



File: CUSD

DATE: March 24, 2016

TO: PLANNING COMMISSION

FROM: Brendan Vieg, Principal Planner (879-6806; brendan.vieg@chicoca.gov)

RE: Pre-acquisition Review and General Plan Consistency Finding Pursuant to Public Resources Code Section 21151.2 for the Shasta Elementary School Expansion Project (Proposed Property Purchase of 193 Leora Court; APN 006-220-008)

APPLICANT: Chico Unified School District (District)

REQUEST: The District is requesting pre-acquisition review and a general plan consistency finding prior to acquiring land for the expansion of the Shasta Elementary School pursuant to Public Resources Code Section 21151.2 (see **Attachment A**).

LOCATION: The project site is located at 193 Leora Court (APN 006-220-008) and is situated between Shasta Elementary School and DeGarmo Community Park in north Chico (see **Attachment B**).

ACREAGE: Approximately 0.75 acres

GENERAL PLAN: Low Density Residential (LDR)

ZONING: R1 (Low Density Residential)

Recommendation:

The Community Development Director recommends that the Planning Commission direct staff to send a letter to the Chico Unified School District stating that the proposed school site acquisition at 193 Leora Court by the Chico Unified School District is appropriate and consistent with community planning documents, including the Chico General Plan and the Northwest Chico Specific Plan (see **Attachment C**).

BACKGROUND

The District submitted a request for a finding of consistency of acquisition of a property at 193 Leora Court as a potential site for the expansion of Shasta Elementary School in order to accommodate rising student enrollment. The property would be purchased for the purpose of building a single-story, six classroom building.

The property has an existing home and second dwelling unit. Adjacent uses include, Shasta Elementary School to the west and south, parking facilities for DeGarmo Park to the east, and vacant land designated for multi-family and neighborhood commercial uses across Leora Court to the north.

ANALYSIS

Pursuant to Government Code, the acquisition or sale of a property by a public agency must be reviewed by the planning agency for consistency with the General Plan, and a determination as to this consistency must be made within forty days. For the City of Chico, this agency is the Planning Commission.

Public Resources Code Section 21151.2 states that “[t]o promote the safety of pupils and comprehensive community planning the governing board of each school district before acquiring title to property for a new school site or for an addition to a present school site, shall give the planning commission having jurisdiction notice in writing of the proposed acquisition. The planning commission shall investigate the proposed site and within 30 days after receipt of the notice shall submit to the governing board a written report of the investigation and its recommendations concerning acquisition of the site. The governing board shall not acquire title to the property until the report of the planning commission has been received. If the report does not favor the acquisition of the property for a school site, or for an addition to a present school site, the governing board of the school district shall not acquire title to the property until 30 days after the commission's report is received.”

The Planning Commission’s recommendation on the suitability of the site is advisory, and the District is not bound to a course of action by the Planning Commission’s recommendation.

The following analysis considers the Planning Commission’s responsibilities under State Code, and the consistency of the project with Chico’s General Plan and the Northwest Chico Specific Plan (NWCSP).

General Plan Consistency

The following General Plan Goals, Policies and Actions are applicable to the project:

Goal PPFS-3: Support efforts by Chico Unified School District, CSU Chico, Butte College and private educational institutions to maintain and improve educational facilities and services in the City.

Policy PPFS-3.1 (CUSD Coordination) – Support Chico Unified School District’s efforts to provide school sites and facilities that meet the educational needs of the community.

Action PPFS-3.1.1 (School Sites) – Encourage Chico Unified School District to:

- *Locate schools to serve new neighborhoods.*
- *Locate school sites safely away from heavy traffic, excessive noise, and incompatible land uses.*
- *Locate schools in areas where existing or planned circulation infrastructure allows for safe access.*
- *Promote safe student loading and unloading.*
- *Promote walking, biking, riding transit, or carpooling to schools.*

Action PFFS-3.1.2 (Plan for School Sites) – Consult with Chico Unified School District staff when planning the Special Planning Areas to ensure that school facilities are in place to meet the needs of development.

The District's request for City input on the proposed property purchase, and the City's response, are consistent with the General Plan's guidance for the two entities to coordinate in order to maintain and improve educational facilities to meet the needs of a growing community. Due to rising student enrollment in the City's most active growth area (e.g., the Northwest Chico Specific Plan Area), the District is seeking to purchase a 0.75-acre property adjacent to the existing Shasta Elementary School to ensure that school facilities are in place to meet the needs of development.

The land use category "Schools – Public and private" is allowed in all residential districts with a use permit in recognition of the need to place schools in areas that serve neighborhoods. The property that the District is proposing to acquire, while designated for single-family residential use, is uniquely located between two public facility uses – a school and a community park – and is an appropriate location for the expansion of the elementary school.

