

# **Impact Fee Deferral Report**

Per RCW 43.31.980

March 2019 Report to the Legislature Lisa Brown, Director

### **Acknowledgements**

#### Washington State Department of Commerce

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### **Impact Fee Deferral Program**

The 2015 Legislature established the Impact Fee Deferral Program. It required that cities, counties and towns that impose impact fees adopt a deferral program. The deferral can last up to 18 months. Contractors or other builders can receive deferrals for the first 20 single-family residences they construct each year within the city, county or town. The program is authorized in <u>RCW 82.02.050(3)</u>.

Local governments required or choosing to plan under the GMA are authorized to collect impact fees by RCW 82.02.050 through RCW 82.02.110. Impact fees require new growth and development to pay a proportionate cost share of capital facilities built to support such development. Impact fees can be applied to all development.

Impact fees are authorized for fire protection facilities, parks, schools and transportation facilities. For school impact fees, local governments collect the fees for the school districts. Impact fees are retained in accounts specific to the impact fee category.

Impact fees can be expended only for improvements identified in the capital facilities element of the local government's comprehensive plan. If the fees are not expended or dedicated to serve as bond repayment within 10 years of their collection, they must be refunded to the owner of the property associated with the initial impact fee. The fee can be retained longer if the local government finds, in writing, that extraordinary or compelling reasons exist.

The Impact Fee Deferral Program applies only to single-family development. Legislation required the Impact Fee Deferral Program be in place by Sept. 1, 2016.

A deferral can last no longer than 18 months. At a minimum, a deferral must offer one of the following options:

- Deferring collection of the impact fee payment until the final inspection of the property
- Deferring collection of the impact fee payment until the issuance of a certificate of occupancy or similar certificate
- Deferring collection of the impact fee payment until the time of the closing of the first sale of the property occurring after the issuance of the applicable building permit

## **Impact Fee Deferral Reporting**

RCW 43.31.980 requires Commerce issue an annual report to include (a) the number of deferrals requested of and issued by counties, cities and town; (b) the number of deferrals that were not fully and timely paid; and (c) other information as deemed appropriate.

Table 1 summarizes the status of local governments in implementing impact fees. The appendices show the specific information for each jurisdiction. Of the 88 local governments known to impose impact fees, 54 provided data summarized in this report.

Imposition Status	No. of Local Governments			
Ineligible to Impose Impact Fees	74			
Opting to Not Impose Impact Fees	110			
Imposing Impact Fees, No Data Provided	34			
Imposing Impact Fees, Data Provided	54			
No Data Available	48			

Table 1: No. of Local Governments by Impact Fee Imposition Status

Table 2 summarizes from the 54 reporting jurisdictions the number of:

- Deferrals requested and issued
- Deferrals that were not fully and timely paid

Commerce did not ask for other information. Appendices D through G provide, for each type of impact fee, more detailed information about which jurisdictions requested and issued impact fees and the number of deferrals that were not full and timely paid.

Type of Impact Fee	No. of Deferrals Requested	No. of Deferrals Issued	No. of Deferrals Not Fully and Timely Paid
Fire Protection Impact Fees	75	75	2
Parks Impact Fees	92	92	3
Schools Impact Fees	86	86	3
Transportation Impact Fees	91	91	5
Total Impact Fees	344	344	13

Table 2 shows that 344 deferrals were requested and issued, and 13 deferrals were not timely paid. There is no further information to report at this time.

## **Next Steps**

The Joint Legislative Audit Review Committee (JLARC) will review the impact fee deferral requirements. The review must be completed by Sept. 1, 2021. The review must examine the issued impact fee deferrals, including:

- The number of deferrals requested of and issued by local governments
- The type of impact fee deferred
- The monetary amounts of the deferrals for each local government
- Whether the deferral process was efficiently administered
- The number of deferrals that were not fully and timely paid
- The costs incurred by local governments for collecting timely and delinquent fees

The review must evaluate also whether the impact fee deferral process RCW 82.02.050(3) established effectively provided a process for the local administration of deferral and full payment of impact fees.

