



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

July 23, 2002

Ordinance 14431

Proposed No. 2002-0311.1

Sponsors Edmonds

1 AN ORDINANCE relating to surplus real property;
2 authorizing the transfer of parks and recreation facilities
3 that are located in potential annexation areas to the cities
4 that will eventually annex the parks and recreation
5 facilities; and amending Ordinance 12045, Section 5, as
6 amended, and K.C.C. 4.56.070.

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9 **STATEMENT OF FACTS:**

- 10 1. The council in 1990 passed Motion 8056, which authorized the
11 executive to negotiate the transfer of parks and recreational facilities
12 located within cities to those cities.
- 13 2. Under this motion and RCW 36.89.050, parks and recreational
14 facilities located wholly or partly within cities may be transferred to a city
15 without following the process for declaring real property to be surplus
16 under K.C.C. 4.56.070.

17 3. Due to the current fiscal crisis, the county is also seeking to transfer
18 parks and recreational facilities located in potential annexation areas to the
19 cities that are designated to annex the areas in which the parks and
20 recreational facilities are located.

21 4. The transfer of such parks and recreational facilities is not exempt from
22 the process for declaring real property to be surplus under K.C.C.

23 4.56.070. This process requires consideration of whether the park or
24 recreation facility at issue would be suitable for other uses.

25 5. Because parks and recreational facilities located within potential
26 annexation areas are proposed to be transferred for continued parks and
27 recreation use, no purpose would be served by evaluating whether a park
28 or recreational facility proposed for transfer would be suitable for other
29 uses pursuant to the process for declaring real property to be surplus under
30 K.C.C. 4.56.070.

31 6. Many parks and recreation facilities within potential annexation areas
32 have become surplus to the county's needs because the county can no
33 longer afford to operate its entire parks system.

34 7. The monetary value of a park or recreational facility that is transferred
35 only for continued park and recreation use is significantly limited because
36 other, more valuable uses are prohibited.

37 8. The substantial benefits that will accrue to the county by expediting the
38 transfer of appropriate parks and recreational facilities located in potential
39 annexation areas to cities prior to annexation include, but are not limited

40 to, relieving the county of the burden of maintaining and operating those
41 parks and recreational facilities, allowing the residents of King County to
42 continue to enjoy the use of those parks and recreational facilities, and
43 encouraging annexation within potential annexation areas.

44 9. Through these benefits the county will receive full value from the cities
45 to which parks and recreational facilities are transferred for continued park
46 and recreation use.

47 10. The council will have an opportunity to review whether each
48 proposed transfer of a park or recreation facility located in a potential
49 annexation area is appropriate when the proposed transfer is presented to
50 the council for approval by the executive.

51 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

52 SECTION 1. Ordinance 12045, Section 5, as amended, and K.C.C. 21A.08.030
53 are each hereby amended as follows:

54 **Facilities management division, county departments - Responsibilities and**
55 **powers in declaring county real property surplus.**

56 A. The facilities management division shall no later than the end of the first
57 quarter of the calendar year, maintain and update a current inventory of all county titled
58 real property with detailed information as to current departmental custodianship and as to
59 the characteristics that determine its economic value and potential uses(~~provided,~~
60 ~~that~~). However, all county roads shall be excluded from (~~the provision of~~) this section.

61 B. No later than June 30(~~th~~) of each calendar year, each department shall
62 submit a report to the facilities management division on the status of all real property for

63 which the department is the custodian and include in the report any change in use or
64 status since the previous year's report.

65 C. County departments shall be required, no later than June 30th of every third
66 calendar year beginning with 1996, to justify departmental retention of all real property
67 for which the department is the custodian to the facilities management division.

