
SUBSTITUTE SENATE BILL 5522

State of Washington **66th Legislature** **2019 Regular Session**

By Senate Local Government (originally sponsored by Senator Takko)

READ FIRST TIME 02/15/19.

1 AN ACT Relating to providing code cities with the ability to
2 annex unincorporated areas pursuant to a jointly approved interlocal
3 agreement with the county; adding a new section to chapter 35A.14
4 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 city
7 annexations of unincorporated areas within urban growth areas will be
8 more efficient and effective if the county and city develop a jointly
9 approved interlocal agreement so as not to create illogical
10 boundaries or islands of unincorporated territory.

11 NEW SECTION. **Sec. 2.** A new section is added to chapter 35A.14
12 RCW to read as follows:

13 (1) A code city as provided in subsection (2) of this section may
14 annex unincorporated territory pursuant to an interlocal agreement.

15 (2) The county legislative authority of a county and the
16 governing body of a code city may jointly initiate an annexation
17 process for unincorporated territory by adopting an interlocal
18 agreement as provided in chapter 39.34 RCW and under this section
19 between the county and code city within the county. If a code city is
20 proposing to annex territory that will include areas in a special

1 purpose district, the code city must notify the authority of the
2 special purpose district and include the special purpose district as
3 a party to the interlocal agreement. If the special purpose district
4 does not approve the interlocal agreement, the annexation may not
5 proceed under this section. The interlocal agreement must ensure that
6 for a period of five years after the annexation for any parcel zoned
7 for residential development within the annexed area:

8 (a) The parcel remains zoned for residential development; and

9 (b) The residential density of any parcel is not reduced below
10 the density allowed for that parcel prior to annexation.

11 (3) The county and code city shall jointly agree on the
12 boundaries of the annexation and its effective date. The interlocal
13 agreement shall describe the boundaries of the territory to be
14 annexed and set a date for a public hearing on such agreement for
15 annexation. An interlocal agreement may include phased annexation of
16 territory, and may be amended following the same process as initial
17 approval, including adding additional territory. A public hearing
18 shall be held by each legislative body, separately or jointly, before
19 the agreement is executed. Each legislative body holding a public
20 hearing shall, separately or jointly, publish a notice of
21 availability of the agreement at least once a week for two weeks
22 before the date of the hearing in one or more newspapers of general
23 circulation within the code city and one or more newspapers of
24 general circulation within the territory proposed for annexation. The
25 notice shall describe where the public may review the agreement and
26 the territory to be annexed.

27 (4) On the date set for hearing, the public shall be afforded an
28 opportunity to be heard. Following the hearing, if the legislative
29 body determines to effect the annexation, they shall do so by
30 ordinance. If the annexation agreement includes phased annexation of
31 territory, the legislative body shall adopt a separate ordinance at
32 the time of annexation of each phase. Upon the date fixed in the
33 ordinance of annexation the area annexed shall become part of the
34 city. If the annexation ordinance provides for assumption of
35 indebtedness or adoption of a proposed zoning regulation, the notice
36 shall include a statement of such requirements. Upon passage of the
37 annexation ordinance a certified copy shall be filed with the board

1 of county commissioners of the county in which the annexed property
2 is located.

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