#### **Appendix A: Local Governments Ineligible to Impose Impact Fees**

Aberdeen (Grays Harbor) Adams County (Adams) Albion (Whitman) Almira (Lincoln) Asotin (Asotin) Asotin County (Asotin) Bingen (Klickitat) Brewster (Okanogan) Castle Rock (Cowlitz) Cathlamet (Wahkiakum) Clarkston (Asotin) Colfax (Whitman) Colton (Whitman) Conconully (Okanogan) Cosmopolis (Grays Harbor) Cowlitz County (Cowlitz) Creston (Lincoln) Davenport (Lincoln) Elma (Gravs Harbor) Elmer City (Okanogan) Endicott (Whitman) Farmington (Whitman) Ferry County (Ferry) Garfield (Whitman) Goldendale (Klickitat) **Grays Harbor County** (Grays Harbor) Harrington (Lincoln) Hatton (Adams) Hoquiam (Grays Harbor) Kalama (Cowlitz) Kelso (Cowlitz) Klickitat County (Klickitat) LaCrosse (Whitman) Lamont (Whitman) Lincoln County (Lincoln) Lind (Adams) Longview (Cowlitz)

Malden (Whitman) McCleary (Grays Harbor) Montesano (Grays Harbor) Nespelem (Okanogan) North Bonneville (Skamania) Oakesdale (Whitman) Oakville (Grays Harbor) Ocean Shores (Grays Harbor) Odessa (Lincoln) Okanogan (Okanogan) Okanogan County (Okanogan) Omak (Okanogan) Oroville (Okanogan) Othello (Adams) Palouse (Whitman) Pateros (Okanogan) Pullman (Whitman) Reardan (Lincoln) Republic (Ferry) Ritzville (Adams) Riverside (Okanogan) Rosalia (Whitman) Skamania County (Skamania) Sprague (Lincoln) St. John (Whitman) Stevenson (Skamania) Tekoa (Whitman) Tonasket (Okanogan) Twisp (Okanogan) Uniontown (Whitman) Wahkiakum County (Wahkiakum) Washtucna (Adams) Westport (Grays Harbor) White Salmon (Klickitat) Whitman County (Whitman) Wilbur (Lincoln) Winthrop (Okanogan)

#### Appendix B: Local Governments Opting to Not Impose Impact Fees

Beaux Arts Village (King) Benton County (Benton) Benton City (Benton) Bremerton (Kitsap) Bridgeport (Douglas) Cashmere (Chelan) Centralia (Lewis) Chehalis (Lewis) Chelan County (Chelan) Chelan (Chelan) Clallam County (Clallam) Cle Elum (Kittitas) Clyde Hill (King) College Place (Walla Walla) Columbia County (Columbia) Colville (Stevens) Concrete (Skagit) Connell (Franklin) Coulee City (Grant) Coulee Dam (Grant) Coupeville (Island) Cusick (Pend Oreille) Darrington (Snohomish) Dayton (Columbia) Deer Park (Spokane) Douglas County (Douglas) East Wenatchee (Douglas) Eatonville (Pierce) Electric City (Grant) Entiat (Chelan) Ephrata (Grant) Fairfield (Spokane) Fircrest (Pierce) Forks (Clallam) Friday Harbor (San Juan) Garfield County (Garfield) George (Grant) Grant County (Grant) Hamilton (Skagit)

Harrah (Yakima) Hunts Point (King) Ilwaco (Pacific) Index (Snohomish) Ione (Pend Oreille) Island County (Island) Jefferson County (Jefferson) Kittitas County (Kittitas) Kittitas (Kittitas) Lakewood (Pierce) Langley (King) Leavenworth (Chelan) Liberty Lake (Spokane) Long Beach (Pacific) Lyman (Skagit) Mabton (Yakima) Mansfield (Douglas) Medina (King) Metaline (Pend Oreille) Metaline Falls (Pend Oreille) Millwood (Spokane) Morton (Lewis) Mossyrock (Lewis) Naches (Yakima) Newport (Pend Oreille) Normandy Park (King) Oak Harbor (Island) Pacific County (Pacific) Pe Ell (Lewis) Pend Oreille County (Pend Oreille) Pomeroy (Garfield) Port Angeles (Clallam) Port Townsend (Jefferson) Prescott (Walla Walla) Prosser (Benton) Puyallup (Pierce) Quincy (Grant) Raymond (Pacific) Rockford (Spokane)

