

First Reading: 08/15/2017

Second Reading: 09/05/2017

ORDINANCE NO. 972

AN ORDINANCE OF THE CITY OF BENTON CITY, WASHINGTON, AMENDING THE ZONING CLASSIFICATION OF CERTAIN REAL PROPERTY AT 300 CAROL AVENUE, CONSISTING OF APPROXIMATELY 12.88 ACRES FROM AS-AGRICULTURAL SUBURBAN DISTRICT TO R-2, MEDIUM DENSITY RESIDENTIAL DISTRICT

WHEREAS, a complete and adequate petition for change of zoning classification has been received by the City, and an open record public hearing having been conducted by the City of Benton City Planning Commission upon such petition on the 7TH day of June, 2017; and

WHEREAS, the effect of the requested change in zoning classification shall not be materially detrimental to the vicinity in which it is located; and

WHEREAS, based upon substantial evidence that:

1. The requested change of zone is in conformance with the goals and policies of the Benton City Urban Area Comprehensive Plan, as proposed to be amended, and the intent of the Zoning Code;
2. The subject property is suitable for uses as permitted under the R-2 Medium Density Residential District;
3. Public facilities, such as roads, sewer and water, and other public facilities will need to be evaluated at time of development to ensure they are adequate to serve the development; and
4. The proposed zone change from AS Agricultural Suburban District to R-M Medium Density Residential District and the associated uses as permitted by that zone, are compatible with the neighboring land uses;

NOW, THEREFORE, the City Council of the City of Benton City, Washington, do hereby ordain as follows:

Section 1. The Zoning Ordinance of the City of Benton City and the Zoning Map accompanied and being a part of said Ordinance, shall be and hereby is amended from AS Agricultural Suburban District to R-M Medium Density Residential District for the real property described as follows:

THAT PORTION OF SECTION 18, TOWNSHIP 9 NORTH, RANGE 27 EAST, E.M., BENTON COYNTY, WASHINGTON DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTH QUARTER OF SAID SECTION 18, THENCE NORTH ALONG THE NORTH-SOUTH CENTER LINE OF SAID SECTION 18 A DISTANCE OF 1647.0 FEET TO TRUE POINT OF BEGINNING; THENCE S 89°20' EAST 1341.6 FEET; THENCE NORTH 00°49' EAST TO A POINT WHICH LIES 140 FEET SOUTH OF EAST-WEST CENTER LINE OF SAID SECTION 18; THENCE SOUTH 36°21' WEST 180 FEET; THENCE NORTH 21°48'47" WEST 312.81 FEET MORE OR LESS TO INTERSECTION WITH NORTH-SOUTH CENTER LINE OF SAID SECTION 18; THENCE

WEST ALONG SAID CENTER LINE TO INSECTION WITH NORTH-SOUTH CENTERLINE OF SAID SECTION 18; THENCE SOUTHERLY ALONG SAID CENTER LINE TO TRUE POINT OF BEGINNING, EXCEPT PORTIONS THEREOF DESCRIBED AS FOLLOWS:

(A) THAT PORTION LYING NORTHERLY OF KIONA IRRIGATION DISTRICT CANAL RIGHT OF WAY AND NORTHERLY OR OREGON-WASHINGTON RAILROAD AND NAVIGATION COMPANY RIHGT OF WAY

(B) ANY PORTION THEREOF WHICH MAY LIE WITHIN GOVERNMENT LOT 5 OF SAID SECTION 18.

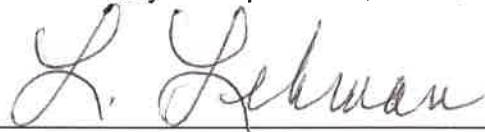
(C) WEST 680 FEET THEREOF

(D) ROADS

Section 2. Severability Clause. If any provision of this amendatory ordinance or its application to any persons or circumstances is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

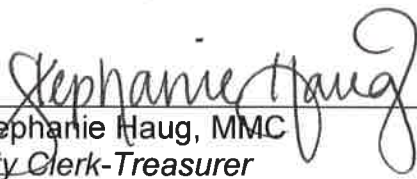
Section 3. This Ordinance shall take full force and effect five (5) days after its approval, passage and publication as required by law.

PASSED by the City Council of the City of Benton City, Washington, and approved as provided by law this 5 day of September, 2017.



Linda Lehman
Mayor

Attest:


Stephanie Haug, MMC
City Clerk-Treasurer

Approved as to Form:


Kerr Law Group
City Attorney