

# City of Grandview, Washington

## Hearing Examiner's Recommendation

June 11, 2025

In the Matter of a Petition for )  
Annexation of 12 Parcels with )  
C-2 General Business Zoning )  
For Two of the Parcels and M-1 )  
Light Industrial Zoning for Ten )  
Of the Parcels Submitted by: )  
 ) Annexation Resolution No. 2025-22  
Roger Wilson and )  
James and Linda Hansen )  
 )  
Relative to About 119.81 Acres )  
North of Yakima Valley Highway, )  
Interstate-82 and the City Limits, )  
West of Bethany Road and South )  
of Woodworth Road )

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

(1) The Hearing Examiner conducted an open record public hearing on May 28, 2025, regarding this petition to annex approximately 119.81 acres north of Yakima Valley Highway, Interstate 82 and the City limits, west of Bethany Road and south of Woodworth Road with City C-2 General Business zoning for two of the parcels and City M-1 Light Industrial zoning for ten of the parcels which would be similar to the existing County zoning of the parcels (*Page 56 of the record*).

(2) The staff report was presented by Keelan Naasz, Land Use Planning Manager of the Yakima Valley Conference of Governments acting as the City's

Planner for this application. She recommended approval of the proposed annexation with City C-2 and M-1 zoning (*Pages 84-90 of the record*).

(3) Attorney George Hansen, who is also involved in the operation of the family farm, described the advantages of annexation for residents of the annexed area and for the community as a whole which are detailed in the City's Annexation Brochure (*Pages 91-94 of the record*). He also provided information about the history and nature of the area proposed for annexation, including for example the fact that commercial uses in the area such as the truck stop under construction have served as the catalyst for this annexation request and that it would be a natural and beneficial extension of the City limits.

(4) Candelario Ortiz testified that he owns and resides on property at 550 Bethany Road within the area proposed for annexation (*Page 38 of the record*). He indicated that commercial uses and truck traffic have increased near his property, that he has received offers to purchase his property, and that he does not oppose the proposed annexation.

(5) City Clerk Anita Palacios indicated that four written comments were submitted before the hearing. They were submitted by Yakima Health District to the effect that it has no comments regarding the proposed annexation and zoning; by the Port of Grandview to the effect that it would like to go on record in support of the annexation and rezone, that Roger Wilson and James and Linda Hansen have a considerable amount of land to bring into the City for development and that the listed properties are already located within the Urban Growth Area and should be an easy transition; by Rudy and Margarita Saenz to the effect that they would like to receive notice of any hearings and a copy of the decision regarding this application; and by Stephen S. Hazzard, PE of HLA Engineering and Land Surveying, Inc. to the effect that the proposed annexation is directly north of the proposed Northwest Grandview Infrastructure Improvement consisting of water main looping and sewer extensions to the south boundary of the annexation which has been placed on hold and that without these improvements the annexation area cannot currently be served with utilities at this time (*Pages 78-82 of the record*).

(6) No additional written comments were submitted during the hearing and no other people testified during the hearing.

(7) This recommendation has been issued within ten working days of the hearing as required by Subsection 2.50.130(A) of the Grandview Municipal Code.

**B. Summary of Recommendation.** The Hearing Examiner recommends that the Grandview City Council approve the proposed annexation as recommended by the City's Planner which would be consistent with the Comprehensive Plan Future Land Use Map designation for the parcels.

**C. Basis for Recommendation.** Based upon a view of the site without anyone else present on May 28, 2025; the information contained in the staff report, the exhibits and the testimony presented at the open record public hearing on May 28, 2025; and a consideration of the Grandview Comprehensive Plan and Grandview Zoning Ordinance, Title 17 of the Grandview Municipal Code (GMC); the Hearing Examiner makes the following:

## **FINDINGS**

**I. Petitioners/Property Owners.** One of the signers of the petition is Roger Wilson of Wilson Store Properties, LLC (Owner of Parcel No. 230909-14404 at 120 North Puterbaugh Rd.), 222 South 1<sup>st</sup> Street, Yakima, WA 98901 (*Pages 1, 8 and 17 of the record*). The other signers of the petition are James T. and Linda L. Hansen (Owners of Parcel No. 230910-23404 at Bethany/Puterbaugh Road and Parcel No. 230910-23406 at 651 Bethany Rd.), 1501 Bethany Rd., Grandview, WA 98930 (*Pages 1, 7, 19 and 20 of the record*). The Hansens also signed the petition on behalf of the George & Edith Higgins Limited Partnership (Owner of Parcel No. 230909-11401 at Woodworth Rd./Puterbaugh Rd., owner of Parcel No. 230909-11403 also at Woodworth Rd./Puterbaugh Rd. and Parcel No. 230909-11404 at 260

North Puterbaugh Rd.) *(Pages 1, 3, 4, 11, 14, 15 and 23(A)-23(D) of the record)*. The Yakima County Assessor's Office confirmed that the petition is signed by or on behalf of at least 60% of the assessed value of the property within the area proposed for annexation *(Page 40 of the record)*. That assessed value of property joining in the petition is \$1,572,290 of the total \$2,445,590 assessed property value which exceeds the \$1,467,354 that amounts to 60% of that total assessed value. The remaining six parcels within the area proposed for annexation have a total assessed value of \$873,300 *(Pages 9, 10, 12, 13, 16, 18 and 21 of the record)*.

**II. Location.** The annexation area is located between the Yakima Valley Highway, Interstate 82 and the existing City limits on the south, Bethany Road on the east and the west side of about one-fourth mile of North Puterbaugh Road extending to Woodworth Road on the north and then extending west to Tear Road on the west *(Page 56 of the record)*.

**III. Petition.** The details relative to this annexation petition may be described as follows:

(1) The petitioners own the following three parcels within the area proposed for annexation:

(a) Roger Wilson, Wilson Store Properties, LLC: Parcel No. 230909-14404 located at 120 N. Puterbaugh Rd. The Wilson parcel is one of the two commercially-zoned parcels within the annexation area which contains the Wilson Orchard and Vineyard Supply business. The other commercially-zoned parcel located within the annexation area is the adjacent undeveloped Cardoza/Lopez Parcel No. 230909-14403 *(Pages 1, 17 and 18 of the record)*. The remainder of the parcels within the annexation area have County M-1

Light Industrial zoning (*Pages 1, 10, 11, 12, 13, 14, 15, 16, 19, 20 and 21 of the record*).

(b) James & Linda Hansen: Parcel No. 230910-23404 located at Bethany/ Puterbaugh Rd. (*Pages 1 and 19 of the record*).

(c) James & Linda Hansen: Parcel No. 230910-23406 located at 651 Bethany Rd. (*Pages 1 and 20 of the record*).

James & Linda Hansen also signed the petition on behalf of the George and Edith Higgins Limited Partnership: Parcel No. 230909-11401 located at Woodworth Rd./Puterbaugh Rd.; Parcel No. 230909-11403 located at Woodworth Rd./Puterbaugh Rd.; and Parcel No. 230909-11404 located at 260 N. Puterbaugh Rd. (*Pages 1, 3, 4, 11, 14, 15 and 23(A)-23(D) of the record*).

(2) The property owners, parcel numbers and addresses of the properties in the area proposed for annexation are as follows:

(i) Wilson Store Properties, LLC (Roger Wilson): 230909-14404 – 120 N. Puterbaugh Rd.;

(ii) James & Linda Hansen: 230910-23404 – Bethany Rd./Puterbaugh Rd.;

(iii) James & Linda Hansen: 230910-23406 – 651 Bethany Rd.;

(iv) George & Edith Higgins Limited Partnership: 230909-11401 – Woodworth Rd./Puterbaugh Rd.;

(v) George & Edith Higgins Limited Partnership: 230909-11403 – Woodworth Rd./Puterbaugh Rd.;

(vi) George & Edith Higgins Limited Partnership: 230909-11404 – 260 N. Puterbaugh Rd.;

(vii) Double “H” LP: 230909-11002 – Woodworth Rd.;

(viii) St. Claire & Mariea Woodworth: 230909-12003–90 Woodworth Rd.;

(ix) Yesenia Valencia & Noel Calderon: 23909-11402 – 200 Woodworth Rd.;

(x) Margarita Saenz & Rudy J. Saenz: 23909-14002 – Puterbaugh Rd.;

(xi) Noe Lopez Cardozo, Amarilys F. Lopez and Noe Lopez Cardoza: 230909-14403 – 110 N. Puterbaugh Rd.; and

(xii) Candelario T. & Vera Ortiz: 230910-24400 – 550 Bethany Rd.

