

RELATIONS WITH LOCAL AGENCIES

The Governing Board recognizes the importance of two-way communication with other local agencies in order to provide the best possible school facilities and make the best use of school construction funds. The Board shall consult and coordinate with local agencies as required by law and whenever the expertise of these agencies can assist the district in the planning, design and construction of facilities. The Board and Superintendent or designee shall also work with local agencies to ensure that they are informed about the potential impact of proposed land developments on school facilities.

(cf. 7150 - Site Selection and Development)

City/County General Plan

The Superintendent or designee shall monitor land development proposals within district boundaries and shall maintain procedures that ensure an exchange of accurate information with city/county planning staff regarding the impact of land development on the district's educational programs and facility needs.

Recognizing that developer fees, other local revenues and state bond funds may not suffice to eliminate the overcrowding in district schools caused by new development, the Board urges the city/county to adopt in its general plan or other appropriate planning documents a provision which ensures that adequate school facilities and services will be available concurrent with need.

(cf. 7210 - Methods of Financing)

To help the city/county determine whether a proposed development is consistent with such a general plan, the Superintendent or designee shall regularly provide the city/county with information about current and projected enrollment and school capacity. When developmental approvals are proposed, including but not limited to annexations, rezonings, general plan or specific plan amendments or approvals, the Superintendent or designee shall report to the city/county on the adequacy of developer and state monies in meeting school facility needs. If the Superintendent or designee determines that a particular proposed development project or projects will have an adverse impact on district facilities and that no funds are currently available to fully mitigate this impact, he/she shall so advise the city/county and request that approval of the project(s) be conditioned on the provision of adequate mitigation of school facility impacts.

Impact Ordinances

The Board shall notify the city council or county board of supervisors whenever it finds, based on clear and convincing evidence: (Government Code 65971)

RELATIONS WITH LOCAL AGENCIES (continued)

1. That conditions of overcrowding exist in one or more attendance areas within the district which will impair the normal functioning of the educational programs, and the reason for the existence of those conditions
2. That all reasonable methods of mitigating conditions of overcrowding have been evaluated and no feasible method for reducing those conditions exist

The above notice shall specify the mitigation measures considered by the district and shall include a completed application to the Office of Public School Construction for preliminary determination of eligibility for school construction under applicable state law. (Government Code 65971)

Legal Reference: (see next page)

RELATIONS WITH LOCAL AGENCIES (continued)

Legal Reference:

EDUCATION CODE

35275 *New school planning; cooperation with recreation and park authorities*

39140-39159 *Approval of plans and supervision of construction*

GOVERNMENT CODE

53090-53097.5 *Compliance with city or county regulations*

65300-65307 *Authority for and scope of general plans*

65850-65863.9 *Adoption of regulations, especially*

65860 *Consistency of zoning ordinances with general plan*

65970-65981 *School facilities, especially:*

65971 *Findings by school district*

65972 *Findings by city council or board of supervisors*

PUBLIC RESOURCES CODE

21000-21177 *California Environmental Quality Act of 1970*

CODE OF REGULATIONS, TITLE 5

14010 *Procedure for site acquisition*

CODE OF REGULATIONS, TITLE 14

15000 *et seq. Implementation of California Environmental Quality Act of 1970*

Mira Development Corporation v. City of San Diego

252 *Cal. Reporter* 825 (205 *Cal. App. 3d* 1201, 1988)

William S. Hart Union High School District v. Regional Planning Commission of the County of Riverside (226 *Cal. App. 3d* 1612, 1991)

Murrieta Valley Unified School District v. County of Riverside (228 *Cal. App. 3d* 1212, 1991)

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The Superintendent or designee shall make available to the city/county with:

1. Regularly updated copies of the district's master plan for facilities
2. Regularly updated records of:
 - a. Maximum capacity of each school facility, excluding portable classrooms
 - b. Maximum capacity of each school facility, including portable classrooms
 - c. Current enrollments in each facility
3. A written response to each proposed annexation, rezoning, general plan amendment, proposed specific plan, proposed community plan, environmental impact report, negative declaration, or tentative subdivision map for residential construction, including:
 - a. An estimate of student enrollment to be generated by the development at its completion and total occupancy
 - b. An estimate of student enrollment to be generated annually in terms of the developer's build-out schedule, as reported to the district by the planning staff
4. A district plan for managing the growth anticipated from each development, indicating:
 - a. Which school(s) would be affected
 - b. A specific plan, with timelines, for housing the total new enrollment at completion of the development
 - c. An interim plan, with timelines, for managing the anticipated annual growth of enrollment at each affected school
 - d. Proposed conditions that would mitigate the impact of expected enrollment growth, such as whether the school or district can be placed on a year-round calendar
5. At least 45 days prior to completion of any facilities plan that relates to the potential expansion of existing school sites or the necessity to acquire additional school sites, the Superintendent or designee shall notify and provide copies of the plan or any relevant and available information to the planning commission or agency of the city or county with land use jurisdiction within the district. (Government Code 65352.2)

RELATIONS WITH LOCAL AGENCIES (continued)

If the city or county commission or agency requests a meeting, the Superintendent or designee shall meet with them within 15 days following the notification. Items that the parties may discuss at the meeting include, but are not limited to, methods of coordinating planning with proposed revitalization efforts and recreation and park programs, options for new school sites, methods of maximizing the safety of persons traveling to and from the site, and opportunities for financial assistance. (Government Code 65352.2)

Regulation

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VISALIA UNIFIED SCHOOL DISTRICT

Visalia, California