Roslyn (Kittitas) Royal City (Grant) Ruston (Pierce) San Juan County (San Juan) Seattle (King) Selah (Yakima) Soap Lake (Grant) South Bend (Pacific) South Cle Elum (Kittitas) South Prairie (Pierce) Spangle (Spokane) Spokane (Spokane) Spokane Valley (Spokane) Springdale (Stevens) Stevens County (Stevens) Sumas (Whatcom)

Sunnyside (Yakima) Tacoma (Pierce) Thurston County (Thurston) Toledo (Lewis) Waitsburg (Walla Walla) Walla Walla County (Walla Walla) Walla Walla (Walla Walla) Warden (Grant) Waterville (Douglas) Waverly (Spokane) Whatcom County (Whatcom) Wilson Creek (Grant) Woodway (Snohomish) Yakima County (Yakima) Yakima (Yakima) Yarrow Point (King)

#### Appendix C: Local Governments Imposing Impact Fees; No Data Provided

Airway Heights (Spokane) Battle Ground (Clark) Bellevue (King) Blaine (Whatcom) Bothell (King) Camas (Clark) Cheney (Spokane) Covington (King) Des Moines (King) Edmonds (Snohomish) Everett (Snohomish) Everson (Whatcom) Franklin County (Franklin) Kent (King) King County (King) La Conner (Skagit) Mercer Island (King)

Mill Creek (Snohomish) Mukilteo (Snohomish) Newcastle (King) North Bend (King) Olympia (Thurston) Orting (Pierce) Pierce County (Pierce) Port Orchard (Kitsap) Renton (King) Sammamish (King) SeaTac (King) Sequim (Clallam) Shelton (Mason) Skagit County (Skagit) Snohomish County (Snohomish) Stanwood (Snohomish) Sumner (Pierce)

## Appendix D: Local Governments Imposing Impact Fees for Fire Protection

Local Government	Impact Fee Applied?	No. of Deferrals Requested	No. of Deferrals Issued	No. of Deferrals Not Fully and Timely Paid
Anacortes (Skagit)	Yes	0	0	0
Auburn (King)	Yes	1	1	0
Bainbridge Island (Kitsap)	No	-	-	-
Black Diamond (King)	Yes	0	0	0
Bonney Lake (Pierce)	No	-	-	-
Bothell (King)	Yes	0	0	0
Brier (Snohomish)	No	-	-	_
Burien (King)	No	-	-	_
Burlington (Skagit)	Yes	0	0	0
Carnation (King)	No	-	-	-
Clark County (Clark)	No	-	-	_
Duvall (King)	Yes	0	0	0
Ellensburg (Kittitas)	No	-	-	_
Enumclaw (King)	Yes	0	0	0
Federal Way (King)	No	-	-	_
Fife (Pierce)	No	-	-	_
Gig Harbor (Pierce)	Yes	0	0	0
Granite Falls (Snohomish)	No	-	-	-
Issaquah (King)	Yes	1	1	0
Kenmore (King)	No	-	-	-
Kennewick (Benton)	No	-	-	_
Kirkland (King)	No	-	-	-
Lacey (Thurston)	No	-	-	-
Lake Stevens (Snohomish)	No	-	-	-
Lynden (Whatcom)	Yes	4	4	0
Lynnwood (Snohomish)	No	-	-	-
Maple Valley (King)	Yes	0	0	0
Marysville (Snohomish)	No	-	-	_
Medical Lake (Spokane)	Yes	0	0	0
Mill Creek (Snohomish)	Yes	Unknown	Unknown	Unknown
Milton (Pierce)	Yes	0	0	0
Monroe (Snohomish)	No	-	_	_
Mount Vernon (Skagit)	Yes	7	7	0
Moxee (Yakima)	No	-	_	_
Mukilteo (Snohomish)	No	-	_	_
Nooksack (Whatcom)	Yes	0	0	0

Local Government	Impact Fee Applied?	No. of Deferrals Requested	No. of Deferrals Issued	No. of Deferrals Not Fully and Timely Paid
Poulsbo (Kitsap)	No	-	-	-
Rainier (Thurston)	Yes	0	0	0
Redmond (King)	Yes	34	34	2
Richland (Benton)	No	-	-	-
Ridgefield (Clark)	No	-	-	-
Roy (Pierce)	No	-	_	_
Sedro-Woolley (Skagit)	Yes	10	10	0
Snohomish County (Snohomish)	No	-	_	_
Snohomish (Snohomish)	No	-	_	_
Snoqualmie (King)	No	-	_	_
Spokane (Spokane)	No	-	_	_
Tumwater (Thurston)	No	-	_	_
University Place (Pierce)	No	-	_	_
Vancouver (Clark)	No	-	_	_
Washougal (Clark)	Yes	0	0	0
Wenatchee (Chelan)	Yes	0	0	0
Winlock (Lewis)	Yes	0	0	0
Woodinville (King)	No	-	-	_
Woodland (Clark)	Yes	0	0	0
Yacolt (Clark)	Yes	18	18	0
Yelm (Thurston)	No	-	-	-
Zillah (Yakima)	Yes	0	0	0

## Appendix E: Local Governments Imposing Impact Fees for Parks

Local Government	Impact Fee Applied?	No. of Deferrals Requested	No. of Deferrals Issued	No. of Deferrals Not Fully and Timely Paid
Anacortes (Skagit)	Yes	0	0	0
Auburn (King)	Yes	0	0	0
Bainbridge Island (Kitsap)	No	-	-	-
Black Diamond (King)	No	-	-	-
Bonney Lake (Pierce)	Yes	Unknown	Unknown	Unknown
Bothell (King)	Yes	0	0	0
Brier (Snohomish)	Yes	0	0	0
Burien (King)	No	_	-	_
Burlington (Skagit)	Yes	0	0	0
Carnation (King)	Yes	0	0	0
Clark County (Clark)	Yes	0	0	0
Duvall (King)	Yes	0	0	0
Ellensburg (Kittitas)	Yes	0	0	0
Enumclaw (King)	Yes	0	0	0
Federal Way (King)	No	_	-	_
Fife (Pierce)	Yes	0	0	0
Gig Harbor (Pierce)	Yes	0	0	0
Granite Falls (Snohomish)	Yes	0	0	0
Issaquah (King)	Yes	1	1	0
Kenmore (King)	Yes	0	0	0
Kennewick (Benton)	Yes	0	0	0
Kirkland (King)	Yes	7	7	1
Lacey (Thurston)	No	-	-	-
Lake Stevens (Snohomish)	Yes	0	0	0
Lynden (Whatcom)	Yes	4	4	0
Lynnwood (Snohomish)	No	-	-	-
Maple Valley (King)	Yes	0	0	0
Marysville (Snohomish)	Yes	2	3	0
Medical Lake (Spokane)	Yes	0	0	0
Mill Creek (Snohomish	Yes	Unknown	Unknown	Unknown
Milton (Pierce)	Yes	0	0	0
Monroe (Snohomish)	Yes	0	0	0
Mount Vernon (Skagit)	Yes	7	7	0
Moxee (Yakima)	Yes	0	0	0
Mukilteo (Snohomish)	Yes	0	0	0
Nooksack (Whatcom)	Yes	0	0	0
Poulsbo (Kitsap)	Yes	0	0	0
Rainier (Thurston)	No	-	-	-

Local Government	Impact Fee Applied?	No. of Deferrals Requested	No. of Deferrals Issued	No. of Deferrals Not Fully and Timely Paid
Redmond (King)	Yes	34	34	2
Richland (Benton)	Yes	1	1	0
Ridgefield (Clark)	Yes	25	25	0
Roy (Pierce)	Yes	0	0	0
Sedro-Woolley (Skagit)	Yes	10	10	0
Snohomish County (Snohomish)	Yes	0	0	0
Snohomish (Snohomish)	Yes	0	0	0
Snoqualmie (King)	No	_	-	_
Spokane (Spokane)	No	-	-	_
Tumwater (Thurston)	Yes	0	0	0
University Place (Pierce)	No	_	-	_
Vancouver (Clark)	Yes	0	0	0
Washougal (Clark)	Yes	0	0	0
Wenatchee (Chelan)	No	-	-	-
Winlock (Lewis)	Yes	0	0	0
Woodinville (King)	Yes	0	0	0
Woodland (Clark)	Yes	0	0	0
Yacolt (Clark)	No	-	_	-
Yelm (Thurston)	Yes	Unknown	Unknown	Unknown
Zillah (Yakima)	Yes	0	0	0