(*Pages 1 and 9-21 of the record*).

(3) Most of the approximate 119.81 acres within the annexation area are either being farmed or are in residential use or are vacant. The Walmart Distribution Center is located across Bethany Road just to the east of the easternmost portion of

the area proposed for annexation. The properties and the roads are within Grandview's Urban Growth Area. Two of the parcels within the area have County General Commercial (GC) zoning within a Commercial Comprehensive Plan designation and the remaining ten parcels have County Light Industrial (M-1) zoning within an Industrial Comprehensive Plan designation. The petition seeks to retain the City's equivalent zoning of C-2 General Business for two of these parcels and of M-1 Light Industrial for the other ten parcels (*Pages 1 and 88 of the record*).

(4) The Letter of Intention (60% Petition Method) to Commence Annexation Proceedings to the City of Grandview, Washington and the 60% Petition Method for Annexation to the City of Grandview, Washington were signed by Roger Wilson of Wilson Store Properties, LLC and by James and Linda Hansen on their own behalf and on behalf of George and Edith Higgins Limited Partnership. These properties located within the proposed annexation area have an assessed value of more than 60% of the total assessed value of all of the properties within the area proposed for annexation (*Pages 9-21, 23(A)-23(D) and 40 of the record*).

(5) The petition requests annexation of the twelve parcels with assumption of existing City indebtedness and with C-2 General Business zoning for two of the parcels (Parcel Nos. 230909-14403 and 230909-14404) and M-1 Light Industrial zoning for the remaining ten parcels. That zoning would be consistent with the Commercial Comprehensive Plan designation for the two parcels and the Industrial Comprehensive Plan designation for the remaining ten parcels.

(6) Development of the requested annexation area with C-2 and M-1 zoning uses consistent with the respective Comprehensive Plan designations of Commercial and Industrial would require the installation of City water and sewer infrastructure which is not currently in place (*Page 82 of the record*).

(7) At the City Council's regular meeting of March 11, 2025, the City Council by means of Resolution No. 2025-22 accepted the request for annexation subject to the following conditions: (i) that the annexation is accepted as proposed in the information attached to the Resolution; (ii) that the City requires simultaneous adoption of the City's zoning regulations consistent with the Urban Growth Area Future Land Use Designation: M-1 Light Industrial for ten described parcels and C-2 General Business for two described parcels; and (iii) that the City requires the assumption of an appropriate share of all existing City indebtedness by the area to be annexed. The City Council by that Resolution also referred the petition for

annexation to the Hearing Examiner to receive and examine available information, conduct a public hearing, prepare a record thereof, and enter findings of fact and conclusions based upon those facts, together with a recommendation to the City Council (*Pages 24-25 of the record*).

(8) The sufficiency of the petition signed by the owners of property having an assessed value of at least 60% of the assessed value of all of the properties within the area proposed for annexation was confirmed by a letter from Yakima County Assessor Jacob C. Tate dated March 18, 2025 (*Page 40 of the record*). The accuracy of the legal description for the proposed annexation which was prepared by HLA Engineering and Land Surveying, Inc. on March 24, 2025, was confirmed by a letter from Yakima County Engineer Brett Sheffield dated April 17, 2025 (*Pages 73-76 of the record*).

(9) If the City Council agrees with this recommendation, it will authorize the annexation petition to be forwarded to the Boundary Review Board. If it is approved by that Board or if 45 days pass without the filing of a request for review, it will be returned for the City Council's adoption of an annexation ordinance.

