

**SULTAN PLANNING BOARD
AGENDA ITEM COVER SHEET**

ITEM NO: H-1

DATE: March 17, 2009

SUBJECT: Public & Institutional Zone, adding Section 16.12.070 to Sultan Municipal Code

CONTACT PERSON: Robert Martin, Community Development Director

ISSUE: Postpone Public Hearing

RECOMMENDATION:

Postpone Public Hearing to April 21, 2009 Regular Meeting.

DISCUSSION OF HEARING PROCESS:

At its regular meetings of January 20, and February 3, and February 17, and March 3, 2009, the Planning Board has discussed concepts and policy questions related to establishment of a P/I Zone in the Sultan Zoning Code.

At its February 17th Meeting, the Board made policy determinations that were incorporated into the draft reviewed at the March 3 Meeting. The Board moved to set March 17 as the date for a Public Hearing on the Planning Board Draft of the Public and Institutional Zone (P/I) text.

At that meeting, there was considerable discussion on the topic of what properties the zone would be applied to and where on the map these properties are located. Particular concern was expressed about how property owners near P/I zoned properties, would be notified of the proposed change.

The specific issue is that the proposed zone text makes P/I Zoning MANDATORY for properties that are owned and/or managed for public functions by public and quasi-public governments, agencies, and organizations. If the zone text is adopted without knowing what properties are affected, then public input pertaining to the actual placement of the zone by Amendment of the Zoning Map would be essentially meaningless.

Since the Meeting, this issue has been discussed further with Staff. Staff understands the concern and is proposing to address it by postponing the Public Hearing until the sites covered by the proposed zone are mapped and can be displayed at a future meeting before the Board makes its recommendation to the Council.

The mechanism to accomplish this is to postpone the Public Hearing to April 21, 2009. Postponement to the April 21st Meeting will give Staff the time necessary to do a complete and accurate job of locating the public and quasi-public properties that the proposed zone will be applied to.

SUMMARY OF ZONING PROVISIONS:

- Designation as P/I is mandatory for properties owned and/or managed for public use by governments, districts, and quasi-public service agencies.
- The function of land owned by governments, districts, and quasi-public service agencies is to be considered when placing the P/I Zone.
 - Land that is undeveloped but is owned by the public or quasi-public entity with the intent of developing the site for public use at some point in the future is to be placed in the P/I Zone.
 - Land that is owned by the public or quasi-public entity on a short-term basis that is not considered part of the development plan for the entity and is intended to be sold out of public or quasi-public ownership within one year of acquisition is not to be placed in the P/I Zone.
- Quasi-public service agencies such as Volunteers of America are to be included in the P/I Zone.
- Governments, districts, and quasi-public service agencies that acquire land or facilities for long-term ownership and/or management (greater than one year) shall notify the City of the ownership/acquisition and request the City to undertake the zone Map Amendment to include the property in the P/I Zone. This shall be done at no expense to the requesting entity.
- Governments, districts, and quasi-public service agencies who determine that a facility or property in their ownership is no longer included in their future plans and determine to sell the property to the private sector must apply for a Zone Map Amendment to remove the P/I Zone and revert the site to the underlying zone. This Zone Map Amendment shall be at the expense of the owning agency.
- The Official Zoning Map will be amended to zone the two above properties Low-Moderate Density zone and overlay the P/I Zone on top of the Low-Moderate Density Zone. This is done on these two properties to remain consistent with the procedures that best fit implementation of the P/I Zone on the all other properties in the community that are already zoned (these two city-owned parcels are the only ones in the community labeled as “unzoned” in the Comprehensive Plan and the Zoning Code).

SUMMARY OF COMPREHENSIVE PLAN PROCESSES:

- Through the Annual Docket Process, the Comprehensive Plan text will be amended to allow for the P/I Zone as an overlay zone in all Plan Designations. This will allow for placement of the P/I Zone through Amendment of the Official Zoning Map without docketing a change in the Comprehensive Plan Future Land Use Map on the Annual Docket.
- The Comprehensive Plan Future Land Use Map will be amended through the 2009 Annual Docket Process to change the two city properties (north portion of Reese Park, and Water Treatment Plant property) from “Unzoned” to “Low-Moderate Density Plan Designation”.

REQUESTED ACTION:

Move to postpone the Public Hearing to April 21, 2009 to allow time for assembly of a map indicating the locations that would be subject to the P/I Zone for public review prior to action on adoption of the zone text.”