



**CITY OF NAPAVINE PLANNING COMMISSION MEETING
Monday – October 3, 2022 – 6:00 PM**

Deborah Graham,
Position 1

Amy Hollinger
Position 2

Arnold Haberstroh,
Position 3

Amy Morris
Position 4

Scott Collins
Position 5

Bryan Morris
PW/CD Director

- I. PLEDGE OF ALLEGIANCE**
- II. CALL TO ORDER**
- III. ROLL CALL**
- IV. APPROVAL OF AGENDAS – As present**
- V. APPROVAL OF MINUTES –**
 - 1) Planning Commission Workshop Meeting – September 19, 2022**
 - 2) Planning Commission Meeting – September 19, 2022**
- VI. NEW BUSINESS**
 - 1) Transportation Benefit District Funding Authority Information**
- VII. OLD BUSINESS**
- VIII. CONSIDERATION**
- IX. CITIZEN COMMENTS- Non-agenda items**
- X. GOOD OF THE ORDER**
- XI. ADJOURNMENT**

Planning Commission Meeting is held in person and via Teleconference.

Teleconference Information

Dial-in number (US): (720) 740-9753

Access code: 8460198

To join the online meeting:

<https://join.freeconferencecall.com/rdenham8>

City of Napavine
407 Birch Ave SW
P O Box 810
Napavine, WA 98565
360-262-3547

City Website
www.cityofnapavine.com



**NAPAVINE PLANNING COMMISSION
WORKSHOP MINUTES
September 19, 2022 5:00 P.M.
Napavine City Hall, 407 Birch Ave SW, Napavine, WA**

School Impact Workshop Discussion : 5:00 pm

Commissioner Graham opened the workshop meeting at 5:00 pm.

Napavine Superintendent Shane Schutz - Superintendent of Napavine School District, growth is a good thing but from a school district perspective with how the school is funded through bonds and such, the buildings are full. That is why he has come to planning and council to maybe reinstate prior impact fees or come up with a plan to address the issues. Currently working on running another bond, but not many have passed in other districts in the prior years. Looking to reevaluate the fee through mitigation or impact fee.

Commissioner Hollinger – Stated that when the school district receives the information of the project, why isn't the school district reaching out? Why have they not run for a bond in 12 years?

Superintendent Shane Schutz – Stated he found out about the project on Facebook. Last bond that was ran in 2015 and it failed at 68 percent. Such then we had a lot of change in administration, then covid hit. When he started, he realized they lost the window to run again.

Commissioner Morris – Why doesn't the school encompass the Rush Road exit; all the revenue goes to Chehalis.

Superintendent Shane Schutz – Stated the reason why the school district couldn't go is because there were no students in that area, to change those boundaries, it must be changed by a resident within the boundaries. Which there is none. He claimed that the school district would only gain 4 cents per 100,000.

Commissioner Graham – If the city has anyway to help you, it would be with that. That should be

Director Morris – Has a possible solution with having a student within those boundaries that may be able to start that request. The school district used to provide the city a form that was included in the new water applications that would ask the new applicant how many school age children, what grades, etc. We would collect them and then give them to the school so they could track new enrollment. Regarding Impact fees there is a whole bunch of school action items that are in place to do mitigation, which a lot of the financial cost is on the school. And since the school district boundary encompasses more than just the city, are they going to do a fee requirement for the county?

Commissioner Hollinger – What would be the kid count be if they took all the choice students out? Would you still be at full capacity?

Superintendent Shane Schutz – Would lose support staff, it changes the structure on what you have for personnel. There is a formula on how you employee your employees. Less paras.

Commissioner Hollinger - We can't get federal or state funding for future growth but if the school was under/or at capacity without those students that would make a big difference.

Superintendent Shane Schutz – Has 100 choice students, 770 students' total. Don't have the count for what students live inside the city limits only. Has rejected the most out of district students in the county, hence why the housing is tight because people know that to enroll you must live in Napavine. We must find a way to handle the growth.

