

1 **ESSB 6339** - H AMD TO ENVIRO AFFS COMM AMD (H4440.1) **1274ADOPTED3394**
2 By Representative H. Myers and others

3 On page 21, after line 4, insert a new section as follows:

4 "Sec. 24. RCW 82.02.050 and 1993 1st sp.s. c 6 s 6 are each
5 amended to read as follows:

6 (1) It is the intent of the legislature:

7 (a) To ensure that adequate facilities are available to serve
8 new growth and development;

9 (b) To promote orderly growth and development by establishing
10 standards by which counties, cities, and towns may require, by
11 ordinance, that new growth and development pay a proportionate
12 share of the cost of new facilities needed to serve new growth and
13 development; and

14 (c) To ensure that impact fees are imposed through established
15 procedures and criteria so that specific developments do not pay
16 arbitrary fees or duplicative fees for the same impact.

17 (2) Counties, cities, and towns that are required or choose to
18 plan under RCW 36.70A.040 are authorized to impose impact fees on
19 development activity as part of the financing for public
20 facilities, provided that the financing for system improvements to
21 serve new development must provide for a balance between impact
22 fees and other sources of public funds and cannot rely solely on
23 impact fees.

24 (3) The impact fees:

25 (a) Shall only be imposed for system improvements that are
26 reasonably related to the new development;

27 (b) Shall not exceed a proportionate share of the costs of
28 system improvements that are reasonably related to the new
29 development; and

30 (c) Shall be used for system improvements that will reasonably
31 benefit the new development.

1 (4) Impact fees may be collected and spent only for the public
2 facilities defined in RCW 82.02.090 which are addressed by a
3 capital facilities plan element of a comprehensive land use plan
4 adopted pursuant to the provisions of RCW 36.70A.070 or the
5 provisions for comprehensive plan adoption contained in chapter
6 36.70, 35.63, or 35A.63 RCW. After the date a county, city, or
7 town is required to adopt its (~~comprehensive plan and~~) develop-
8 ment regulations under chapter 36.70A RCW, continued authorization
9 to collect and expend impact fees shall be contingent on the
10 county, city, or town adopting or revising a comprehensive plan in
11 compliance with RCW 36.70A.070, and on the capital facilities plan
12 identifying:

13 (a) Deficiencies in public facilities serving existing
14 development and the means by which existing deficiencies will be
15 eliminated within a reasonable period of time;

16 (b) Additional demands placed on existing public facilities by
17 new development; and

18 (c) Additional public facility improvements required to serve
19 new development.

20 If the capital facilities plan of the county, city, or town is
21 complete other than for the inclusion of those elements which are
22 the responsibility of a special district, the county, city, or town
23 may impose impact fees to address those public facility needs for
24 which the county, city, or town is responsible."

25 Renumber the following sections consecutively and correct internal
26 references accordingly.

EFFECT: Clarifies that a county, city, or town no longer may
impose impact fees after the date it is required to adopt
development regulations implementing its comprehensive plan
under the Growth Management Act, unless it has adopted the
development regulations.