



5.12 SCHOOLS

This section evaluates impacts of the proposed project on schools within the Duarte Unified School District (DUSD), which serves the Duarte Station Specific Plan Area. Information in this section is based upon information from DUSD.

5.12.1 REGULATORY SETTING

ASSEMBLY BILL 2926

The State of California has traditionally been responsible for the funding of local public schools. To assist in providing facilities to serve students generated by new development projects, the State passed Assembly Bill 2926 (AB 2926) in 1986. This bill allowed school districts to collect impact fees from developers of new residential and commercial/industrial building space. Development impact fees were also referenced in the 1987 Leroy Greene Lease-Purchase Act, which required school districts to contribute a matching share of project costs for construction, modernization, or reconstruction.

SENATE BILL 50

Senate Bill 50 (SB 50) and Proposition 1A, both of which passed in 1998, provided a comprehensive school facilities financing and reform program, in part by authorizing a \$9.2 billion school facilities bond issue, school construction cost containment provisions and an eight-year suspension of the Mira, Hart and Murrieta court cases. Specifically, the bond funds are to provide \$2.9 billion for new construction and \$2.1 billion for reconstruction/modernization needs. The provisions of SB 50 prohibit local agencies from denying either legislative or adjudicative land use approvals on the basis that school facilities are inadequate, and reinstates the school facility fee cap for legislative actions (e.g., General Plan amendments, specific plan adoption, zoning plan amendments) as was allowed under the Mira, Hart and Murrieta court cases. According to *Government Code* Section 65996, the development fees authorized by SB 50 are deemed to be “full and complete school facilities mitigation.” These provisions are in effect until 2006 and will remain in place as long as subsequent State bonds are approved and available.

SB 50 establishes three levels of Developer Fees that may be imposed upon new development by the governing board of a school district depending upon certain conditions within a district. Level One Fees are the statutory fees, which can be adjusted for inflation every two years. Level Two Fees allow school districts to impose fees beyond the base statutory cap, under specific circumstances. Level Three Fees come into effect if the State runs out of bond funds after 2006, which would allow school districts to impose 100 percent of the cost of the school facility or mitigation minus any local dedicated school monies. The school fee amounts provided for in *Government Code* Sections 65995, 65995.5 and 65995.7 would constitute full and complete mitigation for school facilities.

In order to accommodate students from new development projects, school districts may alternatively finance new schools through special school construction funding resolutions and/or agreements between developers, the affected school districts, and occasionally, other local governmental agencies. These special resolutions and agreements often allow school districts to realize school mitigation funds in excess of the developer fees allowed under SB 50.



5.12.2 ENVIRONMENTAL SETTING

Students residing within the City attend schools within the DUSD. *Table 5.12-1, School Information*, indicates the name, location, and distance from the project site for the schools currently serving the project area.

**Table 5.12-1
School Information**

School	Location	Distance From Project Site (miles)
Andres Duarte Elementary	1433 Crestfield Drive	0.75
Northview Intermediate	1401 Highland Avenue	0.25
Duarte High School	1565 E Central Avenue	0.35
Source: Brad Patterson, Senior Director of Facilities, Duarte Unified School District, June 21, 2013.		

Table 5.12-2, School Capacity and Enrollment (2012-2013), identifies the capacities and enrollment for the schools that serve the project area.

**Table 5.12-2
School Capacity and Enrollment (2012-2013)**

School	School Capacity	Current Enrollment	Excess Capacity
Andres Duarte Elementary	550	333	217
Northview Intermediate School	700	512	188
Duarte High School	1,400	1,008	392
Source: Brad Patterson, Senior Director of Facilities, Duarte Unified School District, June 21, 2013.			

As indicated in *Table 5.12-2*, the schools serving the project area currently have excess capacity. According to DUSD, student enrollment has been declining every year for the last seven years.¹ The DUSD’s master plan includes the modernization and construction of new facilities at existing schools; however, there are no plans to construct new facilities at this time.

5.12.3 SIGNIFICANCE THRESHOLD CRITERIA

The issues presented in the Initial Study Environmental Checklist (*CEQA Guidelines Appendix G*) have been utilized as thresholds of significance in this Section. Accordingly, a project may create a significant environmental impact if it causes one or more of the following to occur:

- Substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities,

¹ Duarte Unified School District, Brad Patterson, Senior Director of Facilities, June 21, 2013.



the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives.

