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HOUSE BILL 2189

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State of Washington

61st Legislature

2009 Regular Session

By Representatives Ross, Johnson, and Smith

Read first time 02/12/09. Referred to Committee on Local Government & Housing.

1 AN ACT Relating to parking and business improvement areas; and  
2 amending RCW 35.87A.010, 35.87A.030, 35.87A.060, and 35.87A.100.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 35.87A.010 and 2005 c 178 s 1 are each amended to read  
5 as follows:

6 To aid general economic development and neighborhood  
7 revitalization, and to facilitate the cooperation of merchants,  
8 businesses, and residential property owners which assists trade,  
9 economic viability, and liveability, the legislature hereby authorizes  
10 all counties and all incorporated cities and towns, including  
11 unclassified cities and towns operating under special charters:

12 (1) To establish(~~(, after a petition submitted by the operators~~  
13 ~~responsible for sixty percent of the assessments by businesses and~~  
14 ~~multifamily residential or mixed use projects within the area)) in  
15 accordance with this chapter, parking and business improvement areas,  
16 hereafter referred to as area or areas, for the following purposes:~~

17 (a) The acquisition, construction or maintenance of parking  
18 facilities for the benefit of the area;

19 (b) Decoration of any public place in the area;

1 (c) Sponsorship or promotion of public events which are to take  
2 place on or in public places in the area;

3 (d) Furnishing of music in any public place in the area;

4 (e) Providing professional management, planning, and promotion for  
5 the area, including the management and promotion of retail trade  
6 activities in the area;

7 (f) Providing maintenance and security for common, public areas; or

8 (g) Providing transportation services for the benefit of the area.

9 (2) To levy special assessments on all businesses and multifamily  
10 residential or mixed-use projects within the area and specially  
11 benefited by a parking and business improvement area to pay in whole or  
12 in part the damages or costs incurred therein as provided in this  
13 chapter.

14 **Sec. 2.** RCW 35.87A.030 and 1993 c 429 s 3 are each amended to read  
15 as follows:

16 (1) For the purpose of establishing a parking and business  
17 improvement area, an initiation petition may be presented to the  
18 legislative authority having jurisdiction of the area in which the  
19 proposed parking and business improvement area is to be located or the  
20 legislative authority may by resolution initiate a parking and business  
21 improvement area. The initiation petition or resolution shall contain  
22 the following:

23 ~~((+1))~~ (a) A description of the boundaries of the proposed area;

24 ~~((+2))~~ (b) The proposed uses and projects to which the proposed  
25 special assessment revenues shall be put and the total estimated cost  
26 thereof;

27 ~~((+3))~~ (c) The estimated rate of levy of special assessment with  
28 a proposed breakdown by class of business and multifamily residential  
29 or mixed-use project if such classification is to be used.

30 ~~((The))~~ (2) An initiating petition shall also contain the  
31 signatures of the persons who operate businesses and residential  
32 operators in the proposed area which would pay ~~((fifty))~~ at least sixty  
33 percent of the proposed special assessments.

34 **Sec. 3.** RCW 35.87A.060 and 1993 c 429 s 5 are each amended to read  
35 as follows:

36 Whenever a hearing is held under this chapter, the legislative

1 authority shall hear all protests and receive evidence for or against  
2 the proposed action. The legislative authority may continue the  
3 hearing from time to time. Proceedings shall terminate if protest is  
4 made by businesses and residential operators in the proposed area which  
5 would pay (~~a majority~~) forty percent or more of the proposed special  
6 assessments.

7 **Sec. 4.** RCW 35.87A.100 and 1993 c 429 s 8 are each amended to read  
8 as follows:

9 If the legislative authority, following the hearing, decides to  
10 establish the proposed area, it shall adopt an ordinance to that  
11 effect. This ordinance shall contain the following information:

12 (1) The number, date and title of the resolution of intention  
13 pursuant to which it was adopted;

14 (2) The time and place the hearing was held concerning the  
15 formation of such area;

16 (3) The description of the boundaries of such area;

17 (4) A statement that the businesses and multifamily residential or  
18 mixed-use projects in the area established by the ordinance shall be  
19 subject to the provisions of the special assessments authorized by RCW  
20 35.87A.010;

21 (5) The initial or additional rate or levy of special assessment to  
22 be imposed with a breakdown by classification of business and  
23 multifamily residential or mixed-use project, if such classification is  
24 used; (~~and~~)

25 (6) A statement that a parking and business improvement area has  
26 been established(~~(-)~~); and

27 (7) The uses to which the special assessment revenue shall be put.  
28 Uses shall conform to the uses as declared in the initiation petition  
29 presented pursuant to RCW 35.87A.030.

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