

**KUNA CITY ORDINANCE NO. 2019-37
FALCON CREST LLC
MUNICIPAL REZONING**

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

- **MAKING CERTAIN FINDINGS; AND**
- **REZONING CERTAIN REAL PROPERTIES, TO WIT: LANDS LEGALLY DESCRIBED IN EXHIBIT A-1 and A-2, OWNED BY FALCON CREST LLC, SITUATED WITHIN THE CORPORATE LIMITS OF THE CITY OF KUNA, ADA COUNTY, IDAHO; AND**
- **AMENDING THE ZONING MAP; AND**
- **DIRECTING THE CITY ENGINEER AND THE CITY CLERK; AND**
- **PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the City of Kuna, Idaho is a municipal corporation organized and operating under the laws of the State of Idaho and is authorized to establish zoning within its corporate limits provided by Section 50-222, Idaho Code; and

WHEREAS, the owner of said parcel of real property has requested that the real property be rezoned from Agriculture to C-1 as described in Exhibit A-1 and rezoned from Agriculture to R-6 as described in Exhibit A-2; and

WHEREAS, the Planning and Zoning Commission of the City, pursuant to public notice as required by law, held a public hearing on October 9, 2018, and November 27, 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 rezoning for the lands described in Exhibit A-1 from Agriculture to C-1 and the rezoning request for the lands described in Exhibit A-2 from Agriculture to R-6, be approved; and

WHEREAS, the Kuna City Council, pursuant to public notice as required by law, held a public hearing on January 2, 2019, and January 15, 2019, on the proposed annexation and zoning for the real property described in Section 2 below, as required by Section 67-6525, Idaho Code, made findings (approved by Council on February 5, 2019) where it was determined that the requested rezoning for lands described in Exhibit A-1 from Agriculture to C-1 and the rezoning request for lands described in Exhibit A-2, from Agriculture to R-6, be approved; and

WHEREAS, the zoning classifications of C-1 and R-6 are appropriate to meet the requirements of the Kuna City Code and should be granted.

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

Section 1: The Kuna City Council hereby finds and declares that the real property described below is within the corporate limits of the City and the proposed rezone complies with the Kuna City Code and the Kuna City Comprehensive Plan.

Section 2: The real property is situated in the City of Kuna, Ada County, Idaho, and is commonly known as parcel **S1422336000** and more particularly described in “Exhibit A-1” and “Exhibit A-2” – Legal Descriptions and in “Exhibit B” – Location Map, attached hereto and incorporated herein by reference.

Section 3: The zoning land use classifications of the lands described in Section 2 above is hereby zoned as C-1 and R-6, as provided by the Zoning Ordinance of the City. The Zoning Map of the City is hereby amended to include the real property described in Section 2 above in the C-1 and R-6, zoning land use classifications.

Section 4: The City Clerk is hereby directed to file, within ten (10) days of passage and approval of this Ordinance, a certified copy of this Ordinance with the offices of the Auditor, Treasurer, and Assessor of Ada County, Idaho, and with the Idaho State Tax Commission, Boise, Idaho, as required by Section 50-223, Idaho Code, and to comply with the provisions of Section 63-215, Idaho Code, with regard to the preparation and filing of a map and legal description of the real property rezoned by this Ordinance.

Section 5: This Ordinance shall take effect and be in force from and after its passage, approval, and publication as required by law. In lieu of publication of the entire ordinance, a summary thereof in compliance with Section 50-901A, Idaho Code, may be published.

DATED this 17th day of September, 2019.

CITY OF KUNA



Joe L. Stear, Mayor

ATTEST:

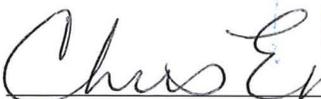

Chris Engels, City Clerk



EXHIBIT A-1

FALCON CREST LLC REZONE TO C-1

LEGAL DESCRIPTION

That portion of the Southwest Quarter of the Southwest Quarter of Section 22, Township 2 North, Range 1 East, Boise Meridian, Ada County Idaho, particularly described as follows:

BEGINNING at the southwest corner of said Section 22, from which the south quarter corner of said Section 22 bears South 89°57'42" East, 2660.56 feet;

Thence, along the west line of said Section 22, North 00°42'47" East, 960.07 feet;

Thence, departing from said west line, South 89°57'42" East, 948.00 feet;

Thence, South 00°42'47" West, 960.07 feet to the south line of said Section 22;

Thence, along said south line, North 89°57'42" West, 948.00 feet to the **POINT OF BEGINNING**, containing 20.89 acres, more or less.

EXHIBIT A-2

FALCON CREST LLC REZONE TO R-6

LEGAL DESCRIPTION

That portion of the Southwest Quarter of the Southwest Quarter of Section 22, Township 2 North, Range 1 East, Boise Meridian, Ada County Idaho, particularly described as follows:

COMMENCING at the southwest corner of said Section 22, from which the south quarter corner of said Section 22 bears South 89°57'42" East, 2660.56 feet; Thence, along the south line of said Section 22, South 89°57'42" East, 948.00 feet to the **POINT OF BEGINNING**;

Thence, departing from said south line, North 00° 42' 47" East, 960.07 feet;

Thence, North 89° 57' 42" West, 948.00 feet to the west line of said Section 22;

Thence, along said west line, North 00° 42' 47" East, 365.41 feet;

Thence, departing from said west line, North 89° 58' 36" East, 1328.54 feet;

Thence, South 00° 38' 13" West, 1326.89 feet to said south line;

Thence, along said south line, North 89° 57' 42" West, 382.28 feet to the **POINT OF BEGINNING**, containing 19.58 acres, more or less.

EXHIBIT B LOCATION MAP

