



**Resolution No. 2017/18-029**

**Date: January 24, 2018**

**SANTA ROSA CITY SCHOOLS  
RESOLUTION FOR STATUTORY EXEMPTIONS FROM FEES -  
DEVELOPERS FEES**

**WHEREAS**, on October 8, 2017, our District experience catastrophic loss and or damage to property due to the Tubbs Fire; and,

**WHEREAS**, Government Code 53080 states the following statutory exemptions from fees:

1. The following types of construction are exempt from developer fees to the extent described below:
  - a. Residential additions of 500 square feet or less. The calculation of the size of the addition must take into account any decrease in existing space that results from the construction. (If the addition exceeds 500 square feet, fees are charged on the entire addition) (Ed. Code 17620, subd. (a)(1)(C)(i).)
  - b. Modification or expansion of existing residential housing if the purpose of such modification is to increase access for a severely and permanently disabled person. (Ed. Code 17620, subd. (a)(1)(C)(ii).)
  - c. Reconstruction of a structure damaged or destroyed by fire, earthquake, landslide, mudslide, flood, tidal wave, etc., where the replacement structure is equivalent to the original structure. (Ed. Code 17626)
    - i. NOTE: The Legislature holds that other types of reconstruction, such as voluntarily tearing down a building and building a new one in the same place, are **not** exempt from imposition of fees.

**NOW, THEREFORE, BE IT RESOLVED** that this Board will allow the waiver of developer fees according to **section l.c.** above for damaged/destroyed homes due to the October 2017 TUBBS Fire (Sonoma Complex Fire) for square footage added, up to 500 square feet, to the reconstruction of any previous Sonoma County recorded structure size. For any addition over 500 square feet, developer fees will be imposed on only that portion of the addition from 501 square feet and over. The time period for this specific exemption shall run for 36 months from the date of Board Approval.

**PASSED AND ADOPTED** this 24th day of January, 2018.

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Laurie Fong, Clerk of the Board