
Local Government Committee

HB 2112

Brief Description: Addressing annexation of islands of unincorporated territory in areas subject to boundary review.

Sponsors: Representatives Hunter and Walkinshaw.

Brief Summary of Bill

- Requires cities and towns with potential annexation areas (PAAs) to develop a joint planning agreement with the applicable county to annex the territory designated in the PAA.
- Requires, within a 10 year timeframe, cities or towns to annex unincorporated territory that is surrounded by one or more city or town, or by one or more city or town and a water body, if the territory is within a PAA for a city or town.
- Specifies that if a joint planning agreement for the annexation of a PAA that is surrounded by two or more cities or towns does not result in a determination of which jurisdiction will annex the area, the county must assign the annexation area to the city or town from which urban services can most efficiently be delivered.
- Expands the list of objectives that boundary review boards must consider in reaching decisions on proposed actions to include, in part, the prevention of potential unincorporated urban islands of territory that are surrounded by city and town boundaries.

Hearing Date: 2/17/15

Staff: Ethan Moreno (786-7386).

Background:

Municipal Annexations, Annexations of Unincorporated Islands of Territory.

Current law authorizes multiple methods of municipal annexations. While cities that operate under the Optional Municipal Code (code cities) have statutory requirements for governance and

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operation that are separate from those that do not, the annexation methods that all cities and towns may employ are generally similar.

Among other permitted annexation methods, all cities and towns may, in accordance with specific criteria and requirements, annex unincorporated islands of territory to the city or town if the territory is within the city or town. While the provisions governing annexations of unincorporated islands of territory differ for code cities and non-code cities and towns, the provisions for both specify that annexations conducted through these methods are completed through the adoption of an annexation ordinance by the legislative body of the city or town that is subject to referendum for 45 days after its adoption.

Boundary Review Boards.

Boundary review boards (boards) are authorized in statute to guide and control the creation and growth of municipalities in metropolitan areas. While statute provides for the establishment of boards in counties with at least 210,000 residents, a board may be created and established in any other county. Board members are appointed by the Governor and local government officials from within the applicable county.

Upon receiving a timely and sufficient request for review, and following an invocation of a board's jurisdiction, a board must review and, subject to requirements and limitations, approve, disapprove, or modify proposed actions, including actions pertaining to the creation, incorporation, or change in the boundary of any city, town, or special purpose district. In reaching decisions on proposed actions, boards must satisfy public hearing requirements and must attempt to satisfy objectives prescribed in statute, including the preservation of natural neighborhoods and communities, and the use of physical boundaries.

Growth Management Act, Urban Growth Areas.

The Growth Management Act (GMA) is the comprehensive land use planning framework for counties and cities in Washington. Originally enacted in 1990 and 1991, the GMA establishes land use designation and environmental protection requirements for all Washington counties and cities, and a significantly wider array of planning duties for the 29 counties and the cities within that are obligated by mandate or choice to satisfy all planning requirements of the GMA.

Among other requirements, counties that fully plan under the GMA must designate urban growth areas (UGAs), areas within which urban growth must be encouraged and outside of which growth can occur only if it is not urban in nature. Fully planning counties and each city within these counties must include within their UGAs, areas and densities that are sufficient to permit the urban growth projected to occur in the county or city for the succeeding 20-year period. Designated UGAs may include within their boundaries urban service areas or potential annexation areas designated for specific cities or towns within the county.

Provisions governing UGAs establish that, in general, cities are the units of local government most appropriate to provide urban governmental services. The term "urban governmental services" is defined in the GMA to include those public services and public facilities at an intensity historically and typically provided in cities. "Urban governmental services" specifically includes storm and sanitary sewer systems, domestic water systems, street cleaning services, fire and police protection services, public transit services, and other public utilities associated with urban areas and normally not associated with rural areas.

Summary of Bill:

Development of Annexation Plan and Mandatory Annexations of Potential Annexation Areas.

Cities and towns with one or more designated potential annexation areas (PAA) must work with the applicable county to adopt a joint planning agreement that identifies a public outreach plan, a transportation strategy, and a timeframe for annexing the territory.

If a PAA is completely surrounded by one or more cities or towns, one or more cities or towns and Puget Sound, or one or more cities or towns and a lake, the territory must be annexed to the applicable city or town within 10 years of the effective date of the bill.

If a PAA is surrounded by two or more cities and towns, and efforts to develop a joint planning agreement for annexation of the unincorporated urban island by one of the jurisdictions does not result in a determination of which city or town will annex the area, the county must assign the annexation area to the city or town from which urban services can most efficiently be delivered.

Modification of Boundary Review Board Objectives.

The list of objectives that boundary review boards (boards) must consider in reaching decisions on proposed actions is expanded to include:

- the prevention of potential unincorporated urban islands that remain surrounded by city and town boundaries; and
- implementation of locally adopted goals, policies, and objectives pertaining to annexation of unincorporated urban growth areas, potential annexation areas, and urban service areas.

Appropriation: None.

Fiscal Note: Requested on February 12, 2015.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.