

**SANTA CLARA UNIFIED SCHOOL DISTRICT
RENDERING ZONING ORDINANCES INAPPLICABLE TO THE CONSTRUCTION OF
NEW SCHOOLS AT THE AGNEW PROPERTY (APN 097-04-041)
BOARD RESOLUTION #18-07**

WHEREAS, Government Code sections 53094 authorizes the governing board of a school district, by a vote of two-thirds of its members, to render a city's zoning ordinances inapplicable to a proposed use of property by a school district for classroom facilities if the facilities are physically located within the geographical jurisdiction of the school district; and

WHEREAS, the Agnew property located at 3500 Zanker Road ("Property") was purchased by Santa Clara Unified School District (District); and

WHEREAS, District intends to construct comprehensive elementary, middle, and high schools on the approximately 55 acre site (APN 097-04-041); and

WHEREAS, the Property is located within the geographical jurisdiction of the City of San Jose; and

WHEREAS, the District has a statutory right and power of exemption from local zoning ordinances applicable to the Property for construction; and

WHEREAS, the Board of Trustees of the District deems it advisable to exercise the statutory right and power of exemption from local zoning ordinances applicable to the Property for the construction of an elementary, middle and high school.

NOW THEREFORE, BE IT RESOLVED, the Santa Clara Unified School District shall render zoning ordinances inapplicable from any and all zoning ordinances of the City of San Jose, California otherwise applicable to the Property and the District's proposed use as an elementary, middle and high school; and

BE IT FURTHER RESOLVED, the District shall notify the City of San Jose, California of its resolution to render inapplicable the zoning ordinances for the purpose of school use at the Property within ten (10) days of this Resolution.

This Resolution was:

PASSED AND ADOPTED this 8th day of March, 2018, by the following vote:

AYES: _____ ABSTENTIONS: _____

NOES: _____ ABSENT: _____

President of the Board of Education
Santa Clara Unified School District

Secretary to the Board of Education
Santa Clara Unified School District