CITY OF SUN VALLEY
PLANNING AND ZONING COMMISSION
AGENDA REPORT

To: Planning and Zoning Commission

From: MH Mark Hofman, Community Development Director

Meeting Date: May 9, 2013

Agenda Item: Sun Valley Water & Sewer District Comprehensive Plan/Future Land Use Map Amendment

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SUBJECT: Public hearing for a Comprehensive Plan/Future Land Use Map Amendment Application requesting specific revisions to the land use designations of the Future Land Use Map of the City of Sun Valley 2005 Comprehensive Plan Update (*Comprehensive Plan*). Applicant: Sun Valley Water & Sewer District. Application No: CPA 2013-01. Application Date: April 19, 2013. Location: Tax Lot 5998 owned by the Sun Valley Water & Sewer District adjacent to Elkhorn Road at Weyyakin Drive.

BACKGROUND: The City of Sun Valley officially adopted the *Comprehensive Plan* on September 8, 2005 (Resolution 2005-12). City of Sun Valley Development Code Section 9-5A-2D requires a public hearing process for amendments to the *Comprehensive Plan* and that the Planning and Zoning Commission be a recommending authority. The City Council is the final decision making body for any proposed amendments and will also require a separate public hearing process once the Commission's recommendation is completed.

The Sun Valley Water & Sewer District (SVW&SD) proposes to amend the land use designations of the Future Land Use Map from Open Space to Public/Quasi-Public for a 13,320 square foot property (Tax Lot 5998) located adjacent to Elkhorn Road at Weyyakin Drive. The amendment application is directly associated with Zoning Map Amendment Application No. ZMA 2013-01 requesting a rezone of Tax Lot 5998 from the Outdoor Recreational (OR-1) Zoning District to the Public/Institution (PI) Zoning District and with Design Review Application No. DR 2013-09 proposing construction of a new reuse water booster pump station with associated site improvements partially on Tax Lot 5998 and on adjacent Parcel A of the approved Lane Ranch North Subdivision.

ANALYSIS: SVW&SD's Future Land Use Map Amendment Application letter, dated April 19, 2013, is attached as **Exhibit "PZ-B"**. The entire 13,320 square foot portion of Tax Lot 5998 is currently zoned Outdoor Recreational (OR-1) on the Official Zoning Map of the City of Sun Valley. Development Code Section 9-5B-9B requires OR-1 lands to receive an official zoning map amendment *consistent with the land use designation shown on the Comprehensive Plan Future Land Use Map* prior to, or in conjunction with, the processing of any development applications for improvements on the respective OR-1 zoned lands.

Tax Lot 5998 was not part of the 2012 Lane Ranch North Comprehensive Plan Amendment that amended adjacent Parcel A to the Public/Quasi-Public land use designation for the Lane Ranch North Preliminary Plat. As a result, the Future Land Use Map still designates Tax Lot 5998 as Open Space land use. Therefore, it could be seen that in order to rezone Tax Lot 5998 to a zoning district "*consistent with the land use designation shown on the Comprehensive Plan Future Land Use Map*" the City should first require and then approve an amendment request to the Future Land Use Map for Public/Quasi-Public designation.

To address the issue raised by Development Code Section 9-5B-9B, regarding consistency with the land use designation shown on the Future Land Use Map, the applicant has submitted this associated application for an amendment to the *Comprehensive Plan* to change the land use designation for the Tax Lot from Open Space to Public/Quasi-Public. This amendment to the Public/Quasi-Public land use designation would mirror the prior City action on adjacent Parcel A of Lane Ranch North to enable the reuse water booster station to be constructed and would allow the City to take action on the associated Zoning Map Amendment for Tax Lot 5998 with a finding that the change from Outdoor Recreational (OR-1) to the Public/Institution (PI) Zoning District is consistent with the land use designation shown on the *Comprehensive Plan* Future Land Use Map.