Director Morris – Has watched it change in the last few months, developers are already sitting on stuff, if we do impact fees it will be even worse.

Commissioner Haberstroh – Impact isn't the answer, you won't collect enough to be able to do anything with it. There must be another way.

Superintendent Shane Schutz – He believes with mitigation that there are less strings attached on what you can use it for.

Commissioner Haberstroh – It would be a good idea to get a hold of Joe Clark, he has done an outstanding job finding additional resources.

Commissioner Morris – Asked what the reason was they won't deny choice students at this point? At the school she works at they denied every single choice student because they don't have the capacity.

Superintendent Shane Schutz – We are getting to the point where we may need to start denying the students that have been going to the school since third grade. We are trying to see those students through their education, but we are getting to the point where the policy numbers are making it difficult to not deny.

Commissioner Morris – At a parent standpoint running for a bond, I would ask are you going after the rush road deal, or just sitting back and waiting on that? Are you going after other things instead of denying choice students and taking on Napavine? Are you just going after my money or addressing the needs of Napavine?

Director Morris – Would love to see the numbers on how many kids are inside the city. Have noticed a lot more elderly citizens moving in.

Executive Assistant Katie Williams – Need to move in the right direction, the city can't control any development that happens outside of the city.

Director Morris – Knows a lot about impact fees, but nothing about mitigation. Needs to get his feet wet on mitigation.

Commissioner Haberstroh – The word mitigation goes over a lot better than any other word.

Commissioner Graham – Set up another workshop meeting for November 7th at 5pm.

Commissioner Graham closed the workshop meeting at 5:50 pm.

These minutes are not verbatim. If so desired, a recording of this meeting is available online at <https://fccdl.in/jDnxDd4CsV>.

Respectfully submitted,

Bryan Morris, Community Development/Public Works Director

Planning Commission Chairperson



NAPAVINE PLANNING COMMISSION MINUTES
September 19, 2022 5:00 P.M.
Napavine City Hall, 407 Birch Ave SW, Napavine, WA

PLEDGE OF ALLEGIANCE:

CALL TO ORDER:

Chairwoman Commissioner Graham opened the regular planning commission meeting to order at 6:00 pm.

ROLL CALL:

Planning Commission present: Amy Morris, Commissioner #4, Deborah Graham Commissioner #1, Amy Hollinger Commissioner #2, and Arnold Haberstroh Commissioner #3. **Commissioner Hollinger motioned to excuse Commissioner Collins Position #5, seconded by Commissioner Haberstroh. Vote on Motion 3 aye 0 nay.**

APPROVAL OF AGENDA – As presented:

Commissioner Haberstroh motioned to amend the agenda to add under consideration Commercial District Tax, seconded by Commissioner Hollinger. Vote on motion 3 aye, 0 nay.

APPROVAL OF MINUTES:

Commissioner Hollinger motioned to approve minutes for August 29, 2022, meeting, seconded by Commissioner Morris. Vote on motion 3 aye and 0 nay.

NEW BUSINESS:

225 2nd Ave NE – Ben Clapa Rezone Application

Director Morris summarized the prior history with Planning Commission and council. Discussion continued on why a rezone would be necessary when its common in that area to have a residential home/use in that area.

Commissioner Morris motioned to deny the rezone application, seconded by Commissioner Hollinger. Vote on motion 3 aye, 0 nay.

CONSIDERATION:

Commercial District Tax

Commissioner Haberstroh asked if the city could research making the area down by the freeway at Rush Road (Exit 72) a Commercial Tax District. It wouldn't impact the citizens, instead it would impact the travelers. **Director Morris** stated it would allow a tenth of a percent tax increase for the commercial district at the exit. It would still keep the city at one of the lowest sales tax in the state. **Director Morris** stated Castle Rock was able to implement it. Planning Commission discussed maybe doing 71 also, but there isn't a clear line to be drawn at exit 71, like below the bridge at exit 72. **Director Morris** will research and provide an update at the next meeting on October 3, 2022.

