



Planning Commission Agenda

April 5, 2022
5:30pm
Virtual Meeting

Due to the current COVID-19 public health emergency, this meeting will be conducted virtually. The public may listen to the meeting by calling 206.973.4555 and muting your phone. Public comment opportunities for this meeting are below.

The Planning Commission consists of seven members appointed by the Mayor and confirmed by the City Council. The Commission primarily considers plans and regulations relating to the physical development of the city, plus other matters as assigned. The Commission is an advisory body to the City Council.

Members: Tejvir Basra, Chair; Alyne Hansen, Vice Chair; Tom Dantzler; Andrew Ried-Munro; Tony Zuniga Sanchez; Jagtar Saroya; Bandhanjit Singh.
Staff Coordinator: Jenn Kester, Planning Manager

A quorum of the Council may be present.

ITEM	TOPIC	PROCESS	WHO	TIME
1	Call to Order / Roll Call		Chair	5:30 (2 min)
2	Approval of the minutes of March 15, 2022 meeting. (EXHIBIT 2)	Review and Approve	Members	5:32 (3 min)
3	Public Comment on items <u>not</u> on the agenda. <i>Comments on agenda items will be addressed after the staff presentation and Commission discussion on each item below.</i> <i>See Public Comment Process below.</i>		Chair	5:35 (3 min)
4	Public Hearing - 2021 King County Surface Water Design Manual (EXHIBIT 4a-4d)	Public Hearing and Recommendation	Staff and Members	5:38 (20 min)
5	Introduction – Code Amendments: “Halfway House”, “Work Release Facilities”, and similar uses. (EXHIBIT 5a-5f)	Discussion	Staff and Members	5:58 (45 min)
6	CED Staff Report	Briefing	Staff	6:43 (3 min)
7	Planning Commission Comments (including suggestions for next meeting agenda)	Discussion	Members	6:46 (2 min)
8	Adjourn			6:48

Public Comment Process: In an effort to adhere to the social distancing protocols, and in order to keep our residents, Planning Commission, and staff healthy, the Commission

will not hear any in-person public comments. The committee is providing remote oral and written public comment opportunities. All comments shall be respectful in tone and content. Signing-up for remote comments or providing written comments must be done by 3:30pm the day of the meeting. Any requests to speak or provide written public comments which are not submitted following the instructions provided or by the deadline will not be included as part of the record.

- Instructions for providing remote oral public comments are located at the following link: [Council Committee and Citizen Advisory Committee Virtual Meetings](#).
- Submit email/text public comments to PCPublicComment@seatacwa.gov. The comment will be mentioned by name and subject and then placed in the committee handout packet posted to the website.

**CITY OF SEATAC
PLANNING COMMISSION MEETING
Minutes of March 15, 2022 Meeting**

Members present: Tej Basra, Tom Dantzler, Alyne Hansen, Jagtar Saroya, Tony Zuniga Sanchez, Bandhan Singh

Members absent: Andrew Ried-Munro

Staff & Others

Present: Jenn Kester, *Planning Manager*; Kate Kaehny, *Senior Planner*; Barbara Mailo, *Admin 3*; SeaTV

1. Call to Order/Roll Call

Chair Basra called the meeting at 5:39 pm and roll call.

2. Approval of the minutes of February 15, 2022 meeting.

Commissioner Dantzler motioned to accept the minutes as written. All were in favor of motion. Minutes were approved.

3. Public Comments on items not on the agenda

None

4. City Center/Airport District Subarea Plan & Development Code Project

Informational briefing.

Presented by Planning Manager Jenn Kester and Senior Planner Kate Kaehny. The purpose of the presentation was to provide an update on the subarea plan & development code project, explain how the project aligns with and supports other City and regional policy goals, and answer questions about the project.

The presentation included the project history, what is a subarea plan, about subarea plans, why do a subarea plan & code update for the city center/airport district now, key takeaways from phase 1 vision report: robust engagement process, vision statement, development principles, development concept, subarea plan & code project overview: subarea plan & code project main goals, summary of project tasks, anticipated project outcomes for public & city, and anticipated timeline.

Questions and discussions commenced with Chair Basra, Kate Kaehny, Commissioner Hansen, Commissioner Sanchez, and Jenn Kester.

5. CED Staff Report

Presented by Jenn Kester:

- Looking ahead: At the April 5th meeting we expect the public hearing on the stormwater code, also an introduction on the work release code amendment provided PED moves it forward to code amendment. At a future meeting we will brief the Commission on the outcome of the 5way intersection plan at Safeway & McMicken outreach.

- Council action: March 22 – Council voted to pass a resolution to NOT ratify King County’s County-wide Planning Policies. City council felt that the comments city of SeaTac made were not adequately addressed and there were still concerns.
- Next Council meeting – short-term rental code will be going forward for potential adoption.

6. Planning Commission Comments (including suggestions for next meeting agenda)

Commissioner Dantzler expressed gratitude and complimented Kate’s presentation in tonight’s meeting.

7. Adjournment

Commissioner Dantzler motioned to adjourn the meeting. Seconded by Commissioner Hansen. All were in favor of adjourning meeting. Meeting adjourned at 6:48 pm.

DRAFT



City of SeaTac

Community and Economic Development

Public Hearing Staff Report

File Number(s): CAM22-0002, SEP22-0002

Project Name: 2022 Adoption of the 2021 Storm Water Design Manual, Code Amendment

Project Summary: The City is proposing to amend the SeaTac Municipal Code Title 12 and the Addendum to the King County Surface Water Design Manual. This change will update the Cities reference from the 2016 King County Surface Water Design Manual (KCSWDM) to the 2021 version of the KCSWDM.

Applicant: City of SeaTac

I. Background

The King County Surface Water Design Manual (KCSWDM) directs how the City addresses stormwater runoff from new development, redevelopment and construction activity; and provides standards for long-term maintenance of water quality facilities (public and private). Adoption of the KCSWDM is required by the City's NPDES Western Washington Municipal Stormwater Permit (Permit) and for the City to remain in compliance.

