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HOUSE BILL 1089

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State of Washington

57th Legislature

2001 Regular Session

By Representatives Dunshee and Simpson

Read first time 01/16/2001. Referred to Committee on Local Government & Housing.

1 AN ACT Relating to impact fees; and amending RCW 82.02.060.

2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

3 **Sec. 1.** RCW 82.02.060 and 1990 1st ex.s. c 17 s 44 are each  
4 amended to read as follows:

5 The local ordinance by which impact fees are imposed:

6 (1) Shall include a schedule of impact fees which shall be adopted  
7 for each type of development activity that is subject to impact fees,  
8 specifying the amount of the impact fee to be imposed for each type of  
9 system improvement. The schedule shall be based upon a formula or  
10 other method of calculating such impact fees. In determining  
11 proportionate share, the formula or other method of calculating impact  
12 fees shall incorporate, among other things, the following:

13 (a) The cost of public facilities necessitated by new development;

14 (b) An adjustment to the cost of the public facilities for past or  
15 future payments made or reasonably anticipated to be made by new  
16 development to pay for particular system improvements in the form of  
17 user fees, debt service payments, taxes, or other payments earmarked  
18 for or proratable to the particular system improvement;

1 (c) The availability of other means of funding public facility  
2 improvements;

3 (d) The cost of existing public facilities improvements; and

4 (e) The methods by which public facilities improvements were  
5 financed;

6 (2) May provide an exemption for low-income housing, and other  
7 development activities with broad public purposes, from these impact  
8 fees, provided that the impact fees for such development activity shall  
9 be paid from public funds other than impact fee accounts;

10 (3) Shall provide a credit for the value of any dedication of land  
11 for, improvement to, or new construction of any system improvements  
12 provided by the developer, to facilities that are identified in the  
13 capital facilities plan and that are required by the county, city, or  
14 town as a condition of approving the development activity;

15 (4) Shall provide that impact fees for residential construction be  
16 collected at the time of certificate of occupancy or final inspection  
17 or twelve months after the building permit is issued;

18 (5) Shall allow the county, city, or town imposing the impact fees  
19 to adjust the standard impact fee at the time the fee is imposed to  
20 consider unusual circumstances in specific cases to ensure that impact  
21 fees are imposed fairly;

22 ((+5)) (6) Shall include a provision for calculating the amount of  
23 the fee to be imposed on a particular development that permits  
24 consideration of studies and data submitted by the developer to adjust  
25 the amount of the fee;

26 ((+6)) (7) Shall establish one or more reasonable service areas  
27 within which it shall calculate and impose impact fees for various land  
28 use categories per unit of development;

29 ((+7)) (8) May provide for the imposition of an impact fee for  
30 system improvement costs previously incurred by a county, city, or town  
31 to the extent that new growth and development will be served by the  
32 previously constructed improvements provided such fee shall not be  
33 imposed to make up for any system improvement deficiencies.

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