ADJOURNMENT 6:46 pm

Commissioner Hollinger motioned to adjourn, seconded by **Commissioner Morris**. Vote 3 ayes, 0 nays.

These minutes are not verbatim. If so desired, a recording of this meeting is available online at <https://fccdl.in/jDnxDd4CsV>.

Respectfully submitted,

Bryan Morris, Community Development/Public Works Director

Planning Commission Chairperson

Transportation Benefit District funding authority

2022 | SB 5510 & HB 1523



Grant reauthorization for cities to use local TBD sales tax funding tools beyond the current time limitations.

Background:

Local governments are major owners of Washington's transportation infrastructure. Just like the state government, cities face steep challenges in adequately funding basic transportation needs alongside building future capacity.

One of the few options for cities to generate dedicated local transportation funding is through a Transportation Benefit District (TBD). A TBD is an independent taxing district and quasi-municipal corporation that cities can create to fund transportation improvement projects within a district.

While TBDs have several funding options, **more than 100 cities** rely on voter-approved sales and use taxes to fund transportation projects such as:



Existing road and multimodal systems preservation and maintenance



Public transit



New road construction

The Legislature has previously expanded the vehicle fee options, but has never made changes to the ten-year voter-approved local sales and use tax option.

Voters can approve the tax for a second ten-year term, but under current law there is no ability to extend it beyond the two ten-year terms. Many cities are now in their second ten-year term and are concerned about this important tool expiring while transportation needs continue to grow.

Strong cities need:

- **Preserved TBD sales tax authority** to continue meeting the growing needs of local transportation systems.
- **Predictable, long-term funding** that can be leveraged as matching funds for grant and loan opportunities for larger transportation projects that would not otherwise have funding resources.
- **Flexibility to use sustainable local funding options** for improvements, preservation, and maintenance of city residential roads, arterial streets, and other transportation needs.

Nearly half of all city TBDs rely on local sales and use tax to fund critical transportation projects that preserve community connections, access, and reliable infrastructure.

DAVE VOLSE 360-274-7478

Contact:

Brandy DeLange
Government Relations Advocate
brandyd@awcnet.org

[HTML](#)[PDF](#)**36.73.180** Supplemental transportation improvements.[HTML](#)[PDF](#)**36.73.900** Liberal construction.**NOTES:**

Roads and bridges, service districts: Chapter 36.83 RCW.

[PDF](#)**RCW 36.73.010****Intent.**

The legislature finds that the citizens of the state can benefit by cooperation of the public and private sectors in addressing transportation needs. This cooperation can be fostered through enhanced capability for cities, towns, and counties to make and fund transportation improvements necessitated by economic development and to improve the performance of the transportation system.

It is the intent of the legislature to encourage joint efforts by the state, local governments, and the private sector to respond to the need for those transportation improvements on state highways, county roads, and city streets. This goal can be better achieved by allowing cities, towns, and counties to establish transportation benefit districts in order to respond to the special transportation needs and economic opportunities resulting from private sector development for the public good. The legislature also seeks to facilitate the equitable participation of private developers whose developments may generate the need for those improvements in the improvement costs.

[2005 c 336 § 2; 1987 c 327 § 1.]

NOTES:

Effective date—2005 c 336: See note following RCW 36.73.015.

[PDF](#)**RCW 36.73.015****Definitions.**

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "City" means a city or town.

(2) "District" means a transportation benefit district created under this chapter.

(3) "Low-income" means household income set by the district creating the rebate program that is at or below seventy-five percent of the median household income, adjusted for household size, for the district in which the fees, taxes, or tolls were imposed.

(4) "Rebate program" means an optional program established by a transportation benefit district that includes a city with a population of five hundred thousand persons or more for the purpose of

providing rebates to low-income individuals for fees, taxes, and/or tolls imposed by such transportation benefit district for: (a) Vehicle fees imposed under RCW 36.73.040(3)(b); (b) sales and use taxes imposed under RCW 36.73.040(3)(a); and/or (c) tolls imposed under RCW 36.73.040(3)(d).

(5) "Supplemental transportation improvement" or "supplemental improvement" means any project, work, or undertaking to provide public transportation service, in addition to a district's existing or planned voter-approved transportation improvements, proposed by a participating city member of the district under RCW 36.73.180.

(6) "Transportation improvement" means a project contained in the transportation plan of the state, a regional transportation planning organization, city, county, or eligible jurisdiction as identified in RCW 36.73.020(2). A project may include investment in new or existing highways of statewide significance, principal arterials of regional significance, high capacity transportation, public transportation, and other transportation projects and programs of regional or statewide significance including transportation demand management. Projects may also include the operation, preservation, and maintenance of these facilities or programs.

[2015 3rd sp.s. c 44 § 311; 2012 c 152 § 1. Prior: 2010 c 251 § 2; 2010 c 105 § 1; 2006 c 311 § 24; 2005 c 336 § 1.]

NOTES:

Effective date—2015 3rd sp.s. c 44: See note following RCW 46.68.395.

Findings—2006 c 311: See note following RCW 36.120.020.

Effective date—2005 c 336: "This act takes effect August 1, 2005." [2005 c 336 § 26.]

 **RCW 36.73.020**

Establishment of district by county or city—Participation by other jurisdictions.

(1) The legislative authority of a county or city may establish a transportation benefit district within the county or city area or within the area specified in subsection (2) of this section, for the purpose of acquiring, constructing, improving, providing, and funding a transportation improvement within the district that is consistent with any existing state, regional, or local transportation plans and necessitated by existing or reasonably foreseeable congestion levels. The transportation improvements shall be owned by the county of jurisdiction if located in an unincorporated area, by the city of jurisdiction if located in an incorporated area, or by the state in cases where the transportation improvement is or becomes a state highway. However, if deemed appropriate by the governing body of the transportation benefit district, a transportation improvement may be owned by a participating port district or transit district, unless otherwise prohibited by law. Transportation improvements shall be administered and maintained as other public streets, roads, highways, and transportation improvements. To the extent practicable, the district shall consider the following criteria when selecting transportation improvements:

- (a) Reduced risk of transportation facility failure and improved safety;
- (b) Improved travel time;
- (c) Improved air quality;
- (d) Increases in daily and peak period trip capacity;
- (e) Improved modal connectivity;

- (f) Improved freight mobility;
- (g) Cost-effectiveness of the investment;
- (h) Optimal performance of the system through time;
- (i) Improved accessibility for, or other benefits to, persons with special transportation needs as defined in ***RCW 47.06B.012**; and
- (j) Other criteria, as adopted by the governing body.

(2) Subject to subsection (6) of this section, the district may include area within more than one county, city, port district, county transportation authority, or public transportation benefit area, if the legislative authority of each participating jurisdiction has agreed to the inclusion as provided in an interlocal agreement adopted pursuant to chapter **39.34** RCW. However, the boundaries of the district need not include all territory within the boundaries of the participating jurisdictions comprising the district.

(3) The members of the legislative authority proposing to establish the district, acting ex officio and independently, shall constitute the governing body of the district: PROVIDED, That where a district includes area within more than one jurisdiction under subsection (2) of this section, the district shall be governed under an interlocal agreement adopted pursuant to chapter **39.34** RCW, with the governing body being composed of (a) at least five members including at least one elected official from the legislative authority of each participating jurisdiction or (b) the governing body of the metropolitan planning organization serving the district, but only if the district boundaries are identical to the boundaries of the metropolitan planning organization serving the district.

(4) The treasurer of the jurisdiction proposing to establish the district shall act as the ex officio treasurer of the district, unless an interlocal agreement states otherwise.

(5) The electors of the district shall all be registered voters residing within the district.

(6) Prior to December 1, 2007, the authority under this section, regarding the establishment of or the participation in a district, shall not apply to:

(a) Counties with a population greater than one million five hundred thousand persons and any adjoining counties with a population greater than five hundred thousand persons;

(b) Cities with any area within the counties under (a) of this subsection; and

(c) Other jurisdictions with any area within the counties under (a) of this subsection.