II. Summary of Amendments

The following amendments related to storm water, as detailed in Exhibit A, the draft code, is proposed. This approach and draft code has being reviewed by the Legal Department for consistency with RCW 64.37 and other State Law.

- A. The 2016 Storm Water Design Manual (SWDM) will be updated to reference the 2021 SWDM (*See Exhibit A*).
- B. The 2013 Western Washington (NPDES) Phase II Municipal Stormwater Permit will be updated to reference the 2019 (NPDES). (*See Exhibit A*)
- C. Reference to an expired web link is removed.
- A. Clarification text as follows is added to the code, *where more than one (1) part of the code applies to the same aspect of a proposed use or development, the requirements of the 2021 SWDM shall apply.*

III. Planning Commission Review

- A. The Planning Commission reviewed this topic at its February 15, 2022 meeting. The Planning Commission reviewed the proposed text and recommended this item be brought forward to a public hearing.
- B. No changes have been made to the proposed text, as presented to the Planning Commission at its February 15, 2022 meeting.

IV. Regulatory Requirements

A. SEPA Review

The City issued a Determination of Non Significance on March 23, 2022.

B. Washington State Department of Commerce Review

The City submitted a Request for expediated review with Notice of Intent to Adopt Amendments to Commerce on November 1, 2021. Commerce approved the request and no comments were received.

C. Public Hearing Notice

Notice of this public hearing was published in the Seattle Times on March 22, 2022.

V. Staff Recommendation

Staff believes these proposed regulations are consistent with fulfilling the requirements the City's NPDES Western Washington Municipal Stormwater Permit (Permit).

VI. Planning Commission Consideration

Planning Commission should hold a public hearing, take testimony, and provide City Council a recommendation to approve or deny the proposed amendments, or approve with specific modifications. The Planning Commission recommendation is requested at this meeting or April 19, 2022.

VII. Exhibits

A. Proposed Code Amendments

Prepared by: Anita Woodmass, Senior Management Analyst

Prepared on: 04/01/2022

ADOPTION OF THE 2021 KING COUNTY SURFACE

EXHIBIT 4b: Page 1 of 16

DATE: 04/05/22

WATER DESIGN MANUAL—*Public Hearing*

April 5, 2022 Planning Commission



PRESENTATION OVERVIEW

PURPOSE OF PRESENTATION

Public Hearing presentation regarding adoption of the 2021 King County Surface Water Design Manual (KCSWDM).

WHY IS THIS ISSUE IMPORTANT?

1. City code currently adopts the:
 1. 2016 KCSWDM by reference. This code change will update this reference to the 2021 manual.
 2. 2013 (NPDES) by reference. This code change will update this reference to the 2019 permit.
2. Adoption of the KCSWDM is required by the City's NPDES Western Washington Municipal Stormwater Permit (Permit).
3. If the City does not adopt this code, it will be out of required compliance.
4. The KCSWDM directs how the City addresses stormwater runoff from new development, redevelopment and construction activity; and provides standards for long-term maintenance of water quality facilities (public and private).



STAFF REPORT

Summary of Amendments

The following amendments related to storm water is proposed. This approach and draft code has being reviewed by the Legal Department for consistency and compliance with State Law.

1. The 2016 Storm Water Design Manual (SWDM) will be updated to reference the 2021 SWDM (See Exhibit A).
2. The 2013 Western Washington (NPDES) Phase II Municipal Stormwater Permit will be updated to reference the 2019 (NPDES). (See Exhibit A)
3. Reference to an expired web link is removed.
4. Clarification text as follows is added to the code, where more than one (1) part of the code applies to the same aspect of a proposed use or development, the requirements of the 2021 SWDM shall apply.



REVIEW

- 1. PC Review:** PC reviewed this topic at its February 15, 2022 meeting and recommended staff proceed to a public hearing.
- No changes have been made to the proposed text, as presented to the Planning Commission at its February 15, 2022 meeting.
- 3. SEPA:** The City issued a Determination of Non Significance on March 23, 2022.
- 4. Washington State Department of Commerce Review:** Request for expediated review submitted on November 1, 2021. Commerce approved the request and no comments were received.

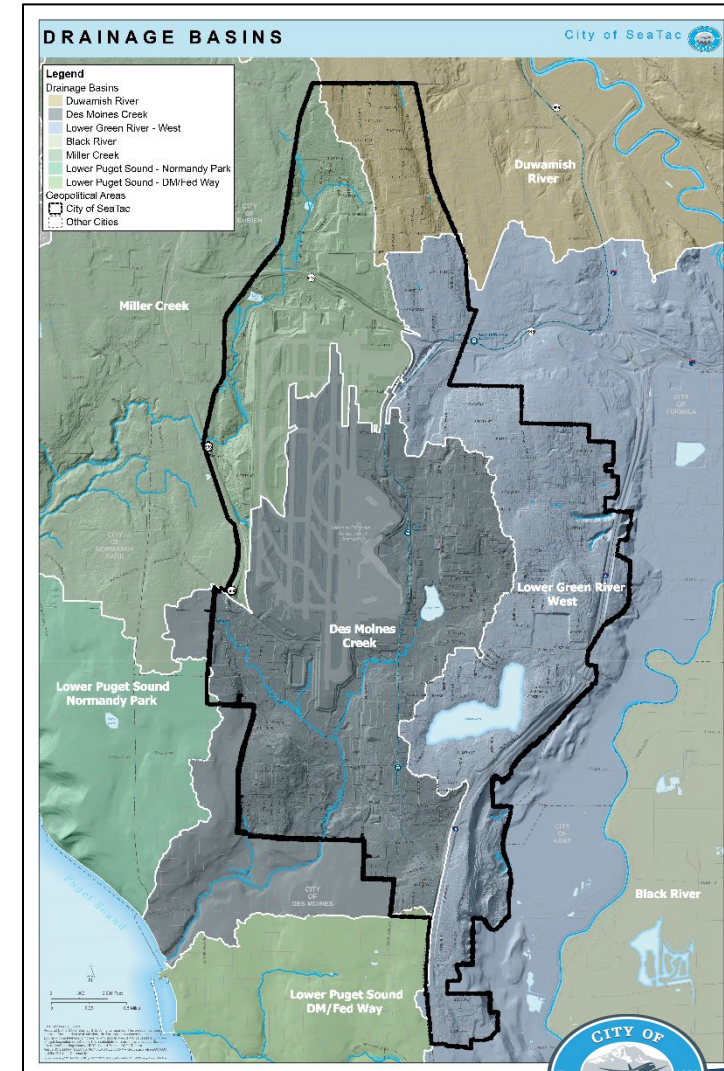
- 1. Notification** of this hearing is satisfied



