

27 unrelated to the direct impact of a proposed development,
28 improvement project, or the subject of an application for a
29 development order or administrative approval.

30 (b) Is more stringent than an exaction imposed by a state
31 or federal agency on or against the same property that concerns
32 the same impact.

33 (3) This section does not prohibit a county, municipality,
34 or other local governmental entity, upon demonstration, from:

35 (a) Imposing a tax, fee, charge, or condition or requiring
36 any other development exaction that serves to mitigate the
37 direct impact of the proposed development and that has an
38 essential nexus to, and is roughly proportionate to, the impacts
39 of the proposed development upon the public, private, or public-
40 private infrastructure or facility that is maintained, owned, or
41 controlled by the county, municipality, or other local
42 governmental entity.

43 (b) Accepting the voluntary dedication of land or an
44 easement that has an essential nexus to, and is roughly
45 proportionate to, the impacts of the proposed development upon
46 the public, private, or public-private infrastructure or
47 facility that is maintained, owned, or controlled by the county,
48 municipality, or other local governmental entity and the
49 development or proposed development is situated on the specific
50 property to which the dedication of land or easement applies.

51 Section 2. This act shall take effect July 1, 2014.