



DEPARTMENT OF COMMUNITY DEVELOPMENT

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

Application # ANX#001-18, PETITION 19-01

PETITIONER: Ray Novobielski, et. al.
LOCATION: NW corner of S 96th Ave and Tieton Dr.
PARCEL(S): 181314-14433, 41406, 41407, 41408, 41519, 41520, 41521
DATE OF PETITION: December 18, 2018
DATE OF RECOMMENDATION: July 2, 2019
STAFF CONTACT: Joseph Calhoun, Planning Manager

- I. **DESCRIPTION OF REQUEST:** Petition to annex seven (7) parcels and adjacent rights-of-way, totaling approximately 9.7 acres, into the City of Yakima
- II. **PROPERTY INFORMATION:** The annexation area includes the following zoning and land use:

<u>Parcel</u>	<u>Zoning</u>	<u>Land Use</u>	<u>Acres</u>
171324-44407	B-2 – Local Business	Single Family Home	0.52
171324-44420	B-2 – Local Business	Single Family Home	1.95
171324-44419	R-2 – Two-Family Residential	Single Family Home	1.97
171324-44418	R-2 – Two-Family Residential	Vacant Land	1.5
171324-44417	R-2 – Two-Family Residential	Vacant Land	1.22
171324-44415	R-3 – Multi-Family Residential	Vacant Land	0.94
171324-44416	R-3 – Multi-Family Residential	Vacant Land	1.22
Adjacent ROW	N/A	Roadway	0.4

III. **ANNEXATION TIMELINE:**

Annexation Petition Received	December 18, 2019
Council Acceptance of Petition	February 19, 2019
Legal Description Certified by County Engineer	May 9, 2019
Annexation Signatures Certified by County Assessor	May 13, 2019
Council Set Date	June 4, 2019
Public Notice Sent	June 6, 2019
Public Notice Published in Newspaper	June 7, 2019
Annexation Signs Posted on Property	June 12, 2019

IV. **FINDINGS OF FACT:**

A. Annexation Procedure:

The 96th and Tieton 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. For the 96th and Tieton Annexation, 100% of the property owners signed the petition.

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 (YCWPP) 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 96th and Tieton Annexation is within the UGA

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

Staff Response: This annexation will encompass the NW corner of S 96th Avenue and Tieton Drive. Currently, the City Limits extend west along Tieton Drive (including only the rights-of-way) for approximately 350-feet.

- 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 96th and Tieton Annexation creates a logical service area by bringing into the city areas zoned for urban development that have access to City Sewer service, consistent with the City/County interlocal agreement. There is an existing sewer line in Tieton Dr. that extends approximately 120-feet past the existing City Limits. Because of the north-south slope and lack of a useable sewer line south of the 96th/Tieton intersection, the Northwestern properties are the only viable areas for connection and urban development.

- 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 and connection fees along with property tax revenue. The annexation area's assessed value is approximately \$2.93 million, which is anticipated to generate approximately \$2,938 in property tax revenue based on current rates.

As most of the annexation area (4.8 acres) is vacant and zoned R-2 and R-3, it is anticipated that future residential development will occur. Of the vacant 4.8 acres of residential land, approximately 1.7 acres is encumbered by floodplain. At R-2 and R-3 densities, the remaining buildable area could support approximately 31 dwelling units. The City of Yakima has approximately 2.73 persons per household (Comprehensive Plan 2040) which would only add about 82 people at full buildout, bringing the total population of the annexation area to approximately 100 people.

Zoning	Acreage outside Floodplain	Less 25% for Streets, Parking, and Open Space	Density
R-3: 15 du/nra	1.2	0.9	13.5
R-2: 12 du/nra	1.9	1.425	17.1
Total Units			31
2.73 people/unit			82

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. All of the S 96th Ave ROW and approximately 56% of the Tieton Drive ROW adjacent to the annexation area is already in the City Limits. Approximately 265 linear feet of Tieton Drive would be added to the City Limits. 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.

According to the City's 2017 Capital Facilities Plan (CFP), the effective Level of Service (LOS) for the Yakima Police Department (YPD) is 1.6 officers per 1,000 residents, and the LOS policy is 1.8 officers per 1,000 residents. The addition of approximately 100 residents at total buildout will generate a need for 0.16 and 0.18 FTE, respectively. The 2017 YPD Annual Report identified an overall 11% decrease in total crime/1,000 population from 2016.

The Yakima Fire Department (YFD) measures LOS based upon response time. According to the 2017 Annual Report, the average response time for all alarms was 6:08 minutes, exceeding the adopted 2017 CFP LOS of 8:00 minutes. YFD Fire Station 92 is located approximately 1 mile east of the proposed annexation and is already providing service in the immediate vicinity. In addition, YFD has an automatic aid agreement with Yakima County Fire District #12 for calls in this area.

D. Public Comments:

Three public comments were received prior to the February 19, 2019 Council meeting, one in favor of annexation and two in opposition. The first comment in opposition is from Blake Scully, who is concerned that the City has adequate financial capability to take on additional land and still provide adequate police, fire, and public works service. The second comment in opposition is from Nathan Craig, Fire Chief for Yakima County Fire District 12. Chief Craig discusses the boundary of the proposal being an irregular boundary.

V. CONCLUSIONS

1. The Petition for the 96th and Tieton Annexation was signed by 100% of property owners, as certified by the Yakima County Assessor.
2. The 96th and Tieton 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 96th and Tieton 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.