68 1. If in the judgment of the facilities management division a county department
69 cannot justify the retention of real property for which it is the custodian or if a department
70 determines that real property is surplus to its needs, the facilities management division
71 shall determine whether any other county department has a need for the property that is
72 related to the provision of essential government services, including but not limited to
73 services for the public health, public safety, or services related to transportation, water
74 quality, surface water or other utilities. If the property is not needed for the provision of
75 essential government services, the facilities management division shall then determine if
76 the parcel is suitable for affordable housing. If it is deemed suitable for housing the
77 county shall first attempt to make it available or use it for affordable housing pursuant to
78 K.C.C. 4.56.085 or 4.56.100. Suitable for affordable housing for the purpose of this
79 section means the parcel is located within the Urban Growth Area, zoned residential and
80 the housing development is compatible with the neighborhood. If the property is not
81 deemed suitable for the purposes described ((above)) in this subsection C.1, then it shall
82 be determined whether any other department has a need for the parcel.

83 2. If another department can demonstrate a need for said real property,
84 custodianship of such real property shall be transferred to that department without any

85 financial transaction between present and future custodial organizations, except as
86 required by RCW 43.09.210, as amended, or under grants.

87 3. If no other department can demonstrate a need for such real property, said
88 real property shall be declared surplus to the future foreseeable needs of the county and
89 may be disposed of as set forth in this chapter.

90 D. The facilities management division shall review and make recommendations
91 to the executive for uses other than the sale of surplus real property prior to a decision by
92 the executive to dispose of such properties through sale.

93 Other possible uses that shall be considered by the division in accordance with ((the
94 provisions of)) this chapter, are:

95 1. Exchanges for other privately or publicly owned lands that meet the county's
96 land needs;

97 2. Lease with necessary restrictive covenants;

98 3. Use by other governmental agencies;

99 4. Retention by the county if the parcel is classified as floodplain or slide hazard
100 property;

101 5. Use by nonprofit organizations for public purposes; and

102 6. Long-term lease or sale for on-site development of affordable housing.

103 E. The facilities management division in consultation with the office of regional
104 planning and policy and the department of community and human services shall, no later
105 than the third quarter of the calendar year, submit a report to the council identifying
106 surplus county real property suitable for the development of affordable housing.

107 Affordable housing for the purpose of this chapter means residential housing that is
108 rented or owned by a person:

109 1. Who is from a special needs population and whose monthly housing costs,
110 including utilities other than telephone, do not exceed thirty percent of the household's
111 monthly income; or

112 2. Who qualifies as a very low-income, low-income, or moderate-income
113 household as those terms are defined in RCW 43.63A.510.

114 F. A park or recreational facility located in a potential annexation area may be
115 transferred to the city designated to annex the area in which the park or recreational
116 facility is located without being subject to this section, but any such a transfer must
117 require that the park or recreational facility shall be used in perpetuity for park or
118 recreation purposes unless other equivalent lands or facilities within the county or the city

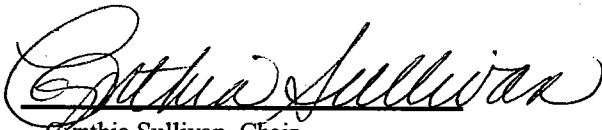
119 are received in exchange therefore and the replacement lands or facilities are used in
120 perpetuity for park or recreation purposes.

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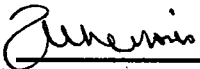
Ordinance 14431 was introduced on 7/8/2002 and passed by the Metropolitan King
County Council on 7/22/2002, by the following vote:

Yes: 13 - Ms. Sullivan, Ms. Edmonds, Mr. von Reichbauer, Ms. Lambert, Mr.
Phillips, Mr. Pelz, Mr. McKenna, Mr. Constantine, Mr. Pullen, Mr. Gossett,
Ms. Hague, Mr. Irons and Ms. Patterson
No: 0
Excused: 0

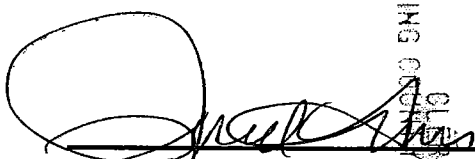
KING COUNTY COUNCIL
KING COUNTY, WASHINGTON


Cynthia Sullivan, Chair

ATTEST:


Anne Noris, Clerk of the Council

APPROVED this 1 day of August, 2002.


Ron Sims, County Executive

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KING COUNTY COUNCIL
CLERK

Attachments None