

## **Proposed Changes to RCW 86.09**

### **Revision of Newman Lake Benefit Assessment Classifications and Maps**

**Background:** Newman Lake Flood Control Zone District (District) funding is through a benefit assessment (RCW 86.15.160 (2) and RCW 86.09) based on benefit area location, ratio and property value (alternative method under RCW 86.09.409). Only a small portion (about five percent) of the area of the District, the residential and farm lands on or near the lake, are determined to benefit and therefore pay an assessment (see map attached).

**Fairness/Funding Impact:** Parcel segregations and land use changes since preparation of the assessment maps have occurred creating numerous errors and inconsistencies in benefit assessment boundaries mapped 30-40 years ago. Currently forty (40) or more parcels pay significantly less than others with equal benefit. Some parcels pay only ten to twenty percent (10-20%) of a similarly valued and benefited parcel as only a small portion of the area of the parcel is within the appropriate mapped benefit area. This is major fairness issue for property owners and a substantial loss of funding for District operations.

**Current Revision Process:** Per RCW 86.09.418 reexamination of the benefit maps requires approval of County Commissioners and a petition signed by landowners representing 25% of the area of the District to initiate the process. When area is the basis of the assessment (RCW 86.09.406) and the entire or most of the district is assessed, the requirement is reasonable. However, 's only five percent (5%) of the area of the Newman Lake Flood Control Zone District pays assessments and assessments are based on property valuation not area. This petition requirement is therefore difficult to meet even when there is strong interest on the part of District property owners to correct these errors. Most of petition signatures would have to come from property owners who do not benefit from or pay assessments to the District. This is unfair and not a representative or democratic requirement.

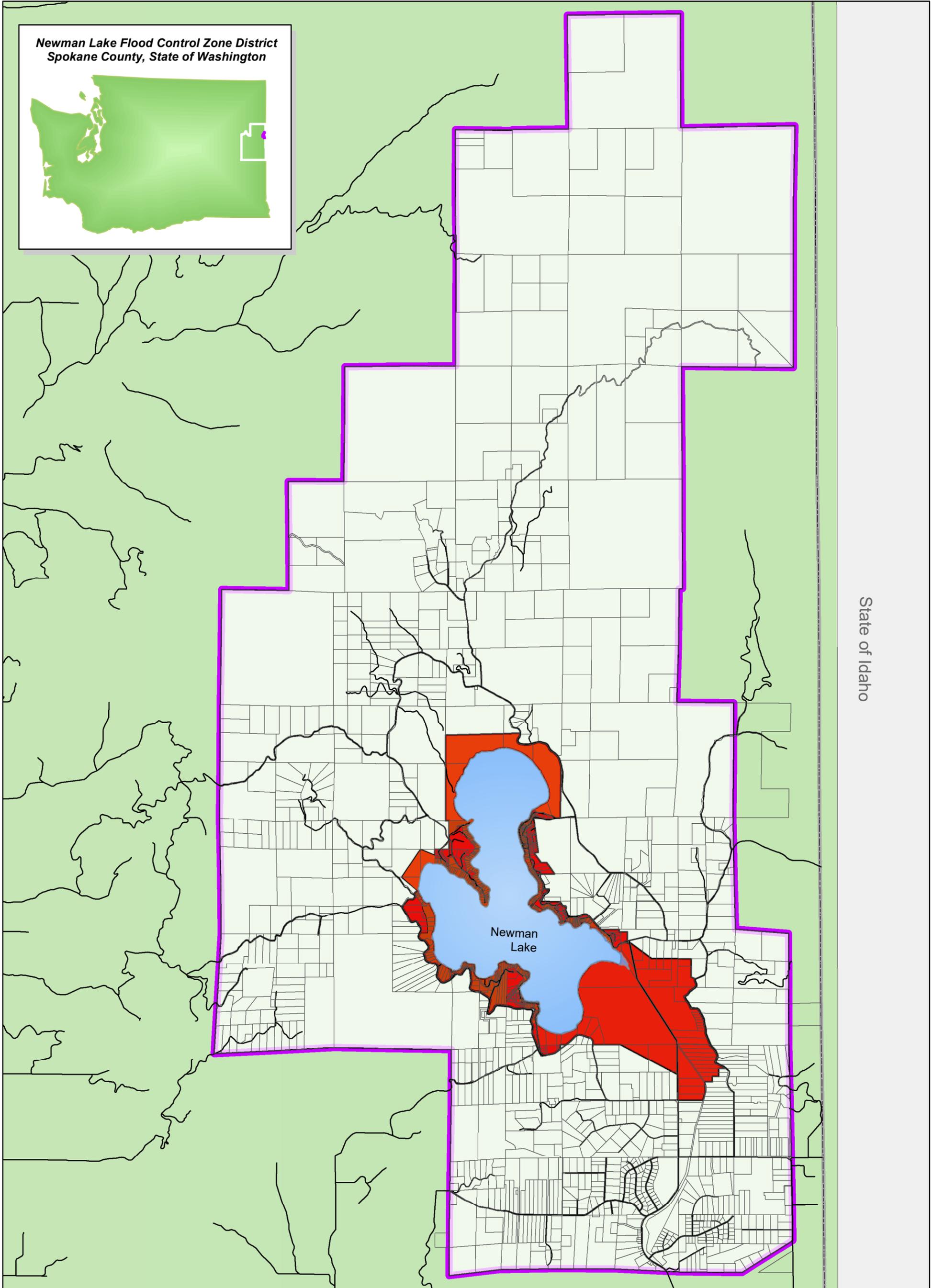
**Proposed RCW Change:** The proposed language would give an option for a "petition signed by landowners representing ... twenty-five percent the assessments of the district". That is owners who in total pay 25% of the total annual district assessment would need to sign, a fairer and more representative requirement for Newman Lake Flood Control Zone District. It also would not substantially change the ability of other districts with the area assessment basis to petition for changes.

**Additional Proposed RCW Change:** Allow County Commissioners without landowner petition and formation of board of appraisers to update benefit area boundaries administratively for parcel boundary (plat, segregations, lot line adjustments) and land use changes consistent with current benefit classifications. This will avoid continuing accumulation of benefit assessment errors once maps are updated and maintain fairness of parcel assessments.

**Summary:** This proposal will improve fairness and representation for Flood District property owners by:

1. Allowing a petition by property owners representing twenty-five percent (25%) of assessments not just twenty-five percent (25%) of land acreage to approve a decision to proceed with general benefit map updates.
2. Allowing County Commissioners, without landowner petition and formation of board of appraisers to annually update benefit area boundaries for parcel boundary (plat, segregations, lot line adjustments) and land use changes consistent with current benefit classifications.

**Newman Lake Flood Control Zone District  
Spokane County, State of Washington**



State of Idaho

**Newman Lake Flood Control Zone District - Benefit Assessment Area**

-  Parcels Not Assessed
-  Newman Lake Flood Control Zone District
-  Parcels Assessed



**Spokane County Public Works**



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