[**2010 c 250 § 1**; **2009 c 515 § 14**; **2006 c 311 § 25**; **2005 c 336 § 3**; **1989 c 53 § 1**; **1987 c 327 § 2**.]

NOTES:

***Reviser's note:** RCW 47.06B.012 was repealed by **2011 c 60 § 51**.

Findings—2006 c 311: See note following RCW **36.120.020**.

Effective date—2005 c 336: See note following RCW **36.73.015**.

Severability—1989 c 53: "If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected." [**1989 c 53 § 5**.]

Transportation benefit district tax authority: RCW 82.47.020.

Establishment of district by city.

See RCW 35.21.225.

PDF

RCW 36.73.040

General powers of district.

(1) A transportation benefit district is a quasi-municipal corporation, an independent taxing "authority" within the meaning of Article VII, section 1 of the state Constitution, and a "taxing district" within the meaning of Article VII, section 2 of the state Constitution.

(2) A transportation benefit district constitutes a body corporate and possesses all the usual powers of a corporation for public purposes as well as all other powers that may now or hereafter be specifically conferred by statute, including, but not limited to, the authority to hire employees, staff, and services, to enter into contracts, to acquire, hold, and dispose of real and personal property, and to sue and be sued. Public works contract limits applicable to the jurisdiction that established the district apply to the district.

(3) To carry out the purposes of this chapter, and subject to the provisions of RCW 36.73.065, a district is authorized to impose the following taxes, fees, charges, and tolls:

(a) A sales and use tax in accordance with RCW 82.14.0455;

(b) A vehicle fee in accordance with RCW 82.80.140;

(c) A fee or charge in accordance with RCW 36.73.120. However, if a county or city within the district area is levying a fee or charge for a transportation improvement, the fee or charge shall be credited against the amount of the fee or charge imposed by the district. Developments consisting of less than twenty residences are exempt from the fee or charge under RCW 36.73.120; and

(d) Vehicle tolls on state routes, city streets, or county roads, within the boundaries of the district, unless otherwise prohibited by law. However, consistent with RCW 47.56.820, the vehicle toll must first be authorized by the legislature if the toll is imposed on a state route. The department of transportation shall administer the collection of vehicle tolls authorized on state routes, unless otherwise specified in law or by contract, and the state transportation commission, or its successor, may approve, set, and impose the tolls in amounts sufficient to implement the district's transportation improvement finance plan. The district shall administer the collection of vehicle tolls authorized on city streets or county roads, and shall set and impose the tolls in amounts sufficient to implement the district's transportation improvement plan. However, consistent with RCW 47.56.850, the vehicle toll, including any change in an existing toll rate, must first be reviewed and approved by the tolling authority designated in RCW 47.56.850 if the toll, or change in toll rate, would have a significant impact, as determined by the tolling authority, on the operation of any state facility.

[2008 c 122 § 17; 2005 c 336 § 4; 1989 c 53 § 3; 1987 c 327 § 4.]

NOTES:

Effective date—2005 c 336: See note following RCW 36.73.015.

Severability—1989 c 53: See note following RCW 36.73.020.

Establishment of district—Public hearing—Ordinance.

(1) The legislative authorities proposing to establish a district, or to modify the boundaries of an existing district, or to dissolve an existing district shall conduct a hearing at the time and place specified in a notice published at least once, not less than ten days before the hearing, in a newspaper of general circulation within the proposed district. Subject to the provisions of RCW 36.73.170, the legislative authorities shall make provision for a district to be automatically dissolved when all indebtedness of the district has been retired and anticipated responsibilities have been satisfied. This notice shall be in addition to any other notice required by law to be published. The notice shall, where applicable, specify the functions or activities proposed to be provided or funded, or the additional functions or activities proposed to be provided or funded, by the district. Additional notice of the hearing may be given by mail, by posting within the proposed district, or in any manner the legislative authorities deem necessary to notify affected persons. All hearings shall be public and the legislative authorities shall hear objections from any person affected by the formation, modification of the boundaries, or dissolution of the district.

