number: <b>53077C1037E</b>
LOCATION INFORMATION		
+ Latitude: <b>46° 33' 39.355"</b>	+ Longitude: <b>-120° 35' 15.833"</b>	Range: <b>18</b> Township: <b>12</b> Section: <b>05</b>
Narrative Description: <b>Section 05 Township 12 Range 18 Quarter NE: SHORT PLAT J-006 Lot B</b>		
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		

OVERLAY INFORMATION			
Zoning:	R-2	Jurisdiction:	County (Urban Area Zoning Ordinance)
Urban Growth Area:	Yakima	Future Landuse Designation:	(MD) Medium Density Residential (Yakima Urban Area Plan)
FEMA:	FEMA Map	FIRM Panel Number:	53077C1037E
LOCATION INFORMATION			
+ Latitude:46° 33' 33.382"	+ Longitude:-120° 35' 12.688"	Range:18	Township:12
Narrative Description: Section 05 Township 12 Range 18 Quarter NE: SHORT PLAT 86-020 Lot 1 EXCEPT the North 103.75 feet thereof (FINANCIAL SEGREGATION WITH 181205-14413 NOT TO BE SOLD OR TRANSFERRED)			
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			

OVERLAY INFORMATION			
Zoning:	R-2	Jurisdiction:	County (Urban Area Zoning Ordinance)
Urban Growth Area:	Yakima	Future Landuse Designation:	(MD) Medium Density Residential (Yakima Urban Area Plan)
FEMA:	FEMA Map	FIRM Panel Number:	53077C1037E
LOCATION INFORMATION			
+ Latitude:46° 33' 35.580"	+ Longitude:-120° 35' 12.813"	Range:18	Township:12
Narrative Description: Section 05 Township 12 Range 18 Quarter NE: SP 86-20 The North 103.75 feet of Lot 1 (FINANCIAL SEGREGATION WITH 181205-14412 NOT TO BE SOLD OR TRANSFERRED SEPERATELY)			
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			



**OFFICE OF THE CITY CLERK**  
**129 North Second Street**  
**Yakima, Washington 98901**  
**Phone (509) 575-6037 • Fax (509) 576-6614**

**CITY OF YAKIMA**  
**NOTICE OF PUBLIC HEARING**  
**OCCIDENTAL/AHTANUM/S 59<sup>TH</sup> AVE ANNEXATION**

NOTICE IS HEREBY GIVEN that the Yakima City Council will conduct a Public Hearing on **Tuesday, October 5, 2021, at 6 p.m.** or as soon thereafter as the matter may be heard, via Zoom in the City Council Chambers at Yakima City Hall, 129 N. Second St., Yakima, to consider the Anderson Park annexation, located in the vicinity of Occidental and Ahtanum Roads and South 59<sup>th</sup> Avenue.

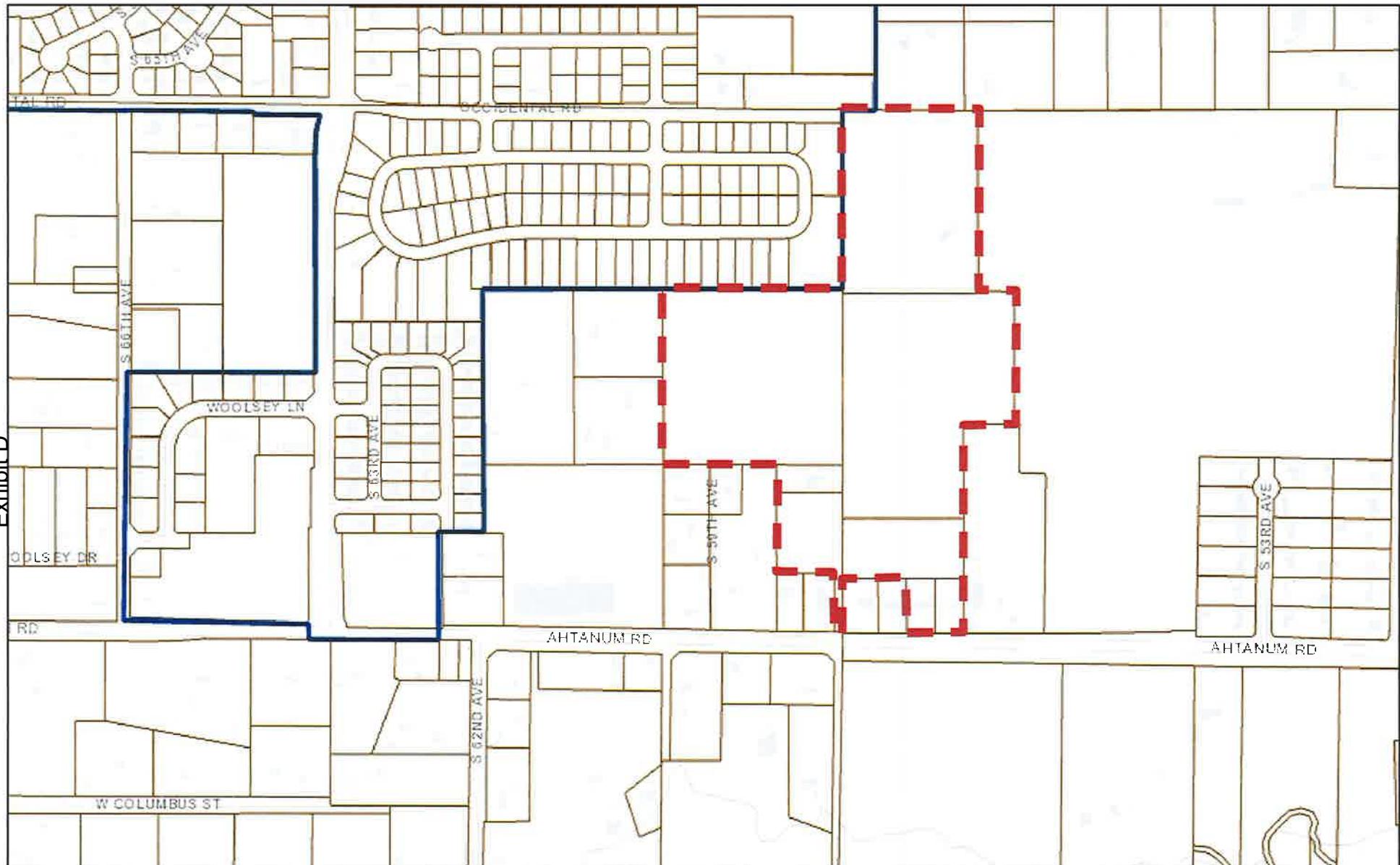
Any citizen wishing to comment on this request is welcome to call in to the public hearing (information provided on the agenda) and voice their approval or disapproval of the annexation or contact the City Council in the following manner:

- 1) Send a letter via regular mail to "Yakima City Council, 129 N. 2<sup>nd</sup> Street, Yakima, WA 98901"; or,
- 2) E-mail your comments to [citycouncil@yakimawa.gov](mailto:citycouncil@yakimawa.gov). Include in the e-mail subject line, "Anderson Park Annexation." Please also include your name and mailing address.

Dated this 10<sup>th</sup> day of September, 2021.

Sonya Claar Tee, CMC  
City Clerk

# Anderson Park Annexation



September 9, 2021

Parcels

Yakima City Limits

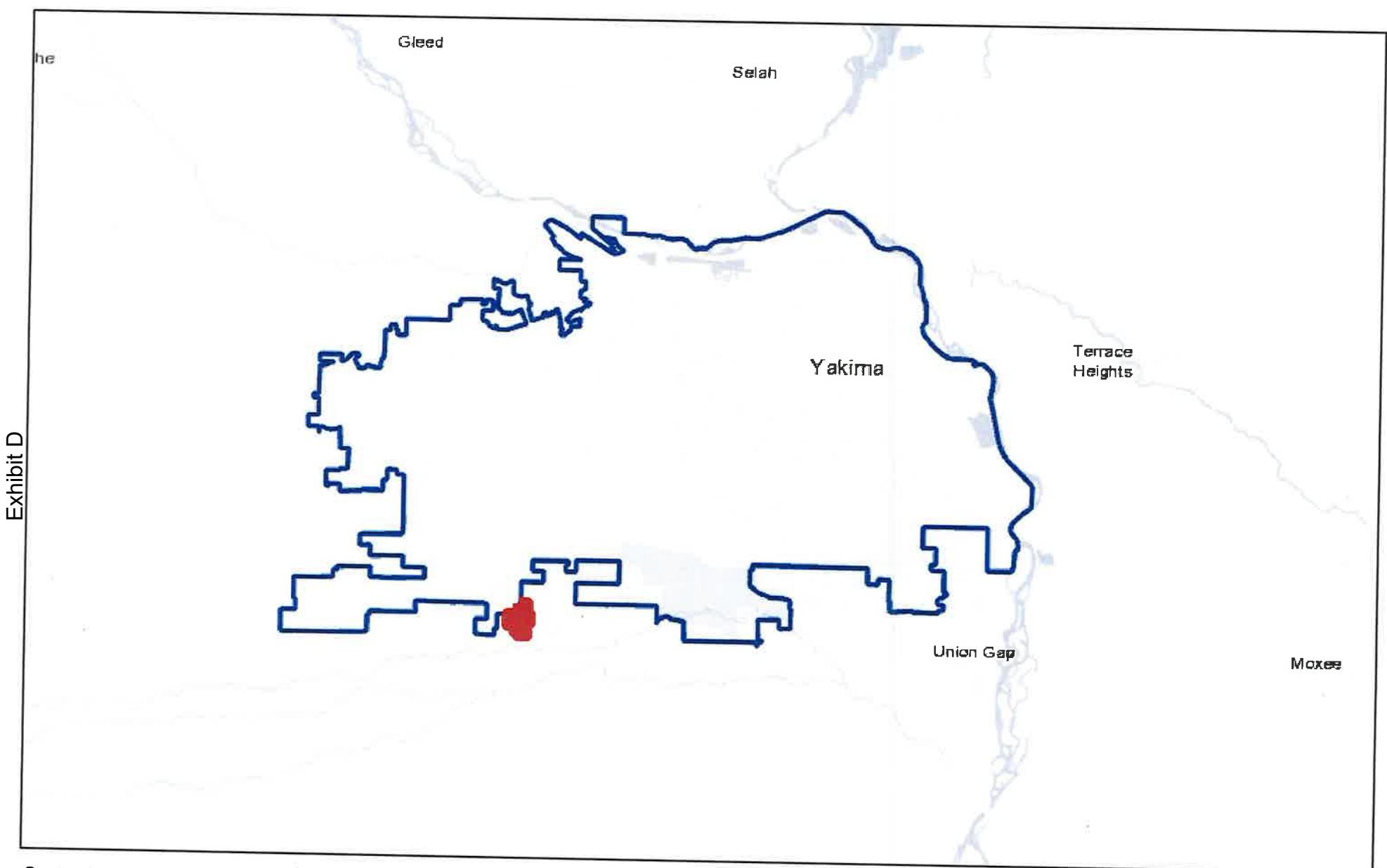
1:9,028  
0 0.05 0.1 0.15 0.2 mi  
0 0.07 0.1 0.15 0.2 km

Yakima GIS, City of Yakima GIS, Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community

City of Yakima, Washington

City of Yakima, Washington - 2017

# Anderson Park Annexation



September 9, 2021

 Yakima City Limits

1:144,448  
0 0.75 1.5 3 mi  
0 1.25 2.5 5 km

Yakima GIS, City of Yakima GIS, Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community

City of Yakima, Washington  
City of Yakima, Washington - 2017

**INVOICE****YAKIMA HERALD**  **REPUBLIC****El Sol de Yakima****RECEIVED****SEP 17 2021****FINANCE DEPT.**Exhibit D  
www.yakimaherald.comP.O. Box 9668 YAKIMA, WA 98909  
PHONE (509) 248-1251 FAX (509) 249-6148  
FED TAX I.D. 91-1539864**BILLING DATE: ACCOUNT NO:**

09/13/2021

110356

**Please Pay Upon Receipt. Thank you!**

CITY OF YAKIMA CITY CLERK  
 ACCOUNTS PAYABLE VENDOR# 031  
 PO# 21-133 1/1/21-12/31/21  
 129 N 2ND STREET  
 YAKIMA WA 98901- 2720

For questions or to

place a classified ad call

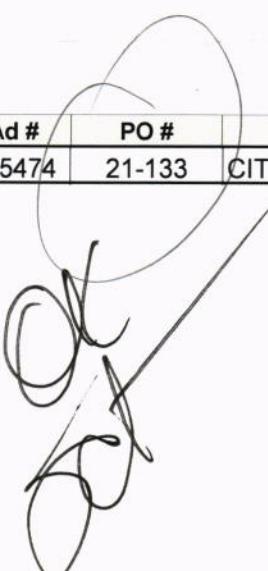
1-800-343-2799

509-452-7355 or 509-248-1251

FAX: 509-577-7766

**Office Hours:**

Mon - Fri, 8:00am - 5:30pm

**RECEIVED****SEP 15 2021****FINANCE DEPT.****PAYMENT IS DUE UPON RECEIPT OF THIS INVOICE**

**ENTERED****SEP 21 2021****Total Amount Due****\$76.65**

Please detach and return bottom portion with your payment.

