

July 22, 2013

SUBJECT: Notice of Intention Information Packet

Dear

In response to your recent request, we are enclosing a Notice of Intention Information Packet for submittals to the Boundary Review Board. This packet includes:

- A Notice of Intention packet for new city incorporations and
- A Notice of Intention packet for annexations, mergers, assumptions, extensions, and similar actions

If you have questions about the Notice of Intention Information Packet or you would like additional information, please contact our office at 206-477-0634.

Sincerely,

Lenora Blauman
Executive Secretary

NOTICE OF INTENTION FORMAT
(Incorporations/Formations)
Revised and Adopted July 2013

A legally complete Notice of Intention to the Boundary Review Board shall include the documentation outlined in the Notice of Intention Format Instructions herein, along with the \$50 filing fee required by state law (RCW 36.93.120).

- One original Notice of Intention is required to be provided in a single-sided format, assembled together and all on 8 1/2 by 11 inch paper.
- Six copies of the Notice of Intention are required, assembled together in six complete sets and all on 8 1/2 by 11 inch paper. Items submitted should be numbered in accordance with this format.

Please provide the name, title, and address of one person to whom notices, processes and other communications regarding this proposal should be directed. This person will assume the responsibility of distributing appropriate copies to all of initiator's interested parties.

I. BACKGROUND/MAPS

A. Basic Information

1. A brief description of and reason for seeking the proposed action. Include a statement describing the petition method used to initiate the proposed action.
2. A copy of the petition calling for the incorporation/formation as officially certified.
Important: Please see NOTES on Page 6.
3. The legal description of the boundaries of the area involved in the proposed action. This must be legible, on a separate page from any other document, and in a form capable of reproduction by standard photocopiers.

These documents must be certified and stamped by a licensed engineer or surveyor.

Important: Please see NOTES on Page 6.

B. Maps ***Important:*** Please see NOTES on Page 6.

1. Two copies or sets of King County Assessor's maps (only two rather than six copies in case of assessor's maps) on which the boundary of the area involved in the proposal must be clearly indicated.
2. Vicinity map(s) no larger than 8 1/2 x 11 inches displaying:
 - a) The boundary of the area involved in the proposal.
 - b) Major physical features such as bodies of water, major streets and highways.
 - c) The boundaries of all cities or special purpose districts (to include, if applicable, any water, sewer, fire, school, hospital or library district) having jurisdiction in or near the proposal. Include all utility districts whose comprehensive plans include all or any part of the proposal, even if only in a planning area.
 - d) Surrounding streets must be clearly identified and labeled.
 - e) County and municipal urban growth area boundaries established or proposed under the Growth Management Act (GMA).
 - f) Neighboring city Potential Annexation Area (PAA) boundaries adopted under the Growth Management Act (GMA).

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- g) If a boundary service agreement has been formalized between two or more jurisdictions, that service line should be shown with the appropriate entity noted in each service area.
 - h) Tax lot(s) that will be divided by the proposed boundaries should be shown on an attached detailed map.
 3. A map of the current corporate limits of the filing entity upon which the proposal has been delineated (if applicable).
- C. Filing the Notice of Intention:
- When accompanied by the required filing fee of \$50, the above data may be accepted by the Executive Secretary of the Boundary Review Board as a legally sufficient Notice of Intention without the review of factors which the Board must later consider (RCW 36.93.170) or those objectives specified in RCW 36.93.180, PROVIDED:
1. The initiators agree in writing to petition the King County Executive and the King County Council for an appropriation for funds adequate to obtain the required information by a special study to be done under the direction of the Boundary Review Board, AND
 2. The initiators agree in writing to accept a schedule for review of a proposed incorporation which provides sufficient reasonable time for the Boundary Review Board to:
 - (a) ensure the preparation of a comprehensive special study (or studies) concerning a proposed incorporation; and
 - (b) enable an adequate review of special study documents by the Boundary Review Board; and
 - (c) enable an adequate review of special study documents by affected government agencies; and
 - (c) conduct all public meetings and public hearings necessary to permit community members and other citizen stakeholders to be heard concerning the proposed incorporation; and
 - (d) make a decision concerning the incorporation in keeping with the provisions of RCW 35.02; RCW 36.93, RCW 36.70A, *et seq.*

II. EVALUATION CRITERIA

Initiators should respond to the following elements regarding this proposal with sufficient information to permit appropriate responses to the Board from staff of either the King County Council or King County Executive. These elements relate to the factors the Board must consider as outlined in RCW 36.96.170 (attached).

