



CITY OF YORBA LINDA

4845 Casa Loma Avenue Yorba Linda, California 92886

BUILDING DIVISION (714) 961-7120

Policy No. 001

Policy Subject: School Fee Collection

Effective Date: 8-29-11

Revised: March 06, 2018

The following guideline shall be used as the basis for the determination as to whether school fees shall be collected for a particular residential project. The following is the formal department policy for the determination of assessment of school fees for a residential project

The California Government Code, Section 65995, states that a fee (as determined by the Placentia Yorba Linda School District Developer Fee Resolution) shall be collected for "Assessable Space." Assessable Space is defined as the area within the perimeter of a residential structure, **not including** any carport, walkway, garage, overhang, patio, enclosed patio, detached accessory structure or similar area. The area shall be calculated by the Building Department of the City. No further definition or description of a "Residential Structure" is provided.

By definition of the California Building Code (CBC) and California Residential Code (CRC), a "Residential Structure" is any R Occupancy as defined in the codes, see definitions below. All of the uses listed as "Not Included" in the California Government Code are by definition, U Occupancies in the CBC and the CRC. As such, no school fees shall be collected for the floor area of those structures. The determining factor as to if school fees are to be collected is the occupancy classification of the structure. Factors such as attached, detached, air conditioned or not do not define a residential facility. Occupancy definitions shall be as shown in the CBC and the CRC.

The California Education Code, Section 17620, states "... 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." This means that the school fee shall only be collected if the net floor area increase exceeds 500 square feet. The "net area" means the square footage of any addition plus the decrease in square footage as a result of demolition and removal of any square footage added together within the same residential structure.

The CBC and the CRC define Residential Occupancies as;

R-1 Occupancy: hotels, motels

R-2 Occupancy: Apartments, Condominiums

R-3 Occupancy: Single Family Homes, Duplexes, Townhouses

R-4 Occupancies: Assisted Living Facilities, Social Rehabilitation Facilities (Halfway Houses, Community Treatment Programs, Alcohol or Drug Rehab Facilities)

The CBC and the CRC define Utility and Miscellaneous Occupancies as Group U (Accessory Structures);

Agricultural Buildings
Carports
Greenhouses
Private Garages
Stables
Towers

Barns
Fences, Retaining Walls
Livestock Shelters
Sheds
Tanks
Patio Cover (Open or Enclosed)



Jim Sowers, Building Official