



**City of Santa Clara**  
Building Division  
1500 Warburton Avenue  
Santa Clara, CA 95050  
www.santaclaraca.gov

Building Division: 408-615-2440  
Email: Building@santaclaraca.gov  
Permit Center: 408-615-2420  
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Automated Inspection Scheduling System: 408-615-2400

## **SCHOOL FEE CALCULATION STANDARDS**

The City of Santa Clara determines “assessable space” for residential construction and “chargeable covered and enclosed space” for commercial or industrial buildings, for the purpose of assessing school fees, in accordance with Section 65995 of the California Government Code, and as authorized under Section 17620 of the Education Code.

### **Building Area**

Building area is defined in the Building Code as the area included within surrounding exterior walls (or exterior walls and fire walls) exclusive of vent shafts and courts. Areas of the building not provided with surrounding walls shall be included in the building area if such areas are included within the horizontal projection of the roof or floor above.

The area within the thickness of exterior walls is included in the calculation of the building area. In cases where this calculation is in question, consultation of the California Government Code, section 65995 is required.

### **Residential Construction**

In the case of residential single-family and multi-family construction, the school fee is determined at the residential rate of the “assessable space”.

The California Government Code defines the “assessable space” as all of the square footage within the perimeter of a residential structure, not including any carport, walkway, garage, overhang, patio, enclosed patio, detached accessory structure or similar area.

The “assessable space” is determined by calculating the “building area” for the building under consideration, excluding the following floor areas:

Balcony, porch, carport, garage, deck, court, gazebo, patio (enclosed or unenclosed), detached shed, detached storage room or similar detached structures.

### **Commercial and Industrial Construction**

For these types of construction, the school fee is determined at the commercial (nonresidential) rate of the “chargeable covered and enclosed space”. The California Government Code defines the “chargeable covered and enclosed space” as the covered and enclosed space determined to be within the perimeter of a commercial or industrial structure, not including any storage areas incidental to the principal use of the construction, garage parking structure, unenclosed walkway or utility or disposal area.

The California Government Code further states that “commercial or industrial construction includes, but is not limited to, any hotel, inn, motel, tourist home or other lodging for which the maximum term of occupancy for guests does not exceed 30 days, but does not include any residential hotel.” Residential hotel is defined by the California Health and Safety Code Section 50519, sec b (1) as any building containing six or more guest rooms or efficiency units which are designed or used as primary residences for those guests.



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The “chargeable covered and enclosed space” is determined by calculating the “building area” for the building under consideration, excluding the following areas: Court, exterior exit balcony, garage, parking structure, unenclosed walkways or other similar areas.

### **Mixed-Residential and Industrial/Commercial Occupancies**

Where the building occupancy is mixed and includes both residential and commercial/industrial occupancies, the school fees shall be based on the summation of “assessable space” at the residential rate for the residential occupancy areas and “chargeable covered and enclosed space” at the commercial rate for the commercial occupancy areas.

### **Residential Care Facility**

Any development project for the new construction of senior citizen housing, a residential care facility, or a multilevel facility (residential with an intermediate care facility, a skilled nursing facility, or a general acute care hospital) is subject to the limits and conditions applicable in the case of commercial or industrial development.

### **Public Storage**

Any development of new public storage buildings are charged at the public storage rate per square foot of enclosed storage floor area. Leasing or rental office space will be charged at the commercial rate. For attached living space, the area is charged at the residential rate.

### **Demolition Credit**

The City will report to the appropriate school district the applicable “assessable space” or the “chargeable covered and enclosed space” for the new development.

When the scope of development includes the demolition of an existing building or portion thereof, the appropriate school district will determine any and all credits and will adjust the school fees accordingly. For further information regarding the applicable demolition credit, contact the appropriate school district.

### **Exclusions**

The following facilities are exempt from payment for school fees:

- Any facility used exclusively for religious purposes that is thereby exempt from property taxation under California law
- Any facility used exclusively as a private full-time day school as described in Section 48222 of the Education Code
- Any facility that is owned and occupied by one or more agencies of federal, state or local government
- Residential construction that does not exceed 500 square feet. (California Education Code, Section 17620)



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### **School Fees Rate**

For the purpose of school fees, residential rate per square foot of “assessable space” or commercial rate per square foot of “chargeable covered and enclosed space” is determined solely by the appropriate school district of the area where the proposed development is located. The school fees are charged by and paid to the appropriate school district. The school fees shall be paid prior to issuance of a permit for construction by the City.