

First Reading: 12/15/2015

Second Reading: 3/1/2016

ORDINANCE NO. 952

AN ORDINANCE OF THE CITY OF BENTON CITY, WASHINGTON, AMENDING THE ZONING CLASSIFICATION OF CERTAIN REAL PROPERTY LOCATED WEST OF 13TH STREET, FOR REFERENCE PURPOSES REFERRED TO AS 1205 13TH STREET, CONSISTING OF APPROXIMATELY .18 ACRES FROM C-1 COMMERCIAL DISTRICT TO R-3, HIGH 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 18th day of November, 2015; 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-3 High Density Residential District;
3. Public facilities, such as roads, sewer and water, and other public facilities are adequate to support the proposed change of zone; and
4. The proposed zone change from C-1 Commercial District to R-3 High 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 C-1 Commercial District to R-3 High Density Residential District for the real property described as follows:

THAT PORTION OF LOT 4, SHORT PLAT NO. 815, ACCORDING TO THE SHORT PLAT THEREOF RECORDED IN VOLUME 1 OF SHORT PLATS, PAGE 815, RECORDS OF BENTON COUNTY, WASHINGTON LYING EASTERLY OF THE FOLLOWING DESCRIBED LINE:

BEGINNING AT THE MOST SOUTHERLY CORNER OF SAID LOT 4; THENCE NORTH 0°52'48" EAST, 154.85 FEET ALONG THE EAST LINE OF SAID LOT TO AN ANGLE POINT IN SAID LOT LINE AND THE TRUE POINT OF BEGINNING:

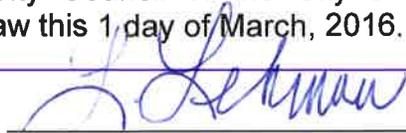
THENCE NORTH 0°52'48" EAST, 96.34 FEET TO THE NORTH LINE OF SAID LOT 4 AND THE TERMINUS OF SAID LINE.

CONTAINS 0.18 ACRES.

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 1 day of March, 2016.



Linda Lehman
Mayor

Attest:



Stephanie Haug, CMC
City Clerk-Treasurer

Approved as to Form:



Kerr Law Group
City Attorney