

First Reading: April 16, 2019

Second Reading: May 7, 2019

**ORDINANCE NO. 999**

**AN ORDINANCE OF THE CITY OF BENTON CITY,  
WASHINGTON, AMENDING THE ZONING  
CLASSIFICATION OF CERTAIN REAL PROPERTY  
LYING SOUTH OF NEPTUNE AVE AND WEST OF 12<sup>TH</sup>  
STREET CONSISTING OF APPROXIMATELY 2.74  
ACRES FROM C-1 COMMERCIAL DISTRICT TO R-2  
MEDIUM DENSITY RESIDENTIAL**

**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 27<sup>th</sup> day of February, 2019; 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 and based upon the recommendation of the Planning Commission, the City Council of the City of Benton City has determined that:

1. The requested change of zone is in conformance with the goals and policies of the Benton City Comprehensive Plan, as amended, and the intent of the Zoning Code.
2. The subject property is suitable for uses as permitted under the R-2 Residential Medium Density District.
3. Public facilities, such as roads, sewer and water, and other public facilities are adequate to support the proposed change of zone.
4. The proposed zone change from C-1 Commercial District to R-2 Residential Medium Density District and the associated uses as permitted by that zone are compatible with the neighboring land uses.
5. The proposed zone change addresses a need, which was improperly or inadequately addressed by the present Ordinance text or map.

**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 C-1 Commercial District to R-2 Residential Medium Density for that real property shown in Exhibit A attached hereto and incorporated hereinby this reference, and more legally described as follows:

PARCEL A

LOT 10, CORRECTED PLAT OF TREDWAY ESTATES NO. 1, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 12 OF PLATS, PAGE 22, RECORDS OF BENTON COUNTY, WASHINGTON.

PARCEL B

LOT 9, CORRECTED PLAT OF TREDWAY ESTATES NO. 1, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 12 OF PLATS, PAGE 22, RECORDS OF BENTON COUNTY, WASHINGTON.

**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 7<sup>th</sup> day of May, 2019.

  
\_\_\_\_\_  
Linda Lehman, Mayor

Attest:

  
\_\_\_\_\_  
Stephanie Haug, MMC  
City Clerk-Treasurer

Approved as to Form:

  
\_\_\_\_\_  
Kerr Ferguson Law, PLLC  
City Attorney

**Exhibit A:**

Current:



Requested:

