

First Reading: April 16, 2019

Second Reading: May 7, 2019

ORDINANCE NO. 998

**AN ORDINANCE OF THE CITY OF BENTON CITY,
WASHINGTON, AMENDING THE ZONING
CLASSIFICATION OF CERTAIN REAL PROPERTY
LYING EAST OF HORNE DRIVE AND NORTH OF
KAREN AVENUE CONSISTING OF APPROXIMATELY
13.5 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 27th 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

THE NORTH 642 FEET OF THE WEST 583 FEET OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 7, TOWNSHIP 9 NORTH, RANGE 27 EAST, W.M. BENTON COUNTY, WASHINGTON.

EXCEPT THE NORTH 342 FEET OF THE WEST 330 FEET THEREOF;

EXCEPT THE NORTH 200 FEET OF THE EAST 200 FEET OF THE WEST 530 FEET THEREOF;

AND EXCEPT THE WEST 30 FEET THEREOF CONVEYED TO BENTON COUNTY FOR ROAD PURPOSES BY DEED RECORDED JANUARY 15, 1935 UNDER RECORDING NO. 135782.

PARCEL B

THE WEST 700 FEET OF THE NORTH 1,114 FEET OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 7, TOWNSHIP 9 NORTH, RANGE 27 EAST, W.M., BENTON COUNTY, WASHINGTON,.

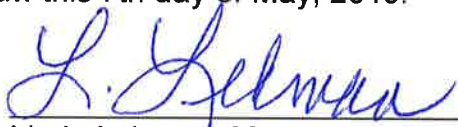
EXCEPT THE NORTH 642 FEET OF THE WEST 583 FEET THEREOF;

AND EXCEPT THE WEST 30 FEET THEREOF CONVEYED TO BENTON COUNTY FOR ROAD PURPOSES BY DEED RECORDED JANUARY 15, 1935 UNDER RECORDING NO. 135782.

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 7th day of May, 2019.




Linda Lehman, Mayor

Attest:

Approved as to Form:



Stephanie Haug, MMC
City Clerk-Treasurer



Kerr Ferguson Law, PLLC
City Attorney

Exhibit A:

Current:



Requested:

