

Subject Street impact fee
Authors Masin
Analyst Christopher Kleman
Chelsea Griffin
Date February 8, 2021

Overview

This bill authorizes street impact fees in subdivisions and developments, and governs the imposition of, and disputes over, fees.

Summary

Section	Description
---------	-------------

1	Street impact fee.
---	---------------------------

Permits a municipality (city or town) by ordinance to impose a fee on a subdivision development to pay for acquisition, construction, maintenance, or improvement of streets, roads, intersections, and related transportation infrastructure, based on the municipality's approved transportation plan. Permits a municipality to deny a subdivision application based on an inadequate transportation system within the municipality. Provides how previously subdivided property may be charged the fee.

2	Street impact fee nexus.
---	---------------------------------

Requires an essential nexus and rough proportionality between the fees charged and the purpose for the fees.

Prohibits conditioning approval of a subdivision or development on an agreement to waive the right to challenge a fee if the municipality gets written notice of a dispute before the municipality's final decision on an application. Establishes procedures for proceeding with an application when there is a challenge to a fee.