

CAMBRIAN SCHOOL DISTRICT
Board Policy

Policy 7211
Adopted: October 6, 2016
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DEVELOPER FEES

The Board of Trustees desire to ensure all of Cambrian School District's (the "District's") facilities are in good repair and can accommodate the ever-changing volume of students within our community (as well as those interested in attending our schools but live outside of our District's boundaries). To do so, the District has chosen to establish, levy and collect developer fees on both residential and commercial construction projects within our community.

- A. In accordance with Government Code 65995 as amended by Senate Bill 50 (Ch. 407, Statutes of 1998), and, as amended by AB 127 (Ch. 35, Statutes of 2006), and in accordance with Government Code 65997, the Governing Board may establish, levy and collect developer fees on residential, commercial and industrial construction within the district in order to finance the construction or reconstruction of school facilities needed to accommodate students coming from new development (subject to restrictions specified by law and administrative regulation).
- B. In accordance with Government Code 66020 and 66021 and Education Code 17621, the Board is required to provide an appeals process for commercial / industrial fees when the District has analyzed the impact of these projects on a categorical rather than individual basis.
- C. The Superintendent or designee shall establish an appeals process for the handling of protests by developers.

Legal Reference:

EDUCATION CODE

17070.10-17077.10 Leroy F. Greene School Facilities Act of 1998
17582 District deferred maintenance fund
17620-17626 Levies against development projects by school districts

GOVERNMENT CODE

6061 One time notice
6066 Two weeks' notice
65352.2 Level 2 funding notification requirement
65864-65869.5 Development agreements
65995-65998 Payment of fees against a development project
66000-66008 Fees for development projects
66016-66018.5 Development project fees
66020-66025 Protests and audits

CODE OF REGULATIONS, TITLE 2

1859-1859.106 School facility program

COURT DECISIONS

Dolan v. City of Tigard (1994) 114 S.Ct. 2309