

---

**Local Government Committee**

---

**HB 1755**

**Brief Description:** Creating alternative means for annexation of unincorporated island of territory.

**Sponsors:** Representatives Kirby, Romero, Conway, Jarrett, Rockefeller and Morrell.

**Brief Summary of Bill**

- Creates an alternative means of annexation allowing counties planning under the Growth Management Act (GMA) to enter into interlocal agreements with cities or towns within the county to annex specific territory contiguous to one or more city or town.
- Creates an alternative means of annexation allowing counties planning under the GMA to enter into agreements with multiple municipalities to conduct an annexation election for specific territory contiguous to more than one city or town.

**Hearing Date:** 2/18/03

**Staff:** Ethan Moreno (786-7386).

**Background:**

*Interlocal Agreements*

Interlocal agreements allow two or more public agencies to enter into agreements to jointly exercise powers, privileges or authorities exercised or capable of being exercised, as provided by law.

*Growth Management Act*

Enacted in 1990 and 1991, the Growth Management Act (GMA) establishes a comprehensive land use planning framework for county and city governments in Washington. Counties and cities meeting specific population and growth criteria are required to conform to the major requirements of the GMA. Counties not meeting these criteria may choose to plan under the GMA. Currently, 29 of 39 counties, and the cities within those 29 counties, are required to or have chosen to conform with to the major requirements of the GMA (GMA jurisdictions).

### Annexation of Islands of Territory

Presently, the legislative body of a non-code city or town that is also a GMA jurisdiction may annex unincorporated islands of territory that are located within the city or town. The territory must contain residential property owners and must be within the same county and urban growth area as the annexing city or town. Additionally, the territory proposed for annexation: 1) must contain fewer than 100 acres and have at least 80 percent of its boundaries contiguous to the city or town; or 2) may be of any size if at least 80 percent of its boundaries are contiguous to the city or town if the area existed (as unincorporated territory) before June 30, 1994.

While the provisions for annexation by code cities are largely similar, all code cities may resolve to annex unincorporated islands of territory *extending into neighboring counties* if the proposed annexation territory contains fewer than 100 acres and is 80 percent contiguous to existing city boundaries.

Code and non-code cities and towns must satisfy public hearing and notification requirements for the legislative action, and the ordinance providing for annexation is subject to referendum.

#### **Summary of Bill:**

Counties that are also GMA jurisdictions may enter into interlocal agreements with a city or town to annex unincorporated territory within the same urban growth area as the annexing municipality. The boundaries of the territory proposed for annexation must be at least 60 percent contiguous to the annexing city or town or to more than one city or town. Public hearing and notification requirements must be met before executing the interlocal agreement. Subject to referendum, the annexation must be approved by the legislative body of the annexing city or town and the county.

A county may enter into an agreement with municipalities choosing to participate and call for an annexation election to be held if:

- more than 60 percent of the boundaries of an island of unincorporated territory are contiguous to more than one city or town; and
- an interlocal agreement has not been reached with an individual city or town.

If a majority of the voters approve the annexation ballot measure, the area shall be annexed to the municipality receiving the highest number of favorable votes. Election costs shall be borne by the county.

**Appropriation:** None.

**Fiscal Note:** Not Requested.

**Effective Date:** The bill takes effect ninety days after adjournment of session in which bill is passed.