

**ORDINANCE NO. 2020-18
CITY OF KUNA, IDAHO**

**TIMOTHY GORDON
MUNICIPAL REZONE**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KUNA:

- **MAKING CERTAIN FINDINGS; AND**
- **REZONING CERTAIN REAL PROPERTY, TO WIT: ADA COUNTY PARCEL NO. S1326120716 OWNED BY TIMOTHY GORDON, 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.**

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**, TIMOTHY GORDON (the “Owner”) is the owner of the certain real property which has been designated by the Ada County Assessor’s office as Parcel No. **S1326120716** 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 **C-2 – AREA COMMERCIAL DISTRICT TO C-1 – NEIGHBORHOOD COMMERCIAL (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 January 28, 2020 as required by Section 67-6525, Idaho Code, made findings (approved by the Commission on February 11, 2020) where it was recommended to the Mayor and Council that the rezoning for the lands described in Exhibit A from Area Commercial (C-2) to Neighborhood Commercial (C-1) be approved; and
- 1.4 WHEREAS**, the Kuna City Council, pursuant to public notice as required by law, held a public hearing on March 17, 2020 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 (March 17, 2020) and determined that the requested rezone should be granted with a zoning classification C-1 (Neighborhood Commercial); 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:

2.1 The Subject Real Property is rezoned from C-2 – AREA COMMERCIAL ZONING DISTRICT TO C-1 – NEIGHBORHOOD COMMERCIAL (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 19th day of May, 2020.

CITY OF KUNA



Joe Stear, Mayor

ATTEST:


Chris Engels, City Clerk

EXHIBIT A

TIMOTHY GORDON
REZONE TO C-1

LEGAL DESCRIPTION

A parcel of land situate in the northwest quarter of the northwest quarter of the northeast quarter of Section 26, Township 2 North, Range 1 West, Boise Meridian, Kuna, Ada County, Idaho, being a portion of Lot 13 of Home Acres Subdivision No. 19, as shown on the official plat thereof on file in the office of the Ada County, Idaho, Recorder, and being more particularly described as follows:

Beginning at the north quarter corner of said Section 26, which bears S89°37'29"W, 2,630.05 from the northeast corner of said Section 26, said quarter corner being the **Point of Beginning**:

Thence N89°37'29"E, 350.67 feet along the northerly boundary of said Section 26;

Thence S00°06'42"E, 226.36 feet to the northerly boundary of Plateau Village Subdivision No. 1, as shown in Book 63 of Plats, Page 6355 records Ada County, Idaho;

Thence S89°37'29"W, 350.60 feet along the northerly boundary and extension of said Plateau Village Subdivision No. 1 to the westerly boundary of the northeast quarter of said Section 26;

Thence N00°08'08"W, 226.36 along the westerly boundary of the northeast quarter of said Section 26 to the **Point of Beginning**.

Comprising 57,124 square feet, more or less.