Draft Resolution No. 2013-12, for an amendment to the Future Land Use Map of the 2005 Comprehensive Plan Update for Tax Lot 5998 owned by SVW&SD, is attached as **Exhibit "PZ-A"** for review, consideration, discussion and a recommendation by the Planning and Zoning Commission.

Public Notice and Comment- The public hearing for the amendment application was publicly noticed in accordance with adopted City of Sun Valley Development Code provisions by: 1.) publication of proper notice in the Mt. Express on April 24, 2013; 2.) posting notice on the project site adjacent to Elkhorn Road at the Weyyakin Drive entrance; 3.) mailing of notice to all adjacent property owners within a minimum 300 foot radius; 4.) posting of public notice at five (5) prominent locations within the City, including Sun Valley City Hall, the Sun Valley Post Office, Elkhorn Springs Store Post Office, St. Thomas Episcopal Church and the Elkhorn Fire Station; 5.) transmitting electronic notice to relevant agencies/media via emailing and faxing, as well as to all parties who have notified the City of interest to receive agendas and public notices; and, 6.) posting on the City's webpage under public notices and under the Planning and Zoning Commission Agenda.

No public email comments, phone calls or letters specific to the amendment of the Future Land Use Map have been received by staff as of the writing of this Report.

RECOMMENDATION: The Planning and Zoning Commission should disclose all information and contacts received outside the hearing on this item upon which the recommending decision will be based, review the Agenda Report, review and discuss the requested amendments to the Future Land Use Map, receive public testimony and discuss the issues and facts necessary to make a recommendation to the City Council.

The Community Development Director recommends the Commission: 1.) review the draft Resolution 2013-12; 2.) make and pass a motion for a finding that the public hearing for the Commission's recommendation to the City Council on the Amendment was properly noticed for May 9, 2013, in accordance with the Idaho Land Use Planning Act and the adopted City of Sun Valley Development Code; and, 3.) make and pass a motion recommending approval of the Amendment to the City Council.

LIST OF ATTACHED EXHIBITS:

Exhibit "PZ-A"	Draft Resolution 2013-12 for an amendment to the Future Land Use Map of the 2005 Comprehensive Plan Update for Tax Lot 5998 owned by SVW&SD.
Exhibit "PZ-B"	Sun Valley Water & Sewer District application letter dated April 19, 2013 from Pat McMahon for a Comprehensive Plan/Future Land Use Map amendment for Tax Lot 5998.

**The entire administrative record for this proposed Comprehensive Plan/Future Land Use Map Amendment is available for review in the Community Development Department.

EXHIBIT "PZ-A"

(DRAFT) RESOLUTION 2013-12

A RESOLUTION AMENDING THE FUTURE LAND USE MAP OF THE CITY OF SUN VALLEY 2005 COMPREHENSIVE PLAN UPDATE

WHEREAS, Idaho State Code 67-6508 sets forth the duty of the Planning and Zoning Commission ("Commission") to conduct a comprehensive planning process designed to prepare, implement, review and update a Comprehensive Plan; and

WHEREAS, Idaho State Code 67-6509 sets out the manner in which the Future Land Use Map may be amended and allows the Commission to recommend changes to the land use map component of the Comprehensive Plan whenever appropriate; and

WHEREAS, pursuant to such authority, the City adopted Resolution 2005-12, updated its Comprehensive Plan on September 8, 2005, and titled it the *City of Sun Valley 2005 Comprehensive Plan Update (Comprehensive Plan)*; and

WHEREAS, the Sun Valley Water & Sewer District (SVW&SD), represented by Pat McMahon, submitted a complete application for a Future Land Use Map Amendment (Application No. CPA 2013-01) to the City on April 19, 2013 in association with Zoning Map Amendment Application No. ZMA 2013-01 and Design Review Application No. DR 2013-09; and

WHEREAS, the SVW&SD's application (No. CPA 2013-01) for a Future Land Use Map Amendment requests a land use designation change from Open Space to Public/Quasi-Public for 13,320 square foot Tax Lot 5998 located adjacent to Elkhorn Road at Weyyakin Drive; and