STORMWATER PERMIT BACKGROUND

SEATAC COMPLIANCE RESPONSIBILITIES

- The City's NPDES Stormwater Permit authorizes the discharge of municipal stormwater to surface waters and to groundwaters.
- To comply with the Permit, SeaTac develops and implements a Permit-required Stormwater Management Program.
- Program components are designed to reduce the discharge of pollutants to the maximum extent practicable using all known, available, and reasonable methods of control and treatment.



CITY-WIDE STORMWATER MANAGEMENT PROGRAM

Main Program Components:

- Stormwater Planning
- Public Education
- Public Involvement
- Mapping
- Illicit Discharge, Detection & Elimination
- Controlling Runoff from New Development, Redevelopment, and Construction Sites
- Operations & Maintenance
- Source Control
- Monitoring

Issuance Date: July 1, 2019
Effective Date: August 1, 2019
Expiration Date: July 31, 2024


Western Washington Phase II Municipal Stormwater Permit

National Pollutant Discharge Elimination System and
State Waste Discharge General Permit for discharges from
Small Municipal Separate Storm Sewers
In Western Washington

State of Washington
Department of Ecology
Olympia, WA 98504-7600

In compliance with the provisions of
The State of Washington Water Pollution Control Law
Chapter 90.48 Revised Code of Washington
and
The Federal Water Pollution Control Act
(The Clean Water Act)
Title 33 United States Code, Section 1251 *et seq.*

Until this Permit expires, is modified, or revoked, Permittees that have properly obtained coverage under this Permit are authorized to discharge to waters of the State in accordance with the special and general conditions which follow.


Heather R. Bartlett
Water Quality Program Manager
Department of Ecology



CITY ORDINANCE AND SMC 12.10.010

- The Permit requires that the City develop a program (ordinance or enforceable mechanism) by **June 30, 2022**.
- Local requirements (permit review and inspection standards).
- Legal authority to inspect and enforce.
- Result: SeaTac Municipal Code 12.10.010 is amended, adopting the KCSWDM by reference, per the 2019 Permit.

ORDINANCE NO. 16-1006

AN ORDINANCE of the City Council of the City of SeaTac, Washington, amending section 12.10.010 to the SeaTac Municipal Code, related to adoption of stormwater standards.

WHEREAS, King County has adopted the 2016 King County Surface Water Design Surface Water Design Manual (2016 KCSWDM), as its stormwater standards for new and redevelopment projects; and

WHEREAS, Washington State Department of Ecology has determined that the 2016 KCSWDM is equivalent to the NPDES Western Washington Phase I & II Municipal Stormwater Permits required stormwater standards – the 2102 Stormwater Management Manual for Western Washington, as amended in December 2014; and

WHEREAS, the City of SeaTac must update the City of SeaTac Addendum to the King County Surface Water Design Manual, before City staff can effectively implement the 2016 KCSWDM; and

WHEREAS, the current NPDES Western Washington Phase II Municipal Stormwater Permit does not require implementation of the new equivalent stormwater standards until January 1, 2017; and

WHEREAS, the City of SeaTac desires to use the 2009 KCSWDM as the City's stormwater standards until the 2016 KCSWDM and the revised City of SeaTac Addendum are formally adopted;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC, WASHINGTON, DO ORDAIN as follows:

Section 1. Section 12.10.010 of the SeaTac Municipal Code is hereby amended to read as follows:

12.10.010 King County Surface Water Design Manual adopted by reference.



KING COUNTY SURFACE WATER DESIGN MANUAL

Provides for water quality protection and ensures the discharge of pollutants are reduced to the maximum extent practicable

Used for local requirements:

- Permitting process
- Drainage Plan review
- Hydrologic Analysis
- Conveyance system analysis
- Flow control design
- Water quality design
- Site plan review
- Inspection standards (pre- and post-construction)



**KING COUNTY, WASHINGTON
SURFACE WATER
DESIGN MANUAL**

KCSWDM CHANGES FOR 2021



KING COUNTY, WASHINGTON **SURFACE WATER DESIGN MANUAL**

- A limited number of new drainage standards provide additional clarity or corrections.
- No new major requirements or sections were added or amended.
- A full summary of changes will be added to the City's Surface Water Management web page.

