



## AGENDA

### Legislative Committee Regular Meeting

10:00 AM - Monday, January 28, 2019

City Hall Executive Briefing Room - Plaza 111, Sammamish, WA

Page		Estimated Time
	<b>CALL TO ORDER</b>	<b>10:00 am</b>
	<b>PUBLIC COMMENT</b>	
	<b>TOPICS</b>	
	1. <b>Election:</b> Election of Committee Chairperson	
3 - 9	2. <b>Discussion:</b> Proposed Legislation Regarding Deannexation from a Park District <a href="#">View Memo</a>	
10 - 11	3. <b>Discussion:</b> Potential Legislation Regarding the Siting of RTA Facilities <a href="#">View Memo</a>	
12 - 13	4. <b>Update:</b> City Response to Proposed Legislation Regarding Minimum Density <a href="#">View Memo</a>	
	<b>FUTURE MEETING TOPICS</b>	
	TBD	
	<b>NEXT MEETING DATE(S)</b>	
	TBD	
	<b>ADJOURNMENT</b>	<b>11:00 am</b>

**Public Comment Guidelines:**

This is an opportunity for the public to address the Committee. Three (3) minutes

are granted per person, or five (5) minutes if representing the official position of a recognized community organization.

If you are submitting written material, please supply a minimum of seven (7) copies (three (3) for the Committee; three (3) for Staff; one (1) for the record). If you would like to show a video or give a presentation, please contact Tammy Mueller ([tmueller@sammamish.us](mailto:tmueller@sammamish.us); 425-295-0514) to determine whether the meeting room is equipped to accommodate your needs. Digital files must be submitted or emailed by 5:00pm the day prior to the meeting to Tammy Mueller.

Please be aware that all materials submitted will become part of the public record.

**Meeting Accessibility:**

Committee meetings are wheelchair accessible. American Sign Language (ASL) interpretation is available upon request. Assisted Listening Devices are also available upon request. Please call (425) 295-0500 at least 48-hours in advance to request assistance.

## Agenda Bill

Legislative Committee Regular Meeting  
January 28, 2019



<b>SUBJECT:</b>	Proposed Legislation Regarding Deannexation from a Park District	
<b>DATE SUBMITTED:</b>	January 24, 2019	
<b>DEPARTMENT:</b>	City Manager's Office	
<b>NEEDED FROM COUNCIL:</b>	<input type="checkbox"/> Action <input checked="" type="checkbox"/> Direction <input type="checkbox"/> Informational	
<b>RECOMMENDATION:</b>	Discuss and provide a recommendation on next steps.	
<b>EXHIBITS:</b>	<a href="#">Exhibit 1 - Proposed Deannexation Bill</a>	
<b>BUDGET:</b>		
Total dollar amount	<input type="checkbox"/>	<b>Approved in budget</b>
Fund(s)	<input type="checkbox"/>	<b>Budget reallocation required</b>
	<input type="checkbox"/>	<b>No budgetary impact</b>
<b>WORK PLAN FOCUS AREAS:</b>		
<input type="checkbox"/> Transportation	<input type="checkbox"/> Community Safety	
<input type="checkbox"/> Communication & Engagement	<input type="checkbox"/> Community Livability	
<input type="checkbox"/> High Performing Government	<input type="checkbox"/> Culture & Recreation	
<input type="checkbox"/> Environmental Health & Protection	<input type="checkbox"/> Financial Sustainability	

### KEY FACTS AND INFORMATION SUMMARY:

#### Summary

Draft legislation regarding deannexation from a park district is described below and included as Exhibit 1. If the Committee feels the draft legislation is satisfactory in its current state, then the City should weigh in favorably on this proposal and support it. If not, then the City can wait until the bill is introduced and attempt to amend it with provisions that the City prefers. The City's lobbyists will be calling into the Committee meeting to provide the latest update on this topic and to discuss options.

#### Background

One of the City's long-running legislative priorities has been to end the double taxation that occurs when land within park district jurisdiction is annexed into a city. State law does not currently contain a mechanism to allow a city to initiate the deannexation of a park district, which can result in residents being taxed for park services by both the city and park district.

In Sammamish, the specific issue relates to the Fall City Parks District (see boundary map [here](#)). Included in the Park District's boundaries are the neighborhoods of Aldarra and a portion of Montaine, both of which were annexed into the City in [2010](#). Residents in those neighborhoods are currently paying taxes to the Parks District and to the City; however, parks services are only being provided by the City.

During the 2018 legislative session, the City of Monroe drafted [HB 2829](#), which would have allowed a city to deannex from a park district. Ultimately, that bill was not successful. This year, Monroe is working with the Washington Recreation and Park Association (WRPA) to develop new language suitable to both the city and park districts. Please see **Exhibit 1** for the draft bill.

