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Title 5, California Code of Regulations

This is an excerpt of *California Code of Regulations, Title 5* that relate to school facilities construction. The complete text of the *California Code of Regulations, Title 5* [↗](#) may be downloaded from the Office of Administrative Law.

Division 1, Chapter 13, Subchapter 1

School Facilities Construction

Article 1. General Standards

§14001. Minimum Standards.

Educational facilities planned by school districts shall be:

- a. Evolved from a statement of educational program requirements which reflects the school district's educational goals and objectives.
- b. Master-planned to provide for maximum site enrollment.
- c. Located on a site which meets California Department of Education standards as specified in Section 14010.
- d. Designed for the environmental comfort and work efficiency of the occupants.
- e. Designed to require a practical minimum of maintenance.
- f. Designed to meet federal, state, and local statutory requirements for structure, fire, and public safety.
- g. Designed and engineered with flexibility to accommodate future needs.

Note: Authority cited: sections [17251\(b\)](#) [↗](#) and [33031](#) [↗](#), *Education Code*. Reference: Section [17017.5](#) [↗](#) and [17251\(b\)](#) [↗](#), *Education Code*.

Article 2. School Sites

§ 14010. Standards for School Site Selection.

All districts shall select a school site that provides safety and that supports learning. The following standards shall apply:

- a. The net usable acreage and enrollment for a new school site shall be consistent with the numbers of acres and enrollment established in Tables 1-6 of the 2000 Edition, "[School Site](#)

Analysis and Development" published by the California Department of Education and incorporated into this section by reference, in toto, unless sufficient land is not available or circumstances exist due to any of the following:

1. Urban or suburban development results in insufficient available land even after considering the option of eminent domain.
 2. Sufficient acreage is available but it would not be economically feasible to mitigate geological or environmental hazards or other site complications which pose a threat to the health and/or safety of students and staff.
 3. Sufficient acreage is available but not within the attendance area of the unhoused students or there is an extreme density of population within a given attendance area requiring a school to serve more students on a single site. Choosing an alternate site would result in extensive long-term bussing of students that would cause extreme financial hardship to the district to transport students to the proposed school site.
 4. Geographic barriers, traffic congestion, or other constraints would cause extreme financial hardship for the district to transport students to the proposed school site.
- b. If a school site is less than the recommended acreage required in subsection (a) of this section, the district shall demonstrate how the students will be provided an adequate educational program including physical education as described in the district's adopted course of study.
- c. The property line of the site even if it is a joint use agreement as described in subsection (o) of this section shall be at least the following distance from the edge of respective power line easements:
1. 100 feet for 50-133 kV line.
 2. 150 feet for 220-230 kV line.
 3. 350 feet for 500-550 kV line.
- d. If the proposed site is within 1,500 feet of a railroad track easement, a safety study shall be done by a competent professional trained in assessing cargo manifests, frequency, speed, and schedule of railroad traffic, grade, curves, type and condition of track need for sound or safety barriers, need for pedestrian and vehicle safeguards at railroad crossings, presence of high pressure gas lines near the tracks that could rupture in the event of a derailment, preparation of an evacuation plan. In addition to the analysis, possible and reasonable mitigation measures must be identified.
- e. The site shall not be adjacent to a road or freeway that any site-related traffic and sound level studies have determined will have safety problems or sound levels which adversely affect the educational program.
- f. Pursuant to *Education Code* sections [17212](#) and [17212.5](#), the site shall not contain an active earthquake fault or fault trace.
- g. Pursuant to *Education Code* sections [17212](#) and [17212.5](#), the site is not within an area of flood or dam flood inundation unless the cost of mitigating the flood or inundation impact is reasonable.
- h. The site shall not be located near an above-ground water or fuel storage tank or within 1500 feet of the easement of an above ground or underground pipeline that can pose a safety

hazard as determined by a risk analysis study, conducted by a competent professional, which may include certification from a local public utility commission.