CITY OF YAKIMA CITY CLERK  
 ACCOUNTS PAYABLE VENDOR# 031  
 PO# 21-133 1/1/21-12/31/21  
 129 N 2ND STREET  
 YAKIMA WA 98901- 2720

ACCOUNT NAME:	CITY OF YAKIMA CITY CLERK
ACCOUNT NUMBER:	110356
AD NUMBER:	985474
TOTAL AMOUNT DUE:	\$76.65

**AMOUNT PAID****CREDIT CARD INFORMATION**

CREDIT CARD NUMBER

EXP. DATE

SECURITY CODE

CARD TYPE (Check One)



SIGNATURE (Required for credit card payment)

Please make  
checks payable to:**YAKIMA HERALD**  **REPUBLIC**P.O. Box 9668  
YAKIMA, WA 98909

**YAKIMA  
HERALD-REPUBLIC**  
WE TELL YOUR STORIES [YAKIMAPERALD.COM](http://YAKIMAPERALD.COM)

**El Sol de Yakima**  
**Affidavit of Publication**

STATE OF WASHINGTON, )

)

COUNTY OF YAKIMA )

)

Jackie Chapman, being first duly sworn on oath deposes and says that she/he is the Accounting clerk of Yakima Herald-Republic, Inc., a daily newspaper. Said newspaper is a legal newspaper approved by the Superior Court of the State of Washington for Yakima County under an order made and entered on the 13th day of February, 1968, and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continually as a daily newspaper in Yakima, Yakima County, Washington. Said newspaper is now and has been during all of said time printed in an office maintained at the aforesaid place of publication of said newspaper.

That the annexed is a true copy of a:

CITY OF YAKIMA NOTICE OF PUBLIC HEAR

it was published in regular issues (and not in supplement form) of said newspaper once each day and for a period of 1 times, the first insertion being on 09/13/2021 and the last insertion being on 09/13/2021

Yakima Herald-Republic 09/13/21  
YakimaHerald.com 09/13/21

and the such newspaper was regularly distributed to its subscribers during all of the said period. That the full amount of the fee charged for the foregoing publication is the sum of \$76.65

Jackie Chapman  
Accounting Clerk

Sworn to before me this 13 day of September 2021

Rene Connatser

Notary Public in and for the  
State of Washington,  
residing at Yakima



**CITY OF YAKIMA  
NOTICE OF PUBLIC  
HEARING  
OCCIDENTAL/AHTANUM/S  
59TH AVE ANNEXATION**

NOTICE IS HEREBY GIVEN that the Yakima City Council will conduct a Public Hearing on **Tuesday, October 5, 2021, at 6 p.m.** or as soon thereafter as the matter may be heard, via Zoom in the City Council Chambers at Yakima City Hall, 129 N. Second St., Yakima, to consider the Anderson Park annexation, located in the vicinity of Occidental and Ahtanum Roads and South 59th Avenue. Any citizen wishing to comment on this request is welcome to call in to the public hearing (information provided on the agenda) and voice their approval or disapproval of the annexation or contact the City Council in the following manner: 1) Send a letter via regular mail to "Yakima City Council, 129 N. 2nd Street, Yakima, WA 98901"; or, 2) E-mail your comments to [citycouncil@yakimawa.gov](mailto:citycouncil@yakimawa.gov). Include in the e-mail subject line, "Anderson Park Annexation." Please also include your name and mailing address. Sonya Claar Tee, City Clerk

(985474) September 13, 2021



# 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 Yakima – Anderson Park Annexation (RCW 35A.01.050(4))

To: Joseph Calhoun, Planning Manager  
City of Yakima

On June 7<sup>th</sup>, 2021, 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 Yakima.

The determination of the sufficiency was begun by this office on the terminal date of June 10<sup>th</sup>, 2021, 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 60% 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 10<sup>th</sup> day of June

**RECEIVED**

Dave Cook, Yakima County Assessor

JUN 14 2021  
CITY OF YAKIMA  
PLANNING DIV.



Yakima County Elections

## Petition Certificate of Sufficiency

I, CHARLES R. ROSS, Auditor, Yakima County, Washington, hereby certify that the petition for the Anderson Park Annexation contained two (2) valid signatures of registered voters residing in the area for which the annexation is petitioned.

In accordance with RCW 35.13.420, the petition must be signed by the owners of a majority of the acreage for which the annexation is petitioned *and* a majority of the registered voters residing in the area for which the annexation is petitioned.

According to the records on file in my office, the total number of active registered voters within the area for which the annexation is petition is three (3). The number of valid signatures of registered voters on the petition submitted meets this requirement.

DATED this 22nd day of July, 2021

A handwritten signature in black ink, appearing to read 'K. L. Schub'.

Elections Manager &  
Deputy Auditor on behalf of:

A handwritten signature in black ink, appearing to read 'Charles R. Ross'.

CHARLES R. ROSS, Yakima County Auditor and  
Ex-officio, Supervisor of Elections  
Yakima County, Washington



**BUSINESS OF THE CITY COUNCIL  
YAKIMA, WASHINGTON  
AGENDA STATEMENT**

Item No. 6.  
For Meeting of: April 20, 2021

**ITEM TITLE:** Public meeting to consider the Notice of Intent to Commence the Anderson Park Annexation in the Vicinity of Occidental Road/Ahtanum Road and S 59th Avenue

**SUBMITTED BY:** Joseph Calhoun, Planning Manager, 509-575-6042  
Joan Davenport, AICP, Community Development Director

**SUMMARY EXPLANATION:**

A Notice of Intent to Commence Annexation was received by the Planning Division on March 11, 2021. On April 6, 2021, Council set the date of April 20, 2021 (per RCW 35.13.410), to consider this annexation request. The area proposed for annexation is approximately 35.2 acres in size and consists of 8 parcels zoned R-2 and R-1.

The purpose of this meeting is for Council to determine the following:

- 1) Whether to accept, reject, or geographically modify the proposed annexation;
- 2) Whether to require the assumption of any portion of existing city indebtedness by the area to be annexed; and,
- 3) Whether to require the simultaneous adoption of a Comprehensive Plan.

Regarding the assumption of indebtedness, all property within the territory being annexed shall be assessed and taxed at the same rate and on the same basis as other property of the City of Yakima, Washington, and shall assume its proportional share of the existing indebtedness of the City of Yakima, Washington as presently adopted or as is hereafter amended.

The property is currently zoned R-2 and R-1 and has a Future Land Use designation of Mixed Residential and Low Density Residential, respectively. These designations are consistent with the City of Yakima Comprehensive Plan 2040. A separate Comprehensive Plan for the area is not required.

**ITEM BUDGETED:** NA

**STRATEGIC PRIORITY:** Neighborhood and Community Building

**APPROVED FOR SUBMITTAL BY THE CITY MANAGER**

**RECOMMENDATION:**

If Council wishes to accept and begin the annexation process, direct staff to draft the official Annexation Petition and collect signatures from property owners to begin the Annexation review procedures. The Annexation Ordinance will be brought to City Council at a later date.

**ATTACHMENTS:**

Description	Upload Date	Type
❑ Signed Notice of Intent	4/5/2021	Exhibit
❑ Annexation Map	4/5/2021	Exhibit
❑ Annexation RCW	4/5/2021	Backup Material

## NOTICE OF INTENTION TO COMMENCE ANNEXATION PROCEEDINGS

TO: The City Council  
City of Yakima, Washington

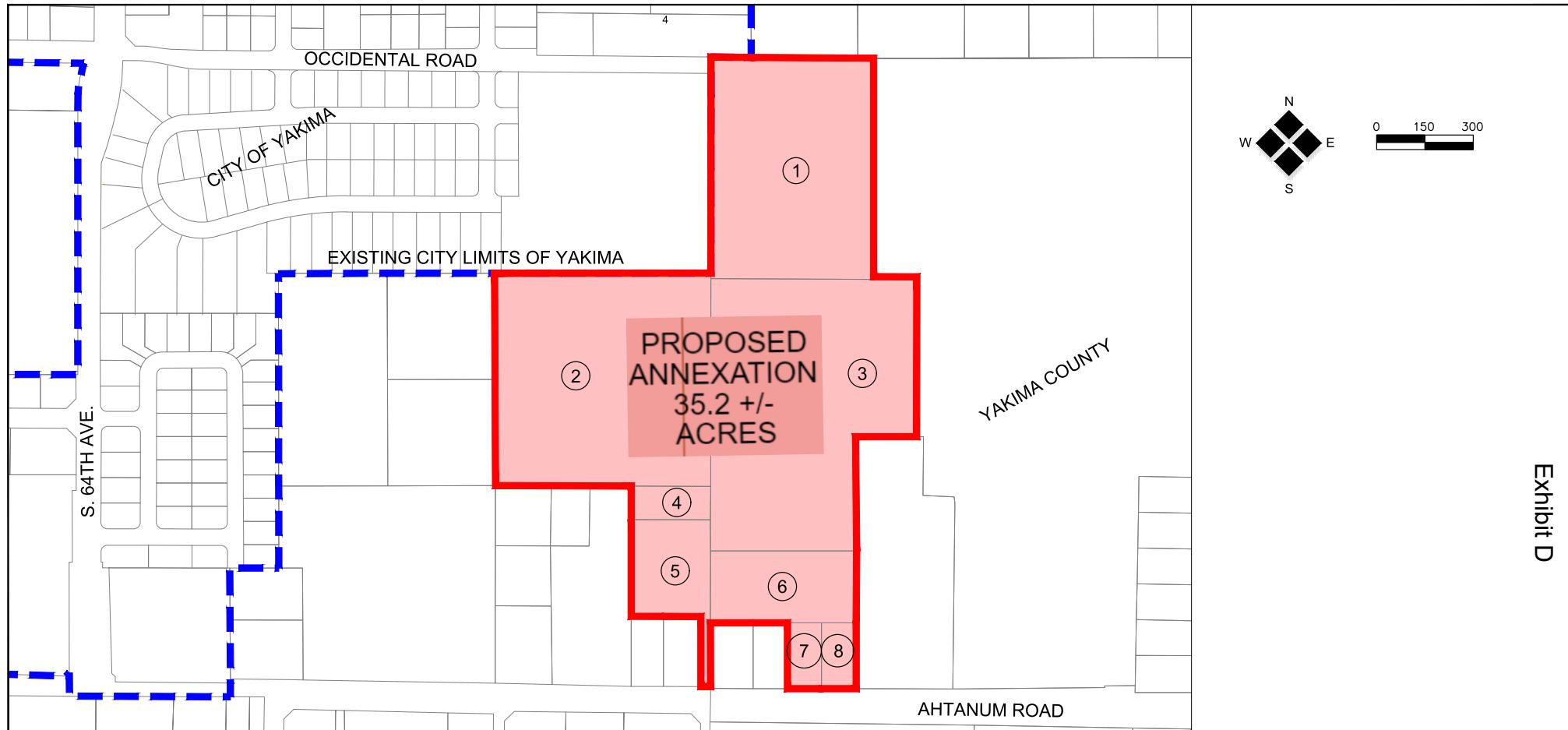
Councilmembers:

The undersigned hereby advise the City Council that it is their desire to commence annexation proceedings for the property described below, and certify that either collectively consist of at least 10% of the residents of the described property or own at least 10% of the acreage for which annexation is petitioned.

It is therefore requested that the City Council set a date no later than sixty (60) days after the filing of this request for a meeting with the undersigned to determine:

1. Whether the City Council will accept, reject, or geographically modify the proposed annexation;
2. Whether the City Council will require the property to become subject to the City's Comprehensive Plan for that area; and
3. Whether the City Council will require the assumption of all or part of the existing city indebtedness by the area to be annexed.

Owner's Signature	Printed Name	Address and Legal Description	Date Signed
<i>Kathryn Ralph Ray Novobielski Novobielski Survivors Trust CO-Trustee</i>	Kathryn Ralph Ray Novobielski Novobielski Survivors Trust	200 Abbess Lane Yakima, WA 98908 Parcels 181205-14402, -23005, 181204-23401, -23403, -23404.	2-22-21 2/22/21
<i>Charles and Kathryn Ralph</i>	Charles and Kathryn Ralph	5809 Ahtanum Road Yakima, WA 98903 Parcels 181205-14413 and - 14412.	2-22-21 2-22-21
<i>Dennis Alderman</i>	Cottonwood Partners, LLC	P.O. Box 8353 Yakima, WA 98908 Parcel 181204-22002	2-25-21



PROPERTY OWNERSHIP TABLE

① 181204-22002	COTTONWOOD PARTNERS, LLC	⑤ 181205-14412	RALPH
② 181205-14402	NOVOBIELSKI SURVIVORS TRUST	⑥ 181204-23401	NOVOBIELSKI SURVIVORS TRUST
③ 181204-23005	NOVOBIELSKI SURVIVORS TRUST	⑦ 181204-23403	NOVOBIELSKI SURVIVORS TRUST
④ 181205-14413	RALPH	⑧ 181204-23404	NOVOBIELSKI SURVIVORS TRUST

**RCW 35.13.410****Alternative direct petition method—Commencement of proceedings—Notice to legislative body—Meeting—Assumption of indebtedness—Comprehensive plan.**

Proceedings for the annexation of territory pursuant to this section and RCW 35.13.420 shall be commenced as provided in this section. Before the circulation of a petition for annexation, the initiating party or parties who, except as provided in RCW 28A.335.110, shall be either not less than ten percent of the residents of the area to be annexed or the owners of not less than ten percent of the acreage for which annexation is petitioned, shall notify the legislative body of the city or town in writing of their intention to commence annexation proceedings. The legislative body shall set a date, not later than sixty days after the filing of the request, for a meeting with the initiating parties to determine whether the city or town will accept, reject, or geographically modify the proposed annexation, whether it shall require the simultaneous adoption of the comprehensive plan if such plan has been prepared and filed for the area to be annexed as provided for in RCW 35.13.177 and 35.13.178, and whether it shall require the assumption of all or any portion of existing city or town indebtedness by the area to be annexed. If the legislative body requires the assumption of all or any portion of indebtedness and/or the adoption of a comprehensive plan, it shall record this action in its minutes and the petition for annexation shall be so drawn as to clearly indicate this fact. There shall be no appeal from the decision of the legislative body.