**IV. State Environmental Policy Act.** The City of Grandview distributed a Notice of Application, Environmental Review and Public Hearing on April 25, 2025, which referenced a preliminary threshold Determination of Non-significance issued on April 22, 2025, pursuant to the optional SEPA process authorized by WAC 197-11-355 (*Pages 54-58 of the record*). The comment period ended on May 15, 2025. A final threshold Determination of Non-significance (DNS) was issued on May 16, 2025, which retained the initial DNS (*Pages 59-60*). The DNS determined that the proposed annexation with appropriate zoning would not have a probable significant adverse environmental impact (*Page 59 of the record*). The DNS became final without any appeals.

**V. Zoning and Land Uses.** Two of the parcels are currently zoned by Yakima County as General Commercial (GC) (*Pages 17 and 18 of the record*). The petition requests that those two parcels be zoned the City's equivalent – i.e., C-2 General Business (Parcel No. 230909-14404 containing the Wilson retail business and the adjacent undeveloped Parcel No. 230909-14403 to the southeast). The C-2 General Business zoning district is intended in part to promote the centralization of business and reinforce a positive public image (*Page 88 of the record*). The remaining ten parcels are currently zoned by Yakima County as Light Industrial (M-1) (*Pages 10-16 and 19-21 of the record*). The petition requests that those remaining ten parcels that are either used for farms or residences or are undeveloped be zoned the City's equivalent which is M-1 Light Industrial (*Page 1 and 84 of the record*). M-1 zoning is intended in part to preserve areas for industrial and related uses which do not create serious problems of compatibility with other types of land uses and which do not generate noise levels, light, odor or fumes that would constitute a nuisance or hazard (*Page 88 of the record*). This proposed zoning is consistent with the Commercial Comprehensive Plan designation for the two parcels and the Industrial Comprehensive Plan designation for the other ten parcels. The properties in the vicinity of these twelve parcels have the following characteristics:

<i>Location</i>	<i>Zoning</i>	<i>Existing Uses</i>	<i>Jurisdiction</i>
North:	AG Agricultural	Residential/Agriculture	Yakima County
South:	M-1 Industrial/AG Agriculture	Vacant/Agriculture	Grandview/County
East:	M-1 Industrial/AG Agriculture	Industrial/Agriculture	Grandview/County
West:	HTC Highway-Tourist Commercial	Vacant	Yakima County

(*Page 87 of the record*).



**VI. Comprehensive Plan.** The 2016 Grandview Comprehensive Plan Future Land Use Map designation for two of the parcels is Commercial. The Commercial designation is intended to promote a variety of commercial uses such as retail, wholesale, medical and professional businesses. The 2016 Comprehensive Plan Future Land Use Map designation for the other ten parcels is Industrial. Industrial areas are intended for manufacturing, processing, packaging or storage of products and articles *(Page 87 of the record)*.

**VII. Floodplains, Floodways or Shorelines.** There are no FEMA floodplains, floodways or other flood hazard areas within or near these parcels, and there are no designated Shoreline Environments regulated by the Yakima County Regional Shoreline Master Program within or near these parcels *(Page 88 of the record)*.

**VIII. Critical Areas.** There are no known critical areas as defined by GMC Chapter 18.06 within or near these parcels *(Page 88 of the record)*.

**IX. Concurrency.** This petition is not subject to GMC Chapter 14.10 relative to Transportation Concurrency Management because no development is proposed at this time. A Certificate of Concurrency may be required for future development *(Page 88 of the record)*.

**X. Development Standards.** This petition is likewise not subject to any of the development standards that are contained in the Grandview Municipal Code since no development of the parcels is proposed at this time *(Page 88 of the record)*.

**XI. Infrastructure.** Sewer and water lines do not currently serve the parcels proposed for annexation. When development of the property is proposed, sewer lines will be required to be installed. There is sufficient capacity in the water system to serve future development. New water lines serving future development will be required to be installed in a manner that creates a looping system. Regarding street infrastructure, the property has access to the Yakima Valley Highway, Bethany Road, North Puterbaugh Road and Woodworth Road. Future development in the area may require improvements to these roads, including additional rights-of-way *(Pages 56 and 88-89 of the record)*.

