

**PIEDMONT UNIFIED SCHOOL DISTRICT**

**RESOLUTION NO. 13-2018-19**

**A RESOLUTION OF THE PIEDMONT UNIFIED SCHOOL DISTRICT EXEMPTING  
THE PIEDMONT UNIFIED SCHOOL DISTRICT'S NEW ALAN HARVEY THEATER  
PROJECT IN PIEDMONT FROM THE CITY OF PIEDMONT MUNICIPAL  
CODE – ZONING ORDINANCES**

**WHEREAS**, the Piedmont Unified School District (District) owns the Alan Harvey Theater located at Piedmont High School at 800 Magnolia Avenue, Piedmont, California 94611; ("Theater Site"); and

**WHEREAS**, the District has developed a "Proposed Project" to construct a new Alan Harvey Theater on an adjacent site at Piedmont High School (the "Project"); and

**WHEREAS**, Government Code section 53094(b) expressly authorizes the District to exempt the Project from the Piedmont Municipal Code Zoning Ordinances (Chapter 17 of the Piedmont Municipal Code); and

**WHEREAS**, the Project involves educational facilities within the meaning of Government Code section 53094(b); and

**WHEREAS**, the District has unique expertise in educational programs and is best suited for designing facilities to serve the District's schools in Piedmont; and

**WHEREAS**, the California Division of the State Architect reviews and approves the plans and specifications of school facilities and oversees the construction of school facilities, including the Project; and

**WHEREAS**, the Piedmont Municipal Code Zoning Ordinances would potentially unduly hamper, interfere with, or prohibit the Project; and

**WHEREAS**, unless exempted, the Piedmont Municipal Code Zoning Ordinances would subject District school projects to undue delays and unreasonable requirements all of which likely would significantly hamper, interfere with, or jeopardize the viability of the Project; and

**WHEREAS**, school facilities are an integral, important part of the education of the District's students.

**NOW, THEREFORE, BE IT RESOLVED**, for good and sufficient cause based on the entire record of proceedings, the Piedmont Unified School District Board of Education hereby finds the Project to be educational facilities as defined in Government Code section 53094(b), and exempts the Project from the Piedmont Municipal Code Zoning Ordinances and Codes, which includes all permitting conditions and prohibitions that would otherwise apply to the Project.

**BE IT FURTHER RESOLVED** that the Director of Facilities or his designee is directed to serve notice of this action upon the City of Piedmont within 10 days.

**PASSED AND ADOPTED** at the regular meeting of the Piedmont Unified School District Board of Education duly held on December 12, 2018, by the following vote:

AYES

NOES

ABSENT

Attest:

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President, Board of Education

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Secretary, Board of Education