

BACKGROUND

The California Montessori Project submitted a request for a finding of consistency of acquisition of a portion of APN 090-220-26 as a potential site for a public charter school (Attachment B). The school would be located directly east of the existing school location. The proposed school site would consist of approximately 10 acres and would include an 8,880 square foot administrative/gymnasium building, 8,000 square foot classroom building, 6,000 square foot classroom building, ball fields and future reserved site for portable structures. The school is planned for a capacity of 350 students. The remaining 13.33 acres would be retained by the current property owners, and would contain their existing single family home.

STAFF ANALYSIS

Pursuant to Government Code 65402(a), 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 El Dorado County, this agency would be the Planning Commission.

Public Resources Code Section 21151.2 states that, “to 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.”

General Plan: Staff has analyzed the proposed acquisition for General Plan consistency. The following General Plan Policies would apply to the project.

Policy 2.2.5.22 Schools and other public buildings and facilities shall be directed to Community Regions and Rural Centers where feasible and shall be considered compatible outside of Community Regions and Rural Centers when facilities will be located and designed in a manner that avoids any substantial incompatibility with land uses permitted on adjoining lands.

Consistent: The project site would be located within the Shingle Springs Community Region; therefore the school use would be compatible with the land use.

Policy 5.8.2.1 Where feasible, elementary schools shall be centrally located within the communities they serve.

Consistent: The site would be located in close proximity to numerous residential developments south of U.S. Highway 50 in the Shingle Springs area and would provide an educational alternative to the residents.

Policy 5.8.2.5 The County shall cooperate with the school districts in identifying the potential location of new school sites. All new public school sites shall be reviewed for General Plan consistency.

Consistent: This Policy reflects the requirements of Government Code 65402(a) and Public Resources Code 21151.2, and would be complied with through this review.

Policy 6.4.1.3 No new critical or high occupancy structures (e.g., schools, hospitals) shall be located in the 100-year floodplain of any river, stream, or other body of water.

Consistent: The Flood Insurance Rate Map for the project area (Panel 06017C0750E, 09/26/08) establishes that the project site is not located within a mapped 100-year floodplain.

Policy 6.4.2.2 No new critical or high occupancy structures (e.g., schools, hospitals) should be located within the inundation area resulting from failure of dams identified by the State Department of Water Resources Division of Safety of Dams.

Consistent: The County GIS records indicate that the proposed site is not located within a dam failure inundation area.

Policy 6.7.4.1 Reduce automobile dependency by permitting mixed land use patterns which locate services such as banks, child care facilities, schools, shopping centers, and restaurants in close proximity to employment centers and residential neighborhoods.

Consistent: The proposed site is in close proximity to numerous existing and proposed employment centers and residential neighborhoods in the Shingle Springs area.

Policy 6.7.6.2 New facilities in which sensitive receptors are located (e.g. residential subdivisions, schools, childcare centers, playgrounds, retirement homes, and hospitals) shall be sited away from significant sources of air pollution.

Consistent: There are no significant sources of air pollution near the proposed project site.

Policy 7.3.3.4 Until standards for buffers and special setbacks are established in the Zoning Ordinance, the County shall apply a minimum setback of 100 feet from all perennial streams, rivers, lakes, and 50 feet from intermittent streams and wetlands.

Consistent: The County GIS records indicate that an intermittent stream runs through the northwest corner of the property. No structures are proposed adjacent to the intermittent stream.

In addition to the aforementioned General Plan policies, the project site would help address **Goal 5.8** which mandates an adequate, high-quality school system consistent with the needs of current

and future residents. Further, **Objective 5.8.2** directs the County to support the identification and acquisition of land for the purpose of siting new school facilities to serve existing and future residents. This consistency analysis accomplishes this Objective.

CONCLUSION

Based on the above analysis, the proposed acquisition would be consistent with the applicable policies of the 2004 General Plan.

ATTACHMENTS TO STAFF REPORT

- Exhibit A.....Location Map
- Exhibit BAcquisition of Public School Site by the California
Montessori Project Letter; April 9, 2012
- Exhibit CSite Plan