## Appendix F: Local Governments Imposing Impact Fees for Schools

Local Government	Impact Fee Applied?	No. of Deferrals Requested	No. of Deferrals Issued	No. of Deferrals Not Fully and Timely Paid
Anacortes (Skagit)	No	-	-	-
Auburn (King)	Yes	0	0	0
Bainbridge Island (Kitsap)	No	-	-	-
Black Diamond (King)	No	-	-	-
Bonney Lake (Pierce)	Yes	Unknown	Unknown	Unknown
Bothell (King)	Yes		0	0
Brier (Snohomish)	No	-	-	-
Burien (King)	No	-	-	-
Burlington (Skagit)	No	-	_	_
Carnation (King)	Yes	0	0	0
Clark County (Clark)	Yes	0	0	0
Duvall (King)	Yes	0	0	0
Ellensburg (Kittitas)	No	-	-	-
Enumclaw (King)	Yes	0	0	0
Federal Way (King)	Yes	0	0	0
Fife (Pierce)	Yes	0	0	0
Gig Harbor (Pierce)	Yes	0	0	0
Granite Falls (Snohomish)	No	-	_	_
Issaquah (King)	Yes	1	1	0
Kenmore (King)	No	-	_	_
Kennewick (Benton)	No	-	_	_
Kirkland (King)	Yes	7	7	1
Lacey (Thurston)	Yes	0	0	0
Lake Stevens (Snohomish)	Yes	0	0	0
Lynden (Whatcom)	No	-	-	_
Lynnwood (Snohomish)	No	-	-	-
Maple Valley (King)	Yes	0	0	0
Marysville (Snohomish)	Yes	3	3	0
Medical Lake (Spokane)	Yes	0	0	0
Mill Creek (Snohomish	Yes	Unknown	Unknown	Unknown
Milton (Pierce)	Yes	0	0	0
Monroe (Snohomish)	Yes	0	0	0
Mount Vernon (Skagit)	Yes	7	7	0
Moxee (Yakima)	No	-	_	_
Mukilteo (Snohomish)	Yes	0	0	0
Nooksack (Whatcom)	Yes	0	0	0

Local Government	Impact Fee Applied?	No. of Deferrals Requested	No. of Deferrals Issued	No. of Deferrals Not Fully and Timely Paid
Poulsbo (Kitsap)	No	-	-	-
Rainier (Thurston)	No	-	-	-
Redmond (King)	Yes	34	34	2
Richland (Benton)	No	-	-	-
Ridgefield (Clark)	Yes	24	24	0
Roy (Pierce)	No	-	-	-
Sedro-Woolley (Skagit)	Yes	10	10	0
Snohomish County (Snohomish)	Yes	0	0	0
Snohomish (Snohomish)	No	-	-	-
Snoqualmie (King)	Yes	0	0	0
Spokane (Spokane)	No	-	-	-
Tumwater (Thurston)	Yes	0	0	0
University Place (Pierce)	No	-	-	-
Vancouver (Clark)	Yes	0	0	0
Washougal (Clark)	Yes	0	0	0
Wenatchee (Chelan)	No	-	-	-
Winlock (Lewis)	Yes	0	0	0
Woodinville (King)	No	-	-	-
Woodland (Clark)	Yes	0	0	0
Yacolt (Clark)	No	-	-	-
Yelm (Thurston)	Yes	Unknown	Unknown	Unknown
Zillah (Yakima)	No	-	-	-