WHEREAS, associated Zoning Map Amendment Application No. ZMA 2013-01 requests a rezone of Tax Lot 5998 owned by SVW&SD from the Outdoor Recreational (OR-1) Zoning District to the Public/Institution (PI) Zoning District and associated Design Review Application No. DR 2013-09 proposes construction of a new reuse water booster pump station with associated site improvements partially on Tax Lot 5998 and on adjacent Parcel A of the approved Lane Ranch North Subdivision; and

WHEREAS, the Commission duly met the provision of Idaho Code 67-6509 and a properly noticed public hearing was held on May 9, 2013 to review and take public comment on the proposed amendment to the Future Land Use Map of the *Comprehensive Plan*; and

WHEREAS, the Commission made a motion for a specific finding that the public hearing for the recommendation was properly noticed for May 9, 2013, in accordance with the Idaho Land Use Planning Act and the adopted City of Sun Valley Development Code; and

WHEREAS, the Commission passed a motion recommending approval of a Future Land Use Map amendment, as depicted in attached Exhibit A, to the Sun Valley City Council and forwarded its recommendation to the Council on May 9, 2013; and

WHEREAS, the City Council duly met the provision of Idaho Code 67-6509 and a properly noticed public hearing was held on June 6, 2013 to review and gather public input on the recommended amendment to the Future Land Use Map of the *Comprehensive Plan*; and

CONCLUSIONS OF LAW

Based upon the entire record by the applicant, staff and individuals who spoke at the public hearings, the City Council makes the following Conclusions of Law:

The amendment to the Future Land Use Map for a land use designation change from Open Space to Public/Quasi-Public for 13,320 square foot Tax Lot 5998 located adjacent to Elkhorn Road at Weyyakin Drive is in accordance with the purpose, goals, and objectives of the *Comprehensive Plan* as well as the purpose of the Idaho Local Land Use Planning Act as stated in Idaho State Code 67-6502. The amendment to Public/Quasi-Public land use designation is consistent with, conforms to and complies with all applicable duties, provisions, and requirements of Idaho State Code Sections 67-6507, 67-6508 and 67-6509. The land use designation amendment is required in conjunction with a rezone to Public Institution (PI) Zoning District for the construction of a new reuse water booster pump station that is part of a larger reuse water system. The reuse water system is a public utility use and directly relates to the public benefit portion of the adjacent Lane Ranch North Subdivision approved by the City in 2012. Public utility service to the community is an appropriate economic use of the land. The Tax Lot was transferred to the SVW&SD by Blaine County in 2012 to be used for a public purpose.

Pursuant to Idaho State Code 67-6509, the Planning and Zoning Commission and City Council met the burden of providing for citizen meetings, hearings and other methods to obtain advice on the planning process. The Commission allowed the applicant to present and the Commission and Council considered information both written and oral, provided by Staff and provided an opportunity for public comment by posting notice of and holding a public hearing. At the public hearing Applicant, Staff and members of the public were allowed to present information for consideration by the Commission and Council.

The amendment to the Future Land Use Map has no adverse impacts on the natural environment, including but not limited to, water quality, air quality, noise, vegetation, riparian corridors, hillsides and other natural features. The need for a amendment was caused by development of public utility infrastructure partially on the Open Space designated Tax Lot 5998 and on the adjacent Public/Quasi-Public designated Parcel A. The land use designation amendment is not materially detrimental to the public health, safety, and welfare because no significant impacts requiring mitigation have been identified by the Planning and Zoning Commission or City Council for the proposed public use of the land. Essential public facilities and services, including but not limited to emergency services, transit, public street maintenance, workforce housing and schools, are available to support the proposed uses and density or intensity without creating additional requirements at public costs for such public facilities and services.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SUN VALLEY, IDAHO:

1. Amendment to the Future Land Use Map of the *Comprehensive Plan*, in the form attached hereto as Exhibit A, are hereby approved and adopted by the City Council of the City of Sun Valley, Idaho.