[ 2003 c 331 § 2.]

**RCW 35.13.420****Alternative direct petition method—Petition—Signers—Content.**

(1) A petition for annexation of an area contiguous to a city or town may be made in writing addressed to and filed with the legislative body of the municipality to which annexation is desired. Except where all the property sought to be annexed is property of a school district, and the school directors thereof file the petition for annexation as in RCW 28A.335.110, the petition must be signed by the owners of a majority of the acreage for which annexation is petitioned and a majority of the registered voters residing in the area for which annexation is petitioned.

(2) If no residents exist within the area proposed for annexation, the petition must be signed by the owners of a majority of the acreage for which annexation is petitioned.

(3) The petition shall set forth a legal description of the property proposed to be annexed that complies with RCW 35.02.170, and shall be accompanied by a drawing that outlines the boundaries of the property sought to be annexed. If the legislative body has required the assumption of all or any portion of city or town indebtedness by the area annexed, and/or the adoption of a comprehensive plan for the area to be annexed, these facts, together with a quotation of the minute entry of such requirement or requirements, shall be set forth in the petition.

[ 2003 c 331 § 3.]

**RCW 35.13.430****Alternative direct petition method—Notice of hearing.**

When a petition for annexation is filed with the city or town council, or commission in those cities having a commission form of government, that meets the requirements of RCW **35.13.410**, **35.13.420**, and **35.21.005**, of which fact satisfactory proof may be required by the council or commission, the council or commission may entertain the same, fix a date for a public hearing thereon and cause notice of the hearing to be published in one issue of a newspaper of general circulation in the city or town. 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. The expense of publication and posting of the notice shall be borne by the signers of the petition.

[ 2003 c 331 § 4.]

**RCW 35.13.440****Alternative direct petition method—Ordinance providing for annexation.**

Following the hearing, the council or commission shall determine by ordinance whether annexation shall be made. Subject to the provisions of RCW **35.13.410**, **35.13.460**, and **35.21.005**, they may annex all or any portion of the proposed area but may not include in the annexation any property not described in the petition. Upon passage of the ordinance a certified copy shall be filed with the board of county commissioners of the county in which the annexed property is located.

[ 2003 c 331 § 5.]

**RCW 35.13.450****Alternative direct petition method—Effective date of annexation and comprehensive plan—Assessment, taxation of territory annexed.**

Upon the date fixed in the ordinance of annexation, the area annexed shall become part of the city or town. All property within the annexed territory shall, if the annexation petition so provided, be assessed and taxed at the same rate and on the same basis as the property of such annexing city or town is assessed and taxed to pay for all or of any portion of the then outstanding indebtedness of the city or town to which the area is annexed, approved by the voters, contracted, or incurred before, or existing at, the date of annexation. If the annexation petition so provided, all property in the annexed area is subject to and is a part of the comprehensive plan as prepared and filed as provided for in RCW **35.13.177** and **35.13.178**.

[ 2003 c 331 § 6.]

**RCW 35.13.460****Alternative direct petition method—Method is alternative.**

The method of annexation provided for in RCW **35.13.410** through **35.13.450** is an alternative method, and does not supersede any other method.

[ **2003 c 331 § 7.**]



**MINUTES  
YAKIMA CITY COUNCIL  
April 20, 2021**

**City Hall – Council Chambers**

**5:30 p.m. Regular meeting 6 p.m. public hearings -- conducted via Zoom**

**1. Roll Call**

Council: Mayor Patricia Byers, presiding, Assistant Mayor Holly Cousens and Councilmembers Kay Funk, Soneya Lund and Eliana Macias

Staff: City Manager Robert Harrison, City Attorney Sara Watkins and City Clerk Sonya Claar Tee

Absent: Councilmember Brad Hill (excused) and Councilmember Jason White

**2. Open Discussion for the Good of the Order**

**A. Proclamations**

**i. Fair Housing Month proclamation**

Councilmember Funk proclaimed April as Fair Housing Month.

**ii. YWCA Stand Against Racism proclamation**

Councilmember Macias proclaimed the week of April 22-25, 2021 as "YWCA STAND AGAINST RACISM DAY."

**iii. Stop Asian Hate Day proclamation**

Councilmember Lund proclaimed Friday, April 23, 2021 as Stop Asian Hate Day. Rocío Carrión, Chair of the Community Integration Committee, accepted the proclamation.

**B. Presentations / Recognitions / Introductions**

**i. Retirement recognition of Bob Desgrosellier, Senior Engineer, for 40 years of service to the City of Yakima**

Public Works Director Scott Schafer recognized Bob Desgrosellier, retiring Senior Engineer, for 40 years of service to the City of Yakima. Council presented Mr. Desgrosellier a retirement clock, and he thanked the City for the opportunities and fellow staff members for their excellent work.

**ii. Report from the Community Integration Committee**

Rocío Carrión, Chair of the Community Integration Committee, spoke about a lack of

leadership from the Council regarding the choice to remain silent and not condemning the January 6 attack on our Capitol and requested the Council secure the safety of the community by addressing events like this. The Committee shared their recommendation on what the Council should be doing. Committee member Sandra Aguilar asked for a commitment from the Council for a joint work session with the Committee. After Council discussion,

**MOTION: Lund moved and Macias seconded to have a study session with the Community Integration Committee within the next 60 days.** The motion carried by unanimous vote, Hill and White absent.

**3. Council Reports**

None.

**4. Consent Agenda**

Mayor Byers referred to the items placed on the Consent Agenda, questioning whether there were any additions or deletions from Council members present. There were no changes. The City Clerk read the Consent Agenda items, including resolutions and ordinances, by title. (Items on the Consent Agenda are handled under one motion without further discussion—see motion directly below.)

**MOTION: Cousens moved and Macias seconded to approve the consent agenda.** The motion carried by unanimous vote, Hill and White absent.

- A. Approval of minutes from the April 6, 2021 City Council regular meeting and April 13, 2021 City Council retreat
- B. Approve payment of disbursements for the period March 1 – 31, 2021
- C. 2021 1st Quarter Treasury Report
- D. Resolution authorizing acceptance of Passenger Facility Charge revenues from U.S. Department of Transportation

**RESOLUTION NO. R-2021-049, A RESOLUTION** authorizing acceptance of Passenger Facility Charge revenues from U.S. Department of Transportation.

- E. Resolution authorizing a contract with HLA Engineering and Land Surveying, Inc for Professional Services for the Northside Alley Paving project

**RESOLUTION NO. R-2021-050, A RESOLUTION** authorizing an agreement with HLA Engineering and Land Surveying, Inc. to prepare civil engineering plans and specifications for the Northside Alley Paving Project

- F. Resolution authorizing Supplement 8 to an Agreement with Maul Foster and Alongi, Inc. for the Tiger Oil Site Interim Remedial Action Project

**RESOLUTION NO. R-2021-051, A RESOLUTION** authorizing Supplemental Agreement No. 8 with Maul, Foster Alongi, Inc. (MFA) to perform off-property high resolution site characterization, Air quality assessment, and groundwater monitoring actions at the former Tiger Oil site located at 2312 West Nob Hill Boulevard

- G. Resolution authorizing documentation confirming the City of Yakima's Certification Acceptance (CA) status with the Washington State Department of

Transportation when developing all Federal Highway Administration (FHWA) projects

**RESOLUTION NO. R-2021-052, A RESOLUTION** authorizing the City Manager to sign the WSDOT document confirming the City of Yakima's Certification Acceptance (CA) status;

H. Ordinance amending the 2021 Budget for the City of Yakima; and making appropriations from Unappropriated Fund Balances within various Funds for expenditure during 2021 for various purposes including 2020 encumbrances (Second Reading)

**ORDINANCE NO. 2021-007, AN ORDINANCE** amending the 2021 Budget for the City of Yakima; and making appropriations from Unappropriated Fund Balances within various Funds for expenditure during 2021 for various purposes including 2020 encumbrances.

**5. Public Comment**

Dori Peralta Baker and Reesha Cosby, City residents, spoke in support of the Stop Asian Hate proclamation.

**PUBLIC HEARINGS**

**6.** Public meeting to consider the Notice of Intent to Commence the Anderson Park Annexation in the Vicinity of Occidental Road/Ahtanum Road and S 59th Avenue

Planning Manager Joseph Calhoun briefed Council on the Notice of Intent to Commence the Anderson Park Annexation in the Vicinity of Occidental Road/Ahtanum Road and S 59th Avenue, which was signed by all of the affected property owners.

Mayor Byers opened the public hearing. Eric Herzog, with HLA Engineering, spoke in support of the annexation. After Council discussion,

**MOTION: Cousens moved and Lund seconded to direct staff to draft the official annexation petition and collect signatures from property owners to begin the annexation review procedures.** The motion carried by unanimous vote, Hill and White absent.

**7.** Closed record public hearing and Ordinance to consider the Yakima Planning Commission's recommendation regarding the rezone of five parcels from Suburban Residential (SR) to General Commercial (GC) for SOZO Sports Complex at 4209 Sorenson Rd

Associate Planner Trevor Martin briefed Council on the proposed rezone.

Mayor Byers opened the public hearing. Leanne Liddicoat, non-resident, spoke in support of the rezone.

The City Clerk read the ordinance by title only.

**MOTION: Cousens moved and Lund seconded to pass the ordinance.** The motion carried by unanimous vote, Hill and White absent.

**ORDINANCE NO. 2021-008, AN ORDINANCE** rezoning parcels 181334-33401, -33402, -33403, -34401 & -34402 from Suburban Residential (SR) to General Commercial (GC) and amending the Zoning Map of the City of Yakima.

## 8. Public Hearing on Class 2 and 3 Uses in the R-3 Zoning District

Planning Manager Joseph Calhoun reported on the hearing.

Mayor Byers opened the public hearing. The following City residents spoke in support of the Yakima Planning Commission's recommendation on the R-3 Zone Moratorium: Bill Hordan, Jake Mayson, Jimmy Buchanan and Dereck Nelson.

After Council discussion,

**MOTION: Cousens moved and Lund seconded that the City Council adopt the findings, conclusions and recommendation of the Planning Commission and retain the allowed Class 2 and Class 3 uses in the R-3 zone as currently codified.** The motion carried by a 4-1 vote, Funk voting no, Hill and White absent.

#### DEPARTMENT ITEMS

## 9. 2021 State Legislative Session Update

Randy Beehler, Communications & Public Affairs Director and City lobbyists Luke Esser and Nick Federici, provided a legislative session update.

## 10. Background Report for Consideration of Site Specific Rezone Standards

Community Development Director Joan Davenport reported on site specific rezones. Councilmember Funk stated she didn't think there is any need to go further with this issue.

## 11. Other Business

**MOTION: Cousens moved and Funk seconded to add to the next council business agenda, a discussion regarding a request from the Yakima Citizens Climate Lobby on Energy Innovation and Carbon Dividend Act.** The motion carried by unanimous vote, Hill and White absent.

**MOTION: Cousens moved and Macias seconded to schedule a study session to re-evaluate and further discuss a vacant building registry and minimum standards and maintenance of vacant buildings, which were previously discussed by the economic development committee and City Council.** The motion carried by unanimous vote, Hill and White absent.

**MOTION: Funk moved and Macias seconded to add to the agenda of the next council business meeting, discussion of a motion to approve this plan for habitat seed from Pheasants Forever.** The motion carried by unanimous vote, Hill and White absent.

**MOTION: Funk moved and Macias seconded that we add to the agenda of the next council business meeting, discussion of a motion to direct staff to write amendments to the draft Housing Action Plan, which will actualize our affordable housing policy goals.** The motion carried by unanimous vote, Hill and White absent.

**MOTION: Byers moved and Cousens seconded to add to a future study session to discuss a policy regarding proclamations and letters of support.** The motion carried by unanimous vote, Hill and White absent.

12. **Adjournment**

**MOTION:** Cousens moved and Lund seconded to adjourn to a City Council study session on April 27, 2021, at 5:00 p.m. at City Hall. The motion carried by unanimous vote, Hill and White absent. The meeting adjourned at 7:50 p.m.

