

# **SCHOOL IMPACTS AND MITIGATION REPORT**

for the West Alton Parcel  
Environmental Impact Report

**DECEMBER 1, 2016**



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## SCHOOL IMPACTS AND MITIGATION REPORT

The purpose of this report is to provide an assessment of school impacts and mitigation scenarios for use as a supplement in the Public Services Schools section of the Environmental Impacts Report (“EIR”) for the West Alton Parcel (“Proposed Project”).

### 1.0 INTRODUCTION

The following report focuses on public school impacts associated with the Proposed Project. The Proposed Project’s total development area is approximately 32.32 acres. An average of 25 units per acre will be built, which results in a total of about 803 multi-family residential units. The Proposed Project is located within the boundaries of the Irvine Unified School District (“IUSD”, “District”).

### 2.0 EXISTING CONDITIONS

#### 2.1 Regulatory Setting

##### 2.1.1 School Facility Funding

The IUSD is under the State government’s jurisdiction, is subject to *California Education Code* regulations, and is under the governance of the State Board of Education. School capital facility funds come from State funding, State bonds, local General Obligation bonds, developer fees, surplus property sale proceeds, School Facility Improvement Districts (“SFID”s) and Community Facilities Districts (“CFD”s).

##### 2.1.1.1 State Funding

The IUSD participates in the State New Construction and Modernization funding programs actively obtaining about \$210 million in state funding for new construction and modernization projects districtwide since 1999. Although it has not received state funds yet, the most recent new construction projects in IUSD included construction of Beacon Park K-8 and Portola High School completed in 2016. The last new construction project to receive state funds was Stonegate Elementary.<sup>1</sup> State funding eligibility varies with projected enrollment growth, including growth from new development, as compared to the number of existing seats in the district. IUSD has 6,684 elementary, 1,809 middle and 3,215 high school seats in state funding eligibility due to growth in the existing community and from approved new development tentative tract maps as allowed by the State funding program.<sup>2</sup>

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<sup>1</sup> Project Tracking. Office of Public School Construction. [www.opsc.dgs.ca.gov](http://www.opsc.dgs.ca.gov). Web retrieved January 8, 2016.

<sup>2</sup> New Construction Remaining Eligibility. State Allocation Board Agenda. March 4, 2014.

In November 2016 California voters approved the statewide Proposition 51 authorizing \$12 billion in funds for the School Facilities Program. IUSD's eligibility estimates are expected to change once the outstanding applications are funded by the State Allocation Board. With the passage of Proposition 51, IUSD is expecting to begin receiving state funding for recently constructed facilities including Beacon Park K-8 and Portola High School.

### **2.1.1.2 Local Funding**

In accordance with SB 50, the construction of new schools requires a school district to match State funds. The local match is typically provided by such funds as developer fees, local General Obligation bonds, and/or Mello-Roos CFD ("Special Taxes" that can be levied on property owners of newly constructed homes within a CFD).

In June 2016, the IUSD voters approved the School Facilities Improvement Measure E. The \$319 million measure will fund school modernization and construction projects districtwide. The tax rate per \$100,000 will be \$29 for a duration of 30 years. The Project is located outside of the boundaries of this special assessment district.

#### **2.1.1.2.1 School Developer Fees**

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

Senate Bill (SB) 50, which passed in 1998, provides a comprehensive school facilities financing and reform program, and enables a statewide bond issue to be placed on the ballot. The provisions of SB 50 allow the State to offer funding to school districts to acquire school sites, construct new school facilities, and modernize existing school facilities. SB 50 also establishes a process for determining the amount of fees developers may be charged to mitigate the impact of development on school facilities resulting from increased enrollment. Under this legislation, a school district could charge fees above the statutory cap only under specified conditions, and then only up to the amount of funds that the district would be eligible to receive from the State. According to Section 65996 of the *California Government Code*, development fees authorized by SB 50 are deemed to be "full and complete school facilities mitigation".

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. These three levels are as follows:

**Level 1:** Level 1 fees are the base statutory fees. These amounts are the maximum that can be legally imposed upon new construction projects by a school district unless the district qualifies for a higher level of funding.

Pursuant to Section 65995 of the *California Government Code*, as of January 2016, the statutory maximum Level 1 school fee that may be levied by a school district on new development is a maximum of \$3.48 per assessable square foot of residential construction and a maximum of \$0.56 per square foot of enclosed and covered space for commercial/industrial development. These rates are established by the State Allocation Board, and may be increased to adjust for inflation based upon a statewide cost index for Class B construction. To implement Level 1 fees, the governing board of a school district must adopt a nexus study linking development impacts and the need for construction of new facilities. Although not standard, such studies are frequently referred to as Developer Fee Justification Study (“DFJS”). The most recent DFJS for IUSD was approved by the school board in March of 2016. The District currently implements the current statutory maximum Level 1 fee of \$3.48 per square foot of new residential development and \$0.56 per square foot of enclosed and covered space for commercial/industrial development.

