



# SAN CARLOS SCHOOL DISTRICT

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## *San Carlos School District*

### **RESOLUTION NO. 16:15/16**

#### RESOLUTION OF THE GOVERNING BOARD OF THE SAN CARLOS SCHOOL DISTRICT EXEMPTING THE SAN CARLOS SCHOOL DISTRICT FROM ZONING ORDINANCES AND REGULATIONS OF THE CITY OF SAN CARLOS

**WHEREAS**, the San Carlos School District ("District") is a school district duly organized and validly existing under the laws of the State of California, and located within the boundaries of the City of San Carlos ("City");

**WHEREAS**, District currently uses the 19.7-acre Tierra Linda campus, located at 750 Dartmouth Avenue, San Carlos, California 94070 ("Campus"), for educational purposes;

**WHEREAS**, the existing Tierra Linda Middle School (which currently serves Grades 5 through 8) and San Carlos Charter Learning Center (Grades K-8) are currently located on the Campus;

**WHEREAS**, District proposes to: (i) locate the new 4-5 Upper Elementary School at Tierra Linda (name to be determined), a new school that would serve Grades 4 and 5 at the Campus, on a portion of the existing sites of the San Carlos Charter Learning Center and the Tierra Linda Middle School (which would serve Grades 6 through 8 instead of current Grades 5 through 8); (ii) relocate the existing San Carlos Charter Learning Center to a new facility to be constructed at the north-end of the Campus; (iii) renovate, modernize, demolish, and/or expand existing school facilities and construct new school facilities on the Campus, including building renovations and new construction for the Tierra Linda Middle School and new 4-5 Upper Elementary School at Tierra Linda to create 21<sup>st</sup>-century learning spaces, new construction for the existing San Carlos Charter Learning Center, upgrades to existing playing fields for Tierra Linda Middle School, and construction of new playing fields and hardscape play areas for 4-5 Upper Elementary School at Tierra Linda and the San Carlos Charter Learning Center; and (iv) increase enrollment and staffing at the Campus from approximately 1,154 students/90 staff to a capacity of 1,400 students/98 staff to accommodate a growing projected student population within the District. About 27,900 gross square feet (gsf) of new building area would be provided on the Campus, and about 20,360 gsf of existing space would be renovated/modernized. (Tierra Linda Campus Rebuild Project, hereinafter the "Project");

**WHEREAS**, California Government Code Section 53094 authorizes District, by a vote of two-thirds of the members of its Governing Board, to render City zoning ordinances inapplicable to the Project and Campus when used for educational purposes;

**WHEREAS**, the proposed use of the Project and Campus is for educational purposes, and the Project located on the Campus is subject to design review by the Division of the State Architect ("DSA") under California Education Code Section 17280, *et seq.*; and

**WHEREAS**, District has balanced the interests of the public, including those of the District and those of the City, and determined that the interests of the public are best served by commencing and completing the Project on the Campus as proposed under DSA review.

**NOW THEREFORE**, THE GOVERNING BOARD OF THE SAN CARLOS SCHOOL DISTRICT DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:

Section 1. That all of the above recitals are correct.

Section 2. That the San Carlos School District hereby exempts itself from, and renders inapplicable to the Project and the Campus, any zoning ordinances of the City including, without limitation, the City's Municipal Code, the City's General Plan, and related ordinances and regulations which otherwise would be applicable to the District, the Project, and/or the Campus.

Section 3. That the Superintendent of San Carlos School District, or his designee, is directed to give written notice to the City as required by Government Code Section 53094 within ten (10) days of this action.

**APPROVED, PASSED, AND ADOPTED** by the Governing Board of the San Carlos School District at a public meeting duly called and held on this February 11, 2016, by the following vote:

AYES:

NOES:

ABSTENTIONS:

\_\_\_\_\_  
Kathleen Farley  
President, Governing Board

ATTEST:

\_\_\_\_\_  
Eirene Chen  
Clerk, Governing Board