

**KUNA CITY ORDINANCE NO. 2019-33
KUNA SCHOOL DISTRICT NO. 3
MUNICIPAL REZONING**

A MUNICIPAL REZONE ORDINANCE OF THE CITY COUNCIL AND THE CITY OF KUNA;

- **MAKING CERTAIN FINDINGS AND DECLARATION OF AUTHORITY; AND**
- **REZONING CERTAIN REAL PROPERTY, TO WIT: ADA COUNTY ASSESSOR'S PARCEL NO. S1301336320 OWNED BY KUNA SCHOOL DISTRICT NO. 3, SITUATED WITHIN THE CORPORATE LIMITS OF THE CITY OF KUNA, IDAHO; AND**
- **RESPECTIVELY ESTABLISHING PUBLIC ZONING DISTRICT CLASSIFICATION OF SAID REAL PROPERTY; AND**
- **AMENDING THE OFFICIAL ZONING MAP; AND**
- **DIRECTING THE CITY ENGINEER AND THE CITY CLERK; AND**
- **PROVIDING AN EFFECTIVE DATE.**

Section 1: The City Council finds:

- 1.1 WHEREAS,** City of Kuna, Idaho is a municipal corporation organized and operating under the laws of the State of Idaho and is authorized under the provisions of 67-6511, Idaho Code, to establish within its jurisdiction one or more zones or zoning districts where appropriate which zoning districts are established in Kuna City Code § 5-2-2; and
- 1.2 WHEREAS,** the KUNA SCHOOL DISTRICT NO. (the "Owners") is the owner of the certain real property which has been designated by the Ada County Assessor's office: as Parcel No. **S1301336320** and which is more particularly described in "Exhibit A" – Legal Description and "Exhibit B" – Location Map, attached to this Ordinance and incorporated herein by reference (the "Subject Real Property") and has requested that the Subject Real Property be rezoned from the City's **AG. - AGRICULTURE ZONING DISTRICT TO P – PUBLIC ZONING DISTRICT (the "Rezone")**; and
- 1.3 WHEREAS,** the Planning and Zoning Commission of the City, pursuant to public notice as required by law, held a public hearing on November 13, 2018, as required by Section 67-6525, Idaho Code, made findings (approved by the Commission on December 11, 2018)

where it was recommended to the Mayor and Council that the Owner's Rezone request; and

- 1.4 **WHEREAS**, the Kuna City Council, pursuant to public notice as required by law, held a public hearing on January 2, 2019, on the Rezone, as required by Section 67-6525, Idaho Code, and in accordance with the provisions of Kuna City Code Section 5-1A-7 made findings (approved on February 5, 2019) and determined that the requested rezone should be granted with a zoning classification P (Public); and
- 1.5 **WHEREAS**, it is necessary that the City Council adopt this Ordinance, as required by Section 67-6511 (2) Idaho Code and Kuna City Code § 5-1A-7 G, to complete the process of implementing the decision of the Kuna City Council to Rezone the Subject Real Property.

Section 2: Action:

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF KUNA, IDAHO, as follows:

- 2.1 The Subject Real Property is rezoned from **AG. - AGRICULTURE ZONING DISTRICT TO P – PUBLIC ZONING DISTRICT (the “Rezone”)**;
- 2.2 The Zoning Map of the City of Kuna is hereby amended to comply with this Rezone.

Section 3: Directing the City Engineer and City Clerk:

- 3.1 The City Engineer is directed to change the zoning district depictions of the Subject Real Property on the Zoning Map of the City in accordance with this Rezone ordinance; and
- 3.2 The City Clerk is directed to file, this Ordinance in the official records of the City and to provide a conformed copy to the City Engineer, Planning and Zoning Director and Owner.

Section 4: Effective Date

- 4.1 This Ordinance shall take effect and be in force from and after its passage, approval, and publication as required by law and at the discretion of the City Clerk and In lieu of publication of the entire ordinance, a summary thereof in compliance with Section 50-901A, Idaho Code, may be published.

DATED this 20th day of August, 2019.

CITY OF KUNA



Joe L. Stear, Mayor

ATTEST:


Chris Engels, City Clerk

EXHIBIT A

**KUNA SCHOOL DISTRICT NO. 3
MUNICIPAL REZONE
Legal Description**

A parcel of land located in the W1/2 of Section 1, T.2N., R.1W., B.M., Kuna, Ada County, Idaho, more particularly described as follows:

Commencing at the SW corner of said Section 1 from which the W1/4 corner of said Section 1 bears North 00°27'05" East, 2669.26 feet;

thence along the South boundary line of said Section 1 South 89°32'42" East, 800.00 feet to the **REAL POINT OF BEGINNING**;

thence leaving said South boundary line North 00°27'18" East, 200.00 feet;

thence North 89°32'42" West, 559.84 feet;

thence North 00°27'12" East, 1105.82 feet;

thence North 89°32'42" West, 240.21 feet to a point on the West boundary line of said Section 1;

thence along said West boundary line North 00°27'05" East, 1,363.44 feet to the W1/4 corner of said Section 1;

thence continuing along said West boundary line North 00°27'02" East, 3.47 feet;

thence leaving said West boundary line South 89°32'58" East, 30.00 feet to a point on the East right-of-way line of S. Linder Road;

thence along said East right-of-way line North 00°27'02" East, 222.73 feet to a point on the centerline of the Mason Creek Feeder Canal;

thence along said centerline the following 13 courses and distances:

thence South 39°34'33" East, 79.37 feet;

thence South 46°10'44" East, 235.17 feet;

thence South 47°25'55" East, 231.99 feet;

thence South 44°48'15" East, 151.99 feet;

thence South 49°17'03" East, 221.73 feet;

thence South 47°03'31" East, 292.85 feet;

thence South 47°29'04" East, 288.73 feet;

thence 51.55 feet along the arc of a curve to the right, said curve having a radius of 1,100.00 feet, a central angle of 02°41'06" and a long chord of 51.54 feet which bears South 46°08'31" East;

thence South 44°47'58" East, 234.52 feet;

thence 108.16 feet along the arc of a curve to the left, said curve having a radius of 1,100.00 feet, a central angle of 05°38'01" and a long chord of 108.11 feet which bears South 47°36'58" East;

thence South 50°25'59" East, 87.82 feet;

thence 339.78 feet along the arc of a curve to the left, said curve having a radius of 1,082.00 feet, a central angle of 17°59'34" and a long chord of 338.39 feet which bears South 59°25'46" East;

thence South 68°25'33" East, 43.77 feet;

thence leaving said centerline South 39°38'24" West, 1,499.69 feet;

thence South 00°27'18" West, 200.00 feet to a point on the South boundary line of said Section 1;

thence along said South boundary line North 89°32'42" West, 70.00 feet to the **REAL POINT OF BEGINNING**. Containing 60.00 acres, more or less.