A. Overview

1. Population of proposal; what percentage is that of unincorporated King County?
2. Territory (number of acres)
3. Population density
4. Assessed valuation

B. Land Use

1. Existing
2. Uses permitted under existing land use plans or comprehensive plans

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C. Service Analysis

(Please respond to only those questions which are relevant to the proposal.)

1. Revenues/Expenditures [provide budget(s) and transition plan for the proposed incorporated entity.]
 - a) Estimate City expenditures
 - b) Estimate City revenues to be gained
 - c) Estimate County revenues lost
 - d) Estimate County expenditure reduction
 - e) Estimate fire district revenue lost
 - f) Estimate fire district expenditure reduction

2. Services Data (as provided now or to be provided)
 - a) Water
 - 1) Directly or by contract?
 - 2) Storage location(s), capacity?
 - 3) Mains to serve the area (diameter; location)
 - 4) Pressure station location and measured flow
 - 5) Capacity available?
 - 6) Water source (wells, Seattle, etc.)
 - 7) Financing of proposed service (LID, ULID, Developer Extension, etc.)

 - b) Sewer
 - 1) Directly or by contract?
 - 2) Mains to service the area (diameter; location)
 - 3) Gravity or Lift Station required?
 - 4) Disposal (Metro; city or district treatment plant)?
 - 5) Capacity available?

 - c) Fire Service
 - 1) Directly or by contract?
 - 2) Nearest station(s)
 - 3) Response time?
 - 4) Are they fully manned? How many part time and full time personnel?
 - 5) Major equipment at station location (including type and number of emergency vehicles)?
 - 6) How many fully certified EMT/D-Fib personnel are there available to serve the incorporation area?
 - 7) What fire rating applies?
 - 8) Source of dispatch?

 - d) Community
 - 1) Describe any other municipal or community services relevant to this proposal.
 - 2) Describe briefly any delay in implementing service delivery to the area.
 - 3) Briefly state your evaluation of the present adequacy, cost, or rates of service to the area and how you see future needs and costs increasing. Is there any other alternative source available for such service(s)?

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D. Planning Information

1. Analyze and describe the effect this proposal will have on all adjacent areas, and in particular, on the local governmental structure of the County or any service district.
2. Does the proposal conform to King County Countywide Planning Policies, adopted pursuant to the Growth Management Act? What specific policies apply to the proposal?
3. Describe the topography and natural boundaries of the proposal.
4. How much growth has been projected for this area during the next ten (10) year period? What source is the basis for this projection?
5. Describe any other municipal or community services relevant to this proposal.
6. Describe briefly any delay in implementing service delivery to the area.
7. Briefly analyze: (a) the present adequacy and costs/rates of service to the area; and (b) future service needs and costs. Is there an alternative source for service(s)?

III. FACTORS AND OBJECTIVES (RCW 36.93)

Please evaluate this proposal based upon the pertinent factors established in RCW 36.93.170 and pertinent objectives established in RCW 36.93.180. Describe and discuss the ways in which your proposal is related to and supports (or conflicts with) each of these factors and objectives.

NOTES

1. Action documents: Action documents – ordinances or resolutions – may include a date for finalization of the annexation, merger or incorporation. When planning the date of finalization, you are encouraged to coordinate with the King County Office of Performance Strategy and Budget.. OPSB staff is responsible for providing for transfer of public services from the County to the City. It is important that ORPP have sufficient time to execute an orderly transition of services prior to finalization of the action in order to ensure protection of public health and safety.
2. Legal Description: Submittal of legal description for checking with the King County Engineer prior to filing a notice of intention can save time as errors can then be corrected at that preliminary stage to avoid delays in processing the formal Notice of Intention. For assistance, please call the King County Road Services Division, (206) 296-3731.
3. Services: Proposed action(s) from those entities that intend to provide sewer and/or water service must state clearly whether this proposal is for water service, sewer service, or both.
4. Vicinity Maps: All vicinity maps must be original documents that are suitable for reproduction.