**Level 2:** Level 2 fees allow the school district to impose developer fees above the statutory level, up to 50 percent of new school construction costs. To implement Level 2 fees, the governing board of the school district must adopt a School Facilities Needs Analysis (“SFNA”) and meet other prerequisites in accordance with Section 65995.6 of the *California Government Code*.

The purpose of an SFNA is to determine the need for new school facilities attributable to growth from new residential development (*California Government Code* §65995.6). An SFNA documents that the district has met prerequisite eligibility tests and calculates the fee per square foot of new development. If the school district is eligible for State new construction funding, the State will match the Level 2 fees if funds are available.

**Level 3:** Level 3 fees apply if the State runs out of bond funds, allowing the school district to impose 100 percent of the cost of the school facility or mitigation minus any local dedicated school monies. The IUSD would not be eligible to charge Level 3 fees with the current Level 1 fee in place.

### 2.1.2 School Size

The amount of land needed to support a school’s educational program corresponds to the school’s proposed programs, stated goals of the school district, and recommendations set by the California Department of Education. IUSD Board Policy 7112 provides for the following definitions for sizes of new school facilities.<sup>4</sup>

Elementary Schools: Permanent facilities will house 700 students with infrastructure provision for relocatable buildings to house a maximum of 900 students, or a maximum of 1,000

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<sup>4</sup> Board Policy 7112. Revised September 17, 2013. [www.iusd.org](http://www.iusd.org). Web retrieved February 9, 2015

students during periods of peak enrollment or for schools serving grades K - 8. (Temporarily suspended per Board action on September 17, 2013 to allow a maximum enrollment of 1,200 students.)

Middle Schools: Permanent facilities will house 800 students with infrastructure provision for relocatable buildings to house a maximum of 1,200 students.

High Schools: Permanent facilities will house 1,800 students with infrastructure provision for relocatable buildings to house a maximum of 2,400 students. (Temporarily suspended per Board action on April 11, 2006 to allow a maximum enrollment of 2,600 at all four district comprehensive high schools.)

### **2.1.3 Classroom Size**

The loading factor that the State uses to calculate school building capacity is 25 students per elementary classroom (K–6) and 27 students per middle and high school classroom (grades 7–12).<sup>5</sup> IUSD loading standards may differ based on local standards.

### **2.2 Site Conditions**

The Proposed Project would be served by the IUSD. There are 38 schools in the IUSD: 22 elementary schools (K–6), 6 middle schools (7–8), 3 K-8 schools, 5 comprehensive high schools (9–12), 2 alternative education facilities. Based on the information provided in the October 5, 2016 Weekly Enrollment Report, IUSD had an enrollment of 18,151 students in grades K–6, 5,270 in grades 7–8 and 9,844 in grades 9-12, for total of 33,265 in 2016-2017 school year.<sup>6</sup> Districtwide school capacity is 39,212 seats. Over the last ten years of change, IUSD has experienced a significant increase in enrollment of approximately 29% or 7,400 students.<sup>7</sup>

When enrollment is compared to school capacity aggregated by grade level, an estimated capacity surplus of approximately 5,497 seats is identified for grades K–12. Table 1 summarizes these school capacity estimates. It should be noted that in Fall of 2016, IUSD opened 750-seat Beacon Park K-8 school, with plans to add 250 seats in capacity to the campus by 2019.<sup>8</sup> A new high school, Portola High School opened with capacity of 600 in Fall of 2016 and will be expanded to a full 2,400 seat capacity over the next four years.<sup>9</sup> Several large development projects including Portola Springs and Heritage Fields are covered by comprehensive school impacts mitigation agreements providing funding in excess of payment of fees for construction of new school facilities. Students from these developments have priority of enrollment at recently constructed and planned facilities.

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<sup>5</sup> Office of Public School Construction. California Code of Regulations Section 1859.35. Chapter 3. Division 2. Title 2.

<sup>6</sup> 2016 Weekly Enrollment Report. October 5, 2016. Irvine Unified School District. PowerPoint presentation.

<sup>7</sup> Enrollment growth calculation based on data from the 2016 Weekly Enrollment Report from IUSD and the California Basic Education Data System information. [www.cde.ca.gov](http://www.cde.ca.gov). Web retrieved November 11, 2016.

