

**JEFFERSON COUNTY
ROAD IMPROVEMENT DISTRICTS
(R.I.D.)**

WHAT IS AN R.I.D.?

The Road Improvement District (R.I.D.) is a method established in 1951 by the State Legislature for improving roads and streets. It is modeled after the L.I.D. (Local Improvement District) law which has been used by the cities for street, water and sewer improvements for years. The R.I.D. statutes (RCW 36.88) provide for improvements paid by an assessment on the lots, tracts or parcels specially benefited by the improvement.

WHY FORM AN R.I.D.?

R.I.D.s can be used by any county for the improvement of a county road, bridge or road drainage facility. Other road-related improvements such as street lighting may also be made under the R.I.D. laws.

THE R.I.D. PROCESS

The R.I.D. may be initiated by petition of the property owners of the area specially benefited by the roads proposed for improvement or by resolution of the Board of County Commissioners. The petition must be signed by the owners of a majority of the acreage within the proposed R.I.D. boundaries, and by the owners of a majority of the front footage measured along both sides of all the roads proposed for improvement. Each ownership has only one signature associated with it (e.g., if parcel has more than one owner, the parcel will count as one vote).

The Board of County Commissioners must hold a hearing on the intent to establish the R.I.D. Notice of the hearing must be published at least twice in a newspaper of local circulation and must be mailed to each property owner at least 15 days prior to the hearing. Signatures may be added to (or withdrawn from) the petition at any time prior to 5:00 p.m. the day before the hearing. This hearing provides the property owners (and others) an opportunity to voice their support or opposition to the district.

After the district has been created, the County may proceed with the improvement. Because considerable design work is necessary, time must be allowed for the surveys, engineering and permitting; consequently actual construction may not commence for a year or more. Only after the entire project costs are known can final assessment be determined. A second hearing will be held, with notification similar to the preliminary hearing, at which the Board will sit as a Board of Equalization and will determine the final assessments and certify these to the Treasurer for collection.

HOW ARE THE BOUNDARIES OF AN R.I.D. DETERMINED?

As nearly as possible, each R.I.D. shall include all property specially benefited by the proposed improvement. This includes ownerships served by easements from the improved roads unless the ownership has demonstrated use of another easement as principal access. However, ownerships abutting the improved roads will be considered as specially benefited even if served by another easement. Adjustments in the R.I.D. boundary may be made if the ownership has been previously assessed for a separate R.I.D., or if the ownership can demonstrate that a portion or all of the parcel does not receive benefit from the improvement. An example of the latter might be a determination in writing from some responsible authority that the area in question is not buildable.

HOW IS RIGHT OF WAY ACQUIRED?

All of the land (minimum required 60 feet, 30 feet each side of centerline of the road) necessary for right of way or other purposes in the construction or improvement of any road may be acquired by the County either by gift, purchase, or by condemnation. After the R.I.D. is created and a design is approved, suitable deeds are mailed to each parcel owner along the improvement. The property owners are under no obligation to donate the right of way. However, all costs involved in acquiring the property are charged to the R.I.D. Generally, we send you an estimate of the property value with the deeds if you do not want to donate the land. If you choose to be paid, our right of way agent will draw up all the necessary paperwork.

It is entirely proper to withhold donation of right of way if you have a specific concern, such as compensation for damages to landscaping, or relocation or rebuilding of a fence. These matters can be discussed with the County Right of Way Agents and a right of way agreement will be signed defining the conditions of the right of way transfer. After the deed is recorded, the county will then fulfill its obligations to the owner.

If an agreement cannot be reached with a particular owner and it is necessary to acquire the right of way to proceed with the improvement, the County may institute condemnation proceedings against that owner. The condemnation costs are also borne by the district.

HOW ARE COSTS DETERMINED?

The cost estimate usually consists of three (3) components: Engineering (includes surveying, design, permitting, contract documents and estimates), construction and right of way acquisition. The engineering and construction cost estimate is prepared by the Engineering Department after a field examination. The right of way acquisition costs depend on whether the owners donate all of the right of way, or if it must be purchased.

If all agree to donate, this cost is zero. However, if any have not agreed, the cost will be based on negotiated settlements or condemnations for any and all parcels.

By law, the County may assess the district for the purpose of paying all or any part of the cost of the improvement, including cost overruns on the original design. However, the design and/or scope of the project may not be changed in a way that increases the cost more than 10% over that stated in the original notice without a second notice and hearing. Though counties may participate in the cost of an R.I.D. on an existing county road, it is not required. Jefferson County does not normally include any funds for R.I.D.'s in its budget.

HOW ARE COSTS DIVIDED?

The Board shall use the most practical and equitable method of assessment, given the prevailing conditions. The typical methods are: 1) The lot method, in which each lot (or equivalent) pays an equal share; 2) The area method, in which costs are allocated in proportion to the area of each property; and 3) The Lot/area method, which is a combination of the other two. The Department of Public Works recommends the lot method in cases where the majority of the ownerships are of nearly equal size, the area method when the ownerships are of varying sizes, and the lot/area method when some larger parcels occur with generally uniform small parcels. At the establishment hearing, suggestions from property owners are encouraged as to which method is most equitable. The Board then determines the actual method of assessment at this hearing provided that no assessment as determined by the Board shall be levied which shall be greater than the special benefits derived from the improvements. Often times a special benefit study through a qualified appraiser is necessary to insure that the cost of the proposed improvements does not exceed the special benefits derived by the improvements. The actual assessment is based on the lots in existence at the time of the final hearing (not the establishment hearing).

HOW IS AN ASSESSMENT PAID? WILL IT INCREASE MY TAXES?

The Board determines the number of years permitted for payment of the assessment (usually 5 to 20 years). The assessment may be paid in full within 30 days without interest, or it may be paid over the determined period at an interest rate set by the Board.

Annual payments are billed and paid along with property taxes but do not increase the property taxes themselves. However, if the road improvement increases the selling price of nearby property, assessed valuations will rise since they are based on representative sales. In this way an R.I.D. could indirectly cause property taxes to increase.

If right of way is deeded to the County, the owner should verify that the area is subtracted from his taxable acreage. If this decrease in area results in a decreased assessed valuation, then property taxes may also decrease accordingly. (However, this does not reduce the R.I.D. assessments).

It is important to wait until you receive the Treasurer's notice of the actual amount of your assessment before making any payments. The final hearing notice will include a preliminary amount, but this may be adjusted at the hearing; it is not a bill.

WHAT ABOUT PRIVATE ROADS?

A private road may be improved under the R.I.D. statutes only by incorporating the road into the county road system. In the process, the road must be brought up to the appropriate County standards, with a 60 foot right of way. On private roads, the law requires all R.I.D. costs to be borne by the property owners. The road will be established as a county road when the R.I.D. is created, or as soon after as practical. (Existing county roads can be improved even if they don't meet current standards, but all new roads must be built to standards before they will be included in the road system.)

COUNTY INVOLVEMENT IN R.I.D.'s

The Jefferson County Board of Commissioners directs the Department of Public Works to handle the RID processing, as well as design and administration of most of the improvements. An "R.I.D. Coordinator" acts as a contact person to assist the public.

The County must maintain a neutral position on all R.I.D.s until they are formed. Thus, it cannot solicit nor inhibit their formation. The R.I.D. Coordinator will act as impartially as possible in these matters. It is important to understand that the County can be of assistance in preparing the petition, but the mailings and legwork involved in formation must be done primarily by the petitioners.

The R.I.D. Coordinator will assist you in preparing the petition and the necessary maps and exhibits for R.I.D. formation, and will relay relevant information such as application fees and bond information. Any questions should be directed to the R.I.D. Coordinator.

If you have questions contact:

R.I.D. Coordinator
Jefferson County Public Works Department
623 Sheridan Street
Port Townsend, WA 98368
360-385-9160