(2)(a) Following the hearing held pursuant to subsection (1) of this section, the legislative authorities may establish a district, modify the boundaries or functions of an existing district, or dissolve an existing district, if the legislative authorities find the action to be in the public interest and adopt an ordinance providing for the action.

(b) The ordinance establishing a district shall specify the functions and transportation improvements described under RCW 36.73.015 to be exercised or funded and establish the boundaries of the district. Subject to the provisions of RCW 36.73.160, functions or transportation improvements proposed to be provided or funded by the district may not be expanded beyond those specified in the notice of hearing, unless additional notices are made, further hearings on the expansion are held, and further determinations are made that it is in the public interest to so expand the functions or transportation improvements proposed to be provided or funded.

[2007 c 329 § 3; 2005 c 336 § 5; 1987 c 327 § 5.]

NOTES:

Effective date—2005 c 336: See note following RCW 36.73.015.

Authority to levy property tax.

(1) A district may levy an ad valorem property tax in excess of the one percent limitation upon the property within the district for a one-year period whenever authorized by the voters of the district pursuant to RCW 84.52.052 and Article VII, section 2(a) of the state Constitution.

(2) A district may provide for the retirement of voter-approved general obligation bonds, issued for capital purposes only, by levying bond retirement ad valorem property tax levies in excess of the one percent limitation whenever authorized by the voters of the district pursuant to Article VII, section 2(b) of the state Constitution and RCW 84.52.056.

[2005 c 336 § 6; 1987 c 327 § 6.]

Transportation improvement projects—Material change policy—Annual report.

(1) The district governing body shall develop a material change policy to address major plan changes that affect project delivery or the ability to finance the plan. The policy must at least address material changes to cost, scope, and schedule, the level of change that will require governing body involvement, and how the governing body will address those changes. At a minimum, in the event that a transportation improvement cost exceeds its original cost by more than twenty percent as identified in a district's original finance plan, the governing body shall hold a public hearing to solicit comment from the public regarding how the cost change should be resolved.

(2) A district shall issue an annual report, indicating the status of transportation improvement costs, transportation improvement expenditures, revenues, and construction schedules, to the public and to newspapers of record in the district.

[2005 c 336 § 18.]

NOTES:

Effective date—2005 c 336: See note following RCW 36.73.015.

Sales and use tax for transportation benefit districts.

(1) Subject to the provisions in RCW **36.73.065**, a transportation benefit district under chapter **36.73** RCW may fix and impose a sales and use tax in accordance with the terms of this chapter. The tax authorized in this section is in addition to any other taxes authorized by law and shall be collected from those persons who are taxable by the state under chapters **82.08** and **82.12** RCW upon the occurrence of any taxable event within the boundaries of the district. The rate of tax shall not exceed three-tenths of one percent of the selling price in the case of a sales tax, or value of the article used, in the case of a use tax. Except as provided in subsection (2) of this section, the tax may not be imposed for a period exceeding 10 years unless renewed with an affirmative vote of the voters voting at an election or a majority vote of the governing board of the district. Each renewal by the voters may extend the tax for additional periods not exceeding 10 years. The governing board of the district may only fix, impose, or extend a sales and use tax of up to one-tenth of one percent of the selling price in the case of a sales tax, or value of the article used, in the case of a use tax.

(2) The voter-approved sales tax initially imposed under this section after July 1, 2010, may be imposed for a period exceeding 10 years if the moneys received under this section are dedicated for the repayment of indebtedness incurred in accordance with the requirements of chapter **36.73** RCW.

(3) Money received from the tax imposed under this section must be spent in accordance with the requirements of chapter **36.73** RCW.

[2022 c 182 § 407; 2010 c 105 § 3; 2006 c 311 § 16; 2005 c 336 § 15.]

NOTES:

Intent—Effective date—2022 c 182: See notes following RCW **70A.65.240**.

Findings—2006 c 311: See note following RCW **36.120.020**.

Effective date—2005 c 336: See note following RCW **36.73.015**.

