

# SENATE BILL REPORT

## SB 5417

---

---

As Amended by House, April 9, 2013

**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:** Senators Mullet, Fain, Hasegawa and Roach.

**Brief History:**

**Committee Activity:** Governmental Operations: 2/12/13, 2/18/13 [DP, DNP].

Passed Senate: 3/13/13, 27-22.

Passed House: 4/09/13, 87-6.

---

### SENATE COMMITTEE ON GOVERNMENTAL OPERATIONS

**Majority Report:** Do pass.

Signed by Senators Roach, Chair; Benton, Vice Chair; Braun, Conway and Rivers.

**Minority Report:** Do not pass.

Signed by Senator Hasegawa, Ranking Member.

**Staff:** Karen Epps (786-7424)

**Background:** The Annexation of 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 the 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.

**Summary of Bill:** The Annexation of Unincorporated Island method of annexation for code cities is only applicable to areas:

---

*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

- less than 175 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 and the city is planning under the GMA.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Committee/Commission/Task Force Created:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony:** PRO: This bill is designed to address the donut hole, otherwise known as the donut square, in Maple Valley. This is a 160-acre parcel owned by King County. This bill raises the acreage threshold from 100 acres to 175 acres for this annexation method to enable Maple Valley to use this method of annexation. Maple Valley is trying to do long-term growth plans for their community but there is a large block of land that is unincorporated King County making it challenging to do long-range planning. After this bill, this land would still be owned by King County. King County has no plans to sell this property until the economy gets better. King County has considered developing this for low-income housing but there is no public transportation to this area. King County has a vision of building up to 1600 homes in this parcel. Maple Valley would like to partner with its school district to create a high school, a community college, and a vocational and technical college. This would increase the education choices for students in Maple Valley. Maple Valley would also like to develop the property for light manufacturing or biotech facilities. Maple Valley would like to work with its school district and private sector developers to fill this parcel with educational opportunities within these businesses for the students at the high school, the community college, and the technical college. This plan would provide jobs within Maple Valley.

CON: King County and Maple Valley have an active interlocal agreement that was developed several years ago to deal with transferring this property from the county to Maple Valley. King County and Maple Valley have been looking at the long-term development of the property. The county and the city worked with a developer but the developer was not able to carry through on the property. King County would like to sell this property. The joint planning process is adequate to deal with the issues around this property. Annexation into the city could affect the price that the county could get for the property. Currently, the county does some mining on the property which is not a permitted use within the city limits of Maple Valley.

**Persons Testifying:** PRO: Senator Mullet, prime sponsor; Jim Hedrick, Bill Allison, David Johnston, City of Maple Valley.

CON: Harry Reinert, King County.

**House Amendment(s):** Establishes that the Annexation of Unincorporated Island method of annexation for code cities is applicable to areas that are less than 175 acres in size where all the area's boundaries are fully contiguous with the city or town.