
Local Government Committee

HB 1357

Brief Description: Eliminating certain requirements for the annexation of an unincorporated island of territory.

Sponsors: Representatives Doglio, Macri, Dolan, Barkis and Appleton.

<p style="text-align: center;">Brief Summary of Bill</p> <ul style="list-style-type: none">• Allows a code city to annex an island of unincorporated territory by adopting an ordinance that is not subject to a referendum.

Hearing Date: 1/29/19

Staff: Yvonne Walker (786-7841).

Background:

A code city may annex unincorporated "islands" of territory within the city using certain procedures. The city council may initiate annexation proceedings by resolution if the area of the proposed annexation:

- contains less than 175 acres and all of its boundaries are contiguous to the city; or
- is of any size, contains residential property owners, and at least 80 percent of its boundaries are contiguous to the city. Annexations conducted under this provision must be within the same county and urban growth area as the city, and the city must be planning under the Growth Management Act.

The resolution must describe the boundaries of the area to be annexed, state the number of voters within the subject area, and set a date for a public hearing on the annexation resolution. Notice of the hearing must be given by publication at least once a week for two weeks prior to the date of the hearing in one or more newspapers of general circulation within the code city and within the area to be annexed. At the hearing, residents or property owners of the area to be annexed must be afforded an opportunity to be heard. The city legislative body may then adopt an

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.

ordinance annexing the territory; the effective date of this ordinance may not be less than 45 days after its passage.

During the 45 days after passage of the ordinance, it is subject to a referendum. To initiate a referendum on the annexation, a referendum petition must be signed by qualified electors of not less than 10 percent of the votes cast in the last general state election in the area to be annexed. If a timely and sufficient petition is filed with the city legislative authority, the question of annexation is submitted to the voters. The annexation is approved if a majority of those voting on the proposition vote in favor of it. If no referendum petition is filed within 45 days after passage of the ordinance, the area annexed becomes part of the city.

Such annexations must also be approved by a boundary review board (board), if one has been established in the county. Boards are authorized to guide and control the creation and growth of municipalities. Upon receiving a request for review, and following an invocation of a board's jurisdiction, a board must review and 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.

Summary of Bill:

At the public hearing on a proposal to annex an island of unincorporated territory, any member of the public must be afforded an opportunity to be heard, including but not limited to, residents or property owners of the annexation area.

A code city ordinance that annexes an unincorporated island of territory is not subject to a referendum or approval by a boundary review board.

Appropriation: None.

Fiscal Note: Requested on January 21, 2019.

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