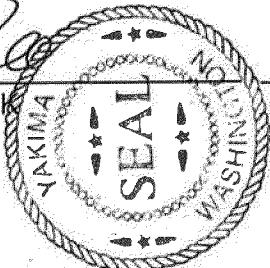
**CERTIFICATION**

READ AND CERTIFIED ACCURATE BY

*Bryce Lund*, 5/17/21  
COUNCIL MEMBER DATE  
*B. A. C.*, 5/20/21  
COUNCIL MEMBER DATE

ATTEST:

*Suey Clark Ba*  
CITY CLERK



*Patricia B. Joyce*  
MAYOR



**BUSINESS OF THE CITY COUNCIL  
YAKIMA, WASHINGTON  
AGENDA STATEMENT**

Item No. 6.  
For Meeting of: October 5, 2021

**ITEM TITLE:** Public hearing and Ordinance on the Anderson Park Annexation

**SUBMITTED BY:** Joan Davenport, AICP, Community Development Director  
Joseph Calhoun, Planning Manager (509) 575-6042

**SUMMARY EXPLANATION:**

A Notice of Intent to Annex was received on March 11, 2021, and accepted by Council on April 20, 2021. The Petition has been drafted and signed by 100% of property owners, as certified by the Yakima County Assessor on June 14, 2021. The legal description of the annexation area was certified by the Yakima County Engineer on June 22, 2021. The signatures of registered voters was certified by the Yakima County Auditor on July 22, 2021. The Anderson Park annexation includes approximately 35.2 acres of R-2 and R-1 zoned land.

If approved by Council, staff will finalize the packet for submittal to the Boundary Review Board (BRB). If approved by the Boundary Review Board, the Ordinance will be recorded and become effective 60-days thereafter.

The Public Hearing notice has been provided to all Yakima area media, including 'tu Decides', KDNA Radio, El Sol de Yakima, Hispanavision, Bustos Media, and El Mundo.

**ITEM BUDGETED:** NA

**STRATEGIC PRIORITY:** Neighborhood and Community Building

**APPROVED FOR SUBMITTAL BY THE CITY MANAGER**

**RECOMMENDATION:**

Pass Ordinance and direct staff to submit application to the Boundary Review Board

**ATTACHMENTS:**

Description	Upload Date	Type
<input type="checkbox"/> Ordinance	9/22/2021	Ordinance
<input type="checkbox"/> Staff Findings	9/22/2021	Backup Material
<input type="checkbox"/> Background Materials	9/22/2021	Backup Material



Exhibit D  
DEPARTMENT OF COMMUNITY DEVELOPMENT  
Joan Davenport, AICP, Director

11

Planning Division  
Joseph Calhoun, Manager  
129 North Second Street, 2<sup>nd</sup> Floor, Yakima, WA 98901  
ask.planning@yakimawa.gov · www.yakimawa.gov/services/planning

**CITY OF YAKIMA**  
**FINDINGS of FACT, CONCLUSIONS & RECOMMENDATION**  
**for**  
**PETITION FOR ANNEXATION**

Application # ANX#001-21, PETITION 21-01

**PETITIONER:** Cottonwood Partners, Ray Novobielski, et. al.  
**LOCATION:** Vicinity of Ahtanum and Occidental Roads and S 59<sup>th</sup> Avenue  
**PARCEL(S):** 181204-22002, 23005, 23401, 23403, 23404, 181205-14402, 14412, 14413  
**DATE OF PETITION:** May 17, 2021  
**DATE OF RECOMMENDATION:** October 5, 2021  
**STAFF CONTACT:** Joseph Calhoun, Planning Manager

- I. **DESCRIPTION OF REQUEST:** Petition to annex eight (8) parcels totaling approximately 35.2 acres, into the City of Yakima
- II. **PROPERTY INFORMATION:** The annexation area includes the following zoning and land use:

<b>Parcel</b>	<b>Zoning</b>	<b>Land Use</b>	<b>Acres</b>
181204-22002	R-2	Vacant	7.88
181204-23005	R-2	Vacant	11.46
181204-23401	R-2	Vacant	2.3
181204-23403	R-1	Single-Family Home	0.50
181204-23404	R-1	Single-Family Home	0.51
181205-14402	R-2	Vacant	10.12
181205-14412	R-2	Vacant	1.84
181205-11413	R-2	Single-Family Home	0.59

III. **ANNEXATION TIMELINE:**

Notice of Intent Received	March 11, 2021
Council Acceptance of Petition	April 20, 2021
Legal Description Certified by County Engineer	June 22, 2021
Annexation Signatures Certified by County Assessor	June 14, 2021
Annexation Signatures Certified by County Auditor	July 22, 2021
Council Set Date	September 7, 2021
Public Notice Sent	September 10, 2021
Public Notice Published in Newspaper	September 10, 2021
Annexation Signs Posted on Property	September 21, 2021

**IV. FINDINGS OF FACT:****A. Annexation Procedure:**

The Anderson Park Annexation was submitted and processed under the "Alternative Direct Petition Method" in RCW 35.13.410-460. This statute requires that a majority of property owners in the annexation area sign the petition, along with a majority of the registered voters. Both signature requirements were accomplished and certified by the County Assessor and County Auditor, respectfully.

**B. Urban Growth Area:**

Per RCW 36.70A.110(3),

"Urban growth should be located first in areas already characterized by urban growth that have existing public facility and service capacity to serve such development, and second in areas already characterized by urban growth that will be served by a combination of both existing public facilities and services and any additional needed public facilities are provided by either public or private sources. Further, it is appropriate that urban government services be provided by cities, and urban government services should not be provided in rural areas."

The 2003 Yakima County Wide Planning Policies (YCWP) includes the following policy statement:

A.3.12.: Annexations will not occur outside established urban growth areas. Annexations will occur within urban growth areas according to the provisions of adopted interlocal agreements, if any.

The City of Yakima and Yakima County Interlocal Agreement (Resolution R-2015-139) promotes orderly and contiguous development of the City through annexation. In the preamble of the agreement it is noted "The purpose of UGA designation is to target these areas for urban growth and urban levels of services, and eventual annexation or incorporation."

**C. Comprehensive Plan Criteria:**

The City of Yakima Comprehensive Plan 2040 provides the following criteria, Policy 2.1.9 of the Land Use Element:

Consider annexation requests in accordance with review criteria, including, but not limited to:

- a. Areas to be annexed are included in the UGA.

*Staff Response: The total area of the Anderson Park Annexation is within the UGA*

- b. The annexation boundary, where appropriate, should adjust any impractical or irregular boundaries created in the past.

*Staff Response: Not applicable. This annexation is directly adjacent to city limits and includes easterly expansion of Occidental Avenue along with connection to Ahtanum Road to the south.*

- c. The annexation boundary should, where appropriate, provide a contiguous and regular boundary with current City limits.



*Staff Response: This annexation area is contiguous to the existing City limits.*

- d. The annexation proposal should create and/or preserve logical service areas. Annexations generally should not have or create abnormally irregular boundaries that are difficult to serve.

*Staff Response: The Anderson Park Annexation creates a logical service boundary based on existing access factors and anticipated future development. Currently, there are several properties that are accessed through a private road (58<sup>th</sup> Avenue). The proposed annexation does not change this access. Other properties outside of the annexation area are accessed by Ahtanum Road, which will not change. Future development within the annexation area will require the extension of Occidental Avenue to the east, along with new internal local access roadways.*

- e. The City should give priority consideration to annexation proposals that are financially self-sufficient or those where the fiscal impact can be improved. The City should develop a variety of service delivery or revenue enhancing options to increase the feasibility of annexation. The City will prepare a fiscal analysis of the annexation proposal prior to annexation.

*Staff Response: The fiscal impact of this annexation is minimal, and general fund revenue will increase as development occurs. The annexation area is largely vacant, with only three single-family homes in the area. The addition of +/- 10 people is not anticipated to have any impact to the delivery of City services. As development occurs and property taxes increase, the City will receive permit revenue and connection fees along with property tax revenue after construction. The annexation area's assessed value is approximately \$1.43 million, which is anticipated to generate approximately \$3,625.91 in property tax revenue based on current rates.*

*As most of the annexation area (33.01 acres) is vacant and zoned R-2, it is anticipated that future residential development will occur. Of the vacant 33.01 acres of residential land, approximately 3.7 acres are encumbered by floodplain and/or floodway. At R-2 densities, the remaining buildable area (after removing land for streets, parking and open space), at 21.06 acres could support approximately 253 dwelling units (at a density of 12 units per acre). The City of Yakima has approximately 2.73 persons per household (Comprehensive Plan 2040) which would add approximately 960 additional people at full buildout.*

Zoning	Acreage outside Floodplain/ Floodway	Less 25% for Streets, Parking, and Open Space	Buildable Acreage
R-2: 12 du/nra	3.7	8.25	21.06
Total Units			253
2.73 people/unit			690

*From a fiscal standpoint, the impact to city services is minimal and it is not anticipated that existing city services would suffer as a result of this annexation. New development would be responsible to extend utilities and frontage improvements. As noted above,*

*when development occurs the City will receive the permit and connection fees, along with the property tax revenue of the newly developed properties.*

*The anticipated development of approximately 253 housing units will significantly add to the City's tax revenue. New housing construction in the area is assessed around \$300k to \$400k on average. Rough estimate, based on current rates, would yield additional general fund revenue of \$192k - \$256k at full buildout.*

## **V. CONCLUSIONS**

1. The Petition for the Anderson Park Annexation was signed by 100% of property owners, as certified by the Yakima County Assessor.
2. The Anderson Park Annexation is consistent with the applicable criteria found in the City of Yakima 2040 Comprehensive Plan, the Yakima Countywide Planning Policies, and the City/County Interlocal Agreement.
3. The City of Yakima has sufficient capacity to serve the annexed area.

## **VI. RECOMMENDATION TO CITY COUNCIL**

The Planning Division recommends approval of the proposed Anderson Park Annexation Ordinance. If approved by Council, the necessary documents will be transmitted to the Yakima County Boundary Review Board (BRB) for final consideration. If ultimately approved by the BRB, the Ordinance will be filed and become effective 60 days thereafter.

Exhibit D

**ORDINANCE NO. 2021-026**

**AN ORDINANCE** annexing the Anderson Park Annexation area to the City of Yakima, contingent on Yakima County Boundary Review Board approval.

**WHEREAS**, on March 11, 2021, the owners of not less than ten percent (10%) of the acreage in property within the proposed Anderson Park Annexation submitted a Notice of Intent to Commence Annexation, pursuant to the alternative direct petition method form of annexation found in RCW 35.13.410 through RCW 35.13.460; and

**WHEREAS**, on April 20, 2021, the City Council, at an open public meeting, accepted the Notice of Intent to Commence Annexation as presented, including the information that the current zoning of the property is consistent with the City's comprehensive plan, that the properties will be taxed at the same rate and on the same basis as other parcels in the City, and that the properties would be subject to any outstanding indebtedness to the City, and directed staff to draft the petition and collect signatures from property owners; and

**WHEREAS**, following acceptance of the Notice of Intent, Petition number 21-01, was drafted and circulated for signature; and

**WHEREAS**, the proponents presented the City with a signed petition, consistent with RCW 35.13.420, reflecting the signatures of parties who own a majority of the acreage and a majority of the registered voters in the proposed Anderson Park Annexation area, and on June 14, 2021 the Yakima County Assessor issued a Determination of Sufficiency which identifies that the owners of a majority of the assessed value of the property signed the petition, consistent with RCW 35.13.420 and 35.21.005; and on July 22, 2021 the Yakima County Auditor issued a Certificate of Sufficiency which identifies that a majority of registered voters signed the petition, consistent with RCW 35.13.420; and

**WHEREAS**, the Anderson Park Annexation area is approximately 35.2 acres of unincorporated Yakima County, contiguous to and generally located South of Occidental Road and North of Ahtanum Road, in the vicinity of S 59<sup>th</sup> Ave; and

**WHEREAS**, the assessed value of the annexation area is approximately \$1.43 Million which is expected to generate approximately \$3,625 in property tax revenue to the City of Yakima. In addition, expected development in the area will be processed by the City of Yakima, which will generate permit connection fee revenue along with increased property tax revenues as development occurs; and

**WHEREAS**, garbage and refuse collection within the Anderson Park Annexation area is presently capable of being served by Yakima Waste Systems, Inc., under authority issued by the Washington Utilities and Transportation Commission (WUTC) to both residential and commercial accounts and the City desires to provide such services to residential accounts only in accordance with RCW 35.13.280; and

**WHEREAS**, RCW 35.13.280 requires the City to grant Yakima Waste Systems, Inc., as the current WUTC-authorized provider of garbage and refuse collection and disposal service within the Anderson Park Annexation area, a franchise to continue such service to residential properties within the Anderson Park Annexation area for a term of not less than seven years after annexation becomes effective, such franchise does not apply to garbage and refuse

Exhibit D

generated by commercial establishments because the City does not provide or contract for such service.

**WHEREAS**, pursuant to due and legal notice, the City Council held a public hearing on said annexation on October 5, 2021 and;

**WHEREAS**, the City Council has been fully advised and finds that all statutory requirements have been satisfied in order and accomplish the proposed annexation, and that it is in the best interest of the City and its residents to annex said property; **NOW, THEREFORE,**

**BE IT ORDAINED BY THE CITY OF YAKIMA:**

**Section 1. Findings**

1. The annexation petition requirements of RCW 35.13.420 have been satisfied by annexation petitions signed by the owners of a majority of the acreage and by a majority of registered voters of the Anderson Park Annexation area.
2. The Anderson Park Annexation should be annexed to the City of Yakima.
3. The Anderson Park Annexation property shall be assessed and taxed at the same rate and basis as other property within the City of Yakima to pay for all or of any portion of the outstanding indebtedness of the City as incurred before, or existing at, the date of the annexation.
4. The Anderson Park Annexation area's Comprehensive Plan Designations of Mixed Residential and Low Density Residential shall be in effect.
5. The City of Yakima shall file a completed Notice of Intention to the Yakima County Boundary Review Board.