<sup>8</sup> Facilities Study Session. May 11, 2016. Irvine Unified School District. PowerPoint presentation. p. 10.

<sup>9</sup> Facilities Study Session. May 11, 2016. Irvine Unified School District. PowerPoint presentation. p. 12.

**Table 1**  
**Irvine Unified School District**  
**Districtwide School Capacity and Enrollment for 2015–2016**

School (Grade Level)	School Capacity <sup>a</sup>	Enrollment <sup>a</sup>	Available Capacity
Elementary (K–6)	20,297	18,151	2,146
Intermediate (7-8)	6,021	5,270	751
High (9–12)	12,894	9,844	3,050
<b>District Total</b>	<b>39,212</b>	<b>33,265</b>	<b>5,947</b>

<sup>a</sup> Existing School Facilities Capacity and Student Enrollment. Weekly Enrollment Report. Irvine Unified School District. October 5, 2016.  
 High School Capacity Calculation assumes 2,400 seats at Portola HS. Portola High School opened with 9<sup>th</sup> grade only in 2016 – 2017 and will add 600 students per year as the 9<sup>th</sup> grade of 2016-2017 matriculates.

The 2016-2017 assigned IUSD schools to the Project site are Portola Springs ES, Jeffrey Trail MS and Portola HS.<sup>10</sup> However, a number of new school facilities are planned in the area that may change neighborhood school assignments. A second school in Portola Springs is under consideration. Table 2 provides the available capacity at each of the assigned schools based on enrollment figures during the 2016–2017 school year. Based on these enrollment figures, there are 126 elementary, 132 middle and 204 high school seats available. Exhibit A shows location of schools in relation to the Project.

<sup>10</sup> Facilities Planning & Construction. Boundary Maps. [www.iusd.org](http://www.iusd.org). Web retrieved November 11, 2016.

**Table 2**  
**Irvine Unified School District**  
**Available Capacity at Existing Schools Assigned to the Proposed Project**

School Name	Capacity <sup>a</sup>	2016-2017 Enrollment <sup>a</sup>	Available Capacity	Distance to the Project Site (mi) <sup>b</sup>
Portola Springs Elementary	900	774	126	2.2
Jeffrey Trail Intermediate	1,200	1,068	132	4.8
Portola High	600	396	204	5.9

<sup>a</sup> Jeffrey Trail Middle School capacity updated per IUSD Board of Education meeting presentation “Heritage Fields 2<sup>nd</sup> School” on July 12, 2016.

<sup>a</sup> Total Portola High School capacity is expected to include 2,400 permanent seats. Portola High School opened with 9<sup>th</sup> grade only in 2016 – 2017 and will add 600 students per year as the 9<sup>th</sup> grade of 2016-2017 matriculates.

<sup>b</sup> Distance to the Project Site from 8099 Irvine Blvd (intersection of Irvine Blvd and Magazine Road). Google Maps. Web retrieved May 17, 2016.

### *School Location*

The IUSD has adopted School Board policies regarding reasonable distance to neighborhood schools. The neighborhood communities potentially served by a school shall be considered within reasonable proximity if the maximum radius from the school is as listed in Table 3.

**Table 3**  
**Irvine Unified School District**  
**School Proximity Standards**

School Level	Reasonable Proximity Radius
Elementary	2.5 miles
Middle	3.5 miles
High	4.5 miles

Source: Board Policy 7100. Irvine Unified School District. Revised January 2003. www.iusd.org. Web retrieved February 9, 2015.

With the exception of the assigned elementary school, schools currently assigned to the Project are located outside of the maximum radius provided in Board Policy 7100. It is anticipated

that location of new elementary and high schools that would serve the Proposed Project would be consistent with Board Policy 7100.

### **3.0 IMPACT ANALYSIS**

#### **3.1 Methodology**

This assessment addresses the potential impacts of the Proposed Project on the public school system only, as it is directly responsible (and mandated) to serve new student populations generated from implementation of the Project. Private institutions and higher education institutions are not evaluated since they are privately funded and/or are not mandated to provide services; therefore, these schools are not discussed herein.

The methodology used in this analysis assumes that the number of new students generated from the Proposed Project is directly related to the type and amount of the Proposed Project's residential construction within the boundaries of the school district. The analysis includes an evaluation of the existing school sites' capacity to would accommodate Project-generated students.

##### **3.1.1 Proposed Project**

The Proposed Project's total development area is approximately 25 acres. An average of 30 units will be built per acre, which results in a total of about 803 multi-family residential units.