2. The production of this amendment should be consistent with the format, colors and style of the Future Land Use Map of the *Comprehensive Plan,* but shall not alter the text, map boundaries or any other factual element otherwise than stated in Exhibit A; and shall be incorporated into the *Comprehensive Plan.*

3. This amendment to the Future Land Use Map of the *Comprehensive Plan* for a land use designation change from Open Space to Public/Quasi-Public for 13,320 square foot Tax Lot 5998 located adjacent to Elkhorn Road at Weyyakin Drive is contingent upon and specific to Zoning Map Amendment Application No. ZMA 2013-01 and Design Review Application No. DR 2013-09.

PASSED AND ADOPTED this 6th day of June, 2013.

_____
Dewayne Briscoe, Mayor
City of Sun Valley

Attest:

_____
Hannah Stauts, City Clerk
City of Sun Valley

Exhibit A

Benchmark Associates, P.A.
ENGINEERING, PLANNING, SURVEYING & MAPPING
P.O. Box 733 - 100 Bell Drive
Ketchum, Idaho 83340
208/726-9512 Fax 208/726-9514

PROFESSIONAL LAND SURVEYOR
LICENSED
13764
3/22/13
STATE OF IDAHO
LARRY JONES

COMPREHENSIVE PLAN/ FUTURE LAND USE MAP AMENDMENT

TAX LOT 5998

Within: T4N, R18E, SECTION 19, B.M., BLAINE COUNTY, IDAHO.

Commencing at a Brass Cap marking the E1/4 corner of said section 19 as shown on the second replat of Weyyakin Subdivision Amended 1981 (recorded as instrument #224903 records Blaine County, Idaho); Thence S0°19'58"W a distance of 406.49' to a iron pipe marking the south easterly corner of Block 8 within said Weyyakin Subdivision. Thence S51°19'31"W a distance of 526.36' to the Point of Beginning:

Thence along the boundary of said Tax Lot 5998 by the following courses:

Thence S49°20'01"E a distance of 216.00';

Thence with a curve turning to the right with an arc length of 19.56', with a radius of 924.93', with a chord bearing of N74°46'13"W, with a chord length of 19.56';