**Section 2.** The real property identified on the map attached hereto as Exhibit "A" and legally described in Exhibit "B" attached hereto and incorporated by reference herein, referred to as the "Anderson Park Annexation," is hereby annexed into the City of Yakima, Washington, pending approval of the Yakima County Boundary Review Board of the proposed annexation as presented to it.

**Section 3.** The Anderson Park Annexation area's Comprehensive Plan designation shall be Mixed Residential and Low Density Residential, and the zoning shall be Two-Family Residential (R-2) and Single-Family Residential as outlined in Exhibit "C."

**Section 4.** The next regularly amended Zoning District Map prepared by the City of Yakima shall show the Anderson Park Annexation area zoned and classified as set forth in Section 3 above.

**Section 5.** The City Clerk is hereby authorized and directed to file, pending approval of the Yakima County Boundary Review Board to the proposal as specifically outlined herein, a certified copy of this ordinance with the Yakima County Auditor and with the Board of County Commissioners of Yakima County, Washington, and to transmit a certified copy of this ordinance to the Washington Utilities and Transportation Commission to notify it of the City's intent to annex and to provide residential refuse collection and disposal service to the Anderson Park Annexation area.

**Section 6.** As required by RCW 35.13.270, the City Clerk is hereby authorized and directed to provide, pending approval of the Yakima County Boundary Review Board, notification by certified mail that includes a list of the Assessor's tax parcel numbers of all

Exhibit D

properties within the Anderson Park Annexation area to the Yakima County Treasurer and Assessor at least sixty days before the effective date of the annexation.

**Section 7.** There is hereby granted to Yakima Waste Systems, Inc., in accordance with and for the term provided by RCW 35.13.280, an exclusive franchise to provide garbage and refuse collection and disposal service to residential properties in the Anderson Park Annexation area for a record of seven years from the effective date of the annexation. Such franchise does not apply to garbage and refuse generated by commercial establishments.

**Section 8.** This ordinance shall be in full force and effect 60 days after consideration and approval of the Yakima County Boundary Review Board, and publication as provided by law and by the City Charter.

PASSED BY THE CITY COUNCIL, signed and approved this 5<sup>th</sup> day of October, 2021.

ATTEST:

  
Sonya Olaar Tee, City Clerk

Publication Date: \_\_\_\_\_

Effective Date: \_\_\_\_\_

Section 7 above is accepted by Franchisee this  
November, 2021

Yakima Waste Systems, Inc.

By: Mark Lauter

Signer's Name Printed: Mark Lauter

Signer's Title: District Manager

DATES  
pending BRB  
approval  
SCT

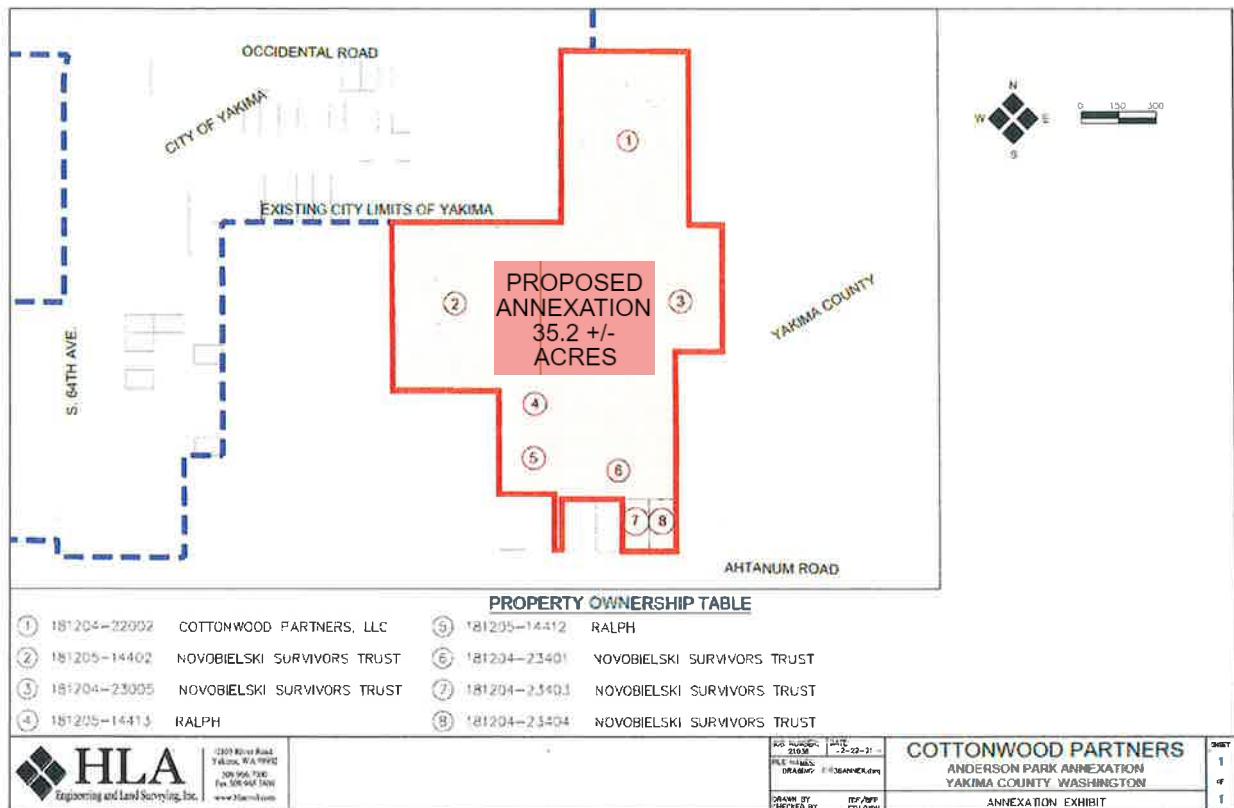
Certified to be a true and correct copy of the  
original filed in my office.

CITY CLERK

By Sonya Olaar Tee

## Exhibit D

**EXHIBIT "A"**  
**Annexation Map**



**EXHIBIT "B"**  
**Legal Description**

THAT PORTION OF THE NORTHWEST QUARTER OF SECTION 4 AND THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 12 NORTH, RANGE 18 EAST, W.M. DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 4; THENCE EASTERLY ALONG THE NORTH LINE THEREOF TO THE NORTHEAST CORNER OF THE WEST 505.86 FEET OF GOVERNMENT LOT 4 OF SAID SECTION 4; THENCE SOUTHERLY ALONG THE EAST LINE OF SAID WEST 505.86 FEET TO THE SOUTH LINE OF SAID GOVERNMENT LOT 4; THENCE SOUTH  $89^{\circ}43'30''$  EAST 148.14 FEET TO THE NORTHEAST CORNER OF PARCEL "B" AS SHOWN ON THAT RECORD OF SURVEY FILED UNDER AUDITOR'S FILE NUMBER 8055964, RECORDS OF YAKIMA COUNTY, WASHINGTON; THENCE SOUTH  $00^{\circ}57'29''$  EAST ALONG THE EAST LINE OF SAID PARCEL "B" 517.10 FEET; THENCE NORTH  $89^{\circ}59'58''$  WEST 186.46 FEET; THENCE SOUTH  $00^{\circ}57'29''$  EAST 349.41 FEET TO THE NORTHEAST CORNER OF LOT 1 OF THAT SHORT PLAT RECORDED IN BOOK 86 OF SHORT PLATS, PAGE 21, RECORDS OF YAKIMA COUNTY, WASHINGTON. THENCE SOUTHERLY ALONG THE EAST LINE OF LOTS 1 AND 4 OF SAID SHORT PLAT TO THE SOUTHEAST CORNER OF SAID LOT 4; THENCE WESTERLY ALONG THE SOUTH LINE OF LOTS 3 AND 4 OF SAID SHORT PLAT TO THE SOUTHWEST CORNER OF SAID LOT 3; THENCE NORtherly ALONG THE WEST LINE OF SAID LOT 3 TO THE NORTHWEST CORNER OF SAID LOT 3; THENCE WESTERLY TO THE NORTHEAST CORNER OF LOT 4 OF THAT SHORT PLAT RECORDED IN BOOK 86 OF SHORT PLATS, PAGE 20, RECORDS OF YAKIMA COUNTY, WASHINGTON; THENCE WESTERLY TO THE NORTHWEST CORNER OF SAID LOT 4; THENCE SOUTHERLY TO THE SOUTHWEST CORNER OF SAID LOT 4; THENCE WESTERLY TO THE SOUTHEAST CORNER OF LOT 3 OF SAID SHORT PLAT RECORDED IN BOOK 86 OF SHORT PLATS, PAGE 20, RECORDS OF YAKIMA COUNTY, WASHINGTON; THENCE NORtherly ALONG THE EAST LINE OF SAID LOT 3 TO THE NORTHEAST CORNER THEREOF; THENCE WESTERLY ALONG THE NORTH LINE OF LOT 3 AND LOT 2 OF SAID SHORT PLAT TO THE NORTHWEST CORNER OF SAID LOT 2; THENCE NORtherly ALONG THE WEST LINE OF LOT 1 OF SAID SHORT PLAT RECORDED IN BOOK 86 OF SHORT PLATS PAGE 20, RECORDS OF YAKIMA COUNTY, WASHINGTON, TO THE NORTHWEST CORNER OF LOT 1 OF SAID SHORT PLAT, SAID POINT BEING ON THE SOUTH LINE OF PARCEL "B" OF THAT

Exhibit D

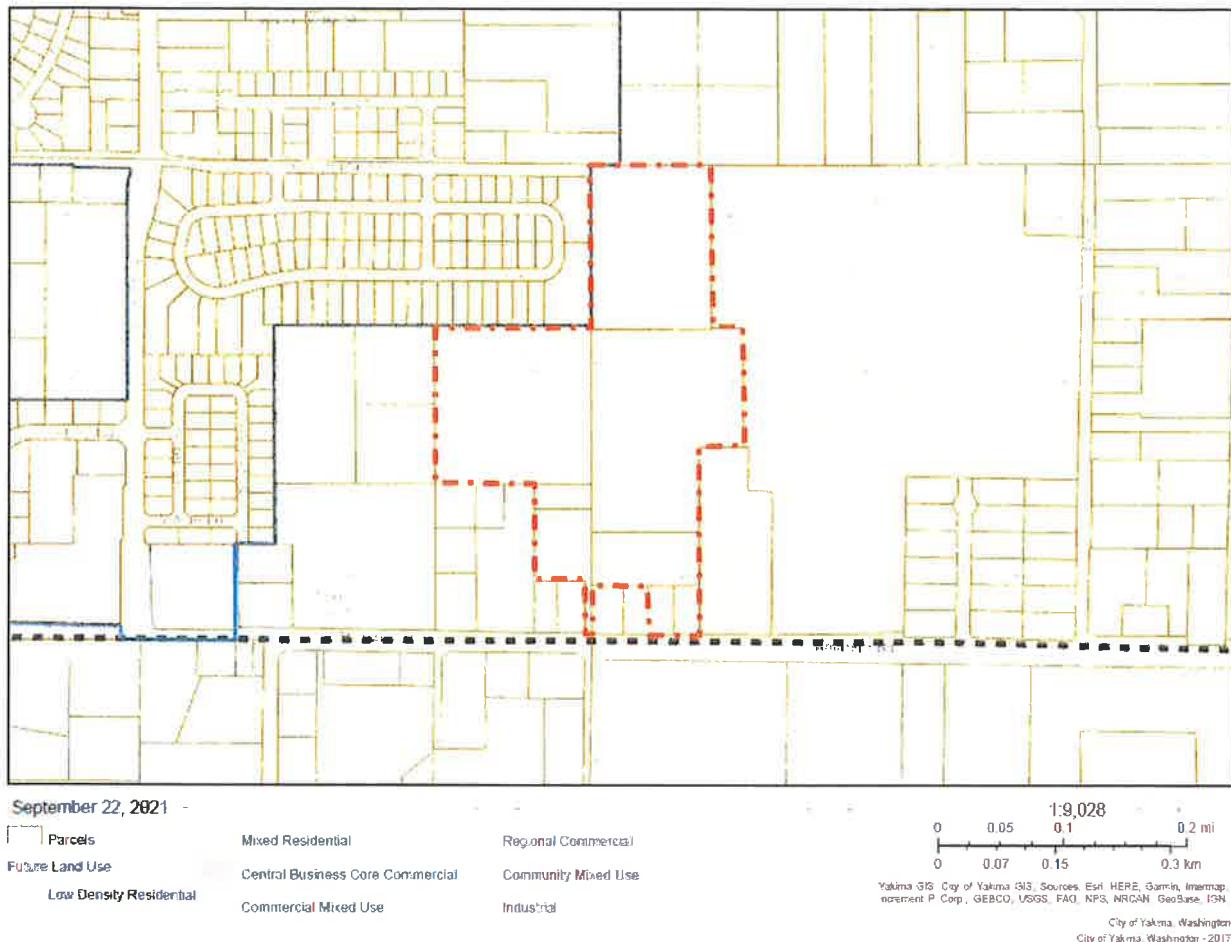
SHORT PLAT RECORDED IN BOOK "J" OF SHORT PLATS, PAGE 6, RECORDS OF YAKIMA COUNTY, WASHINGTON;  
THENCE WESTERLY ALONG THE SOUTH LINE OF SAID PARCEL "B" TO THE SOUTHWEST CORNER THEREOF;  
THENCE NORtherly ALONG THE WEST LINE OF SAID PARCEL "B" TO THE NORTHWEST CORNER THEREOF;  
THENCE EASTERLY TO THE NORTHEAST CORNER OF SAID PARCEL "B";  
THENCE NORtherly TO THE POINT OF BEGINNING.