THE KCSWDM PERMITTING

PERMIT AND LAND USE PROCESS and APPROVAL

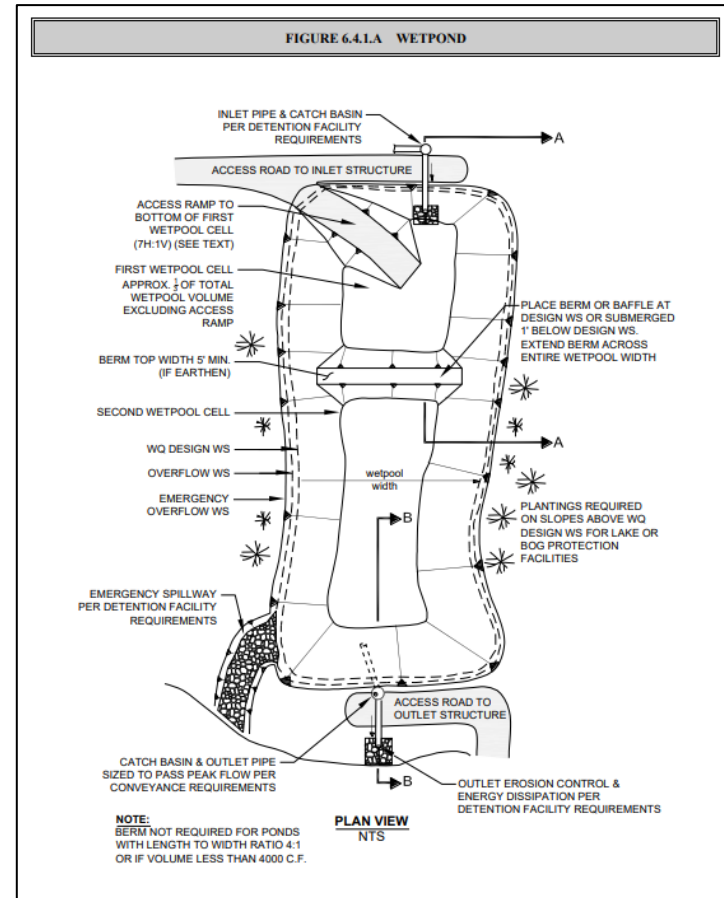
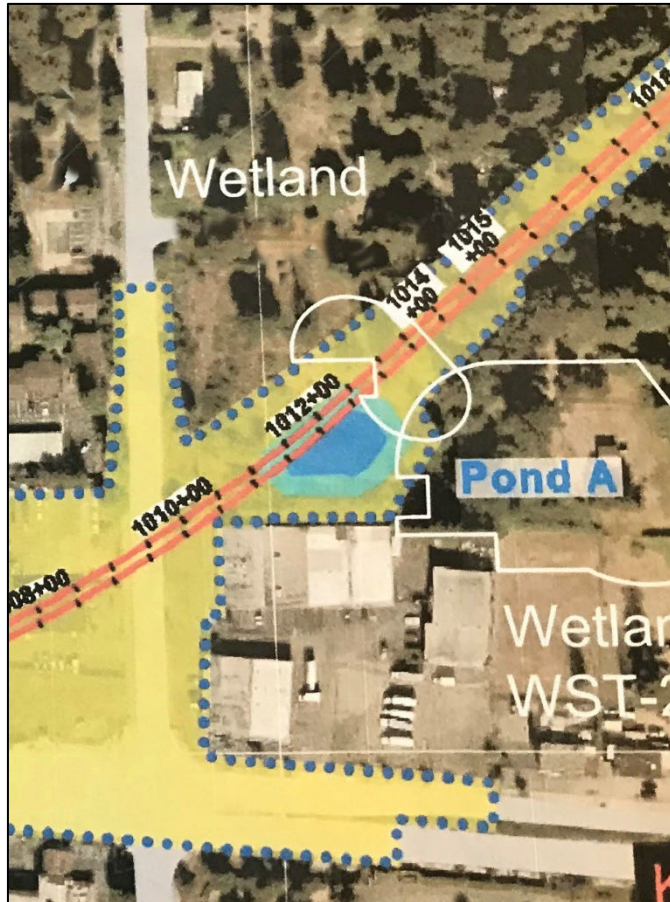
- Engineering Review Division
 - Paving, Grading, and Drainage Plans

Example: Light Rail Extension Project



ENGINEERING DESIGN REVIEW – KCSDWM STANDARDS

WATER QUALITY AND FLOW CONTROL



CONSTRUCTION – KCSDWM STANDARDS

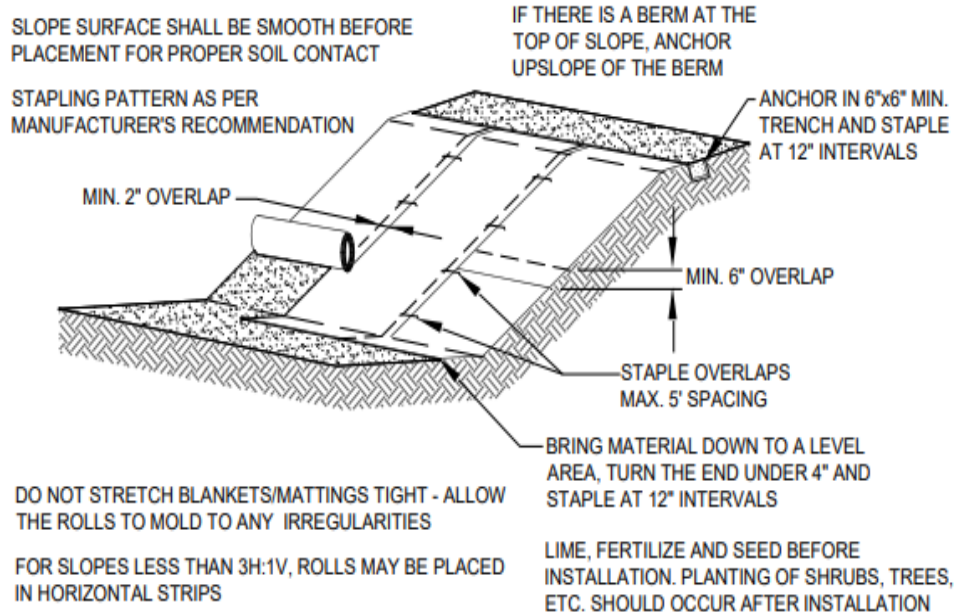
INSPECTION AND ENFORCEMENT



CONTROLLING RUNOFF: CONSTRUCTION PHASE

SEDIMENT & EROSION CONTROL STORMWATER POLLUTION PREVENTION

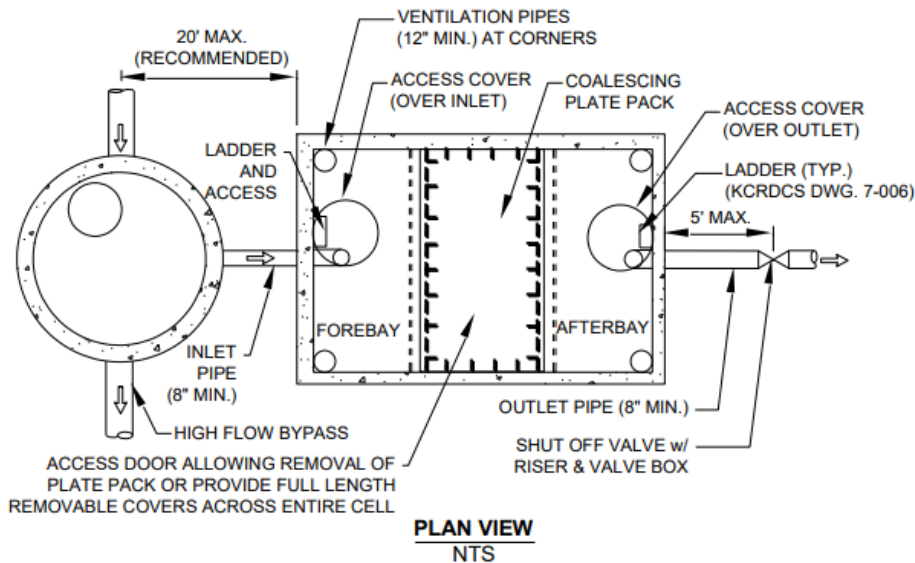
FIGURE D.2.1.2.C SLOPE INSTALLATION



POST-CONSTRUCTION: OPERATIONS AND MAINTENANCE

INSPECTION AND ENFORCEMENT

FIGURE 6.6.2.E COALESCING PLATE OIL/WATER SEPARATOR



PLANNING COMMISSION ACTION

ACTION REQUESTED

- Planning Commission to take testimony and provide City Council a recommendation to approve or deny the proposed amendments, or approve with specific modifications.
- The Planning Commission recommendation is requested at this meeting or April 19, 2022.



12.10.010 King County Surface Water Design Manual adopted by reference.

The ~~2021-2016~~ King County Surface Water Design Manual (KCSWDM) and the City of SeaTac Addendum to the KCSWDM are hereby adopted by reference. They are collectively referred to in this title as the Surface Water Design Manual (SWDM). The above stormwater standards are adopted in compliance with the ~~2013-2019~~ Western Washington (NPDES) Phase II Municipal Stormwater Permit. Where more than one (1) part of the code applies to the same aspect of a proposed use or development, the requirements of the 2021 SWDM shall apply. (Ord. 16-1021 § 1 (Appx. A) (part); Ord. 16-1006 § 1; Ord. 09-1042 § 1; Ord. 05-1012 § 1; Ord. 98-1054 § 1; Ord. 90-1046 § 1).

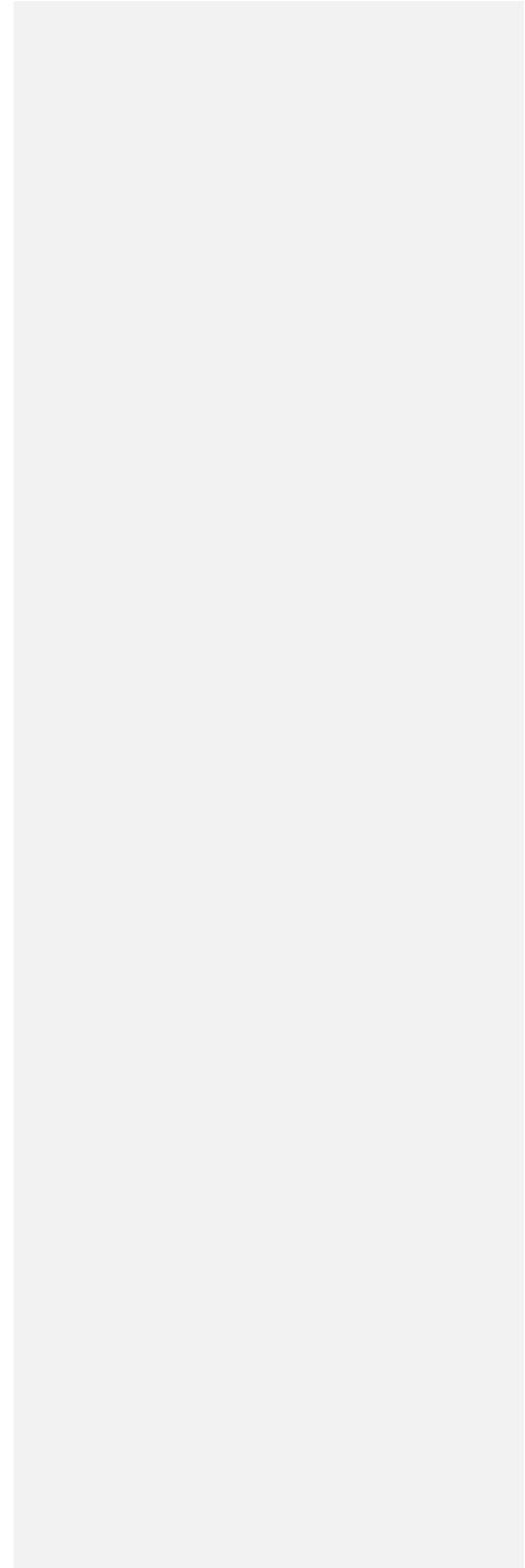


FINAL
Addendum to
the King County
Surface Water Design Manual

Effective date

~~January~~ September 1, 2021 ~~17~~ update date

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Introduction

This addendum to the 2021+6 King County Surface Water Design Manual (KCSWDM) applies to development and redevelopment proposals within the City of SeaTac (City). The KCSWDM has been adopted to meet the requirements of the Clean Water Act, the Endangered Species Act and State Growth Management Act. This addendum includes minor revisions to the KCSWDM to address the differences between King County's and the city's organization and processes, as well as to address equivalency requirements. No major substantive changes have been made to the KCSWDM in order to maintain equivalency in [the](#) review requirements and level of protection provided by the manual.

[**Note:** Clarifications and interpretations to the KCSWDM or this addendum will be documented and made available through policy statements within the City's Development Standards.]

Addendum Organization

The information presented in this addendum is organized as follows:

- **Terminology:** At times King County and City of SeaTac use different terminology to describe or refer to equivalent subject matter. This section identifies these terms and the City of SeaTac's equivalent terminology.
- **Key Revisions:** This section specifically identifies the minor revisions the City has made to the KCSWDM. These revisions are necessary to maintain equivalency to the stormwater standards identified in the NPDES Phase II Permit, as well as to address deficiencies within the KCSWDM.
- **Supplemental Documents:** This section identifies technical guidance manuals and documents which shall be used to supplement the KCSWDM. These documents are necessary to maintain equivalency to the stormwater standards identified in the NPDES Phase II Permit, as well as to address deficiencies within the KCSWDM.
- **Code Reference Tables:** King County code is referenced in many places throughout the KCSWDM. This section identifies these code references and equivalent city code where applicable.

Supplemental information in the appendices includes the following:

- Appendix A: Hydrologic Analysis of the Des Moines Creek Regional Detention Facility (July 23, 2003 Memorandum from the Department of Ecology)
- Appendix B: Soil Amendment Requirements
- **Appendix C:** Design and Maintenance Criteria for BMPs/Facilities not included in the KCSWDM

- **Appendix D:** Flow Control and Water Quality Applications Maps

Terminology

At times King County and City of SeaTac use different terminology to describe or to refer to equivalent subject matter. This section identifies these terms and the City of SeaTac's equivalent terminology.

Department of Natural Resources and Parks (DNRP) = City of SeaTac Parks & Recreation.

Department of Permitting and Environmental Review (DPER) = City of SeaTac Public Works and Community and Economic Development Departments.

Director = City of SeaTac Public Works Director.

Drainage facilities restoration and site stabilization guarantee and drainage defect and maintenance guarantee = SeaTac stormwater facilities restoration and site stabilization bond (Performance Bond) and defect and maintenance bond (Stormwater Maintenance Bond).

King County = City of SeaTac.

King County Code (KCC) = SeaTac Municipal Code (SMC). Check code reference table for equivalent code sections.

King County Designated/Identified Water Quality Problem - This determination is made on a case-by-case basis.

King County Road Standards = City of SeaTac Development Standards.

Master Drainage Planning - Not applicable, no SMC equivalent.

Sensitive Area Folio = In addition to the King County Sensitive Area Folio, -Stream, Wetland and Steep Slope maps are also available [on the Department of Community and Economic Development web page at http://www.ci.seatac.wa.us/index.aspx?page=42](http://www.ci.seatac.wa.us/index.aspx?page=42) through the [City of SeaTac GIS Portal](#).

Urban Planned Development = Not applicable, no SMC equivalent.

Water and Land Resources (WLR) Division = City of SeaTac Public Works Department.

Zoning Classifications: Where the KCSWDM references Agricultural (A) Zoning, Forest (F) Zoning, or Rural (R) Zoning - These zoning classifications are intended for areas outside of the Urban Growth Boundary, therefore the City of SeaTac contains no equivalent zoning. Refer to City zoning maps to determine which zoning classifications apply to your project.

Key Revisions

This section specifically identifies the minor revisions the City has made to the KCSWDM. These revisions are necessary to maintain equivalency to the stormwater standards identified in the NPDES Phase II Permit, as well as to address deficiencies within the KCSWDM.

Mitigation of Impacts from Construction Site Runoff – Property owners and construction site managers are responsible for mitigating off-site impacts from construction regardless of the size of the project or whether a construction permit was required by the City of SeaTac.

Des Moines Creek Basin Flow Control – New and redevelopment projects may use the Basic Flow Control standard as identified in the KCSWDM, and the 1994 land use condition as the pre-development conditions for sizing flow control facilities. This adjustment is established based on the Des Moines Creek Basin Plan, the Des Moines Creek Regional Capital Improvement Project and the Hydrologic Analysis of the Des Moines Creek Regional Detention Facility as specified in a letter from the Department of Ecology, dated July 23, 2003 signed by Kevin Fitzpatrick (included in Appendix A).

Erosion Hazard Areas – For the purposes of site assessment and site planning and design, slopes greater than or equal to 15% are considered “Erosion Hazard Areas”. Project designs and erosion sedimentation control plans must address these areas accordingly.

Soil Amendment Requirements – The City has developed a Soil Amendment Standards handout that is included in Appendix B of this document.

Continuous Modeling – SeaTac will allow the Western Washington Hydrology Model (WWHM), MGSFlood, or HSPF to be used to for sizing stormwater facilities to meet flow control, treatment, or the LID performance standard requirements. Explicit modeling of BMP infiltration for facility sizing is also allowed instead of applying the flow control BMP facility sizing credits included in Table 1.2.9.A in Chapter 1 of the KCSWDM.

Additional Flow Control Facility Options for Core Requirement #3 – The KCSWDM does not include vegetated roofs, but they are allowed in the City of SeaTac. Design and maintenance guidelines for vegetated roofs can be found in Appendix C of this document.

Additional Water Quality Facility Options for Core Requirement #8 – The following facilities are available as options on the Basic WQ Menu: Compost-amended Vegetated Filter Strips (CAVFS), Media Filter Drains (MFDs) (previously referred to as the Ecology Embankment), and Bioretention.

Emerging technologies currently approved by Ecology (<http://www.ecy.wa.gov/programs/wq/stormwater/newtech/technologies.html>) can be used as options on the Basic WQ Menu if they have received a General Use Level Designation (GULD) for Basic Treatment. Emerging technologies currently approved by Ecology can be used as options on the Enhanced WQ Menu if they have received a GULD for Enhanced Treatment.

Design and maintenance guidelines for CAVFS and MFDs can be found in Appendix C of this document. Design guidelines for Bioretention can be found in Appendix C of this document.

Addendum to the KCSWDM

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2/10/2022

Maintenance guidelines for Bioretention can be found in the KCSWDM. Design and maintenance guidelines for emerging technologies should be requested from the manufacturer.

Additional Flow Control BMP Options for Core Requirement #9 – In addition to engineered bioretention facilities, non-engineered rain gardens are allowed for small lots in the City of SeaTac with less than 5,000 square feet of impervious surface. Rain gardens shall be sized to have a minimum horizontal projected surface area below the overflow which is at least 5% of the area draining to it. Design and maintenance guidelines for rain gardens can be found in the Rain Garden Handbook for Western Washington. [Note: Rain gardens can be used to meet Core Requirement #9, but cannot be used to meet Core Requirements #3 or #8.]