2005 Washington Revised Code RCW 82.14.0455: Sales and use tax for transportation benefit districts.

(1) Subject to the provisions in RCW 36.73.065, a transportation benefit district under chapter 36.73 RCW may fix and impose a sales and use tax in accordance with the terms of this chapter. The tax authorized in this section is in addition to any other taxes authorized by law and shall be collected from those persons who are taxable by the state under chapters 82.08 and 82.12 RCW upon the occurrence of any taxable event within the boundaries of the district. The rate of tax shall not exceed two-tenths of one percent of the selling price in the case of a sales tax, or value of the article used, in the case of a use tax. The tax may not be imposed for a period exceeding ten years. This tax may be extended for a period not exceeding ten years with an affirmative vote of the voters voting at the election.

(2) Money received from the tax imposed under this section must be spent in accordance with the requirements of chapter 36.73 RCW.

[2006 c 311 § 16; 2005 c 336 § 15.]

Notes:

Findings -- 2006 c 311: See note following RCW 36.120.020.

Effective date -- 2005 c 336: See note following RCW 36.73.015.

Chapter 4.04

CASTLE ROCK TRANSPORTATION BENEFIT DISTRICT (TBD)

Sections:

4.04.010 Establishing transportation benefit district.

4.04.020 Governing board.

4.04.030 Transportation improvements funded.

4.04.040 Establishment of revenue sources.

4.04.050 Dissolution of district.

4.04.060 Liberal construction.

4.04.010 Establishing transportation benefit district.

There is created a transportation benefit district with geographical boundaries comprised of the corporate limits of the city as they currently exist or as they may exist following future annexations. [Ord. 2012-03 § 2, 2012].

4.04.020 Governing board.

A. The governing board of the transportation benefit district shall be the city of Castle Rock city council acting in an ex officio and independent capacity, which shall have the authority to exercise the statutory powers set forth in Chapter [36.73](#) RCW.

B. The treasurer of the transportation benefit district shall be the clerk-treasurer.

C. The board shall develop a material change policy to address major plan changes that affect project delivery or the ability to finance the plan, pursuant to the requirements set forth in RCW [36.73.160\(1\)](#).

D. The board shall issue an annual report, pursuant to the requirements of RCW [36.73.160\(2\)](#). [Ord. 2012-03 § 2, 2012].

4.04.030 Transportation improvements funded.

The funds generated by the transportation benefit district shall be used for transportation improvements that preserve and maintain the transportation infrastructure of the city, consistent with the requirements of Chapter [36.73](#) RCW. The transportation improvements funded by the district shall preserve and maintain the city's previous investments in the transportation infrastructure, reduce the

risk of transportation facility failure, improve safety, continue the cost-effectiveness of the city's infrastructure investments, and continue the optimal performance of the transportation system. [Ord. 2012-03 § 2, 2012].

4.04.040 Establishment of revenue sources.

The board shall have the authority to establish fees and other revenue sources consistent with RCW [36.73.065](#), including without limitation the power to request voter approval of, and thereafter impose and collect, a sales and use tax in accordance with RCW [82.14.0455](#). [Ord. 2012-03 § 2, 2012].

4.04.050 Dissolution of district.

The transportation benefit district shall be dissolved when all indebtedness of the district has been retired and when all the district's anticipated responsibilities have been satisfied. [Ord. 2012-03 § 2, 2012].

4.04.060 Liberal construction.

This chapter is to be liberally construed to accomplish the purpose of establishing a transportation benefit district with the broadest possible authority under Chapter [36.73](#) RCW as it now exists or is hereafter amended. [Ord. 2012-03 § 2, 2012].

The Castle Rock Municipal Code is current through Ordinance 2022-06, passed July 11, 2022.

Disclaimer: The city clerk's office has the official version of the Castle Rock Municipal Code. Users should contact the city clerk's office for ordinances passed subsequent to the ordinance cited above.

City Website: <https://ci.castle-rock.wa.us/>

City Telephone: (360) 274-8181

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