Northwest Chico Specific Plan Consistency

There is no specific policy guidance in the NWCSP related to the proposed property or regarding the provision of school facilities. Future use of the property for school facilities supports the vision in the NWCSP for the Northwest Chico area to become "a gracious residential neighborhood in the spirit of Chico's best neighborhoods."

Site Suitability

Staff reviewed the Environmental Impact Report prepared for the Northwest Chico Specific Plan, with a focus on identifying potential issues that might preclude development of the site with school facilities (e.g., floodplain, hazards, noise, air quality, etc.). No issues were identified.

However, prior to site acquisition, it is recommended that the District conduct a Phase I Environmental Assessment and follow any recommendations identified in that report. Further, prior to site development, it is recommended that the District prepare the appropriate level of California Environmental Quality Act (CEQA) review to determine if there are any potential environmental issues that need to be mitigated.

Conclusion

Staff believes that this analysis satisfies the intent of the law, that the Commission reviewed the proposed acquisition for appropriateness and consistency with local plans prior to the District acquiring the land.

ENVIRONMENTAL REVIEW

The review for consistency with the General Plan and appropriateness of the site for use by the District is statutorily exempt from CEQA pursuant to Section 15262. This exemption applies to feasibility and planning studies for possible future actions. Pre-acquisition review and general plan consistency finding does not bind the District to a course of action, nor does it commit the City to any project. Future CEQA review will be conducted by the District should it proceed with acquisition and address construction activities.

DISTRIBUTION

PC Distribution

File

Julie Kistle, CUSD Facilities (via e-mail)

ATTACHMENTS

- A. CUSD letter requesting general plan consistency finding
- B. Site Map
- C. Draft City response letter to CUSD



Administrative Offices
1163 E. Seventh Street
Chico, CA 95928-5999

530 / 891-3000
fax: 891-3220
www.ChicoUSD.org

Facilities Department
2455 Carmichael Drive
Chico, CA 95928

(530)891-3215
Fax:(530)891-3190

February 29, 2016

Chico Planning Commission
Community Development Department
411 Main Street, 2nd Floor
Chico, CA 95928

Sent Via Certified U.S. Mail

Re: Shasta Elementary School Expansion Project
Proposed Property Purchase of 193 Leora Court, Chico, CA 95973
APN: 006-220-008

To the City of Chico Planning Commission:

Due an increase of residential developments within the Shasta Elementary School boundaries, the Chico Unified School District (CUSD) is planning an expansion project of the school site to accommodate the rising student enrollment numbers. CUSD is proposing to purchase the property adjacent to Shasta Elementary for the purpose of building a single-story, six classroom building.

Pursuant to Public Resource Code Section 21151.2; Government Code sections 53094, 65402[c], CUSD must receive a report or response from the city planning commission in order to proceed with the property purchase.

Enclosed is a parcel map of the proposed property purchase. Please send response to Julia Kistle, Director of Facilities & Construction at the address noted above.

