

BYLAWS OF THE BOARD

Authority Rendering Zoning Ordinance Inapplicable

Government Code § 53094 states "the governing board of a school district, by vote of two-thirds of its members, may render a city or county zoning ordinance inapplicable to a proposed use of property by such school district except when the proposed use of the property by such school district is for non-classroom facilities, including, but not limited to, warehouses, administrative buildings, automotive storage and repair buildings".

Education Code § 1980 states that a county board of education may establish and maintain one or more community schools. Education Code § 1984 states that for the purpose of establishing and maintaining a county community school, a county board of education shall be deemed to be a school district. Education Code § 1986 allows a county superintendent of schools to place community school programs in leased facilities.

The San Joaquin County Office of Education, Alternative Programs, will be placing various community school programs in buildings throughout San Joaquin County. The San Joaquin County Office of Education may, at times, be required to render city or county zoning ordinances inapplicable in order to facilitate the placement of such educational programs.

The Governing Board of the San Joaquin County Office of Education hereby assigns to the County Superintendent of Schools, or his designee, the authority to render city or county zoning ordinances inapplicable to designated city or county locations. The San Joaquin County Office of Education, Alternative Programs, will continue to comply with any and all fire regulations applicable to school-site locations.

Legal Reference:

EDUCATION CODE:

1980 Maintenance by county board of education

1984 County board of education as school district

1986 Operation of community schools

GOVERNMENT CODE

53094 Authority to render zoning ordinance inapplicable to use of school district property;
review by city or county