

**SAN MATEO-FOSTER CITY SCHOOL DISTRICT
RESOLUTION NO. 10/17-18 EXEMPTING THE SAN MATEO-FOSTER
CITY SCHOOL DISTRICT FROM ZONING ORDINANCES AND
REGULATIONS OF THE CITY OF SAN MATEO**

WHEREAS, the San Mateo-Foster City 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 Mateo ("City");

WHEREAS, in 2014, the District convened the Next Steps Advisory Committee to assist the District in evaluating facility needs in light of existing and projected increases in student enrollment;

WHEREAS, the Next Steps Advisory Committee met for sixteen months to develop its recommendations after implementing a robust community engagement program to obtain community input that included: (1) 95 community engagement meetings (town halls, forums, input sessions) attended by over 1,400 residents; (2) three informational public videos to share updates; (3) two District-wide mailings to inform the public and obtain feedback; and (4) receiving over 4,500 constituent responses and input from online and postal mailed community feedback surveys;

WHEREAS, the Next Steps Advisory Committee's work resulted in a Final Report, dated June 4, 2015, in which the Committee concluded that: (1) there are insufficient facilities to house increased and increasing enrollments in specific areas of San Mateo; and (2) the community preference is to add facilities on six existing school sites in San Mateo;

WHEREAS, the Next Steps Advisory Committee, based on these findings, recommended projects to be done at specific schools to provide facilities for increasing student enrollments;

WHEREAS, the San Mateo – Foster City School District Board of Trustees approved the placement of a general obligation bond (Measure X) on the November 2015 ballot which passed to fund specific projects throughout the District including six within the City of San Mateo:

Phase I:

- New Gym, Locker Rooms and Classroom Wing at Abbott Middle School
- New Gym, Locker Rooms and Classroom Wings at Borel Middle School
- New Gym at Bayside Middle School

Phase II:

- New Multipurpose Room and Classrooms at George Hall Elementary School
- New Multipurpose Room and Classrooms at Sunnybrae Elementary School
- New Elementary School on the vacant lot adjoining the College Park Elementary School Campus;

WHEREAS, school facilities in California are subject to State law, regulations, and oversight by the California Department of Education ("CDE"), the California Division of State Architect ("DSA") and the State Office of Public School Construction ("OPSC");

WHEREAS, because State regulatory bodies, California Government Code Section 53094

authorizes school districts, by a vote of two-thirds of the members of its Governing Board, to render City zoning ordinances inapplicable to the use of property when activities thereon are for the benefit of and will be used for educational purposes;

WHEREAS, the proposed activities and use of the existing School District properties are for educational purposes, and the construction of the new facilities is subject to design review and approval by the Division of the State Architect under California Education Code Section 17280, *et seq.*;

WHEREAS, in addition to complying with the applicable State requirements, the District has also requested input and feedback from the City of San Mateo regarding the addition of these facilities and, where relevant, their consistency with the City's General Plan; and

WHEREAS, the District intends to continue its coordination efforts with the City of San Mateo, as well as engage the community for input and feedback throughout the design and construction of the new facilities.

NOW THEREFORE, THE GOVERNING BOARD OF THE SAN MATEO–FOSTER CITY 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 Mateo – Foster City School District hereby exempts itself from, and renders inapplicable to the Property, 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 in adding these new facilities;

Section 3. That the Superintendent of the San Mateo–Foster City School District, or designee, is directed to give written notice to the City as required by the Government Code Section 53094 within ten days of this action.

APPROVED, PASSED, AND ADOPTED by the Governing Board of the San Mateo-Foster City School District at a public meeting duly called and held on this February 22, 2018, by the following vote:

AYES:

NOES:

ABSTENTIONS:

President, Governing Board

ATTEST:

Clerk, Governing Board