SITUATE IN YAKIMA COUNTY, WASHINGTON.

## Exhibit D

**EXHIBIT "C"**  
**Zoning and Future Land Use**

## Anderson Park Annexation - Future Land Use

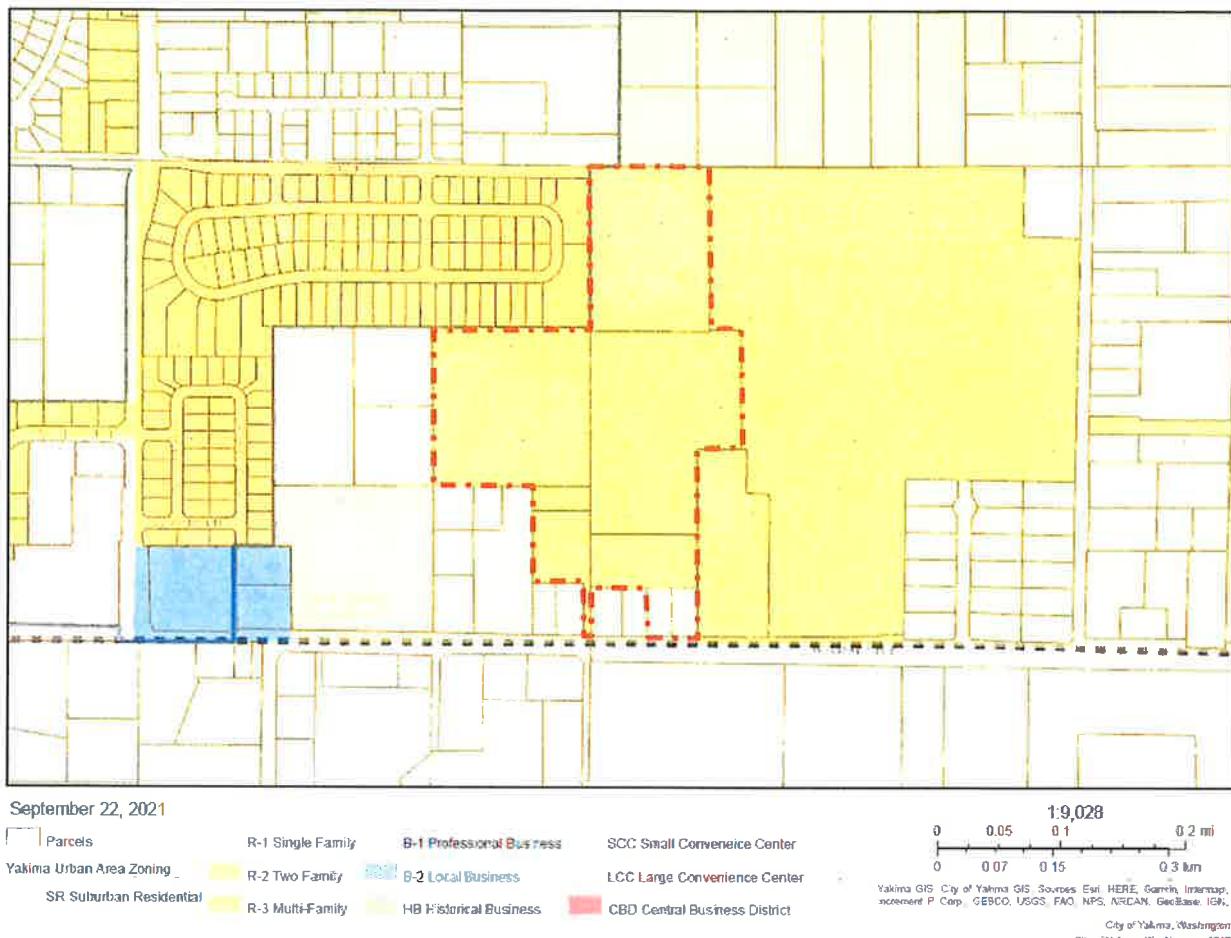


## Exhibit D

## **EXHIBIT "C"**

### **Zoning and Future Land Use**

## Anderson Park Annexation - City Zoning





MINUTES  
YAKIMA CITY COUNCIL  
October 5, 2021  
City Hall – Council Chambers

5:30 p.m. Regular meeting 6:00 p.m. public hearings -- meeting conducted via Zoom

1. **Roll Call**

Present: Mayor Patricia Byers, presiding, Assistant Mayor Holly Cousens and Councilmembers Kay Funk, Brad Hill (present at 5:41 p.m.) Soneya Lund and Eliana Macias

Staff: City Manager Robert Harrison, City Attorney Sara Watkins and City Clerk Sonya Claar Tee

Absent: Councilmember Jason White

2. **Open Discussion for the Good of the Order**

3. **Council Reports**

None.

4. **Consent Agenda**

Mayor Byers referred to the items placed on the Consent Agenda, questioning whether there were any additions or deletions from Council members present. There were no changes. The City Clerk read the Consent Agenda items, including resolutions and ordinances, by title. (Items on the Consent Agenda are handled under one motion without further discussion—see motion directly below.)

**MOTION: Cousens moved and Macias seconded to approve the consent agenda.** The motion carried by unanimous vote, Hill and White absent.

- A. Approval of minutes from the September 21, 2021 City Council regular meeting and September 14 and 28, 2021 City Council study sessions
- B. Set date of October 19, 2021, for a public hearing on the Pedestrian Master Plan
- C. Set November 1, 2021 as the public hearing date to consider the Yakima Planning Commission's recommendation on six (6) Comprehensive Plan map amendments and concurrent rezone applications
- D. Resolution authorizing acceptance of a Department of Transportation 2021 National Highway System Asset Management Award for N. 1st Street Phase 3

## Exhibit D

**RESOLUTION NO. R-2021-128, A RESOLUTION** authorizing acceptance of a Department of Transportation 2021 National Highway System Asset Management Award for the N 1st Street Phase 3 project and directing the City Manager to take all necessary steps to secure the funding.

E. Resolution ratifying acceptance and execution of a Toxics Cleanup Remedial Action Grant Program Agreement with the State of Washington Department of Ecology for the environmental cleanup of the former Tiger Oil site at 1808 North First Street

**RESOLUTION NO. R-2021-129, A RESOLUTION** ratifying acceptance and execution of a Toxics Cleanup Remedial Action Grant Program Agreement with the State of Washington Department of Ecology for the environmental cleanup of the former Tiger Oil site at 1808 North First Street

F. Resolution authorizing an agreement with JUB Engineering, Inc for environmental services regarding development of a new passenger terminal building and Taxilane Charlie expansion projects

**RESOLUTION NO. R-2021-130, A RESOLUTION** authorizing an agreement with JUB Engineering, Inc for environmental services regarding development of a new passenger terminal building and taxilane charlie expansion projects.

G. Resolution authorizing amendment to the Agreement with Yakima Area Arboretum for the operation and maintenance of Yakima's Arboretum

**RESOLUTION NO. R-2021-131, A RESOLUTION** authorizing the City Manager to amend the Agreement with Yakima Area Arboretum for the operation and maintenance of Yakima's arboretum

H. Resolution authorizing a Memorandum of Understanding with the Federal Bureau of Investigations (FBI) related to the Safe Streets Task Force

**RESOLUTION NO. R-2021-132, A RESOLUTION** authorizing a Memorandum of Understanding between the Federal Bureau of Investigations ("FBI") and the Yakima Police Department as it relates to the Safe Streets Task Force

I. Resolution authorizing an interlocal agreement with Yakima County for provision of procurement services

**RESOLUTION NO. R-2021-133, A RESOLUTION** authorizing an interlocal agreement with Yakima County for provision of procurement services

J. Ordinance amending the 2021 Budget for the City of Yakima; and making appropriations from Unappropriated Fund Balances within various Funds for expenditure during 2021 for various purposes (Second Reading)

**ORDINANCE NO. 2021-025, AN ORDINANCE** amending the 2021 Budget for the City of Yakima; and making appropriations from Unappropriated Fund Balances within various funds for expenditure during 2021 for various purposes described in the attached Schedule.

5. **Public Comment**

None.

**PUBLIC HEARINGS**

## 6. Public hearing and Ordinance on the Anderson Park Annexation

Planning Manager Joseph Calhoun briefed Council on the proposed annexation.

Mayor Byers opened the public hearing. Michael Heit, with HLA Engineering and representing the property owners, spoke in support of the annexation. With no one else calling in to speak, Mayor Byers closed the hearing.

The City Clerk read the ordinance by title only.

**MOTION: Cousens moved and Lund seconded to pass the ordinance.** The motion carried by unanimous vote, White absent.

**ORDINANCE NO. 2021-026, AN ORDINANCE** annexing the Anderson Park Annexation area to the City of Yakima, contingent on Yakima County Boundary Review Board approval.

#### DEPARTMENT ITEMS

## 7. 2021 1st &amp; 2nd Quarter Capital Improvement Projects Report

Bill Preston, City Engineer, presented a PowerPoint report on the 1st & 2nd Quarter 2021 Capital Improvement Projects and answered questions from Council members.

#### CITY MANAGER UPDATE

## 8. Resolution authorizing a federal grant application for up to \$500,000 under the Economic Development Administration

City Manager Harrison introduced Bob Stowe with Stowe Development Strategies, the City's grant consultant for this project. Mr. Stowe reviewed the application process for the Build Back Better grant.

After discussion, the City Clerk read the resolution by title only.

**MOTION: Cousens moved and Lund seconded to adopt the resolution.** The motion carried by unanimous vote, White absent.

**RESOLUTION NO. R-2021-134, A RESOLUTION** authorizing a federal grant application for up to \$500,000 under the Economic Development Administration.

## 9. Other Business

**MOTION: Hill moved and Funk seconded to schedule a study session as early as possible in November on public safety issues in downtown Yakima.** The motion carried by unanimous vote, White absent.

**MOTION: Funk moved and Hill seconded to place on the agenda of the next business meeting discussion of creation of a new City board to overlook sustainability and the adverse effects of climate change.** The motion carried by unanimous vote, White absent.

**MOTION: Funk moved and Lund seconded to place on the agenda of the next business meeting discussion of City Council Rules of procedure.** After discussion, the motion carried by a 4-2 vote, Byers and Cousens voting no, White absent.

## 10. Adjournment

**MOTION: Cousens moved and Macias seconded to adjourn to a City Council study session on October 7, 2021 at 9 a.m. via Zoom.** The motion carried by unanimous vote, White absent. The meeting adjourned at 6:32 p.m.

**CERTIFICATION**

READ AND CERTIFIED ACCURATE BY

Aurelio Macias 10/28/21  
COUNCIL MEMBER DATE

Holly Cousens 10/28/21  
COUNCIL MEMBER DATE

ATTEST:

Soumya Rao Patricia Bryant  
CITY CLERK MAYOR



**MASTER INTERLOCAL AGREEMENT**  
**FOR GROWTH MANAGEMENT ACT IMPLEMENTATION**  
**IN YAKIMA COUNTY**

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**III. SIGNATURES**

**I. PREAMBLE**

**A. PURPOSE**

The primary purpose of this Agreement is to provide a management structure for growth and development occurring in Urban Growth Areas (UGAs) to ensure that coordinated Growth Management Act (GMA) goals will be met. In areas that are outside of city limits but within the UGA, the County continues to have legal jurisdiction but both the County and respective City have interests. The purpose of UGA designation is to target these areas for urban growth and urban levels of services, and eventual annexation or incorporation. Consequently, the County and cities' must have coordinated visions for urban density land use in these areas with appropriate development standards to assure consistency with the GMA. This Agreement is intended to meet the objectives of the GMA, set out processes for coordination of planning, provide public improvements, and to clarify

administrative and development processes for citizens, the Cities and the County.

**B. BACKGROUND**

Outlined below are statute, regulation, and agreements that provide the framework for this Agreement.

1. Growth Management Act

The enactment of GMA by the Washington State Legislature in 1990 fundamentally changed the way comprehensive land use planning is carried out in the state. The GMA requires that counties and cities update their comprehensive land use plans consistent with statewide goals and to coordinate their planning efforts with each other.

2. County-wide Planning Policies (CWPPs)

To assure that this coordination is carried out, the 1991 Legislature passed companion legislation (RCW 36.70A.210) requiring counties and cities to coordinate the development of local comprehensive plans through a set of mutually developed CWPPs.

Following review and recommendation by the Cities, the CWPPs were adopted by the Board of Yakima County Commissioners in June 1993 and updated in 2003. This agreement implements the Yakima County-wide Planning Policies (CWPP) as adopted by Yakima County and its cities.

