

# AGENDA



## Recommendation for Council Action

Austin City Council

Item ID

59705

Agenda Number

73.

Meeting Date:

6/16/2016

Department:

Development Services

### Subject

Conduct a public hearing and consider an ordinance amending the Land Development Code (Title 25) and related provisions relating to site development standards for public primary and secondary educational facilities. .

### Amount and Source of Funding

### Fiscal Note

**Purchasing  
Language:**

**Prior Council  
Action:**

**For More  
Information:**

Andrew Linseisen, 512-974-2239; Donna Galati, 512-974-2733.

**Council  
Committee,  
Boards and  
Commission  
Action:**

May 24, 2016 – Approved by the Planning Commission on a 7-4 vote, with Commissioners Kazi, Schissler, Wilson and Vela voting nay, and Commissioners Thompson and Pineyro DeHoyos absent.

**MBE / WBE:**

**Related Items:**

### Additional Backup Information

On August 25, 2015, the Planning Commission initiated code amendments relating to site development regulations for educational facilities. Under Section 25-5-2(F) and (G) of the Land Development Code (LDC), public educational facilities are exempt from the site plan application process, as well as most development regulations codified in the LDC, including impervious cover, landscaping, and compatibility standards. Despite these LDC exemptions, however, public schools are regulated by interlocal “land development standards” agreements that cities are authorized to negotiate with public school districts under state law and which address many of the same type of regulations covered by the LDC. The situation is different for charter schools, though, because they are not subject to the interlocal agreements, which are limited to school districts, but are able to claim the LDC exemptions due to a more recent amendment to state law providing that open-enrollment charter schools are automatically treated as public schools for purposes of municipal zoning regulations. The amendments proposed in this ordinance would achieve parity in development standards between the two types of schools by eliminating the LDC exemptions and by codifying site development regulations for educational facilities that generally mirror the standards established under the existing interlocal agreements with public school districts.