

# Late Backup

## **Educational Facilities Ordinance – Discussion Alternative re: Impervious Cover Provision**

*June 23, 2016 Council Meeting  
Agenda Item No. 90*

In response to discussion at Council's June 16 meeting, staff in Watershed Protection and Development Services worked with the Law Department to prepare the following amendment for discussion as a potential alternative to the staff and Planning Commission recommendation posted in backup.

### **Summary of Amendment:**

Amendment would align zoning district categories with corresponding watershed impervious cover limitations for residential, multi-family, and commercial use categories.

**Text of Amendment:** Replace the new code section in Part 8 of the ordinance in backup with the following provision:

### **§ 25-8-366 IMPERVIOUS COVER RESTRICTIONS FOR EDUCATIONAL FACILITIES.**

- (A) This section establishes impervious cover restrictions for development of a public primary or secondary educational facility and controls over the impervious cover limitations established under Chapter 25-2 (*Zoning*).
- (B) In the zoning jurisdiction, maximum impervious cover for a public primary or secondary educational facility is established under Subchapter A (*Water Quality*) of this chapter based on the following land use categories:
  - (1) except as provided in Paragraphs (B)(2) or (B)(3), a public primary or secondary educational facility is treated as a commercial use;

- (2) within a residential base zoning district established under Section 25-2-32 (*Zoning Districts and Map Codes*), a public primary or secondary educational facility is treated as:
- (a) a multi-family residential use, in an SF-6 or less restrictive base zoning district; or
  - (b) a single-family residential use, in an SF-5 or more restrictive base zoning district; and
- (3) within a water supply rural watershed, a public primary or secondary educational facility is treated as a commercial use regardless of the base zoning district.
- (C) In the extraterritorial jurisdiction, maximum impervious cover for a public primary or secondary educational facility is established under Subchapter A (*Water Quality*) of this chapter and is treated as a commercial use.
- (D) Notwithstanding Section 25-2-835 (*School District Development Agreements*), an independent school district may elect to utilize the impervious cover requirements established under this section.