

**Facilities**

BP 7210(a)

**METHODS OF FINANCING**

When it is determined that school facilities must be built or expanded to accommodate a growing number of students, the Governing Board shall consider appropriate methods of financing for the purchase of school sites and the construction of buildings. In addition, financing may be needed when safety considerations and educational program improvements require the replacement, reconstruction or modernization of existing facilities. The Superintendent or designee shall research funding alternatives and recommend to the Board the method that would best serve district needs as identified in the district's master plan for school facilities.

*(cf. 7110 - Facilities Master Plan)*

**Developer Fees**

In order to finance the construction or reconstruction of school facilities needed to accommodate students coming from new development, the Governing Board may levy and collect developer fees on residential, commercial and industrial construction within the district, subject to restrictions specified by law. (Government Code 53080, 65995, 65996)

Before levying developer fees, the Board shall make a finding showing a reasonable relationship between the construction or reconstruction on which the fee is imposed and the need for school facilities. A reasonable relationship also shall be found between the amount of the fee and the cost of the needed school construction.

The Board shall regularly review developer fees to ensure that the amount of the fees continues to be reasonably related to district needs.

The Superintendent or designee shall establish an appeals process for the handling of protests by developers. (Government Code 53080.1)

*Legal Reference:*EDUCATION CODE

*15100-17759.2 School bonds, especially:*

*15300-15425 School facilities improvement districts*

*17700-17759.2 State School Building Lease-Purchase Law of 1976*

*17760-17766 Joint venture school facilities construction projects*

*17785-17795 State Relocatable Classroom Law of 1979*

*39618 District deferred maintenance fund*

GOVERNMENT CODE

50075-50077 *Voter-approved special taxes*  
 50079 *School districts; qualified special taxes*  
 53080 *Levies against development projects by school districts*  
 53080.1 *Procedures for levying fees*  
 53080.15 *School districts; levies on enclosed agricultural space*

BP 7210(b)

**METHODS OF FINANCING** (continued)

53080.2 *Agreements between districts*  
 53080.3 *Refund of fee or charge*  
 53080.4 *Levies against manufactured home or mobile home*  
 53080.6 *Fee not allowable for reconstruction of structure damaged by disaster*  
 53081 *School districts; use of fees on construction*  
 53175-53179.5 *Integrated Financing District Act*  
 53311-53368.3 *Mello-Roos Community Facilities Act of 1982*  
 54954.1 *Mailed notice to property owners*  
 54954.6 *New or increased tax or assessment; public meetings and hearings; notice*  
 65864-65867 *Development agreements*  
 65970-65980.1 *School facilities*  
 65995-65996 *Payment of fees, charges, dedications or other requirements against a development project*  
 66000-66007 *Fees for development projects*  
 66016-66017 *Development project fees*

HEALTH AND SAFETY CODE

33000-33071 *Community redevelopment law*  
 33100-33142 *Redevelopment agencies*  
 33445.5 *Overcrowding of schools resulting from redevelopment*  
 33446 *School construction by redevelopment agency*  
 33492.15 *Redevelopment agency apportionments to school districts*  
 33607.5 *Redevelopment plans; payments to affected taxing entities*  
 33607.7 *Plans adopted before 1994; payments to affected taxing entities*

STREETS AND HIGHWAYS CODE

22500-22679 *Landscaping and Lighting Act of 1972*

UNCODIFIED STATUTES

17696-17696.98 *Greene-Hughes School Building Lease-Purchase Bond Law of 1986*

*Legal Reference: (continued)*

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

*Mira Development Corporation v. City of San Diego* (1988) 205 Cal.App.4d 1201, 252 Cal.Rptr.825

*Garrick Development Co. v. Hayward Unified School District* (1992) 3 Cal.App.4th 320, 4 Cal.Rptr.2d 897

*Canyon North Co. v. Conejo Valley Unified School District (1993) 19 Cal.App.4th 243, 23 Cal.Rptr.2d 495*

*Management Resources:*

*CDE MANAGEMENT ADVISORIES*

*0215.90 Developer Fees for School Construction, 90-02*

Policy  
adopted: February 17, 1998

**CULVER CITY UNIFIED SCHOOL DISTRICT**  
Culver City, California