**XII. Hearing Examiner Jurisdiction.** Annexation procedures are governed by Chapter 17.96 of the Grandview Municipal Code (GMC) and Chapter 35A.14 of the Revised Code of Washington (RCW). The Hearing Examiner has jurisdiction to make a recommendation regarding annexation with appropriate zoning to the City Council based on the criteria set forth in GMC Chapter 17.96, GMC Chapter 14.09 and GMC Chapter 17.88 after a public hearing with prior notice described in RCW 35A.14.130.

**XIII. Notices of Hearing.** Notices of the Hearing Examiner's open record public hearing of May 28, 2025, were provided as follows:

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

time and place of hearing and invite interested persons to appear and voice approval or disapproval of the annexation.”

(2) Notice of the public hearing before the Hearing Examiner was posted in three places on the property proposed for annexation on April 28, 2025 (*Pages 69-72 and 85 of the record*).

(3) Notice of the public hearing was published in the City’s official newspaper, the Grandview Herald, on April 30, 2025, at least 10 working days prior to the hearing in accordance with RCW 35A.14.130 and GMC §2.50.120(B) (*Pages 61 and 85 of the record*).

(4) Additional notice for the requested rezone of the parcels proposed for annexation was provided on April 25, 2025, in the manner required for permit or development applications such as rezones by mailing the notice of the public hearing to owners of property within 300 feet of the parcels proposed for annexation and for rezoning, and by posting the notice of the public hearing at City Hall, the Library, the Police Department and the City’s website (*Pages 62-68 and 85 of the record*).

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

(1) 60% Petition (RCW 35A.14.120). This annexation petition satisfies the requirements of RCW 35A.14.120 because the assessed value of the properties petitioning for the annexation is at least 60% of the total assessed value of all of the properties within the area proposed for annexation and the petition has been determined to be sufficient by the Yakima County Assessor’s Office (*Page 40 of the record*).

(2) Annexation Review Criteria (GMC §17.96.030). GMC §17.96.030 provides that “At the time of the official public hearing on any proposed annexation to the city, the Hearing Examiner shall recommend a district classification of the area to be annexed in accordance with Chapter 2.50 GMC, which recommendation shall be in keeping with the overall comprehensive plan for the urban area, and the best arrangement of land uses to promote public health, safety, morals, and general welfare.”

(3) Zoning District Classification in Keeping with the Comprehensive Plan (GMC §17.96.040). The requested C-2 General Business zoning for Parcel No. 230909-14404 and Parcel No. 230909-14403 retains zoning similar to Yakima County's General Commercial (GC) zoning in keeping with the Comprehensive Plan's Commercial designation for those two parcels (*Pages 17 and 18 of the record*). The requested M-1 Light Industrial zoning for the other ten parcels retains zoning similar to Yakima County's M-1 zoning which is in keeping with the Comprehensive Plan's Industrial designation for those ten parcels (*Pages 10-16 and 19-21 of the record*). The proposed zoning is also consistent with the following Comprehensive Plan Land Use Element Goals and Policy:

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

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

GOAL 6: Develop an economic development program or plan that establishes guidelines or actions that accomplish the following:

- Recruits new business, industry, or facilities to the community that supports diversifying Grandview's economy and provides year-round employment.
- Encourages new business development and supports the retention and expansion of existing businesses and industries.
- Targets industries that are mutually supportive and can serve as suppliers to existing local businesses and industries.

(4) Zoning District Classification in Keeping with the Best Arrangement of Land Uses (GMC §17.96.030). GMC §17.96.030 also requires a recommendation regarding the zoning district classification for an area to be annexed to be in keeping with the best arrangement of land uses to promote public health, safety, morals, and general welfare. The parcels proposed for annexation are within the City's Urban Growth Area. Since the property adjacent to the south sides of some of the subject parcels is within the City limits, approval of the proposed annexation would result in a natural and expected expansion of the City's boundaries. Since City M-1 zoning is adjacent to the property proposed for annexation on the south and east, M-1 zoning would be a natural and expected expansion of existing M-1 zoning. The recommended zoning for the annexed area would allow for uses in the future that would be compatible with nearby zoning and land uses even though no specific uses

are proposed at this time. This general criterion as to the best arrangement of land uses to promote the public health, safety, morals and general welfare can also be determined through a consideration of the more specific rezone criteria in the following section that apply here since this petition requests a change of the zoning from the current Yakima County General Commercial (GC) zoning to the City's similar C-2 General Business zoning and from the current Yakima County Light Industrial (M-1) zoning to the City's similar M-1 Light Industrial zoning.