##### **3.1.2 Student Generation Rates**

In order to estimate the number of students from the Project, a student generation rate ("SGR") is used. The SGR is a ratio of students per home, which is usually based on recent construction history or districtwide data. The SGR is also usually grouped by product type as it has been recognized that different types of product i.e. Single Family Detached ("SFD"), Single Family Attached ("SFA") and multifamily ("MF") generate students at different rates. SFD units normally generate the highest number of students. Other factors such as proximity of schools to the development, district test scores and reputation, suburban or urban location, size of district and its location in the State all affect the SGR.

The SGR is usually prepared by the District staff or district consultants and is used for estimating developer fees and projecting facility and staffing needs overtime. Based on information available from IUSD, the SGR for MF product type planned for construction within the Project is as follows in Table 4.

**Table 4**  
**Student Generation Rates<sup>a</sup>**

<b>Residential Product Type</b>	<b>K-6</b>	<b>7-8</b>	<b>9-12</b>	<b>K-12</b>
MF	0.15	0.04	0.07	0.26
<sup>a</sup> 2015-2016 Districtwide Multifamily Student Generation Rates. Lorrie Ruiz, Director, Facilities Planning. IUSD. Via e-mail. March 24, 2016.				

### **3.2 Project Design Features**

The Proposed Project does not include the development of public school facilities on the Project site. As such, no project design features are proposed by the Applicant relative to public school facilities.

### **3.3 Standard Conditions and Requirements**

Pursuant to Section 65995 of the *California Government Code*, the Applicant shall pay developer fees to the IUSD at the time building permits are issued; payment of the adopted fees would provide full and complete mitigation of school impacts.

### **3.4 Thresholds of Significance**

The Project would result in a significant impact related to schools if it would result in substantial adverse physical impacts associated with the provision of new or physically altered school facilities, need for new or physically altered school facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable levels of service ratios or other performance objectives for public school facilities.

### **3.5 Project Impacts**

#### **3.5.1 Student Projection**

At project build-out, the Proposed Project may develop up to 803 multi-family residential units. Based on the student generation rates provided in Table 5, the Proposed Project is anticipated to yield approximately 208 K-12 students, including 120 elementary, 32 middle and 56 high school students. Table 5 provides the proposed units per product type and the approximate student yield per product type.

**Table 5**  
**Dwelling Units and Students Yield**

<b>Dwelling Unit Type</b>	<b>Units</b>	<b>K-6</b>	<b>7-8</b>	<b>9-12</b>	<b>Total</b>
Multi-family Attached Units SGR		0.15	0.04	0.07	0.26
Number of Units in Proposed Project	803	120	32	56	208
Source: 2016 Districtwide Multifamily Student Generation Rates. Lorrie Ruiz, Director, Facilities Planning. IUSD. Via e-mail. March 24, 2016.					

### 3.5.2 School Need

The Proposed Project would generate 208 students from grades K-12 that would be accommodated at existing or new schools, as discussed below:

#### 3.5.2.1 Elementary School

The Proposed Project would generate 120 elementary students. Based on current attendance boundaries, Portola Springs ES has 900 total seats and 126 seats in available capacity and will serve the Project. Additionally, Beacon Park K-8 opened in Fall of 2016 and a second elementary school in Portola Springs is under consideration. It should be noted that several development projects including Portola Springs and Heritage Fields are covered by comprehensive school impacts mitigation agreements providing funding in excess of payment of fees for construction of new school facilities. Students from these developments have priority of enrollment at the planned facilities. It is possible that additional classrooms may be required to accommodate Project students.

#### 3.5.2.2 Middle School

At buildout, the Project would generate 32 middle school students. Students from the Project would attend Jeffrey Trail Middle School (Table 2), which currently has 1,200 total seats and 132 seats in available capacity.

IUSD projects Jeffrey Trail MS will run out of capacity by 2018.<sup>11</sup> Additional capacity at the middle school level could also be provided at the new Beacon Park K-8. It should be noted that several development projects including Heritage Fields are covered by comprehensive school impacts mitigation agreements providing funding in excess of payment of fees for construction of new school facilities. Students from the Great Park developments have priority of enrollment at Beacon Park. It is possible that an additional portable classroom may be required to accommodate Project students or IUSD may offer attendance at other middle schools where capacity is available.

<sup>11</sup> Moderate Enrollment Projections 2016. Irvine Unified School District. July 7, 2016. Lorrie Ruiz, Facilities Director.