Section 2 of the draft bill establishes the following three conditions under which a portion of a park district may be deannexed:

1. If both the park district and city wishing to deannex come to an agreement, each can pass a resolution to do so; or
2. If the "both agree" test cannot be met, then a deannexation process can be triggered by signed petition from at least 10% of the voters who voted at the prior election; or
3. If the district in a county with 210,000 people or more hasn't carried out the special purposes/functions for which it was formed for at least a 5-year period.

In any of these cases, the city's governing body must then put a ballot measure approving or not approving the deannexation before the voters of the city which are part of the district.

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BILL REQUEST - CODE REVISER'S OFFICE

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BILL REQ. #: H-0443.2/19 2nd draft

ATTY/TYPIST: RB:akl

BRIEF DESCRIPTION: Concerning the deannexation of a portion of land from a park and recreation district.

AN ACT Relating to the deannexation of a portion of land from a park and recreation district; amending RCW 36.69.310; and adding a new section to chapter 36.69 RCW.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

**Sec. 1.** RCW 36.69.310 and 2005 c 226 s 3 are each amended to read as follows:

(1) Any park and recreation district formed under the provisions of this chapter may be dissolved in its entirety in the manner provided in chapter 53.48 RCW, relating to port districts.

In order to facilitate the dissolution of a park and recreation district, such a district may declare its intent to dissolve and may name a successor taxing district. It may transfer any lands, facilities, equipment, other interests in real or personal property, or interests under contracts, leases, or similar agreements to the successor district, and may take all action necessary to enable the successor district to assume any indebtedness of the park and recreation district relating to the transferred property and interests.

(2) A portion of land may be deannexed and withdrawn from a park and recreation district formed under the provisions of this chapter pursuant to section 2 of this act.

NEW SECTION. **Sec. 2.** A new section is added to chapter 36.69 RCW to read as follows:

(1) As provided in this section, a city, town, or county may withdraw that portion of the city, town, or county from a park and recreation district that was formed under this chapter when:

(a) The governing body of a park district, which is part of the district, adopts a resolution and findings of fact supporting the deannexation of that portion of the city, town, or county, which is part of the district; and the governing body of a city, town, or county, which is part of the district, adopts a resolution and findings of fact supporting the deannexation of that portion of the city, town, or county, which is part of the district; or

(b) Ten percent of the voters of such city and/or county who voted at the last general election petition the governing officials for such a vote; or

(c) A district located in a county with a population of two hundred ten thousand or more has not actively carried out any of the special purposes or functions for which it was formed within the preceding consecutive five-year period, in accordance with chapter 57.90 RCW.

(2) (a) After adoption of the resolution approving the deannexation, receipt of a valid petition signed by the requisite number of registered voters, or determination that the district has been inactive in accordance with chapter 57.90 RCW, the governing body of the city, town, or county, which is part of the district, must draft a ballot title, give notice as required by law for ballot measures, and perform other duties as required to put the measure approving or not approving the deannexation before the voters of the city, town, or county, which is part of the district.

(b) The ballot proposition authorizing the deannexation from a proposed park and recreation district shall be submitted to the voters of the district for their approval or rejection at the next general election. The ballot measure is approved if fifty percent of the total persons voting on the ballot measure vote to approve the deannexation.

(3) The resolution under subsection (1) of this section and the ballot under subsection (2) of this section must set forth the specific land boundaries being deannexed from the district.

(4) A deannexation under this section is effective at the end of the day on the thirty-first day of December in the year in which the ballot measure under subsection (2) of this section is approved.

(5) The withdrawal of an area from the boundaries of a park and recreation district shall not exempt any property therein from taxation for the purpose of paying the costs of redeeming any indebtedness of the park and recreation district existing at the time of the withdrawal.

(6) (a) An area that has been withdrawn from the boundaries of a park and recreation district under this section may be reannexed into the park and recreation district upon:

(i) Adoption of a resolution by the governing body proposing the reannexation; and

(ii) Adoption of a resolution by the park and recreation district approving the reannexation.

(b) The reannexation shall be effective at the end of the day on the thirty-first day of December in the year in which the adoption of the second resolution occurs, but for purposes of establishing boundaries for property tax purposes, the boundaries shall be established immediately upon the adoption of the second resolution.

(c) Referendum action on the proposed reannexation may be taken by the voters of the area proposed to be reannexed if a petition calling for a referendum is filed with the park and recreation district, within a thirty-day period after the adoption of the second resolution, which petition has been signed by registered

voters of the area proposed to be reannexed equal in number to ten percent of the total number of the registered voters residing in that area.

(d) If a valid petition signed by the requisite number of registered voters has been so filed, the effect of the resolutions shall be held in abeyance and a ballot proposition to authorize the reannexation shall be submitted to the voters of the area at the next special election date according to RCW 29A.04.330. Approval of the ballot proposition authorizing the reannexation by a simple majority vote shall authorize the reannexation.

(7) For purposes of this section, "deannex" means to withdraw a specified portion of land from a park and recreation district formed under this chapter.

