

SENATE BILL REPORT

EHB 2068

As of Second Reading

Title: An act relating to the annexation of unincorporated territory within a code city.

Brief Description: Concerning the annexation of unincorporated territory within a code city.

Sponsors: Representative Takko.

Brief History: Passed House: 6/06/13, 79-9; 6/26/13, 80-7.

Committee Activity: Governmental Operations:

SENATE COMMITTEE ON GOVERNMENTAL OPERATIONS

Staff: Karen Epps (786-7424)

Background: Current law authorizes multiple methods for municipal annexations. While code and noncode cities and towns have separate statutory requirements for governance and operation, the annexation methods employed are generally similar. The Unincorporated Islands method of annexation is available to cities within counties that were planning under the Growth Management Act (GMA) on or before June 30, 1994. This method is only applicable to areas:

- that contain residential property owners;
- less than 100 acres in size where at least 80 percent of the area's boundaries are contiguous with the city or town; or
- of any size where at least 80 percent of the area's boundaries are contiguous with the city or town, the area existed as unincorporated territory before June 30, 1994, and the city was planning under GMA as of June 30, 1995.

This annexation method is initiated by city council resolution. A public hearing is held to determine whether to proceed with the proposed annexation. If approved, the city passes an ordinance to annex; however, the proposed annexation is subject to resident referendum.

Legislation adopted in the 2013 regular session (SB 5417, enacted as Chapter 333, Laws of 2013) provides that the Unincorporated Islands method of annexation available to code cities is only applicable to areas:

- less than 175 acres in size where all of the area's boundaries are contiguous with the city or town; or

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- of any size where at least 80 percent of the area's boundaries are contiguous with the city or town, are within the same county and urban growth area, and the city is planning under GMA.

Additionally, SB 5417 deletes the requirement specifying that the Unincorporated Islands method of annexation may be used by code cities only for areas with residential property owners. The requirement that the annexing city must have been planning under the GMA as of June 30, 1994, is also deleted. SB 5417 takes effect on July 28, 2013.

Summary of Bill: The Unincorporated Islands method of annexation for code cities planning under GMA is applicable to areas of any size containing residential property owners where at least 80 percent of the area's boundaries are contiguous with the city or town. The requirements that the areas be within the same county and urban growth area as the annexing city are unchanged.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

Effective Date: The bill contains an emergency clause and takes effect on July 28, 2013.