3. Urban Growth Areas

The GMA states that urban growth should first be located in areas already characterized by urban growth that have adequate existing public facility and service capacities to serve such development, second in areas already characterized by urban growth that will be served adequately by a combination of both existing public facilities and services and any additional needed public facilities and services that are provided by either public or private sources, and third in the remaining portions of the urban growth areas. [RCW 36.70A.110(3)]

Therefore, the CWPPs include specific policies to encourage growth in UGAs and discourage urban growth outside of these areas. Also, these policies strive for development within UGAs in a logical fashion outward from the edge of developed land in conjunction with the provision of infrastructure and urban services.

**4. Provision of Services within UGAs**

The GMA recognizes that, in general, the Cities are the units of government most appropriate to provide urban governmental services. RCW 36.70A.110(4). This preference does not preclude provision of services by other providers, but suggests if all factors were equal in an evaluation of potential service, the City is the preferred provider of urban governmental services.

**II. AGREEMENT**

**A. PARTIES TO AGREEMENT**

This Agreement is entered into individually between Yakima County (hereinafter referred to as the "County") and each of the following municipalities: the Cities of Grandview, Granger, Mabton, Moxee, Selah, Sunnyside, Tieton, Toppenish, Union Gap, Wapato, Yakima and Zillah, the Towns of Harrah and Naches (hereinafter referred to as the "City" or "Cities").

**B. AUTHORITY**

This Agreement constitutes an exercise of authority granted to the Cities and the County under Chapter 39.34 RCW, the Interlocal Cooperation Act, and Chapter 36.70A, the Growth Management Act. Copies of this Agreement and any sub-agreements shall be filed by Yakima County with the Yakima County Auditor and the Washington State Department of Commerce.

**C. OBJECTIVES**

The objectives of this Agreement are:

1. To implement the provisions of GMA and the CWPPs, including facilitation of urban growth within UGAs, while maintaining consistency with the County's and City's comprehensive plan.
2. To assure allowable growth and development within UGAs is clearly understood by the Cities, the County, other service providers and citizens in these areas.
3. To assure that the policies and procedures leading to such development are clearly defined.
4. To define responsibility for the provision of urban services and the level of service to be provided.
5. To assure communication among the Cities, the County and citizens as planning, growth, and development decisions are made.

6. To use decision-making processes that are consistent with the County's and City's responsibilities, and which consider the long term objectives, plans and development standards of the Cities.
7. To provide for common and joint processes of the Cities and the County to foster overall operational partnership, efficiency, and unified policy and direction.
8. To assure that public participation processes targeting property owners and residents of affected UGAs areas are undertaken as this Agreement is implemented.
9. To encourage economic development with a balanced application of the goals, policies, and strategies of the various comprehensive plans.
10. To establish the protocols and responsibilities for developing and maintaining the common system for data collection and analysis.

**D. COOPERATIVE PLANNING SYSTEM**

**1. UGA Boundaries**

The record of official UGA boundaries designated by the County pursuant to the Growth Management Act shall be maintained as a part of the future land use map in the County's adopted comprehensive plan. Copies of the official UGA boundary shall be provided to the City. Cities shall notify the County of any disparities.

The County adopts UGA boundaries consistent with the provisions of the Growth Management Act, CWPPs, YCC Title 16B.10 and this Agreement.

**2. Urban Growth Area Future Land Use Designations**

To ensure consistency between future land use designations and zoning for property within unincorporated urban growth areas not covered by adopted subarea plans, the County will adopt common future land use designations for those properties and zone them accordingly. The plan designations and zoning within these areas will be determined in a coordinated effort between the County and each city as part of the scheduled County-wide UGA updates process, set forth in YCC Title 16B.10 and this Agreement. The County will ensure that land use designations and zoning for property within unincorporated urban growth areas covered under an adopted subarea plan are consistent with the applicable subarea plan.

The Cities may provide the County with pre-zoning map(s) during the County-wide UGA update process depicting the City's preferred zoning for the unincorporated portions of their respective UGA. Said pre-zoning shall be consistent with comprehensive plan land use designations. When utilized, the pre-zoning map shall serve as an indication of the City's intentions with respect to land uses in the area upon annexation, and shall be considered by the County when making revisions.

## **E. PLANNING IMPLEMENTATION**

Since UGAs are intended to accommodate urban growth and eventually be part of cities, a mechanism is needed to assure that planning and permitting decisions of the County are generally consistent with the planning objectives and development standards of the Cities.

### **1. Amending Urban Growth Boundaries**

Urban Growth Areas are intended to implement the planning goals of the Growth Management Act (GMA), CWPPs and the planning and land use objectives of adopted comprehensive plans by encouraging development in urban areas where adequate public facilities and services exist or as documented in each jurisdictions capital facilities plan. To implement the goals of this Agreement, all jurisdictions shall adhere to the following requirements for the review of urban growth areas and amendments to the boundaries:

#### **a. Urban Growth Boundary Amendment Cycle**

Yakima County shall conduct a county-wide UGA review according to the schedules established in YCC Title 16B.10.040 (5), or at a minimum the timeframes established under RCW 36.70A.130.. Cities may request amendments to UGA boundaries outside of the county-wide UGA review schedules listed above under the emergency amendment process allowed under RCW 36.70A.130(2)(b).

Emergency amendment requests must be made in writing to the Board of Yakima County Commissioners and if accepted, the proposed amendment will be evaluated based on the criteria and requirements under YCC 16B.10, this Agreement and the most recent LCA information and population allocations used by the County during the most recent UGA review process.

b. Population Allocations

The baseline for the twenty-year County-wide population forecasts shall be based on the State of Washington's Office of Financial Management (OFM) 20-year GMA population projections. The population forecasts will be allocated to the Cities and the unincorporated urban areas by Yakima County, as set forth in YCC 16B.10.040 and the GMA.

c. Buildable Lands Model (BLM)

The BLM allows local jurisdictions to compare anticipated growth against actual development over time to determine if there is enough suitable land inside the UGA to accommodate the growth anticipated during the remaining portion of the 20-year planning period and if jurisdictions are achieving their adopted urban densities inside urban growth areas. This process may be used by Yakima County if determined necessary.

d. Land Capacity Analysis (LCA)

The LCA is to establish an objective approach by which to determine the current supply of land and how much population and development each jurisdiction can expect to accommodate under current zoning and development regulations in the existing incorporated and unincorporated UGAs. Yakima County shall conduct the LCA, using the LCA methodology outlined in the Yakima County Comprehensive Plan Land Use Element, YCC 16B.10.095 (2), the CWPPs and this Agreement.

e. Capital Facilities Planning

Cities must submit an adopted Capital Facilities Plan that includes any capital assets that are needed to accommodate future growth within the proposed or existing urban growth area as part of any UGA update process. To determine what is needed, the levels of service (LOS) standards for transportation facilities must be identified. LOS standards on other capital facilities are strongly encouraged. This should be consistent with the 20-year planning horizon and the densities and distribution of growth identified during the UGA update process. This forecast must include those capital facilities required by RCW 36.70A that are planned to be provided within the planning period, including the general locations and anticipated capacity needed. The lack of an adopted Capital Facilities Plan

for any proposed expansion area or areas currently within an urban growth area indicates that the area is not ready for urban growth and that the proposal will be denied or the area will be removed from the UGA.

2. Amending Urban Growth Area Future Land Use Designations and Zoning Districts

a. Future Land Use Designation Amendments

Amendment requests to change future land use designations for properties located within unincorporated urban growth areas will be accepted by the County during the scheduled biennial amendment cycle, set forth in YCC 16B.10. Amendment requests by property owners and/or jurisdictions will be evaluated based on the criteria and requirements under YCC 16B.10 and this Agreement.

Future land use designations and zoning for properties located within unincorporated urban growth areas were developed as part of a coordinated effort between Yakima County and the cities during the county-wide UGA review process. Therefore, if a property owner requests a future land use designation amendment outside of the scheduled five year UGA review process Yakima County will notify the applicable city of the proposed amendment request for their recommendation. The city's recommendation will be forwarded to the Yakima County Planning Commission and to the Board of Yakima County Commissioners for consideration as part of the legislative amendment review process. Amendment requests by property owners and/or jurisdictions outside of a scheduled county-wide UGA review process will be evaluated based on the criteria and requirements under YCC 16B.10, this Agreement and the most recent LCA information and population allocations used by the County during the most recent UGA review process.

Amendments to future land use designation for property located within the unincorporated urban growth area, must refer to the applicable County Future Land Use/Zoning Consistency Table to determine whether the desired plan designation is consistent with the plan designation as shown in the County Future Land Use Consistency Table.

b. Zoning District Amendments

Property owners wishing to rezone land within the unincorporated urban growth area to a different zoning district must show that the

rezone is consistent with the applicable County Future Land Use/Zoning Consistency Table. Rezones that are contingent upon legislative approval of a comprehensive plan map amendment, as indicated in Table 19.36-1 shall be considered a major rezone and subject to the procedures and requirements set forth in subsection a. above, YCC 16B.10 and YCC 19.36.

## **F. INFRASTRUCTURE SERVICES AND LEVEL OF SERVICE**

### **General Provisions for Capital Facilities Planning and Mapping - Consistency with GMA**

In accordance with RCW 36.70A.070(3) and WAC 365-196-415, the Cities and the County will develop Capital Facilities Plans that cover the entire UGA. Cities shall provide the County with a copy of their most current adopted Capital Facilities Plan at least six months prior to any scheduled UGA update process. Maps of City and County utilities and transportation infrastructure not contingent to a Capital Facilities Plan amendment will be provided to the County's GIS's Department when updated, which will maintain the regional GIS database, so as to be accessible to all parties.

Opportunities for focused and targeted public investment, which directs capital improvement expenditures into specific geographic areas to produce "fully-serviced land" for development, will be encouraged. This strategy is intended to maximize the use of limited public funds by coordinating government expenditures and focusing development first in some areas, then in others. Selection of targeted investment corridors will consider and be consistent with regional priorities. Separate sub-agreements or interlocal agreements may be entered into by the affected parties to provide the details for the concepts of particular focused targeted public investment corridors.

The following provisions apply to the review and permitting process for proposed developments in unincorporated portions of Urban Growth Areas:

#### **1. Streets**

##### **a. Responsibility**

Yakima County and cities will be responsible for assuring that all streets within the UGA are constructed concurrently with development and that the impacts generated by the development on the transportation facilities within both the unincorporated and incorporated UGA are properly considered and the appropriate mitigation is required.

b. Design Standards

Yakima County will utilize the provisions of Yakima County Code Title 19 as design standards for urban development of streets, and associated structures, unless otherwise specified in a sub-agreement. It is intended that County design standards will be generally consistent with standards adopted by the City; therefore the County may modify its required design standards when a City identifies the specific standards that may apply and demonstrates that applying the City's development standards are consistent with RCW 36.70A.110(3) and the applicable Capital Facilities Plan.

c. Level of Service (LOS)

Transportation Policy – LOS

The establishment of level of service policies for streets within the urban growth area will be done cooperatively to assure that service level thresholds are agreed upon for all transportation facilities. This effort will be coordinated with the Metropolitan Planning Organization (MPO) and the Regional Transportation Planning Organization (RTPO) pursuant to RCW 47.80.023.

Performance Evaluation – LOS

The Cities and the County will monitor and review transportation LOS policies and their effect in the urban growth area and make adjustments as mutually agreed upon.

2. Water

a. Responsibility

The Cities are the preferred provider of services within the Urban Growth Areas. Responsibility for the provision of water service by a water purveyor approved by Washington State Department of Health (DOH) will be depicted on a service area map. The service area map will be maintained by the County in the regional GIS database.

Consistent with DOH regulations, the designated water purveyor shall be responsible for planning and development of water service within the 20-year planning horizon to meet the level of service standards for the land uses and populations indicated in the most recent comprehensive plan.

## Exhibit F

### b. Financial and Service Policies

- (1) Water Service – It is the intent of all parties to this Agreement to require adequate water service to potential customers within the UGA consistent with the capital facilities plans.
- (2) Costs - The costs of system extension will be as enumerated in the capital facilities plan. This does not preclude programmed extensions undertaken at the initiative of the developer.
- (3) Rates - Water rates are the responsibility of the purveyor.

### c. Standards

Design and construction of water systems shall, at a minimum meet DOH regulations and guidelines and the purveyor's standards. The Cities shall submit to the County any specific standards which are to be applied within their respective UGA.

## 3. Sewer

### a. Responsibility

Sewer service is expected to be provided by cities or sewer service providers approved by the Washington State Department of Ecology (DOE) or the United States Department of Environmental Protection Agency (EPA) within boundaries of the Yakama Nation.,

Responsibility for the provision of sewer service will be depicted on a service area map in the regional GIS database maintained by the County in cooperation with the Cities and sewer service providers. Consistent with DOE, DOH and EPA regulations, the designated sewer purveyor shall be responsible for planning and development of sewer service to meet the level of service standards for the land uses and populations indicated in the most recent comprehensive plan within the 20-year planning horizon.

### b. Financial and Service Policies

- (1) Sewer Service – It is the intent of all parties to this Agreement to require adequate sewer service to potential

## Exhibit F

customers within the UGA consistent with the capital facilities plans.

- (2) Costs - The costs of system extension will be as enumerated in the capital facilities plan. This does not preclude programmed extensions undertaken at the initiative of the provider.
- (3) Rates - Sewer rates are the responsibility of the provider.

