

HOUSE BILL REPORT

EHB 2009

As Passed House
March 15, 1993

Title: An act relating to parking and business improvement areas.

Brief Description: Including condominiums in parking and business improvement areas.

Sponsors: Representatives J. Kohl, Wineberry, G. Cole and Holm.

Brief History:

Reported by House Committee on:

Trade, Economic Development & Housing, March 3, 1993, DP;
Passed House, March 15, 1993, 97-0.

HOUSE COMMITTEE ON TRADE, ECONOMIC DEVELOPMENT & HOUSING

Majority Report: Do pass. Signed by 14 members:
Representatives Wineberry, Chair; Shin, Vice Chair; Forner, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Campbell; Casada; Conway; Morris; Quall; Schoesler; Sheldon; Springer; Valle; and Wood.

Staff: Kenny Pittman (786-7392).

Background: Under state law, all counties, cities, and towns (local governments) may create parking and business improvement areas that are designed to aid general economic development, and to facilitate merchant and business cooperation which assist trade.

The activities in the districts are financed through a special assessment that is imposed on businesses to finance the: (1) construction, acquisition or maintenance of parking facilities for the area; (2) decoration of public area; (3) promotion of public events in public places in the area; (4) furnishing of music in any public place in the area; (5) provision for maintenance and security of common public areas; or (6) management, planning and promotion of the area, including the promotion of retail trade activities in the area.

Before a local government can create a parking and business improvement area, an initiation petition must be filed by

persons who operate businesses in the proposed area which would pay 50 percent of the proposed special assessment. The local government must hold a hearing on creation of the parking and business improvement area. The hearing would discuss the improvements to be made in the area and amount of special assessment that may be imposed.

The local government may, after the initiating petition, create the parking and business improvement area after operators responsible for 60 percent of the special assessments on businesses within the area vote for its creation. The special assessments, imposed in a parking and business improvement area that provide more than one activity, may be imposed in a manner that measures benefit from each of the separate activities, or any combination of the separate activities. The special assessments may be collected annually or on another basis specified in the ordinance creating the parking and business improvement area.

Many of the parking and business improvement areas contain multifamily residential condominium developments. It is felt that the activities financed through the special assessments benefit condominium residents as well as businesses.

Summary of Bill: The parking and business improvement areas law is expanded to allow special assessments to be imposed on multifamily or mixed use projects located in the parking and business improvement area. "Multifamily residential" or "mixed-use project" is defined as any building or buildings that contain four or more residential units or a combination of residential and commercial units.

The Washington condominium law is amended to allow condominium associates to participate in parking and business improvement areas. The condominium association may: (1) join in the initial petition for establishment of a parking and business improvement area; (2) participate in any board or advisory board established by the local government for the operation of the parking and business improvement area; and (3) pay special assessments imposed by the local government for activities and projects that benefit the residents of the condominium.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: We are working for a strong urban core. Today the primary mission of an improvement area is public

safety. Residents of condominiums benefit from increased safety in the area. This legislation would allow the residents to pay their fair share for the services they receive from the improvement area.

Testimony Against: None.

Witnesses: Representative Kohl, Prime Sponsor (Pro); Jan Drago, Downtown Seattle Association (Pro); and Michael O'Connell, citizen (Pro).