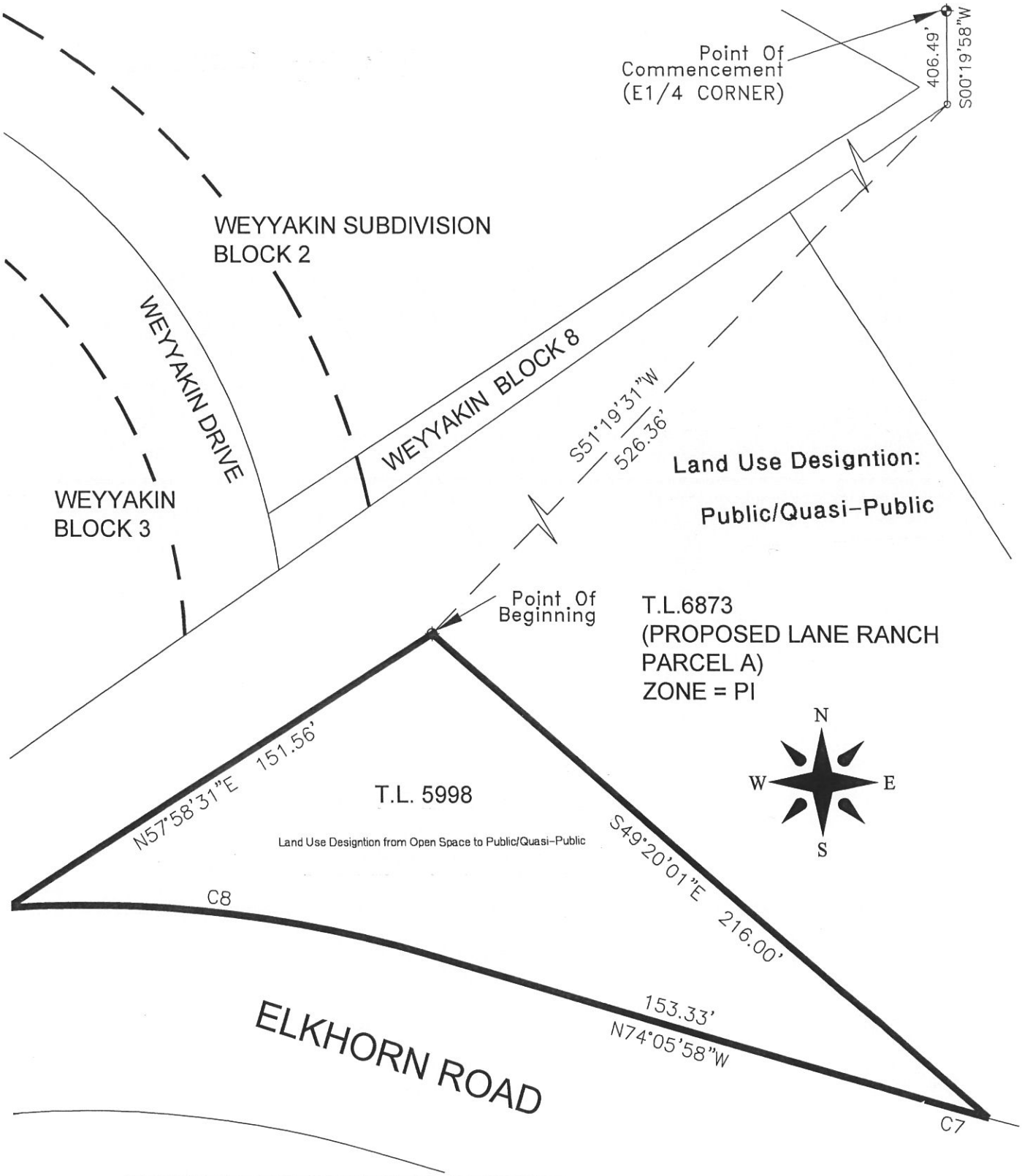
Thence N74°05'58"W a distance of 153.33';

Thence with a curve turning to the left with an arc length of 127.30', with a radius of 374.70', with a chord bearing of N84°00'04"W, with a chord length of 126.69';

