
HOUSE BILL 1932

State of Washington 59th Legislature 2005 Regular Session

By Representatives Clibborn and Ericks

Read first time 02/10/2005. Referred to Committee on Local Government.

1 AN ACT Relating to the annexation of unincorporated island
2 territory within code and noncode cities; amending RCW 36.93.105,
3 35.13.182, and 35A.14.295; adding a new section to chapter 35.13 RCW;
4 adding a new section to chapter 35A.14 RCW; and creating a new section.

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

6 NEW SECTION. **Sec. 1.** The legislature finds that there exists in
7 many of the most populous counties of the state a patchwork of small
8 islands of urban unincorporated territory which are the direct result
9 of past annexation and incorporation activity. These small areas
10 present significant service inefficiencies for counties; difficulty in
11 annexing these areas poses a barrier to achieving growth management
12 planning goals of the surrounding or adjacent city or town. It is the
13 intent of the legislature to grant cities and towns the unilateral
14 authority to annex by ordinance small urban unincorporated islands that
15 exist within their territories.

16 NEW SECTION. **Sec. 2.** A new section is added to chapter 35.13 RCW
17 to read as follows:

18 (1)(a) The legislative body of a city or town planning under

1 chapter 36.70A RCW as of June 30, 1994, may by ordinance annex
2 territory to the city or town if there is, within the city or town,
3 unincorporated territory containing residential property owners within
4 the same county and within the same urban growth area designated under
5 RCW 36.70A.110 as the city or town containing less than two hundred
6 fifty acres and having at least sixty percent of the boundaries of such
7 area contiguous to the city or town.

8 (b) The ordinance shall describe the boundaries of the area to be
9 annexed, state the number of voters residing therein as nearly as may
10 be, and set a date for public hearing on such ordinance for annexation.
11 Notice of the hearing shall be given by publication of the ordinance at
12 least once a week for two weeks prior to the date of the hearing, in
13 one or more newspapers of general circulation within the city or town
14 and one or more newspapers of general circulation within the area to be
15 annexed.

16 (2) For purposes of this section, territory bounded by a river,
17 lake, or other body of water is considered contiguous to a city or town
18 that is also bounded by same river, lake, or other body of water.

19 (3) Annexation under this section shall not be subject to
20 referendum and shall be exempt from the boundary review board process
21 and requirements set forth in chapter 36.93 RCW.

22 (4) Any territory to be annexed through an ordinance adopted under
23 this section is annexed and becomes a part of the city or town upon the
24 date fixed in the ordinance of annexation, which date may not be fewer
25 than thirty days after adoption of the ordinance.

26 NEW SECTION. **Sec. 3.** A new section is added to chapter 35A.14 RCW
27 to read as follows:

28 (1)(a) The legislative body of a code city may by ordinance annex
29 territory containing residential property owners to the city if there
30 is within the city unincorporated territory containing less than two
31 hundred fifty acres and having at least sixty percent of the boundaries
32 of such area contiguous to the city or town.

33 (b) The ordinance shall describe the boundaries of the area to be
34 annexed, state the number of voters residing therein as nearly as may
35 be, and set a date for public hearing on such ordinance for annexation.
36 Notice of the hearing shall be given by publication of the ordinance at
37 least once a week for two weeks prior to the date of the hearing, in

1 one or more newspapers of general circulation within the city and one
2 or more newspapers of general circulation within the area to be
3 annexed.

4 (2) For purposes of this section, territory bounded by a river,
5 lake, or other body of water is considered contiguous to a city that is
6 also bounded by same river, lake, or other body of water.

7 (3) Annexation under this section shall not be subject to
8 referendum and shall be exempt from the boundary review board process
9 and requirements set forth in chapter 36.93 RCW.

10 (4) Any territory to be annexed through an ordinance adopted under
11 this section is annexed and becomes a part of the city or town upon the
12 date fixed in the ordinance of annexation, which date may not be fewer
13 than thirty days after adoption of the ordinance.

14 **Sec. 4.** RCW 36.93.105 and 1999 c 153 s 46 are each amended to read
15 as follows:

16 The following actions shall not be subject to potential review by
17 a boundary review board:

18 (1) Annexations of territory to a water-sewer district pursuant to
19 RCW 36.94.410 through 36.94.440;

20 (2) Revisions of city or town boundaries pursuant to RCW 35.21.790
21 or 35A.21.210;

22 (3) Adjustments to city or town boundaries pursuant to RCW
23 35.13.340; (~~and~~)

24 (4) Adjustments to city and town boundaries pursuant to RCW
25 35.13.300 through 35.13.330;

26 (5) Annexations of territory to a city or town pursuant to section
27 2 or 3 of this act.

28 **Sec. 5.** RCW 35.13.182 and 1998 c 286 s 1 are each amended to read
29 as follows:

30 (1) The legislative body of a city or town planning under chapter
31 36.70A RCW as of June 30, 1994, may resolve to annex territory to the
32 city or town if there is, within the city or town, unincorporated
33 territory containing residential property owners within the same county
34 and within the same urban growth area designated under RCW 36.70A.110
35 as the city or town(+

1 ~~(a) Containing less than one hundred acres and having at least~~
2 ~~eighty percent of the boundaries of such area contiguous to the city or~~
3 ~~town; or~~

4 ~~(b))~~ of any size and having at least ~~((eighty))~~ sixty percent of
5 the boundaries of the area contiguous to the city if the area existed
6 before June 30, 1994.

7 (2) The resolution shall describe the boundaries of the area to be
8 annexed, state the number of voters residing in the area as nearly as
9 may be, and set a date for a public hearing on the resolution for
10 annexation. Notice of the hearing shall be given by publication of the
11 resolution at least once a week for two weeks before the date of the
12 hearing in one or more newspapers of general circulation within the
13 city or town and one or more newspapers of general circulation within
14 the area to be annexed.

15 (3) For purposes of ~~((subsection (1)(b) of))~~ this section,
16 territory bounded by a river, lake, or other body of water is
17 considered contiguous to a city that is also bounded by the same river,
18 lake, or other body of water.

19 **Sec. 6.** RCW 35A.14.295 and 1997 c 429 s 36 are each amended to
20 read as follows:

21 (1) The legislative body of a code city may resolve to annex
22 territory containing residential property owners to the city if there
23 is within the city, unincorporated territory(~~(+~~

24 ~~(a) Containing less than one hundred acres and having at least~~
25 ~~eighty percent of the boundaries of such area contiguous to the code~~
26 ~~city; or~~

27 ~~(b))~~ of any size and having at least ~~((eighty))~~ sixty percent of
28 the boundaries of such area contiguous to the city if such area existed
29 before June 30, 1994, and is within the same county and within the same
30 urban growth area designated under RCW 36.70A.110, and the city was
31 planning under chapter 36.70A RCW as of June 30, 1994.

32 (2) The resolution shall describe the boundaries of the area to be
33 annexed, state the number of voters residing therein as nearly as may
34 be, and set a date for a public hearing on such resolution for
35 annexation. Notice of the hearing shall be given by publication of the
36 resolution at least once a week for two weeks prior to the date of the

1 hearing, in one or more newspapers of general circulation within the
2 code city and one or more newspapers of general circulation within the
3 area to be annexed.

4 (3) For purposes of (~~subsection (1)(b) of~~) this section,
5 territory bounded by a river, lake, or other body of water is
6 considered contiguous to a city that is also bounded by the same river,
7 lake, or other body of water.

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