**XV. Standards and Criteria for Rezones.** GMC §14.03.035 provides that a Hearing Examiner may make land use decisions as determined by the City Council at the request of either the Planning Commission or City Administrator. GMC §14.07.030(B) requires at least 10 days notice of public hearings by publication, mailing and posting. GMC §14.03.040(A)(4), GMC §14.09.030(A)(4) and GMC §17.88.060(B) provide that a recommendation is to be made to the City Council regarding rezones in accordance with GMC Title 14 and GMC Chapter 2.50. GMC §14.09.030(A)(3) and GMC §14.09.030(A)(4) prescribe the applicable procedures. GMC §14.01.040(H) defines a development as any land use permit or action regulated by GMC Titles 14 through 18 including but not limited to enumerated actions such as rezones. GMC §14.09.030(A)(3)(c) provides that the Hearing Examiner is not to recommend approval of a proposed development such as a rezone without making the following findings and conclusions:

**(1) The development (proposed rezone) is consistent with the Comprehensive Plan and meets the requirements and intent of the Grandview Municipal Code.** The zoning of the approximate 119.81-acre annexation area is recommended by the petitioners, the City's Planner and the Hearing Examiner to be the C-2 General Business zoning district for the two parcels having the Commercial Comprehensive Plan designation and to be the M-1 Light Industrial zoning district for the ten parcels having the Industrial Comprehensive Plan designation. In this

way the proposed rezone will be consistent with the Comprehensive Plan and with the Land Use Element Goals 4 and 6, as well as Policy 4.5 of the Comprehensive Plan. The rezone of two of the parcels to the C-2 General Business and ten of the parcels to the M-1 Light Industrial zoning districts would also meet the requirements and intent of the City's zoning ordinance so long as that zoning satisfies all of the following criteria for approval of a rezone.

**(2) The development (proposed rezone) makes adequate provisions for drainage, streets and other public ways, irrigation water, domestic water supply and sanitary wastes.** Although there are not currently adequate provisions for these features in the area proposed for annexation, future development of the parcels will require adequate provisions for drainage, streets, water and sanitary wastes.

**(3) The development (proposed rezone) adequately mitigates impacts identified under other GMC chapters and in particular GMC Title 18.** The proposed annexation and zoning has been determined to lack any probable significant adverse impacts on the environment through the SEPA Determination of Non-significance issued as the final threshold determination per GMC Title 18 on May 16, 2025, which was not appealed.

**(4) The development (proposed rezone) is beneficial to the public health, safety, morals and welfare and is in the public interest.** The requested rezone is beneficial to the public health, safety, morals and welfare and is in the public interest because the parcels could serve as a future site for additional C-2 General Business and M-1 Light Industrial uses within the City that would be compatible with nearby zoning and land uses.

**(5) The development (proposed rezone) does not lower the level of service of transportation below the minimum standards as shown within the Comprehensive Plan.** If the development results in a level of service lower than those shown in the Comprehensive Plan, the development may be approved if improvements or strategies to raise the level of service are made concurrent with the development. For the purpose of this section, "concurrent with the development" is defined as the required improvements or strategies in place at the time of occupancy, or a financial commitment is in place to complete the improvements or strategies within six years of approval of the development. No development of any particular use or uses is proposed at this time and any future

development will be subject to the Transportation Concurrency Management requirements of GMC Chapter 14.10. At this point there is no indication in the record that C-2 General Business uses on two of the parcels and M-1 Light Industrial uses on ten of the parcels would lower the level of service of transportation below the minimum standards as shown within the Comprehensive Plan. If development were proposed that would result in a level of service lower than those shown in the Comprehensive Plan, the development could be approved subject to incorporating improvements or strategies concurrent with the development that would raise the level of service. The term "concurrent with the development" is defined as the required improvements or strategies in place at the time of occupancy, or a financial commitment is in place to complete the improvements or strategies within six years of approval of the development.