- i. The site is not subject to moderate to high liquefaction or landslides.
- j. The shape of the site shall have a proportionate length to width ratio to accommodate the building layout, parking and playfields that can be safely supervised and does not exceed the allowed passing time to classes for the district.
- k. The site shall be easily accessible from arterial roads and shall allow minimum peripheral visibility from the planned driveways in accordance with the Sight Distance Standards established in the "Highway Design Manual [§](#)," Table 201.1, published by the Department of Transportation, July 1, 1990 edition, and incorporated into this section by reference, in toto.
- l. The site shall not be on major arterial streets with a heavy traffic pattern as determined by site-related traffic studies including those that require student crossings unless mitigation of traffic hazards and a plan for the safe arrival and departure of students appropriate to the grade level has been provided by city, county or other public agency in accordance with the "School Area Pedestrian Safety" manual published by the California Department of Transportation, 1987 edition, incorporated into this section by reference, in toto.
- m. Existing or proposed zoning of the surrounding properties shall be compatible with schools in that it would not pose a potential health or safety risk to students or staff in accordance with Education Code Section 17213 [§](#) and Government Code Section 65402 [§](#) and available studies of traffic surrounding the site.
- n. The site shall be located within the proposed attendance area to encourage student walking and avoid extensive bussing unless bussing is used to promote ethnic diversity.
- o. The site shall be selected to promote joint use of parks, libraries, museums and other public services, the acreage of which may be included as part of the recommended acreage as stated in subsection (a) of this section.
- p. The site shall be conveniently located for public services including but not limited to fire protection, police protection, public transit and trash disposal whenever feasible.
- q. The district shall consider environmental factors of light, wind, noise, aesthetics, and air pollution in its site selection process.
- r. Easements on or adjacent to the site shall not restrict access or building placement.
- s. The cost and complications of the following shall be considered in the site selection process and should not result in undue delays or unreasonable costs consistent with State Allocation Board standards:
 1. Distance of utilities to the site, availability and affordability of bringing utilities to the site.
 2. Site preparation including grading, drainage, demolition, hazardous cleanup, including cleanup of indigenous material such as serpentine rock, and off-site development of streets, curbs, gutters and lights.
 3. Eminent domain, relocation costs, severance damage, title clearance and legal fees.
 4. Long-term high landscaping or maintenance costs.
 5. Existence of any wildlife habitat that is on a protected or endangered species list maintained by any state or federal agency, existence of any wetlands, natural

waterways, or areas that may support migratory species, or evidence of any environmentally sensitive vegetation.

- t. If the proposed site is on or within 2,000 feet of a significant disposal of hazardous waste, the school district shall contact the Department of Toxic Substance Control for a determination of whether the property should be considered a Hazardous Waste Property or Border Zone Property.
- u. At the request of the governing board of a school district, the State Superintendent of Public Instruction may grant exemptions to any of the standards in this section if the district can demonstrate that mitigation of specific circumstances overrides a standard without compromising a safe and supportive school environment.

Note: Authority cited: sections [17251\(b\)](#) and [33031](#), *Education Code*. Reference: sections [17212](#), [17212.5](#), [17213](#), [17251\(b\)](#), [17251\(f\)](#), and [25220](#), *Education Code*; Section [65402](#), *Government Code*; Section [25220](#), *Health and Safety Code*; sections [21372](#), [22350](#), [22352](#), [22358.4](#), and [22358.5](#), *Vehicle Code*; and sections [1859.74](#) and [1859.75\(b\)](#), *Title 2, California Code of Regulations*.

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§ 14011. Procedures for Site Acquisition State-Funded School Districts.

A state-funded school district is defined as a school district having a project funded under Chapter 12.5 (commencing with [Section 17070.10](#)) of the *Education Code*. A state-funded school district, before acquiring title to real property for school use, shall obtain written approval from the California Department of Education using the following procedures:

- a. Request a preliminary conference with a consultant from the School Facilities Planning Division and in consultation review and evaluate sites under final consideration.
- b. Contact the School Facilities Planning Division of the California Department of Education to obtain a "School Facilities Planning Division Field Site Review," form [SFPD 4.0](#), published by the California Department of Education, as last amended in December 1999 and incorporated into this section by reference, in toto, which lists the site options in order of merit according to the site selection standards delineated in Section 14010.
- c. Prepare a statement of policies as delineated on the "School Facilities Planning Division School Site Report," form [SFPD 4.02](#), as last amended in December 1999 and incorporated into this section by reference, in toto, covering the range and organization of grades to be served, the transportation of pupils, and the ultimate maximum pupil enrollment to be housed on the site. Prepare a statement showing how the site is appropriate in size as justified by the school district's Facilities Master Plan, including acreage increases above the California Department of Education recommendation made to compensate for off-site mitigation. A school district may choose, in place of a master plan, a developer fee justification document or a five-year plan if it addresses enrollment projections, needed schools, and site sizes.
- d. Prepare maps showing present and proposed school sites, significant roads or highways, unsanitary or hazardous installations, such as airports or industries and the indicated