

First Reading: 2/5/2013

Second Reading: 5/7/2013

**ORDINANCE NO. 918**

**AN ORDINANCE OF THE CITY OF BENTON CITY, WASHINGTON, AMENDING THE ZONING CLASSIFICATION OF CERTAIN REAL PROPERTY LYING NORTH OF BABS AVENUE, FOR REFERENCE PURPOSES REFERRED TO AS 804"B" BABS AVENUE CONSISTING OF APPROXIMATELY 2.14 ACRES FROM R-2M RESIDENTIAL MEDIUM DENSITY MANUFACTURED TO C-1 COMMERCIAL 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 28<sup>th</sup> day of January , 2013; 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 C-1 Commercial 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 R-2M Residential Medium Density Manufactured to C-1 Commercial District and the associated uses as permitted by that zone, are compatible with the neighboring land uses; and
5. The proposal addresses a need for additional commercial development property within the City of Benton City which was improperly or inadequately addressed by the present zoning designation.

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

Section 18, Township 9 North, Range 27: Portion of the Southeast Quarter of the Southwest Quarter defined as follows: The North 361 feet of the South 558 feet of the West 300 feet of the East 492.5 feet of the Southeast Quarter

of the Southwest quarter, except the East 92.5 feet from the North 175 feet thereof, records of Benton County, Washington

Tax Parcel # 1-1897-300-0029-000

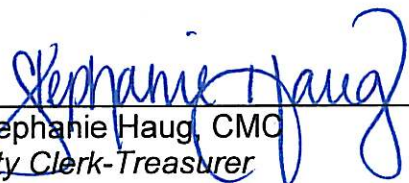
**Section 2.** The change of zoning classification as provided in Section 1 is contingent and conditioned upon execution and compliance with an amendment to the Benton City Comprehensive Plan also before the City Council for approval.

**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 day of March, 2013.

  
\_\_\_\_\_  
Lloyd R. Garnahan  
Mayor

Attest:

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

Approved as to Form:


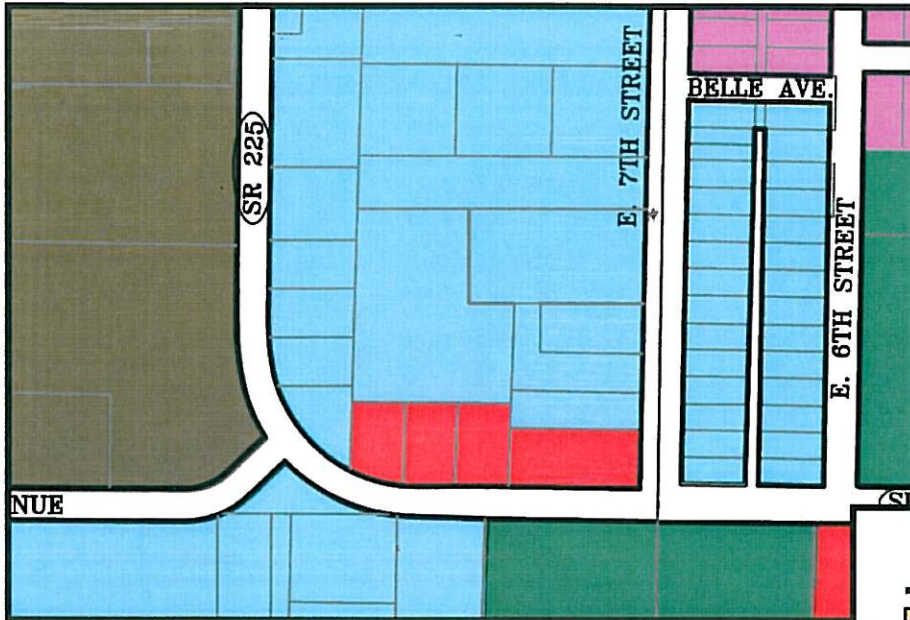
  
\_\_\_\_\_  
Kerr Law Group  
City Attorney

Exhibit A:

CURRENT ZONING:



PROPOSED ZONING:

