



Snohomish County

Planning and Development Services

3000 Rockefeller Ave., M/S 604
Everett, WA 98201-4046
(425) 388-3311
www.snoco.org

MEMORANDUM

TO: Councilmember Jared Mead, Council Chair, District 4
Councilmember Nate Nehring, Council Vice-Chair, District 1
Councilmember Megan Dunn, District 2
Councilmember Strom Peterson, District 3
Councilmember Sam Low, District 5

Dave Somers
County Executive

VIA: Michael McCrary, Director
Planning and Development Services

FROM: Eileen Canola, Senior Planner

SUBJECT: City of Monroe – Conner Annexation – BRB File No. 2025-04

DATE: August 6, 2025

INTRODUCTION

The purpose of this staff report is to provide the County Council with a review and recommendation, as required by section 2.77.040 of the Snohomish County Code (SCC), for the proposed Conner Annexation by the City of Monroe (City). The recommendation to the County Council is to not invoke the jurisdiction of the Snohomish County Boundary Review Board (BRB).

The City submitted a second amended Notice of Intention (NOI) to the BRB on July 21, 2025, for the Conner Annexation. On July 25, 2025, the BRB deemed the NOI sufficient with BRB File No. 2025-04 and with the 45-day review period ending on September 8, 2025, at 4:00 pm. The BRB, consistent with its annexation review procedures outlined in Chapter 2.77 SCC, distributed this BRB file to County departments, including Planning and Development Services (PDS). Per SCC 2.77.040(4), within this 45-day review period, the County Council must determine whether to invoke BRB jurisdiction ('file a request for review').

If a petition is filed to invoke BRB jurisdiction during the 45-day review, by the County or another party, the BRB will consider the petition and determine whether to hold a public hearing and issue a decision to approve, deny, or modify the proposed annexation. BRB decisions must be consistent with Growth Management Act (GMA) provisions including the planning goals and framework for urban growth areas (UGAs) and countywide planning policies (CPPs). State law also defines objectives (RCW 36.93.180) for board review and provides factors (RCW 36.93.170) for board consideration in making its decision. If

BRB jurisdiction is not invoked, the annexation would be deemed approved and would then need to be finalized through a City ordinance that provides the effective date of annexation. The authority of the County Council for reviewing annexations is set forth in the Revised Code of Washington (RCW) 36.93.100 and SCC 2.77.040.

REVIEW

The following review and information on this proposed annexation is required by SCC 2.77.040 and provides: how the annexation meets the factors and objectives of the BRB under RCW 36.93.170 and 36.93.180; consistency of the annexation with the GMA, regional, and local policies; and the impacts to county operations and services.

1. Annexation Method

The BRB File No. 2025-04 indicates that the direct petition method of annexation per RCW 35A.14.120 is being used for the Conner Annexation and contains the documentation (property owners' petitions, County Assessor certification of sufficiency for the 60% petition, and City Resolution No. 2022-12 accepting the petition for the proposed annexation).

Interlocal Agreement

The City and County lack an existing Master Annexation Interlocal Agreement (MAILA) to govern annexations. The 2008 MAILA expired December 31, 2022. The City and County did not enter into an annexation specific interlocal agreement for the Conner Annexation as the area proposed for annexation did not raise any concerns or issues with County departments other than the County's Department of Public Works (DPW) – Transportation and Environmental Services (TES) division stated it has worked with the City to ensure that the annexation area includes Tester Rd (with the underlying Washington State Department of Transportation (WSDOT) right-of-way. The legal description in Exhibit B of BRB File No. 2025-04 does include Tester Rd with the WSDOT underlying right-of-way (ROW). WSDOT stated it is amenable to a turnback agreement with the City of the underlying (ROW) after annexation. Further, the annexation area is under ten acres and the assessed valuation is under two million dollars, which are thresholds in RCW 36.93.110 for when BRB review is not necessary. However, the Chair of the BRB denied the City's request for a waiver from BRB review because the annexation proposal included a ROW owned by WSDOT.

2. Comments Received

The BRB File No. 2025-04 concerning the proposed Conner Annexation was circulated for review to County departments and agencies. Responses were received from Planning and Development Services (PDS); the Solid Waste, Transportation and Environmental Services (TES), and Special Projects divisions of the Department of Public Works (DPW); the Park and Recreation division of the Department of Conservation and Natural Resources (DCNR); Facilities; Risk Management; and Sno911. There were no concerns or comments except from DPW – TES which stated it has worked with the City to ensure that Tester Rd with the underlying WSDOT ROW is included in the annexation area. The legal description (Exhibit A) of BRB File No. 2025-04 does indicate that Tester Rd with the underlying WSDOT ROW is part of the area to be annexed; however, other material in BRB File No. 2025-04 does not seem to include

Tester Rd as part of the annexation proposal. PDS staff sent this concern to the BRB on July 28, 2025, noting that the County relies on the legal description to convey the annexation area.

3. Locations/Acreage/Total Assessed Value / Residences

The general location of the proposed Conner Annexation is east of State Route 522 and south and west of Monroe High School, adjacent to the Monroe City limits. The area proposed for annexation is comprised of one parcel (2706100-001-026-00) and Tester Rd including the underlying WSDOT ROW for a total of 1.58 acres. The assessed valuation is \$131,600. There are no residences, and the population is zero.

4. Consistency of the proposal with Growth Management Act planning goals, urban growth area designations, countywide planning policies, and the county's comprehensive plan

The following describes how the annexation proposal is consistent or inconsistent with GMA goals, UGA designations, and local policies.

- a. **GMA planning goals (RCW 36.70A.020):** The proposal for the Conner Annexation, as contained in BRB file no 2025-04, is consistent with GMA planning goals (1) and (12):
(1) Urban growth. Encourage development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner.
(12) Public facilities and services. Ensure that those public facilities and services necessary to support development shall be adequate to serve the development at the time the development is available for occupancy and use without decreasing current service levels below locally established minimum standards.

The proposal is consistent with GMA planning goals (1) and (12) as the entirety of the area proposed for annexation is within the Monroe UGA, where public facilities and services can be provided. The basis for this annexation proposal is for the property owner to access sewer and have developments be consistent with the City's development regulations and standards. Upon annexation, the transition in services would occur from Snohomish County Sheriff to the City's Police Department for law enforcement; the City would provide sewer service, and the City would take over road maintenance responsibilities for future roads. Fire protection services will continue to be provided by Snohomish Regional Fire Authority.

- b. **UGA designations:** The proposed Conner Annexation, BRB File No. 2025-04, is consistent with the designations and zoning that support an urban level of density and development. The City has adopted pre-annexation zoning for Single Family Residential of 7 dwelling units that includes the Annexation Area.
- c. **Countywide Planning Policies (CPPs):** The proposed Conner Annexation will, in general, be consistent with the Snohomish County Countywide Planning Policies (CPPs) in particular, Public Services (PS)-1 and 4. The annexation proposal will allow the property owner to connect to the City's sewer and to be afforded other City services as well as the local City governance.

As mentioned in Section 1, the City and County lack a MAILA that would serve to help coordinate and guide the City's annexations and cover the general transfer of services and jurisdiction from the County to the City including permits and applications in progress, code enforcement cases, surface water management services, and road maintenance. However, City and County staff from various departments coordinated on this annexation proposal and did not identify any issues except that the County's DPW-TES division worked with the City to ensure that Tester Rd with the underlying WSDOT ROW was included in the annexation proposal along with the one parcel. Further, the annexation area is under ten acres and the assessed valuation is under two million dollars, which are thresholds in RCW 36.93.110 for when BRB review is not necessary.

CPP Public Services (PS)-1: "Jurisdictions should support cities as the preferred urban service providers."

CPP JP-4: "The County and cities shall develop comprehensive plan policies and development regulations that provide for the orderly transition of unincorporated Urban Growth Areas (UGAs) to incorporated areas in UGAs. Mutual agreements may be utilized to address governance issues and expedite the transition."

- d. **Snohomish County Comprehensive Plan:** The Conner Annexation proposal, in general, is consistent with policies in the County's GMA comprehensive plan (GMACP), in particular policies Interjurisdictional Coordination (IC) 1.B.1 and 1.B.2. The annexation area is within the City's UGA, and the City has adopted pre-annexation Single Family zoning of 7 dwelling units per acre that includes the area proposed for annexation. City and County staff coordinated on this annexation proposal to identify and address any issues, understanding that an existing MAILA is not in effect. The Conner Annexation will enable the property owner to connect to City sewer and develop under the City's regulations and standards.

IC 1.B.1 "The county shall work with cities in planning for orderly transfer of service responsibilities in anticipation of potential or planned annexations or incorporations within UGAs."

IC 1.B.2 "In newly annexed areas within UGAs, the county shall continue to provide regional services while the cities provide urban services."

5. Impacts relevant to boundary review board considerations as established by state law.

The following comments relate to RCW 36.93.170 – Factors to be considered by the Boundary Review Board.

Factor 1 Population and territory; population density; land area and land uses; comprehensive plans and zoning, as adopted under chapter 35.63, 35A.63, or 36.70 RCW; comprehensive plans and development regulations adopted under chapter 36.70A RCW; applicable service agreements entered into under chapter 36.115 or 39.34 RCW; applicable interlocal annexation agreements between a county and its cities; per capita assessed valuation; topography, natural boundaries and drainage basins, proximity to other populated areas; the existence and preservation of prime agricultural soils and

productive agricultural uses; the likelihood of significant growth in the area and in adjacent incorporated and unincorporated areas during the next ten years; location and most desirable future location of community facilities;

- a. Population and territory; population density; land area and land uses; assessed valuation:** The general location of the proposed Conner Annexation is east of State Route 522 and south and west of Monroe High School, adjacent to the Monroe City limits. The area proposed for annexation is comprised of one parcel (2706100-001-026-00) and Tester Rd with the underlying WSDOT ROW for a total of 1.58 acres. The assessed valuation is \$131,600. There are no residences, and the population is zero.
- b. Comprehensive plans and zoning:** The existing County's Future Land Use Map (FLUM) designation for the subject site is Urban Medium Density Residential with zoning of Low Density Multiple Residential (LDMR). The City's pre-annexation future land use designation is Single Family Residential with zoning of 7 dwelling units per acre.
- c. Applicable service agreements:** The City and County have periodically entered into topic-specific service agreements. Current applicable service agreements include solid waste management, Snohomish County Outreach Team (SCOUT), affordable housing/behavioral health, and emergency management services.
- d. Applicable interlocal annexation agreements:** As mentioned in Section 1, the County and City do not have an existing MAILA. An annexation-specific interlocal agreement (ILA) was not needed for the Conner Annexation proposal as no issues or concerns were raised from County staff and the annexation area is small in size (1.58 acres) and has a low assessed valuation (\$131,600).
- e. Topography, natural boundaries, and drainage basins, proximity to other populated areas; the existence and preservation of prime agricultural soils and productive agricultural uses:** The area proposed for annexation is predominantly flat and largely undeveloped. The annexation area is bordered by the City's corporate limits on the north and east, and State Route 522 is on the west. The subject site does not contain prime agricultural land or productive agricultural uses.
- f. Likelihood of significant growth in the area and adjacent incorporated and unincorporated areas during the next ten years.** As noted in the BRB File No. 2025-04, the annexation area has been pre-zoned by the City with a residential net density of 7 dwelling units per acre. The likelihood of significant growth in the area of the annexation proposal is low.

Factor 2. Municipal services; need for municipal services; effect of ordinances, governmental codes, regulations and resolutions on existing uses; present cost and adequacy of governmental services and controls in area; prospects of governmental services from other sources; probable future needs for such services and controls; probable effect of proposal or alternative on cost and adequacy of services and controls

in area and adjacent area; the effect on the finances, debt structure, and contractual obligations and rights of all affected governmental units.

- a. **Municipal services:** The City is a provider of urban municipal services as identified under chapter 36.70A RCW, however, the City is not a full municipal service provider. Upon annexation, the City will assume jurisdiction for the annexation area and provide sewer service, road maintenance, surface water management services, and law enforcement. Fire protection service will be provided by Snohomish Regional Fire and Rescue Fire Regional Fire Authority. The County will continue to be a provider of regional services such as emergency management coordination, SCOUT, and information technology.
- b. **Present cost and adequacy of governmental services and controls in the area:** The annexation area is currently undeveloped. The Snohomish Regional Fire and Rescue Authority provides fire suppression services, the Snohomish County Sheriff's Office provides law enforcement, and Snohomish County DPW provides road maintenance. After annexation, the City will provide road maintenance, law enforcement, water and sewer service. As noted in BRB File No. 2025-04, City revenue received from development of the property and forthcoming sales tax revenue will help offset the cost of services.
- c. **Effect of finances:** The County expects minimal general fund impacts from annexation of this proposal.

Factor 3. The effect of the proposal or alternative on adjacent areas, on mutual economic and social interests, and on the local governmental structure of the county.

There are no substantive effects of the proposal on adjacent areas, mutual economic and social interests, or on the local government structure of the county.

6. Impacts relevant to boundary review board considerations as established by state law.

The following comments relate to RCW 36.93.180 - Objectives of the Boundary Review Board:

Objective 1. Preservation of natural neighborhoods and communities.

The annexation proposal has City pre-zoning of Single Family 7 dwelling units per acre, and if developed, the land use would be consistent with residential developments south of the subject site and north of Monroe High School.

The annexation, as proposed, would further this objective.

Objective 2. Use of physical boundaries, including but not limited to bodies of water, highways, and land contours.

The Conner Annexation proposal, as contained in BRB File No. 2025-04, has a western boundary of State Route 522 and the City limits to the north and east.

The proposed annexation, in general, furthers this objective.

Objective 3. Creation and preservation of logical service areas.

The boundaries for the Conner Annexation proposal will enable the City to provide sewer service, road maintenance, and police service. Fire suppression and water services are not changed by this proposal. Logical service boundaries are maintained as part of this proposal.

The annexation as proposed furthers this objective.

Objective 4. Prevention of abnormally irregular boundaries.

The proposed annexation boundaries do not create abnormally irregular boundaries. The annexation would create a continuous City jurisdiction.

The annexation as proposed furthers this objective.

Objective 5. Discouragement of multiple incorporations of small cities and encouragement of incorporations of cities in excess of ten thousand population in heavily populated urban areas.

This objective does not apply to the proposed annexation.

Objective 6. Dissolution of inactive special purpose districts.

This objective does not apply to the proposed annexation.

Objective 7. Adjustment of impractical boundaries.

The Conner Annexation proposal does not create or contribute to impractical boundaries.

The annexation as proposed furthers this objective.

Objective 8. Incorporation as cities or towns or annexation to cities or towns of unincorporated areas, which are urban in character.

The area within the Conner Annexation proposal is within the Monroe UGA and as such is designated to be annexed per the CPPs and the City and County's comprehensive plans. This is consistent with the GMA that supports and directs cities to be the providers of urban services and counties to fulfill the role as a provider of regional services.

As proposed, the annexation does further this objective.

Objective 9. Protection of designated agricultural and rural resource lands.

This objective does not apply to the proposed annexation. The proposed annexation area is not designated agricultural land or rural resource land.

7. Impacts to county facilities and other county-owned property:

There are no known impacts to County-owned facilities or property as a result of this annexation proposal.

8. Impacts to the provision of public facilities and services:

County departments were provided the opportunity to provide input on BRB File No. 2025-04 and no comments or issues were received with the exception of the comment from DPW-TES division that its staff worked with the City to ensure that Tester Rd (with the underlying WSDOT right-of-way) is included as part of the area to be annexed. The legal description and associated map in

Exhibit B of BRB File No. 2025-04 does reflect that Tester Rd with the underlying WSDOT ROW as being part of the area to be annexed, however, other documents in the file indicate otherwise. The County recognizes the legal description in Exhibit B of BRB File No. 2025-04 as the official annexation area.

STAFF RECOMMENDATION

Based on the review detailed above, the proposed Conner Annexation is consistent with the GMA, the CPPs, local comprehensive plans, and the factors and objectives of the BRB. The proposal will have minimal impact to County budget and services. The Conner Annexation proposal furthers the GMA goals and CPP policies that cities should be the primary providers of urban services.

This conclusion has been reached by comprehensively reviewing the Conner Annexation proposal against the County code (2.77.040(4)), and other applicable statutes and determining that the relevant factors and objectives that the BRB must consider would be advanced by the annexation.

The recommendation to the County Council from PDS is to **not invoke** the jurisdiction of the BRB.

cc: Ken Klein, Executive Director
Mike McCrary, Director, PDS
Tom Teigen, Director, DCNR
Kelly Snyder, Director, DPW
Ryan Hembree, Council Legislative Analyst