### 3.5.2.3 High School

Students from the Project would attend Portola High School, which opened in 2016. Portola High School has a planned capacity of 2,400 students and would accommodate the proposed Project's 56 projected high school students.<sup>12</sup> Pursuant to IUSD Board Policy 7112, the school would have an additional capacity of 200 in portable classrooms to address peak enrollments. However, similarly to Portola Springs Elementary School, Portola High School also falls under the existing comprehensive school impacts mitigation agreements that provide funding in excess of payment of fees for construction of new school facilities. Therefore, students from new development surrounding the Project that is subject to the existing mitigation agreements have priority of enrollment at Portola High School. Additional classrooms (i.e., portable classrooms) may be required at Portola High School to accommodate the Project's 56 high school students.

### 3.5.3 School Finance

Based on data about available capacity, the IUSD may require funds to construct additional capacity to serve the estimated 208 Project-generated students. However, the IUSD has a Level 1 fee program in place and the Project would be subject to payment of applicable developer fees. Payment of the adopted developer fees by the Applicant would, in accordance with Section 65995(h) of the *California Government Code*, fully and completely mitigate all school impacts.

### 3.5.4 Project Alternatives

The Notice of Preparation for the Proposed Project includes Project Alternatives 1-4. The following discussion addresses changes in the potential school impacts.

#### *Alternative 1*

Development Single-Family Homes assumes single-family units to the north and south of the Alton Parkway wildlife movement corridor. As discussed in *Section 3.1.2 Student Generation Rates*, SFD homes typically generate the largest number of students. In IUSD, the districtwide SFD SGR is currently 93% higher than MF SGR at the elementary level, 125% at the middle school level and 143% at the high school level. However, the precise number of units for Alternative 1 is not known at this time and, therefore, student projections cannot be prepared. Due to lower densities, fewer homes can be expected with this alternative, but not necessarily fewer students.

#### *Alternative 2*

Mixed Use Alternative assumes construction of office buildings and a reduced number of MF housing units north of wildlife movement corridor. However, the precise number of units for Alternative 1 is not known at this time and therefore, student projections cannot be prepared.

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<sup>12</sup> Portola High School opened with capacity for 600 9<sup>th</sup> grade only in 2016 – 2017 and will add 600 students per year as the 9<sup>th</sup> grade of 2016-2017 matriculates.

*Alternative 3*

Age-Qualified Alternative assumes development of all or a portion of the residences as age-qualified (over 55 years old). It is anticipated that the total number of units developed would be the same. For the purposes of school facility planning, it is assumed that age-qualified homes would not generate any students. If the overall number of units remains the same, it is likely that the number of students from the Proposed Project would decrease.

*Alternative 4*

No Project Alternative assumes the Project site would continue existing operations with no residential development. Therefore, no students would be generated.

**4.0 MITIGATION MEASURES**

Pursuant to Government Code Section 65995, the Applicant shall pay the developer fees at the time building permits are issued; payment of the adopted fees would provide full and complete mitigation of school impacts.

**5.0 CUMULATIVE IMPACTS**

All projects contribute incrementally to increases in student populations, either through the direct construction of new housing, which is then occupied by school-age children or through the creation of new employment opportunities that may induce in-migration into a school district or allow young adults to leave home and form their own households. As school districts' enrollment expands, school administrators must seek both short-term and long-term remedies to accommodate those added students to schools that, in most instances, are already at or in excess of their design capacities. Due to the development's high density and location away from existing schools, it is unlikely that the Project would generate more students than could be accommodated in existing school facilities.

However, the State Legislature provided authority for school districts to assess impact fees for both residential and nonresidential development projects. Those fees, as authorized under Education Code Section 17620(a) and Government Code Section 65995(b), are collected by municipalities at the time building permits are issued and conveyed to the affected school district in accordance with a defined fee structure. The Legislature has declared that the payment of those fees constitutes full mitigation for the impacts generated by new development.

Since all non-exempt projects must pay their appropriate impact fees, each project will mitigate the impacts associated with those activities. As a result, no cumulative impact upon local school districts is anticipated as a result of the implementation of the Proposed Project and other area-wide development activities.

**Level of Significance Prior to Mitigation**

*Less than Significant.*

**Mitigation Measures**

*See Mitigation Measure 4.0*

**Level of Significance After Mitigation**

*Less than Significant.*



# Exhibit A

## Irvine Unified School District Boundaries and Schools

### WEST ALTON DEVELOPMENT PLAN

**Legend**

- Portola HS
- Jeffrey Trail MS
- Beacon Park K-8
- Portola Springs ES
- West Alton
- District Boundary