**(6) The area, location and features of any land proposed for dedication are a direct result of the development proposal, are reasonably needed to mitigate the effects of the development, and are proportional to the impacts created by the development.** Here this criterion is not applicable because there is no land proposed for dedication at this time. Future development may require a dedication of additional street and other rights-of-way that are reasonably needed to mitigate the effects of the development and are proportional to the impacts created by the development.

In addition to these criteria, Section 17.88.060 of the Grandview Municipal Code provides that the Hearing Examiner shall enter findings for a rezone relative to the following additional criteria:

**(1) Whether the proposal is in accord with the goals and policies of the Comprehensive Plan.** The rezone of two of the parcels to C-2 General Business and ten of the parcels to M-1 Light Industrial would be similar to the existing Yakima County zoning for the parcels within the annexation area; would be consistent with the Comprehensive Plan Commercial designation for two of the parcels and the Industrial designation for the other ten parcels; and would be in accord with Comprehensive Plan Land Use Element Goals 4 and 6, as well as Policy 4.5 set forth above in Section XIV(3) of this Recommendation

**(2) Whether the effect of the proposal on the immediate vicinity will be materially detrimental.** The proposed annexation with C-2 General Business and

M-1 Light Industrial zoning for the 119.81-acre annexation area will not be materially detrimental to the immediate vicinity because the parcels can be utilized in the future for uses in an area where there is M-1 Light Industrial zoning to the south and east and where there is commercial zoning to the west. There already is a commercial use established on one of the commercially-zoned parcels and there is a large light industrial use, the Walmart Distribution Center, on adjacent property east of the proposed annexation area. Compatibility of specific proposed uses with existing uses will be reviewed and determined as a result of the type of review that the zoning ordinance requires for whatever specific uses are proposed in the future.

**(3) Whether there is merit and value in the proposal for the community as a whole.** There is merit and value in the recommended zoning of these parcels for the community as a whole because it is consistent with the Comprehensive Plan's Commercial and Industrial designations for the property and because it will allow for development of commercial and light industrial uses on the parcels which are needed to accommodate the population growth of the City and which will be similar to uses that already exist in the area.

**(4) Whether conditions should be imposed in order to mitigate any significant adverse impacts from the proposal.** There is no need for conditions to be imposed in order to mitigate probable significant adverse environmental impacts of the proposed annexation and recommended zoning at this time. The City's SEPA Determination of Non-significance determined that no impacts of that nature are likely as a result of the annexation with C-2 and M-1 zoning. However, future proposals for the development of specific uses can be expected to trigger SEPA environmental review depending upon the nature of the proposed uses.

**(5) Whether a development agreement should be entered into between the City and the petitioner and, if so, the terms and conditions of such an agreement.** There is no need for a development agreement between the City and the petitioners for the proposed annexation with the recommended zoning at this time because there is no proposal to develop the property with any specific use or uses at this time. Future development will be reviewed at the time of application to ensure consistency with applicable development standards, and the City may require a development agreement at that time depending upon the type of development that is proposed.



## CONCLUSIONS

Based on the foregoing findings, the Hearing Examiner reaches the following conclusions:

(1) The Hearing Examiner has jurisdiction under GMC §17.96.030, GMC §2.50.080(C)(1) and GMC §2.50.080(C)(2) to make a recommendation to the Grandview City Council regarding this petition for annexation with appropriate zoning.

(2) A Final SEPA Determination of Non-significance (DNS) was issued on May 16, 2025, which became final without any appeals.

(3) The twelve parcels proposed for annexation are located within the City of Grandview Urban Growth Area. The south and east sides of the proposed annexation area are contiguous to the City limits.