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## Agenda Bill

Legislative Committee Regular Meeting  
January 28, 2019



<b>SUBJECT:</b>	Potential Legislation Regarding the Siting of RTA Facilities		
<b>DATE SUBMITTED:</b>	January 24, 2019		
<b>DEPARTMENT:</b>	City Manager's Office		
<b>NEEDED FROM COUNCIL:</b>	<input type="checkbox"/> Action <input checked="" type="checkbox"/> Direction <input type="checkbox"/> Informational		
<b>RECOMMENDATION:</b>	Discuss and provide a recommendation on next steps.		
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<input type="checkbox"/>  Environmental Health & Protection	<input type="checkbox"/>  Financial Sustainability		

### KEY FACTS AND INFORMATION SUMMARY:

Following a Sammamish Chamber of Commerce meeting at which Sound Transit presented, former Sammamish Mayor Don Gerend wrote the following message to the City Council:

"Sound Transit discussed the schedule for selecting a site for the North Sammamish Park and Ride lot (about 200 spaces, \$20 million to be completed by 2024) and showed on a map that they were looking only at sites within a ¼ mile of 228th/Sahalee Way and only West of the arterial. Only West because the East side heading down to SR 202 is outside of the ST District boundary. As they pointed out previously to me, Sound Transit is restricted on putting facilities outside of the District per [RCW 81.112.070](#) and [81.112.080](#). I have looked at those code references and it would take only a change of a couple of words or a sentence to give the authority to Sound Transit (if attorneys agree that a minor change like that can be made without being contrary to the original Sound Move vote of the people). I believe that Sammamish should immediately research this topic and perhaps work with [45th district legislators] to get legislation through this session if possible. Sound Transit wants to identify a site by later this year

so, to allow at least looking at sites outside of the ST District boundary, the change would have to be made in this Legislative session."

In response, Mayor Malchow requested this topic be added to a Legislative Committee meeting in order to discuss the merits of requesting these changes via legislators.



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## Memorandum

**Date:** January 18, 2019  
**To:** Association of Washington Cities  
**From:** Mike Sugg, Management Analyst  
**Re:** Feedback on Second Draft of Proposed Minimum Density Legislation

The purpose of this memo is to provide feedback on Senator Palumbo's second draft of legislation mandating minimum density and other zoning requirements. City staff have reviewed the draft and explored its potential impacts on Sammamish.

### Minimum Density Requirements (Sec. 1)

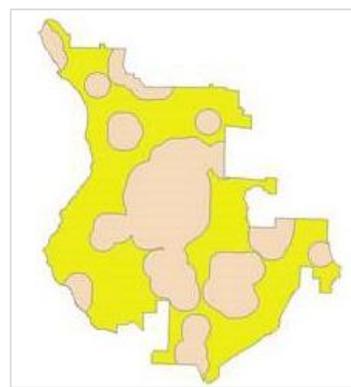
Section 1 of the draft legislation mandates that all residentially zoned areas within an Urban Growth Area be zoned at least six units per acre. This provision would require the City to upzone approximately 76% of its land area, which is currently zoned R-1 and R-4, as shown in the table below.

Current R-1, R-4 & R-6 Zoning	
Zone	% Land Area
R-1	21.3%
R-4	54.9%
R-6	18.7%

### Housing Requirements (Sec. 2)

Section 2 of the draft legislation requires cities to allow a variety of housing types as a permitted use within a quarter mile of certain facilities. The facilities in Sammamish around which this requirement would apply are schools, parks, community centers, commercial areas, mixed use and multifamily housing.

The City mapped a quarter mile radius around these facilities (right) and found that it encompassed approximately 44% of the City's land area. Most of this area, as noted above, is currently zoned R-1 or R-4 and would now be required to accept cottage housing, courtyard apartments, duplexes, triplexes, fourplexes, townhouses, manufactured homes and single room occupancies.



The draft legislation also limits the number of parking spaces per unit - in the case of single room occupancies, allowing just one space per four units.

**Feedback**

1. The City suggests revising the draft to incentivize – rather than mandate – minimum density.
2. The blanket application of standards and lack of flexibility does not take into account the unique situations that exist in each city. For example:
  - a. As one of the most recently incorporated cities in Washington (1999), Sammamish is still updating a backlog of rural infrastructure inherited from King County. Upzoning large portions of Sammamish could exacerbate infrastructure deficiencies.
  - b. Sammamish is home to many environmentally sensitive areas (erosion and landslide hazards, wetlands, lakes and rivers). Current zoning rules were developed with these areas in mind. Blanket application of denser zoning does not consider the potential harm to sensitive areas.
3. It is unclear why Section 2 of this version ties the denser housing requirements to parks, as these facilities are often located in areas with limited infrastructure and access to transit.
4. Limiting the number of parking spaces per unit may work to encourage transit use in more urban areas; however, Sammamish residents have very limited access to transit and rely heavily on personal transportation to get around. Reducing spaces will likely result these residents parking in less favorable locations than in a designated parking facility.