Based on these standards, the effects of the proposed project have been categorized as either a “less than significant impact” or a “potentially significant impact.” Mitigation measures are recommended for potentially significant impacts. If a potentially significant impact cannot be reduced to a less than significant level through the application of mitigation, it is categorized as a significant unavoidable impact.

5.12.4 PROJECT IMPACTS AND MITIGATION MEASURES

SCHOOLS

■ IMPLEMENTATION OF THE PROPOSED PROJECT COULD RESULT IN IMPACTS TO EXISTING SCHOOL FACILITIES WITHIN THE DUARTE UNIFIED SCHOOL DISTRICT.

Impact Analysis: Development associated with implementation of the proposed project would allow for up to 475 new multi-family residential units. The development of these new residential units could result in an associated increase in students attending schools within the DUSD. Generation rates are the most common method used by a school district to project future enrollment. *Table 5.12-3, Estimated Student Generation*, provides the estimated number of students that could potentially be generated as a result of the proposed project.

**Table 5.12-3
Estimated Student Generation**

Dwelling Unit Type	Student Generation Factor ¹	Residential Units	Students Generated
Multiple-Family	0.55	475	261

¹ Duarte General Plan Final EIR, August 2007.

As indicated in *Table 5.12-3*, the proposed project could add 261 new students to the DUSD. As indicated in *Table 5.12-2*, DUSD has adequate capacity to serve additional students within the project area. Additionally, development of the Specific Plan Area is anticipated to occur in phases over multiple years, based on market demand; thus, any increase in demand for school services would occur gradually as additional development is added to the area.

In order to maintain adequate classroom seating and facilities standards, individual development projects would be required to pay statutory fees in place at the time to DUSD in order to compensate for the impacts of development on school capacities. The DUSD currently assesses developer fees of \$2.97 per square feet of living space for residential development and \$0.47 per square feet for non-residential development.

Pursuant to SB 50, payment of fees to the School Districts is considered full mitigation for project impacts, including impacts related to the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, or other performance objectives for schools. Therefore, project applicants would be required to pay the statutory fees, so that space can be constructed, if



necessary, at the nearest sites to accommodate the impact of project-generated students, reducing impacts to a less than significant level.

Mitigation Measures:

SCH-1 Individual project applicants shall pay all applicable Development Impact Fees to the Duarte Unified School District prior to issuance of building permits. Proof of fee payment shall be provided to the City of Duarte.

Level of Significance: Less Than Significant Impact With Mitigation Incorporated.

5.12.5 CUMULATIVE IMPACTS AND MITIGATION MEASURES

■ DEVELOPMENT ASSOCIATED WITH IMPLEMENTATION OF THE PROPOSED PROJECT AND OTHER RELATED CUMULATIVE PROJECTS COULD RESULT IN CUMULATIVELY CONSIDERABLE IMPACTS TO SCHOOL FACILITIES WITHIN THE DUARTE UNIFIED SCHOOL DISTRICT.

Impact Analysis: DUSD serves students residing within the cities of Duarte and Bradbury. As indicated in *Table 4-1, Cumulative Projects*, new residential development is anticipated within Duarte. Development of the proposed project and related cumulative projects served by DUSD would potentially generate new students to the District. Currently, DUSD has available capacity at schools within the district. Individual development projects would be required to pay school impact fees based on the type and size of development proposed. Pursuant to SB 50, payment of fees to DUSD is considered full mitigation for project impacts, including impacts related to the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, or other performance objectives for schools. Therefore, individual project applicants would be required to pay the statutory fees, so that space can be constructed, if necessary, at the nearest sites to accommodate the impact of project-generated students. Development associated with implementation of the proposed project would not result in significant cumulative impacts in regards to school services and facilities.

Mitigation Measures: Refer to Mitigation Measure SCH-1. No additional mitigation measures are required.

Level of Significance: Less Than Significant Impact With Mitigation Incorporated.

5.12.6 SIGNIFICANT UNAVOIDABLE IMPACTS

Implementation of the proposed project would result in less than significant project and cumulative impacts related to police protection services and facilities during both construction and operation with adherence to the identified mitigation measure. As such, no significant unavoidable impacts would result from implementation of the Duarte Station Specific Plan.



5.12.7 SOURCES CITED

City of Duarte, *Duarte General Plan Update Final Environmental Impact Report*, August 2007.

Duarte Unified School District, Brad Patterson, Senior Director of Facilities, written correspondence, June 21, 2013.



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