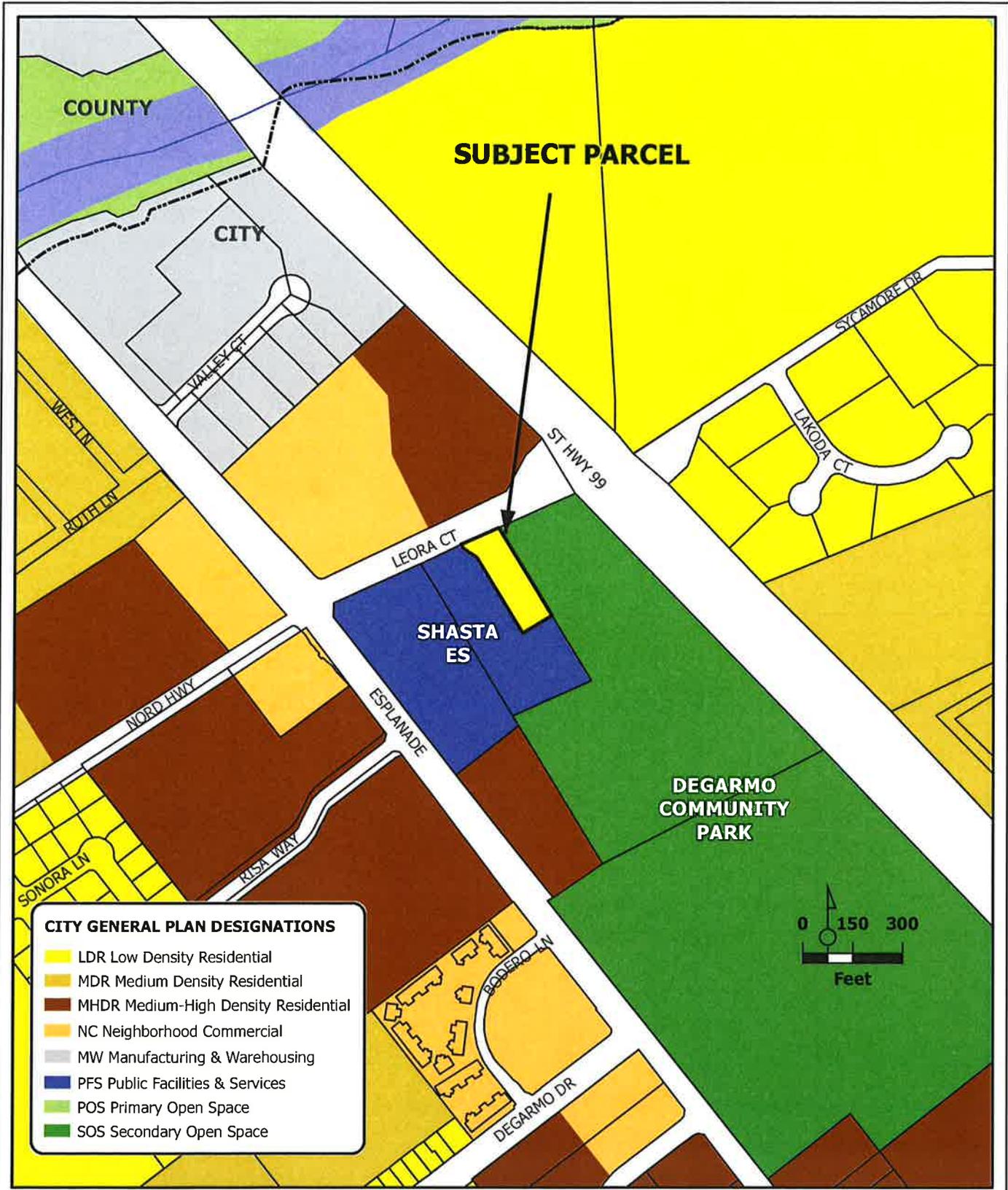
Thank you,

Julia M. Kistle
Director, Facilities & Construction

JK/kt

enclosure

ATTACHMENT A



193 Leora Court
 APN 002-220-008-000





COMMUNITY DEVELOPMENT
DEPARTMENT

411 Main Street - 2nd Floor (530) 879-6800
P.O. Box 3420 Fax (530) 895-4726
Chico, CA 95927 <http://www.ci.chico.ca.us>

April 8, 2016

Julie M. Kistle, Director, Facilities & Construction
Facilities Department
Chico Unified School District
2455 Carmichael Drive
Chico, California 95928

Re: Pre-acquisition Review and General Plan Consistency Finding Pursuant to Public Resources Code Section 21151.2 for the Shasta Elementary School Expansion Project (Proposed Property Purchase of 193 Leora Court; APN 006-220-008)

Dear Ms. Kistle:

The City is in receipt of your letter dated February 29, 2016 requesting pre-acquisition review and a general plan consistency finding prior to acquiring land for the expansion of the Shasta Elementary School pursuant to Public Resources Code Section 21151.2.

The Planning Commission considered the District's request at its April 7, 2016 meeting, and consistent with the requirements of State Code, directed staff to forward this letter to your attention as its report of its investigation and recommendations concerning the District's potential acquisition of a property located at 193 Leora Court. The Planning Commission's recommendation on the suitability of the site is advisory, and the District is not bound to a course of action by the Planning Commission's recommendation.

The following analysis considers the Planning Commission's responsibilities under State Code, and the consistency of the project with Chico's General Plan and the Northwest Chico Specific Plan (NWCSP).

General Plan Consistency

The following General Plan Goals, Policies and Actions are applicable to the project:

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ATTACHMENT C

Action PPF3-3.1.1 (School Sites) – Encourage Chico Unified School District to:

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However, prior to site acquisition, it is recommended that the District conduct a Phase I Environmental Assessment and follow any recommendations identified in that report. Further, prior to site development, it is recommended that the District prepare the appropriate level of California Environmental Quality Act (CEQA) review to determine if there are any potential environmental issues that need to be mitigated.

Conclusion

Based on the analysis provided above, the Planning Commission has concluded that the 0.75-acre property that the District is considering acquiring is an appropriate location for the expansion of Shasta Elementary School and is consistent with local planning documents.

The City looks forward to continued collaboration in the provision of educational facilities to meet our community's needs. If you have any questions, please free to contact me at brendan.vieg@chicoca.gov or at (530) 879-6806.

Sincerely,

Brendan Vieg
Principal Planner

cc: File