

## SULTAN PLANNING BOARD AGENDA ITEM COVER SHEET

---

**ITEM NO:** D-3

**DATE:** February 3, 2009

**SUBJECT:** Continued Discussion on Sultan Municipal Code (SMC)  
adding Section 16.12.070, Public and Institutional Zone

**CONTACT PERSON:** Robert Martin, Community Development Director

**ISSUE:**

1. Does the Planning Board want to establish a Public and Institutional Zone in the Unified Development Code?
2. What uses does the Board want to include in a P/I Zone? (Obvious vs. Less Obvious)

**RECOMMENDATION:**

Discuss “**Attachment A**”, review “**Attachment B**” and direct Staff to return with follow up information as appropriate.

**DISCUSSION:**

Zoning Codes and Unified Development Codes typically contain a separate zone that is applied to Public Lands such as Parks, Public Works Yards, Schools, Hospitals, and other Public and Institutional properties and facilities.

The Sultan Unified Development Code, Title 16, does not provide for this Zone.

At its meeting of January 20, 2009, the Planning Board discussed this concept and a list of uses that could be included in such a Zone. At that time, and based on subsequent conversations, it is appropriate to provide additional discussion regarding the purpose and function of a Public/Institutional (P/I) Zone. A set of discussion topics is provided as “**Attachment A**”.

“**Attachment B**” is the list of uses typical to P/I Zones that was discussed at the last meeting.

If the Planning Board wishes to proceed with development of a P/I Zone, the main Land Use issue at this point concerns the range of uses that are covered in the P/I Zone. Public and Institutional uses that are not included in the P/I Zone need to be included in other Zones as outright or Conditional Uses. Does the Board want to include Private Schools, Non-Profit Community Centers, and similar quasi-public functions in a P/I Zone, or include them as outright or Conditional Uses in the various Residential and Commercial Zones?

If they are included in the P/I Zone, these uses will typically have to go through a Zoning Map Amendment to establish a new facility site (See Attachment A for discussion of implications of zone change process). If they are not in the P/I Zone, they typically would not have to go through a Zone Map Amendment, but would be subject to a Conditional Use Hearing (See Attachment A for discussion of Burden of Proof). The P/I Zones put more burdens on the agency proposing the use to prove that the proposal complies with the Comprehensive Plan. The alternative of inclusion in each zone puts more burdens on neighbors objecting to the proposal to prove that the use does not meet the established Development Standards. The question of how this aspect of the Zoning Code is organized is completely a policy preference of the local jurisdiction.

#### **ANALYSIS:**

Once the Planning Board has resolved recommendations on the first two policy questions, the next step is to discuss changes of use from Public Use to Private Use. This was a primary discussion during the Planning Board meeting on January 20, 2009.

Should the City allow outright or discourage outright changes in use? The example used at the January 20<sup>th</sup> meeting was changing City Hall into an office building still owned by the City, but leased to private occupants, i.e. competing with the private sector for the office space market. This can be addressed in the text of the zone. If Staff is directed to proceed with a P/I Zone, we will address this question at the next Planning Board Meeting on February 17, 2009

#### **ATTACHMENTS:**

- Attachment A: Discussion topics
- Attachment B: List of Typical P/I Zone Uses