(4) Sufficiency of water, sewer and street capacity for development of the proposed annexation area will be based on the size, scope and nature of the future development.

(5) The annexation petition has met the requirements for the 60% petition method authorized by RCW 35A.14.120 that requires the owners of properties having an assessed value of at least 60% of the assessed value of all of the properties within the area proposed for annexation to join in the petition.

(6) Parcel No. 230909-14404 and Parcel No. 230909-14403 in the proposed annexation area should have C-2 General Business zoning in order to be consistent with their Commercial Comprehensive Plan designation and the remaining ten parcels in the proposed annexation area should have M-1 Light Industrial zoning in order to be consistent with their Industrial Comprehensive Plan designation.

(7) The requested annexation with the recommended C-2 General Business zoning for two of the parcels and with the recommended M-1 Light Industrial zoning for ten of the parcels satisfies the applicable requirements and criteria set forth in RCW 35A.14.120, GMC §17.96.030, GMC §17.96.040, GMC §14.09.030(A)(3)(c) and GMC §17.88.060 that are needed to be satisfied in order to recommend its approval by the Grandview City Council.

## **RECOMMENDATION**

The Hearing Examiner recommends to the Grandview City Council that this petition for annexation as described in the documentation submitted for this application, in the City Planner's staff report and in this Recommendation be **APPROVED** with C-2 General Business zoning for Parcel Nos. 230909-14404 and 230909-14403, and with M-1 Light Industrial zoning for Parcel Nos. 230910-23404, 230910-23406, 230909-11401, 230909-11403, 230909-11404, 230909-11002, 230909-12003, 23909-11402, 23909-14002 and 230910-24400 subject to the assumption of an appropriate share of all existing City indebtedness by the annexed area and with the annexed area being legally described in the following manner which has been prepared by HLA Land Surveying and Engineering, Inc. and which has been confirmed as accurate by the Yakima County Engineer:

Those portions of the Southwest Quarter of Section 3, Southeast Quarter of Section 4, Northeast Quarter of Section 9, and the Northwest Quarter of Section 10, all in Township 9 North, Range 23 East, W.M., described as follows:

Beginning at the Northeast corner of Lot 2 of that Short Plat recorded in Book 96 of Short Plats, page 126, records of Yakima County Washington;  
Thence Southerly along the East line of said Lot 2 and the Westerly right of way line of Bethany Road to the Southeast corner of Lot 3 of that Short Plat recorded in Book 84 of Short Plats, page 264, records of Yakima County, Washington;  
Thence Westerly to the Southwest corner of said Lot 3;  
Thence Westerly along the South line of said Lot 2 and its Westerly extension to the Southwesterly right of way line of Yakima Valley Highway;  
Thence Northwesterly along said right of way line to intersection of the Southwesterly extension of the Northwesterly right of way line of Tear Road as shown on that WSDOT right of way plan for SR 12, Sulphur Creek to Stover Road;

Thence Northeasterly along said line and its Northeasterly extension to the Northeasterly right of way line of Woodworth Road;

Thence Southeasterly and Easterly along the said right of way line to its intersection with the Easterly right of way line of North Puterbaugh Road;

Thence Southerly along said Easterly right way line to the Southwest corner of Lot 2 of said Short Plat recorded in Book 84 of Short Plats, page 264, records of Yakima County, Washington;

Thence Easterly along the South line of said Lot 2 to the Southeast corner thereof;

Thence Northerly to the Northwest corner of Lot 2 of said Short Plat, recorded in Book 96 of Short Plats, page 126, records of Yakima County Washington;

Thence Easterly along the North line of said Lot 2 to the Point of Beginning.

Situate in Yakima County, State of Washington.

Yakima County Tax Parcel Nos. 230909-12003, 230909-11401, 230909-11002, 230909-11402, 230909-11403, 230909-11404, 230909-14002, 230909-14404, 230909-14403, 230910-23404, 230910-23406 and 230910-24400 and adjacent road right of ways as described herein.

**DATED** this 11<sup>th</sup> day of June, 2025.

  
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**Gary M. Cuillier, Hearing Examiner**