How School District Fees Are Applied To Construction

Per section 17620 of the California Education Code the application of how the fee is assessed to construction is as follows:

- A) To new commercial and industrial construction. The chargeable covered and enclosed space of commercial or industrial construction shall not be deemed to include the square footage of any structure existing on the site of that construction as of the date the first building permit is issued for any portion of that construction.
- (B) To new residential construction.
- (C) (i) Except as otherwise provided in clause (ii), to other residential construction, only if the resulting increase in assessable space exceeds 500 square feet. The calculation of the "resulting increase in assessable space" for this purpose shall reflect any decrease in assessable space in the same residential structure that also results from that construction. Where authorized under this paragraph, the fee, charge, dedication, or other requirement is applicable to the total resulting increase in assessable space.
- (ii) This subparagraph does not authorize the imposition of a levy, charge, dedication, or other requirement against residential construction, regardless of the resulting increase in assessable space, if that construction qualifies for the exclusion set forth in subdivision (a) of Section 74.3 of the Revenue and Taxation **Code**.

Examples of the application for residential construction is as follows:

- A portion of the existing building remains. One receives credit for any portion of the existing building that has been removed if it has been shown on the approved plans for the new construction.
- The existing building has been completely demolished. No credit is given for the demolished building area as there is no existing residential structure.

(See the attached page for the definition of "assessable space")