## Appendix G: Local Governments Imposing Impact Fees for Transportation

Local Government	Impact Fee Applied?	No. of Deferrals Requested	No. of Deferrals Issued	No. of Deferrals Not Fully and Timely Paid
Anacortes (Skagit)	Yes	0	0	0
Auburn (King)	Yes	1	1	0
Bainbridge Island (Kitsap)	Yes	Unknown	Unknown	Unknown
Black Diamond (King)	No	-	-	-
Bonney Lake (Pierce)	Yes	Unknown	Unknown	Unknown
Bothell (King)	Yes	0	0	0
Brier (Snohomish)	No	-	-	-
Burien (King)	Yes	0	0	0
Burlington (Skagit)	Yes	0	0	0
Carnation (King)	Yes	0	0	0
Clark County (Clark)	Yes	0	0	0
Duvall (King)	Yes	0	0	0
Ellensburg (Kittitas)	Yes	0	0	0
Enumclaw (King)	Yes	0	0	0
Federal Way (King)	Yes	0	0	0
Fife (Pierce)	Yes	0	0	0
Gig Harbor (Pierce)	Yes	0	0	0
Granite Falls (Snohomish)	Yes	0	0	0
Issaquah (King)	Yes	1	1	0
Kenmore (King)	Yes	0	0	0
Kennewick (Benton)	Yes	0	0	0
Kirkland (King)	Yes	7	7	1
Lacey (Thurston)	Yes	0	0	0
Lake Stevens (Snohomish)	Yes	0	0	0
Lynden (Whatcom)	Yes	0	0	0
Lynnwood (Snohomish)	Yes	0	0	0
Maple Valley (King)	Yes	0	0	0
Marysville (Snohomish)	Yes	3	3	0
Medical Lake (Spokane)	No	-	_	-
Mill Creek (Snohomish)	Yes	Unknown	Unknown	Unknown
Milton (Pierce)	Yes	0	0	0
Monroe (Snohomish)	Yes	0	0	0
Mount Vernon (Skagit)	Yes	7	7	0
Moxee (Yakima)	Yes	0	0	0
Mukilteo (Snohomish	Yes	0	0	0
Nooksack (Whatcom)	Yes	0	0	0

Local Government	Impact Fee Applied?	No. of Deferrals Requested	No. of Deferrals Issued	No. of Deferrals Not Fully and Timely Paid
Poulsbo (Kitsap)	Yes	0	0	0
Rainier (Thurston)	No	-	-	-
Redmond (King)	Yes	34	34	2
Richland (Benton)	Yes	1	1	0
Ridgefield (Clark)	Yes	22	22	0
Roy (Pierce)	No	-	_	-
Sedro-Woolley (Skagit)	Yes	10	10	0
Snohomish County (Snohomish)	Yes	0	0	0
Snohomish (Snohomish)	Yes	0	0	0
Snoqualmie (King)	No	_	_	_
Spokane (Spokane)	Yes	1	1	0
Tumwater (Thurston)	Yes	0	0	0
University Place (Pierce)	Yes	4	4	2
Vancouver (Clark)	Yes	0	0	0
Washougal (Clark)	Yes	0	0	0
Wenatchee (Chelan)	No	-	_	-
Winlock (Lewis)	Yes	0	0	0
Woodinville (King)	Yes	0	0	0
Woodland (Clark)	Yes	0	0	0
Yacolt (Clark)	No	-	_	_
Yelm (Thurston)	Yes	Unknown	Unknown	Unknown
Zillah (Yakima)	Yes	0	0	0

#### **Appendix H: Local Governments with No Data Available**

Algona (King) Arlington (Snohomish) Bellingham (Whatcom) Buckley (Pierce) Bucoda (Thurston) Carbonado (Pierce) Chewelah (Stevens) DuPont (Pierce) Edgewood (Pierce) Ferndale (Whatcom) Gold Bar (Snohomish) Grandview (Yakima) Granger (Yakima) Hartline (Grant) Kahlotus (Franklin) Kettle Falls (Stevens) Kitsap County (Kitsap) Krupp (Grant) La Center (Clark) Lake Forest Park (King) Latah (Spokane) Lewis County (Lewis) Marcus (Stevens) Mason County (Mason)

Mattawa (Grant) Mesa (Franklin) Moses Lake (Grant) Mountlake Terrace (Snohomish) Napavine (Lewis) Northport (Stevens) Pacific (King) Pasco (Franklin) Rock Island (Douglas) Shoreline (King) Skykomish (King) Spokane County (Spokane) Starbuck (Columbia) Steilacoom (Pierce) Sultan (Snohomish) Tenino (Thurston) Tieton (Yakima) Toppenish (Yakima) Tukwila (King) Union Gap (Yakima) Vader (Lewis) Wapato (Yakima) West Richland (Benton) Wilkeson (Pierce)