Overflows to City ROW – Where feasible based on topography, private stormwater facilities should be designed to overflow to the City Right-of-Way (ROW) or a receiving water.

Underdrains – Underdrains are allowed in permeable pavement designs. ~~No~~ Underdrains are allowed for bioretention ~~until using the~~ new bioretention soil mix ~~has been~~ approved by ~~Ecology and~~ per King County [Reference 11-C in the KCSWDM](#).

Flow Control and Water Quality Applications Maps – City of SeaTac equivalents to the Flow Control Applications Map and Water Quality Applications Map can be found in Appendix D of this document. In lieu of a SeaTac equivalent to the County Landslide Hazard Drainage Areas Map, the City will rely on King County's map.

Interpretation or Modification of Standards - The Public Works Director or his/her designee is responsible for all interpretations and/or revisions to the surface water design standards as may be required for their implementation. These standards will be considered as reasonable minimum requirements, and will not be modified, except as may be permitted by the Public Works Director pursuant to a requested modification, adjustment, or variance, and subject to all applicable decision criteria. Such requests must be submitted in writing and provide a detailed explanation as to why a deviation from the standards is necessary and how the proposed modification/adjustment would be in compliance with the intent and purpose of the City's standards.

Supplemental Documents

This section identifies technical guidance manuals and documents which shall be used to supplement the KCSWDM. These documents are necessary to maintain equivalency to the stormwater standards identified in the NPDES Phase II Permit, as well as to address deficiencies within the KCSWDM.

King County Stormwater Pollution Prevention Manual – The most recent edition of the King County Stormwater Pollution Prevention Manual (KCSWPPM) shall be used as technical guidance for water quality best management practices (BMPs). This BMP manual shall also be used as the technical guidance for identifying and implementing source control measures for private residents, businesses, and industries when applying SMC 12.12 (Surface and Stormwater – Illicit Discharge Detection and Elimination Code).

Low Impact Development Technical Guidance Manual for Puget Sound – The 2012 Low Impact Development Technical Guidance Manual for Puget Sound created by the Puget Sound Partnership, or as hereafter amended, shall be used as the supplemental technical guidance for the KCSWDM for the use of LID principles and LID BMPs.

Rain Garden Handbook for Western Washington: A Guide for Design, Installation, and Maintenance - The 2013 Rain Garden Handbook created by Ecology, the Washington State University Extension, and Kitsap County, or as hereafter amended, shall be used as the supplemental technical guidance for the KCSWDM for the design, installation, and maintenance of rain gardens.

Stormwater Standard Plans – The City of Tacoma Standard Plans currently found at www.cityoftacoma.org/government/city_departments/public_works/engineering/city_of_tacoma_right_of_way_design_manual are approved by the City of SeaTac on a conceptual basis. City of SeaTac development review staff will work with applicants to review and implement these standard details.

Stormwater System Maintenance Standards – The Maintenance Standards for both public and private stormwater systems are identified in Chapter 6, Appendix A, and Appendix C of the KCSWDM and Appendix C of this document.

Supplemental Guidelines for Public Right of Way Operations and Maintenance – The most recent edition of the Regional Road Maintenance - Endangered Species Act Program Guidelines currently found at www.kingcounty.gov/depts/transportation/roads/endangered-species-act-reports.aspx, or as hereafter amended, shall be used to supplement the above mentioned stormwater system maintenance standards for work done in the public right of way, as well as public stormwater systems.

Supplemental Snow and Ice Policy – The City of SeaTac will use snow melt materials (i.e., salt brine) as often as necessary on public roads during snow and ice events to maintain safe travel on roadways while minimizing the potential of water quality impacts (i.e., debris entering the storm system).

Field Code Changed

Vegetation and Land Management Standards - The most recent edition of the City of SeaTac Integrated Pest and Vegetation Management Plan shall be used as guidance for pest, vegetation and land management activities for all properties or facilities owned or operated by the City of SeaTac.

Code Reference Tables

King County Code is referenced in many places throughout the KCSWDM. The following tables identify these code references and equivalent city code where applicable.

King County Code to SeaTac Municipal Code (SMC) Reference Table			
King County Code Reference	Subject of Reference	SMC Equivalent	Comment
KCC 2.98	Adoption Procedures	1.01	
KCC 2.98	Critical Drainage Areas (CDAs), adoption procedures	12.10.080	
Title 9	Surface Water Management	12.10 & 12.30	
KCC 9.04	Surface Water Run-off Policy: Variances	No Equivalent	The City relies on the adjustment process identified in the KCSWDM
KCC 9.04	Stormwater Runoff and Surface Water and Erosion Control	No Equivalent	In the absence of equivalent SMC, the City will use the King County Code for all general references to KCC 9.04
KCC 9.04.030	Definitions: Targeted Drainage Review/abbreviated evaluation	No Equivalent	In the absence of equivalent SMC, the City will use King County's definition
KCC 9.04.030	Drainage review – when required - type	No Equivalent	In the absence of equivalent SMC, the City will use King County's definition
KCC 9.04.030	Full Drainage Review	No Equivalent	The SMC does not list additional drainage review requirements and relies on the KCSWDM
KCC 9.04.050	Drainage review - requirements	No Equivalent	The SMC does not list additional drainage review requirements and relies on the KCSWDM
KCC 9.04.070	Engineering plans for the purposes of drainage review	Not Applicable	County Code refers to internal DDES procedures and is referenced only in definition of DDES
KCC 9.04.090	Construction timing and final approval	12.10.100	The City also has Subdivision Standard Plan Notes