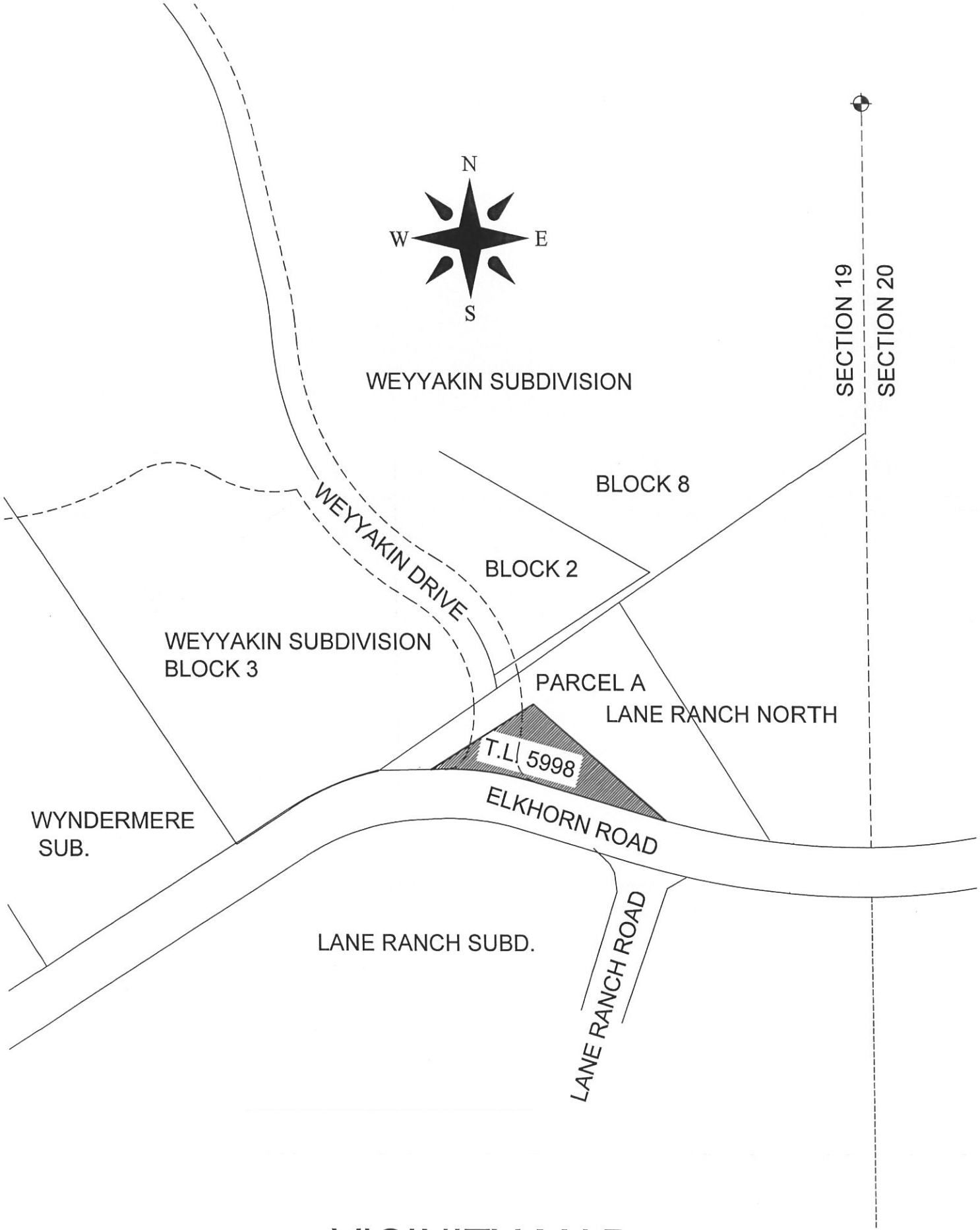
Thence N57°58'31"E a distance of 151.56' to the Point of Beginning.

As shown on Exhibit A attached hereto and made a part of.

Having an approximate area of ±13320 Square Feet, or ±0.31 Acres.



CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C7	924.93'	19.56'	19.56'	N74°46'13"W	1°12'43"
C8	374.70'	127.30'	126.69'	N84°00'04"W	19°27'55"



VICINITY MAP

EXHIBIT "PZ-B"

SUN VALLEY WATER & SEWER DISTRICT

Post Office Box 2410
Sun Valley, Idaho 83353

April 19, 2013

Mr. Mark Hofman
Community Development Director
City of Sun Valley
P.O. Box 416
Sun Valley, Idaho 8353

RE: Comprehensive Plan Amendment CMA 2013-1

Dear Mark,
The District recently acquired parcel RP04N1801190040 (Tax Lot 5998) from Blaine County. This lot is located adjacent to Lane Ranch North Parcel "A", near the intersection of Weyyakin Drive and Elkhorn Road. This parcel is currently designated *Open Space* in the Future Land Use Map of the 2005 Comprehensive Plan.

It is the District's belief that this designation should be changed from *Open Space* to *Public/Quasi-Public.* This small .31 acre parcel is triangular in shape, bordered on two sides by Parcel "A", with Elkhorn Road forming the third side. The parcel was created by a realignment of Elkhorn Road and owned by Blaine County until July, 2012.

Tax Lot 5998 and Lane Ranch North Parcel "A" combine to form the site for the District's planned Reuse Booster Pump Station which will pressure water to a dedicated reuse reservoir for delivery to the Elkhorn Golf Course and potentially Dollar Mountain. Please accept this application for a Comp Plan Amendment change to the Future Land Use Map.

Thank you,

Pat McMahon
General Manager

(208) 622-7610 Fax (208) 622-9129 www.svwsd.com