

**Washington State
Boundary Review Board
for Spokane County**

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ISLAND ANNEXATION PROCESS FOR CODE AND NONCODE CITIES

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RCW 35.13.182 - 35.13.1822 is the state law which describes the resolution process for the annexation of unincorporated islands by first, second, third, and fourth class municipalities. **RCW 35A.14.295 - 35A.14.299** is the state law which describes the resolution process for the annexation of unincorporated islands by code cities. This process is outlined below, including the SEPA (RCW 43.21C) and Boundary Review Board (RCW 36.93) steps.

In order to annex an unincorporated “island” by resolution, the territory must:

1. contain residential property,
2. be within the same county, and
3. be within the same urban growth area.

In addition, the unincorporated “island” must either:

1. contain less than 100 acres and have at least 80 percent of the boundaries contiguous to the city or town
OR
2. be of any size and have at least 80 percent of the boundaries contiguous to the city or town IF the “island” existed before June 30, 1994.

- 1) The City or Town Council passes a Resolution to annex the unincorporated “island”, as defined above, to the city or town. The Resolution is to include a description of the boundaries, the number of voters residing in the area, and a date for a public hearing on the matter.
- 2) The City or Town Council publishes the Resolution at least once a week for two weeks in newspapers of general circulation within the city or town and within the area to be annexed.
- 3) If required, the City or Town Council prepares an environmental checklist on proposed comprehensive plan amendments and zoning and issues a Threshold Determination. Copies are sent to the Department of Ecology and affected agencies.
- 4) After receiving comments on the environmental checklist, the City or Town Council holds the public hearing allowing affected residents or property owners to be heard.
- 5) A Notice of Intention is then filed with the Boundary Review Board. An affected entity has 45 days to request a public hearing before the Boundary Review Board. If there is a hearing, the Boundary Review Board may approve, modify, or deny the proposal. If there is no hearing before the Boundary Review Board, the Notice of Intention is approved after the 45-day period elapses.
- 6) The Boundary Review Board then sends to the City or Town, either its written Hearing Decision or a Certification of the Expiration of the 45-Day Period.
- 7) The City or Town then adopts an ordinance officially annexing the area (including any modifications that the Boundary Review Board has made).
- 8) The effective date of the annexation ordinance can not be less than 45 days from its passage.

- 9) The City or Town publishes a notice of the annexation ordinance and its effective date together with a description of the area at least once a week for two weeks in newspapers of general circulation within the city or town and within the area to be annexed.
- 10) An election on the annexation can be held if during the 45-day period before the annexation ordinance is in effect, registered voters numbering ten percent of the votes cast in the last general statewide election in the proposed annexation area, file a referendum petition with the City or Town Council.
- 11) If the majority of voters approve the annexation or if a referendum petition is not filed in a timely and sufficient manner, the area annexed becomes a part of the city or town.
- 12) The Annexation Ordinance and recording fee are sent to the Boundary Review Board Office.
- 13) The Boundary Review Board Director will verify that the legal description is the same as approved by the Boundary Review Board and will record one copy with the Spokane County Auditor and file two copies with the Spokane County Assessor and one with the Spokane County Board of Commissioners.
- 14) The Boundary Review Board then notifies the various county departments and affected agencies of the changed boundaries.