### c. Standards

The minimum design standards for design and construction of sewer facilities shall be those contained in the applicable city, DOE, DOH or EPA statutes and regulations or guidance documents.

## 4. Stormwater

### a. Responsibility

The County will have responsibility for assuring that stormwater generated from development outside City limits will be handled in a manner consistent with standards outlined below.

### b. Financial and Service Policies

Design and construction of stormwater collection, retention, conveyance, treatment and disposal systems will be the responsibility of the developer.

It is current County policy to require on-site retention, treatment, and disposal of stormwater. Exceptions to this policy will only be allowed if off-site collection, treatment, and disposal services are available from a municipality, or other entity properly authorized to collect and dispose of such flows.

### c. Standards

All stormwater shall be retained and disposed on-site according to processes and design(s) approved by the County unless an agreement with a public entity is in place for conveyance, treatment, and disposal of such flows.

## **G. ANNEXATION**

It is the intent of the parties to promote orderly and contiguous development of the City through annexation

- 1. Development Contiguous to City Boundaries – Annexation to be Promoted**

The County agrees that it will not provide utility services to properties within a city's UGA without the specific approval of the respective City, unless the property is in an existing utility service area of the County. It is the City's responsibility to provide utility service to properties within their respective UGA's within the 20-year planning horizon.

- 2. Development Review Within Pending Annexation Areas**

- a. Early Transfer of Authority**

It is the intent of the parties to facilitate timely processing of development applications for properties which are included within areas subject to active annexation proceedings. When a Notice of Intent to Commence Annexation has been approved by the City and submitted to the Boundary Review Board, the city may in writing, request from the County transfer of authority to accept and review project permits prior to the effective date of annexation.

- b. County Review of Submitted Project Permits**

Complete project permit applications submitted to the County prior to the effective date of annexation will be processed and reviewed by the County to the review stage covered by the project permit application fee.

“Review stage” is defined for subdivisions and short subdivisions to include preliminary plat approval, plat construction plan approval, inspection, or final plat processing. “Review stage” for all other land use permit applications includes preliminary approval, construction plan approval, construction inspections and final sign-off, but does not include related building permit applications unless a complete building permit application is submitted to the County prior to the effective date of the annexation.

Exhibit F

(1) Vesting

Any complete project permit application submitted to the County that has vested under statutory or common law shall be subject to the Yakima County laws and regulations in effect at the time the County deemed the project permit application complete.

(2) Land Use Dedications, Deeds, or Conveyances

Final plats or other dedications of public property will be transmitted to the City for City Council acceptance of dedication of right-of-way or public easements, if dedication occurs after the effective date of annexation. Dedications, deeds, or conveyances will be in the name of the City after the effective date of the annexation and will be forwarded to the City Council for acceptance by the City even if the County is continuing to process the permit application.

(3) Appeals of Land use Permits

The County agrees to be responsible for defending, all permits decisions issued by the county for complete project permit applications submitted prior to annexation.

(4) Permit Renewal or Extension

After the effective date of annexation, any request to renew a building permit or to renew or extend a land use permit issued by the County in the annexation area is to be made to and administered by the City.

(5) Land use Code Enforcement Cases

Any pending land use code enforcement cases in the annexation area will be transferred to the City on the effective date of the annexation. Any further action in those cases will be the responsibility of the City at the City's discretion.

(6) Enforcement of County Conditions

Following the effective date of the annexation, the City agrees to enforce any conditions imposed by the county

## Exhibit F

relating to the issuance of a building or land use permit in an area that has been annexed; to the same extent it enforces its own conditions.

(7) Financial Considerations/Revenue Adjustments and Transfers

If the County intends to upgrade or replace infrastructure in a UGA, and such an investment would result in significant expense or indebtedness, then the County may seek a specific agreement with the other City to address the financial impacts of future annexation. Negotiations will provide for coordinated infrastructure development, appropriate allocation of costs and/or revenue sharing arrangements, and optimal leveraging of local funds to obtain available grants and loans.

(8) Administration of Bonds

Any performance, maintenance or other bond issued by the County to guarantee performance, maintenance or completion of work associated with the issuance of a permit will be administered by the County to completion. Any additional bonding required after annexation occurs will be determined, accepted and administered by the City along with responsibility for enforcement of conditions tied to said bonds. It shall be the City's responsibility to notify the County of the acceptance of said bonds in order for the County to release interest in any bonds the County may still hold.

(9) Records Transfer

The City may copy and/or transfer necessary County records, as appropriate, prior to and following annexation. The City may arrange for off-site duplication of records under appropriate safeguards for the protection of records as approved by the County.

## **H. SUB-AGREEMENTS**

Sub-agreements that provide additional detail for implementing various aspects of this Agreement are anticipated, provided that the sub-agreements

do not conflict with the provisions of this Agreement. Copies of sub-agreements shall be distributed to all parties to this Agreement.

## **I. GENERAL PROVISIONS**

### **1. Relationship to Existing Laws and Statutes**

Except as specifically provided herein, the Cities and the County do not abrogate the decision-making authority vested in them by law. This Agreement in no way modifies or supersedes existing state laws and statutes.

### **2. Oversight**

The County-wide Planning Policy Committee, or its successor, shall be designated as responsible for overseeing implementation of this Agreement.

### **3. ILA Noncompliance**

The Cities and the County believe this ILA is in the best interests of the public and therefore will fully adhere to this ILA. In the event any party identifies an issue they believe is not consistent with this ILA the following process may be undertaken:

- a. The party shall give written notification within 30 days to the other parties of concern. In addition, the party shall give notice to all non-affected parties of this agreement. The affected parties shall document the nature of the dispute and their respective options for resolution, if the parties are not able to resolve the matter within 10 business days they shall seek mediation through the Dispute Resolution Center.
- b. If the disputing parties are still at an impasse, following mediation they shall seek resolution through the Yakima County Superior Court.
- c. If final resolution results in the need for amendments to the ILA, said amendments shall be processed in accordance with subsection (4) of this Agreement.

The dispute resolution process identified above does not preclude any party with standing from filing an appeal with the Washington State Growth Management Hearing Board or LUPA court if applicable.

4. Amendments to the ILA

The Cities and the County recognize that amendments to this Agreement may be necessary to clarify the requirements of particular sections or to update the Agreement. Amendments not involving all parties shall be handled as sub-agreements as provided for in Section H, above.

5. Amendments to the CWPP

The CWPPs have set a framework for comprehensive planning under GMA, but lack a process for amending the CWPPs and integrating the amendments into the comprehensive planning and implementation process. Since joint and cooperative planning will be accomplished through the provisions of the CWPPs it is important to provide for policy adjustments from time to time. The parties agree to the following process:

- a. Policy amendments shall be consistent with the framework and purpose of the CWPPs.
- b. Amendments require approval by 60% of the jurisdictions representing at least 51% of the County population prior to adoption by the Board of County Commissioners.
- c. The County-wide Planning Policy Committee will consider amendments to the CWPPs annually. The Committee should schedule review of these amendments six months in advance of the process for consideration of annual comprehensive plan changes.
- d. Proposed amendments will be provided to all Committee members at least four weeks prior to consideration by the Committee.
- e. Committee members are not expected to be able to commit their respective jurisdictions, but they are expected to fully represent the balance of concerns and views which may affect their jurisdiction's ability to approve the proposed amendments.
- f. Within 30 days of a decision by the Policy Committee, jurisdictions will be asked to indicate approval by signing the revised document.

## Exhibit F

### 6. The County-wide Planning Policy Committee

The CWPPC shall hold a meeting each year to report on the progress of implementing the CWPPs and this Agreement. This meeting will provide an opportunity for jurisdictions to discuss planning and development related issues and suggest changes to this Agreement as necessary. Each City and the County will be responsible for maintaining its designated member.

### 7. Effective Date and Term of the ILA Agreement

This Agreement shall be effective upon passage by the County and all of the Cities. The term of this Agreement shall be for five years from the effective date hereof and shall automatically be renewed for subsequent five year terms. No later than 180 days before the automatic renewal date, any party may notify the other parties in writing of a desire to revise the Agreement.

### 8. Severability

If any provision of this Agreement or its application to any person or circumstance is held invalid, the remainder of the provisions and/or the application of the provisions to other persons or circumstances shall not be affected.

If any section, subsection, paragraph, sentence, clause or phrase of this Agreement is adjudicated to be invalid, such action shall not affect the validity of the remaining portions of the Agreement.

## **III. SIGNATURES**

IN WITNESS WHEREOF, this agreement has been executed by each party to this Agreement as evidenced by signature pages affixed to this agreement.

**MASTER INTERLOCAL AGREEMENT**  
**FOR GROWTH MANAGEMENT ACT IMPLEMENTATION**  
**IN YAKIMA COUNTY**

**SIGNATURE PAGE**

The legislative body of the undersigned jurisdiction has authorized execution of the Master Interlocal Agreement for Growth Management Act Implementation in Yakima County.

IN WITNESS WHEREOF

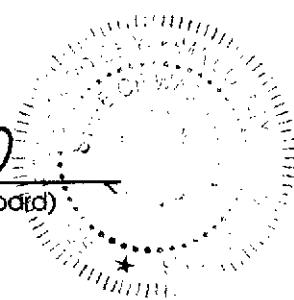
This agreement has been executed by Yakima County  
(Name of City/Town/County)

  
\_\_\_\_\_  
J. Rand Elliott, Chairman  
Board of Yakima County Commissioners

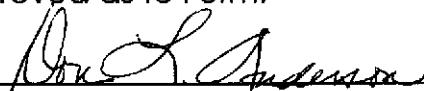
Date: December 29, 2015

Attest:

By:   
\_\_\_\_\_  
(City Clerk/Town Clerk/Clerk of the Board)



Approved as to Form:

By:   
\_\_\_\_\_  
(City Attorney/Corporate Counsel)

SEAL:

**MASTER INTERLOCAL AGREEMENT  
FOR GROWTH MANAGEMENT ACT IMPLEMENTATION  
IN YAKIMA COUNTY**

**SIGNATURE PAGE**

The legislative body of the undersigned jurisdiction has authorized execution of the Master Interlocal Agreement for Growth Management Act Implementation in Yakima County.

**IN WITNESS WHEREOF**

This agreement has been executed by City of Yakima  
(Name of City/Town/County)

By:

Title: City Manager

Date: 11/18/15

Attest:

By:

Jodi Stephens  
City Clerk/Town Clerk/Clerk of the Board

CITY CONTRACT NO: 2015-242  
RESOLUTION NO: R-2815739

Approved as to Form:

By:

Jeff Cotta  
City Attorney/Corporate Counsel

SEAL:

## BOARD OF YAKIMA COUNTY COMMISSIONERS

IN THE MATTER OF ADOPTING )  
AMENDMENTS TO THE MASTER )  
INTERLOCAL AGREEMENT FOR )  
GROWTH MANAGEMENT ACT )  
IMPLEMENTATION IN YAKIMA COUNTY )

RESOLUTION 462-2015

**WHEREAS**, growth planning in Yakima County requires the concerted and coordinated efforts of all governmental entities; and,

**WHEREAS**, the Washington State Growth Management Act (RCW 36.70A) requires Yakima County to adopt a county-wide planning policy in cooperation with the cities and towns; and,

**WHEREAS**, in June 1993, and subsequently amended in October 2003, the Board of Yakima County Commissioners adopted the County-wide Planning Policies; and,

**WHEREAS**, in 1999 the Board of Yakima County Commissioners and the legislative authority from each of the fourteen cities and towns adopted the *Master Interlocal Agreement for Growth Management Act Implementation in Yakima County* (ILA); and,

**WHEREAS**, the primary purpose of the ILA is to provide a management structure for growth and development occurring in Urban Growth Areas (UGA) to ensure that coordinated Growth Management Act (GMA) goals will be met; and,

**WHEREAS**, in 2012, the Board of Yakima County Commissioners initiated amendments to the ILA and presented them to the County-wide Planning Policy Committee for review; and,

**WHEREAS**, the amendments to the ILA were necessary to ensure proper urban growth area development and coordination between Yakima County and each of the fourteen cities and towns; and,

**WHEREAS**, after careful and deliberate review, Yakima County and each of the fourteen cities and towns have concluded their review of the proposed changes to the ILA; and,

**BE IT HEREBY RESOLVED** by the Board of Yakima County Commissioners that the amendments, set forth in the attached *Master Interlocal Agreement for Growth Management Act Implementation*, and by this reference incorporated herein, is approved; and,

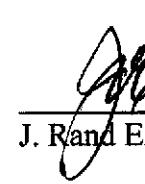
**BE IT FURTHER RESOLVED** that the Chairman is hereby authorized and directed to execute said ILA.

DONE this 29th day of December, 2015

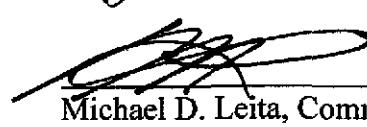


*Tiera L. Girard*

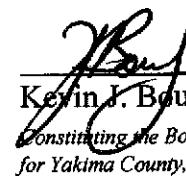
Attest: Tiera L. Girard  
Clerk of the Board



J. Rand Elliott, Chairman



Michael D. Leita, Commissioner



Kevin J. Bouchey, Commissioner  
*Constituting the Board of County Commissioners  
for Yakima County, Washington*