

Motion Related to Educational Facilities and the Development Moratorium

On February 15, 2018 the City Council revised the development moratorium by approving Ordinance No. 2018-05. That ordinance excludes permits for certain institutional, educational and public safety uses from the development moratorium (Ordinance 2018-05 Section 5.B, see below).

- 5.B. Permits and approvals for government facilities and structures; private vocational training institutions, preschools, K-12, and higher education facilities; wireless communication facilities; and emergency medical and disaster relief facilities.

The City Council continued to discuss this exemption, and whether to apply the exemption equally to public and private educational facilities. Note: preschools are not included within the current definition of *educational facilities* ([BIMC Section 18.36.030.80](#)). The City Council then requested staff to bring back suggested revised language to integrate the vegetation preservation requirements of Ordinance 2018-05 Section 3.B, with approval of the following motion:

MOTION: Requested staff to bring back a proposal to exclude educational facilities in any zone that do not result in less than 65% of the subject property being retained as native vegetation or that does not result in reducing the native vegetation on the subject property by any amount that it has now.

STAFF RESPONSE: REVISIONS TO ORDINANCE 2018-05 SECTION 5

Staff suggestion to accomplish what is described in the City Council's motion is shown in ~~strikeout~~/underline format below, including proposed new exclusion section 5.C.

- 5.B. Permits and approvals for government facilities and structures; ~~private vocational training institutions, preschools, K-12, and higher education facilities~~; wireless communication facilities; and emergency medical and disaster relief facilities.

5.C. Permits and approvals determined to be complete prior to the effective date of the moratorium for educational facilities and preschools:

- (i) That will result in at least 65% of the subject property being retained as native vegetation;
or
- (ii) That will not reduce native vegetation by any amount for properties with native vegetation existing on less than 65% of the property as of the effective date of the moratorium.
- (iii) Provided, that subsections (i) and (ii) do not prohibit structures, buildings, and land use permits and approvals that will result in land disturbance of 12,500 square feet or less on the subject property.