



Staff Report

Planning and Zoning Commission

DATE: October 15, 2019
SUBJECT: Text Amendment—School, Business or Trade
CASE: TA-04-19
APPLICANT: Hope Academy
REPORT PREPARED BY: Scott Sherrill, AICP – Sr. Planner

BACKGROUND

The applicant initially approached the City regarding a potential location for their school (originally classified as “elementary and secondary.”) However, the site is zoned I-1 (Light Industrial), where elementary and secondary schools are not a permitted use. Instead of pursuing the rezoning of the industrially zoned land, given the lack of staff support, the applicant chose to apply for a text amendment to amend Article 14, Definitions, as it relates to the term “School, Business or Trade.” The applicant has suggested that their school model would fall under the definition of “trade school” if it were not limited to post high school students and would then be permitted to locate in the I-1 zoning district/the chosen site. The applicant has provided supplementary information about their school to justify why it should be considered within the revised definition of “School, Business or Trade.”

SCHOOL, BUSINESS OR TRADE – *A school, other than a college or university, which may be operated as a commercial venture, and which provides part-time or full-time education **beyond the high school level** and does not provide lodging or dwelling units for students or faculty. Includes technical and cosmetology schools. (See NAICS 611)*

Staff is unsupportive of the proposed modification. Alteration of the definition allows a much more flexible interpretation of a trade school which could result in greater occupation of valuable, employment producing sites by educational facilities. Additionally, buffering requirements for greenfield and site redevelopment is based not only on zoning but also land use, which takes precedent. Expanded buffering requirements could limit future industrial development on adjacent sites. Finally, under the current definition, the statement “beyond the high school level” provides some assurance that minors are not actively and frequently visiting industrial areas where sometime hazardous uses are permitted by right.

REQUESTED ACTION

Determine whether or not to direct staff to develop the text amendment for consideration on the November agenda.