

# FINAL BILL REPORT

## HB 1493

---

C 42 L 08

Synopsis as Enacted

**Brief Description:** Clarifying the definition of development activity in respect to construction by a regional transit authority.

**Sponsors:** By Representatives Hudgins, Simpson, Jarrett, B. Sullivan, Rodne, McCoy, Sells and Kenney.

**House Committee on Transportation**  
**Senate Committee on Transportation**

### **Background:**

Counties, cities, and towns that plan under the major provisions of the Growth Management Act are authorized to impose impact fees on development activity as part of the financing of certain public facilities. Impact fees are payments of money required of developers as a condition of development approval. The fees apply to both new development and the expansion of existing development.

"Development activity" means any construction or expansion of a building, structure, or use, any change in use of a building or structure, or any changes in the use of land that creates additional demand and need for public facilities.

The public facilities for which the impact fees may be imposed and spent are limited to the following capital facilities that are owned or operated by government entities: public streets and roads; publicly-owned parks, open space, and recreation facilities; school facilities; and fire protection facilities in jurisdictions that are not part of a fire district.

In addition to the limitation that impact fees may only be imposed with respect to certain facilities, such fees:

- may only be imposed for system improvements that are reasonably related to the new development;
- may not exceed a proportionate share of the costs of system improvements that are reasonably related to the new development; and
- must be used for system improvements that will reasonably benefit the new development.

Local ordinances imposing impact fees must include a schedule of fees specific to each type of development activity. The method of fee calculation must take into account the type of development in determining the cost of its anticipated impact.

### **Summary:**

With regard to development activity that may be subject to local impact fees, the definition of "development activity" is modified to expressly exclude construction of buildings or structures by a regional transit authority, thereby clarifying that such construction is not subject to local impact fees.

**Votes on Final Passage:**

House	94	1
Senate	39	10

**Effective:** June 12, 2008