

Advance Plans Committee

Summary of Meeting

7:35 a.m., July 9, 2015

Attendance

AP Committee Members: David Dennis, Bill Johnson, Joe Johnson, Don Klausmeyer, John McKay, Debra Miller Stevens,
MAPD staff: John Schlegel, Dale Miller, Scott Knebel, Scott Wadle
Others: Bob Parnacott, Justin Givens, Kim Edgington, Kathy Sexton, Wess Galyon, Diana Brooks, Terry Sommers

Discussion Summary

1. The Advance Plans Committee unanimously approved the summary of the July 2, 2015 Committee meeting.

Dale Miller introduced the topic of Zoning Areas of Influence (ZAOI) and summarized the staff report on the issue. He also reviewed a map depicting the individual city ZAOI boundaries plus the urban growth areas of the adopted W-SC Comprehensive Plan and the existing city limits of the cities in Sedgwick County.

Bob Parnacott explained how the Board of County Commissioners requested staff to look at eliminating the ZAOI as a starting point of discussion with the cities of Sedgwick County on the future role and value of the ZAOI. The ZAOI have been in place since 1985. The BoCC wants to consider the whole spectrum of possible actions including - elimination of the ZAOI; modification of the ZAOI boundaries and/or process; and, keeping things as they are now. This is a policy issue with a need to balance both the needs of property owners and cities, and allowing the BoCC to have a say in what happens in the unincorporated areas of the County. Parnacott read statements from each of the County Commissioners on the matter.

Justin Givens, City Administrator for Clearwater, read a letter from the Clearwater Planning Commission stating that the ZAOI have worked well for the cities. If things need changing, perhaps the BoCC should forego jurisdiction of cases in these areas and let owners deal with the communities they live in. An alternative would be to go back to the use of extraterritorial jurisdiction as provided by state statute. The ZAOI should not be eliminated and cities should be allowed to protect their interests. The manner in which the BoCC has initiated this discussion has created a defensive situation for the suburban cities.

Kim Edgington, Planning Administrator for the City of Maize, stated that Maize does have the same zoning code as the City of Wichita and Sedgwick County, but they do support the idea of continuing with some form of the ZAOI. They are open to some compromise as long as cities can remain involved in the discussion of cases. Maize would support going to a non-unanimous vote, such as super majority, and hearing cases after the MAPC hearing in order to streamline cases for applicants. But, it is essential that the small cities remain a part of the discussion in these matters.

Kathy Sexton, City Manager for Derby, said the current ZAOI system helps give affected people the opportunity to hear cases when they come up. It provides people the opportunity to learn what developers are doing. Derby does a lot to educate the public about these matters through this process, and holds its Planning Commission meetings in the evenings to further foster the dialogue. It is burdensome for people to make it to the BoCC and MAPC hearings - the opportunity for people to speak and participate in government should not be eliminated.

Derby supports changing the voting requirement to overturn by the BoCC to a super majority. They do want to maintain the Planning Commission review which can help inform the BoCC and protect them by allowing both sides of an issue to be heard. Derby also recommends the use of the long-term urban growth areas identified in the W-SC Comprehensive Plan as the basis for the establishment of the ZAOI boundaries.

Wess Galyon, President of Wichita Area Builders Association, agreed that some tweaking needs to be done to the current ZAOI boundaries. Builders understand that cities should have a say on what happens in proximity to their communities. The question is how large of an area should be established for this purpose. From an economic development standpoint, developers are confused by the current ZAOI map. The long-term Urban Growth Areas Map is useful since it identifies areas where cities can provide services over a 20 year period. Developers want to know where those areas are. It makes more sense to use the long-term Urban Growth Areas Map contained in the W-SC Comprehensive Plan since it will be adjusted and kept current with each review of the comprehensive plan.

Diana Brooks, Zoning Administrator and City Clerk for Colwich, said that Colwich is pro-growth. It works with developers and gets information out to the public in its ZAOI area. We are the entity that is best in touch with residents both in and outside of the city limits. Colwich does want to continue to be in the loop of communication with the County on this issue.

Terry Sommers, Mayor of Mount Hope, said that his City is part of the K-96 Corridor Association which supports a nodal development policy. This means bringing development to those cities in the corridor where it is most appropriate. Mount Hope is concerned about taking away decisions from small cities and reducing the communication process with land owners and the public. How will we know about these issues and be involved in the discussions in the future? Lack of transparency in how this issue was initiated by the County is a concern, and we want to stay involved in these issues.

David Dennis made a motion to recommend Option 3 (below) as presented in the staff report:

Retain ZAOI review but: a) substitute the unanimous vote override requirement with a two-thirds supermajority requirement; b) reduce the land area included within a city's ZAOI territory to one mile beyond its city limits, or to the future growth area as shown on the County's adopted comprehensive plan land use map;

or c) allow the city ZAOI meeting to occur after MAPC hearing but before BoCC hearing or final approval. Motion failed for lack of a second.

McKay thought this dialogue should be continued and taken to the full MAPC. Also, the map of the proposed 2035 Urban Growth Areas in the new proposed comprehensive plan should be provided to the cities for review in advance of the MAPC public hearing on this matter.

John Schlegel mentioned that a public hearing with the full MAPC is scheduled for June 23, 2015. They could hear what others have to say and also let the Sedgwick County Association of Cities discuss this at their next meeting in September.

Motion was made to send the proposed 2035 Urban Growth Areas Map to all cities for review in advance of the MAPC public hearing on July 23rd, and that the Planning Commission could collectively do whatever they decide to do on the 23rd based on comment received at that time. Motion carried 6-0.

2. Meeting adjourned at 8:27 a.m.