

RESOLUTION NO. 1690

**RESOLUTION OF THE BOARD OF EDUCATION
SAN RAFAEL CITY ELEMENTARY SCHOOL DISTRICT
EXEMPTION FROM LOCAL ZONING ORDINANCES**

WHEREAS, San Rafael City Elementary 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 Rafael ("City");

WHEREAS, District currently maintains the following campuses for educational purposes:

Bahia Vista Elementary School located at 125 Bahia Way, San Rafael, CA 94901;

Coleman Elementary School located at 800 Belle Avenue, San Rafael, CA 94901;

Glenwood Elementary School located at 25 West Castlewood Drive, San Rafael, CA 94901;

Laurel Dell Elementary School located at 225 Woodland Avenue, San Rafael, CA 94901;

San Pedro Elementary School located at 498 Point San Pedro Road, San Rafael, CA 94901;

Short Elementary School located at 35 Marin Street, San Rafael, CA 94901;

Sun Valley Elementary School located at 75 Happy Lane, San Rafael, CA 94901;

Davidson Middle School located at 280 Woodland Avenue, San Rafael, CA 94901;

Venetia Valley K-8 located at 177 North San Pedro Road, San Rafael, CA 94903

(collectively, the "School Sites"); and

WHEREAS, the District may from time to time construct, modernize, and/or renovate certain facilities on the School Sites or within the City to provide educational services in order to serve the surrounding community (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 School Sites when used for educational purposes;

WHEREAS, the current and proposed uses of the Project and School Sites is for educational purposes and the Project and School Sites are 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 operating the School Sites and commencing and completing the projects thereof according to applicable state laws along with all other educational uses on the School Sites.

NOW THEREFORE, THE GOVERNING BOARD OF THE SAN RAFAEL CITY ELEMENTARY SCHOOL DISTRICT DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:

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

Section 2. That the District hereby exempts the School Sites from 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 School Sites.

Section 3. That the Superintendent of the San Rafael City Elementary 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 Board of Education of the San Rafael City Elementary School District at a public meeting duly called and held on this _____, 2016, by the following vote:

AYES:

NOES:

ABSTENTIONS:

President

ATTEST:

Secretary

Resolution No. 1690

STATE OF CALIFORNIA

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MARIN COUNTY

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I, Dr. Michael Watenpaugh, do hereby certify that the foregoing is a true and correct copy of Resolution No. 1690, which was duly adopted by the Board of Education of the San Rafael City Elementary School District at the meeting thereof held on the ____ of _____, 2016, and that it was so adopted by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

Dr. Michael Watenpaugh

Secretary of the Board of Education