

CITY COUNCIL POLICY

SUBJECT: CITYWIDE SCHOOL STRATEGY

NO.: K-26

PURPOSE:

1. To support City efforts to create housing and complete neighborhoods in East Whisman, North Bayshore, and where there may be consideration of additional housing through Gatekeeper projects.
2. To create a collaborative partnership whereby the schools, City, and development community come together to create a better community through support for schools and City services.
3. To recognize that, while schools have existing resources for school expansion and improvements, including, but not limited to, State grants and local bonds, there may be a need to augment these resources through a collaborative partnership.
4. To recognize a collaborative partnership between the schools and the City in light of the City's legal limitations under State law.
5. To provide clarity and predictability regarding the funding gap related to new school facilities and expansion of existing school facilities.
6. To provide a flexible approach to supporting schools, which can evolve to reflect the City's and school districts' future needs and/or capacity for such support.

POLICY:

1. Upon evidence of near-term or long-term school district need for additional school campuses, classrooms, or other facilities, the City may implement, at its own discretion, any of the following actions:
 - a. The City may contribute funding for shared school/public facilities, such as parks/open space or recreation facilities.
 - b. The City may support school district land acquisition by creating a transfer of development rights (TDR) framework, allowing the school district to sell unused development rights at the purchased property through TDR.

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- c. The City may allow developers who voluntarily dedicate land to school districts to transfer all or a portion of the development rights from the dedicated land to elsewhere within a master plan or project site. The City may also allow developers exceptions to development standards, such as height, if those exceptions are necessary to accommodate the transferred floor area on the remaining land area. All such approvals are subject to finding that the proposed development will not be detrimental to the public interest, health, safety, convenience, or welfare, and may be subject to the following additional considerations:
 - Whether the school districts have expressed an interest in locating a school site in the area, as designed (pursuant to Section 2 below);
 - Project development feasibility;
 - Effect on master plan/project design; and
 - Other City needs affecting the project site, such as public parks.
 - d. The City will consider other solutions to support school improvements, new or expanded school sites, or other school needs arising from residential development in the City, if consistent with State law.
2. Decisions to implement any of the foregoing should be based upon ongoing discussions with the school districts, including, but not limited to:
- a. Size, location, environmental characteristics, and configurations that school districts are willing to operate;
 - b. Opportunities for State or other funds to achieve the greatest outcomes at lowest local cost;
 - c. Data regarding student generation rates and school districts' continued need for support; and
 - d. Effect on the City's development, including feasibility, community benefits, design, and need for other City facilities and programs.

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3. School districts (not the City) are responsible for site acquisition, negotiations with developers regarding land dedication, and drafting and entering into voluntary agreements with developers. The City may facilitate these discussions by, for example, identifying a “school funding gap” as a means to create a common and shared understanding of school needs to inform developers who wish to make voluntary contributions, and putting school districts in touch with property owners where there may be an opportunity for school site land acquisition.
4. Since each school district may have unique needs, conditions, and opportunities, the strategy may change based on the needs of each school district.
5. Any voluntary monetary contributions from developers should be provided directly to the affected school districts. The City will not be involved in voluntary contributions between developers and school districts.

Effective Date: June 23, 2020, Resolution No. 18473

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