The scale on any vicinity map must be adequate to permit anyone to locate the proposal when driving to the area. In cases of overlapping governmental jurisdictions, please prepare more than one map to indicate all affected units of government.

The Boundary Review Board will reproduce all maps (and accompanying legends) for distribution to agencies and to the community. Therefore, we must request that you please make certain that all maps – both colored and black and white -- are easily legible to the general reader.

If you prefer to provide color-coded maps, you must submit a sufficient number of colored copies to meet distribution requirements to agencies and to the public. Boundary Review Board staff will be pleased to work with you to determine the number of maps that will be needed for distribution.

You may submit more than one map if necessary for clarity and legibility. All maps should be drawn at the same scale. For example, a second map might be required to display sewer district boundaries, a third map, water district boundaries IF there is more than one purveyor within one-half mile of the proposal. If a proposal lies entirely within any service district, such as a school district, you can simply note that situation.

5. Assessor's Maps: Assessor's maps must be marked in a manner that ensures that details are legible and understandable to the general reader. The Board may accept a map other than an Assessor's map(s) if the use of Assessor's map(s) is impractical.
6. Mapping Alternatives: Any questions regarding maps, including alternatives to mapping requirements (e.g., where the use of Assessor's map(s) is impractical), should be directed to the Boundary Review Board staff.

THE BOUNDARY REVIEW BOARD WILL BE PLEASED TO ASSIST THE APPLICANT TO ENSURE THAT PROPOSALS ARE COMPLETE PRIOR TO OFFICIAL FILING.

THE BOARD CANNOT ACCEPT OR PROCESS INCOMPLETE PROPOSALS (SUCH AS PROPOSALS SUBMITTED WITH INSUFFICIENT INFORMATION OR INADEQUATE MAPS). INCOMPLETE PROPOSALS MAY BE RETURNED TO THE SUBMITTING ENTITY.

REFERENCE GUIDE

REGULATIONS AND GUIDELINES FOR ANNEXATIONS, MERGERS AND INCORPORATIONS

As you prepare your Notice of Intention packet, we encourage you to consider all applicable state and local standards and to address those matters in your application materials. Following is a listing of policy guidelines and regulations which may be particularly relevant to your application:

- Growth Management Act (RCW 36.70A): Mandates extensive comprehensive planning effort to meet specific statewide goals. Requires land designations and planning implementation consistent with adopted comprehensive plan
- Boundary Review Board Act (RCW 36.93): Reviews growth and development in unincorporated areas of counties through decisions on city, town and special purpose district annexations, incorporations, mergers and extensions of water and sewer lines. Establishes requirements for applications and criteria for review of annexations, incorporations, mergers and extensions
- Cities and Towns (RCW 35 – Sections 35.01 – 35.30): Provides for clear and uniform processes for municipal incorporations, disincorporations and annexations for land areas. Also addresses some requirements for water and sewer districts (Also see RCW 57.24).
- Annexation by Code Cities (RCW 35A.14): Establishes authorities and processes for annexations by petition and annexations by election.
- Annexation of Territory – Water and Sewer Districts (RCW 57.24): Provides for clear and uniform processes for water and sewer district annexations. Establishes authorities and processes for annexations by petition and annexations by election. (Also see RCW – Chapter 35).
- State Environmental Policy Act (RCW 43.21C): SEPA is Washington's fundamental environmental law and requires environmental analysis of actions for both physical and policy changes affecting the environment. SEPA may not be required for particular annexation or incorporation activities.
- King County Comprehensive Plan – King County Countywide Plan Policies: King County's adopted comprehensive plan. Policies provided to meet specific statewide goals. Provides land designations and planning implementation policies within adopted comprehensive plan.