King County Code to SeaTac Municipal Code (SMC) Reference Table			
King County Code Reference	Subject of Reference	SMC Equivalent	Comment
9.04.100	Liability insurance required	12.10.110 - 12.10.150	
KKCC 9.04.115	Drainage facilities accepted by King County for maintenance	No Equivalent	SeaTac generally does not accept stormwater facilities unless they are constructed in the public ROW
KCC 9.04.120	Drainage facilities not accepted by King County for maintenance	No Equivalent	SeaTac generally does not accept stormwater facilities unless they are constructed in the public ROW
K.C.C. 9.05.050	Drainage review - requirements	Not Applicable	King County Code section does not exist. Presumed typo. See KCC 9.04.050
KCC 9.12.025	Prohibited, allowable, and conditional discharges	12.12.020, 12.12.030, and 12.12.040	
KCC 9.12	Water Quality	No Equivalent	In the absence of equivalent SMC, the City will use the King County Code for all general references to KCC 9.12
KCC 9.12.035	Stormwater Pollution Prevention Manual	No Equivalent	Adopted via SeaTac Addendum to KCSWDM
Title 10	Seattle-King County Department of Public Health solid waste regulations	7.40	
KCC 16.62	Erosion and Sediment Control	Not Applicable	King County Code section does not exist. Presumed typo. See KCC 16.82 below.
KCC 16.82	Clearing and Grading Code: Bridge Design	No Equivalent	In the absence of City standards for bridge design, the City will rely on King County Road Design and Construction standards and the WSDOT Standard Specifications for Road, Bridge, and Municipal Construction
KCC 16.82	Clearing and Grading Code: Clearing Limit	No Equivalent	In the absence of City standards for clearing limits, the City will rely on King County standards.

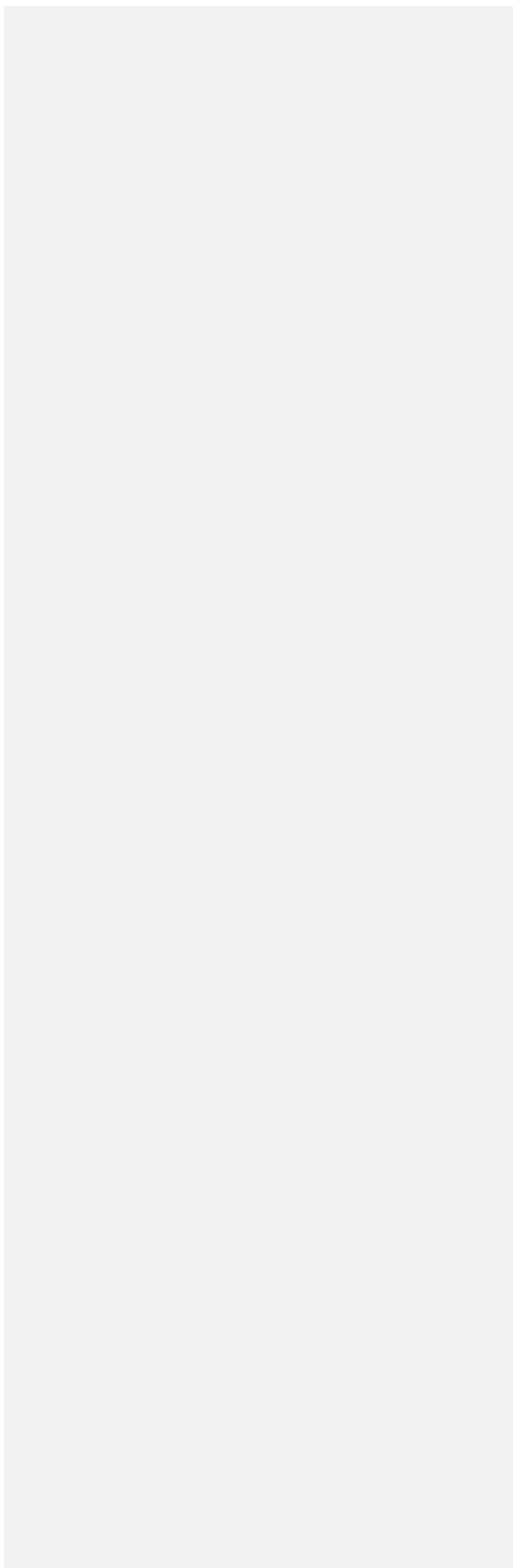
King County Code to SeaTac Municipal Code (SMC) Reference Table			
King County Code Reference	Subject of Reference	SMC Equivalent	Comment
KCC 16.82.095(A)	Erosion and sediment control standards	No Equivalent	In the absence of City standards for seasonal construction limitations, the City will rely on King County standards
KCC 16.82.095(A)	Erosion and sediment control standards-seasonal limitation period	No Equivalent	In the absence of City standards for seasonal construction limitations, the City will rely on King County standards
KCC 16.82.100(F)	Grading Standards: Preservation of Duff Layer	No Equivalent	Appendix B of this addendum includes the City's Soil Amendment requirements
KCC 16.82.100(G)	Grading Standards: Soil Amendments	No Equivalent	Appendix B of this addendum includes the City's Soil Amendment requirements
KCC 16.82.150	Clearing standards for individual lots in the rural zone	Not Applicable	SMC does not contain rural zoning classification
KCC 16.82.150 (C)	Clearing standards for individual lots in the rural zone	Not Applicable	SMC does not contain rural zoning classification
KCC 16.85	Clearing and Grading Code: Flood protection facilities	Not Applicable	King County Code section does not exist. Presumed typo. See KCC 16.82 below.
KCC 20.20 or Title 20.20	Land Use Review Procedures	16A	
KCC 20.70.020	Critical aquifer recharge area map adoption	15.700	
KCC 21A or Title 21A	Critical Areas Requirements	15.700	
KCC 21A.06	Definitions: Erosion Hazard Area	15.700	
KCC 21A.06	Definitions: Flood Hazard Area	15.700	

King County Code to SeaTac Municipal Code (SMC) Reference Table			
King County Code Reference	Subject of Reference	SMC Equivalent	Comment
KCC 21A.06	Definitions: Landslide Hazard Area	No Equivalent	SMC does not contain an equivalent definition
KCC 21A.06	Definitions: Steep Slope Hazard Area	15.700	
KCC 21A.06	Definition: Structure	15.700	
KCC 21A.06	Definitions: Critical Aquifer Recharge Area	15.700	
KCC 21A.06	Definitions: (Nonconversion) Forest Practices	Not Applicable	City of SeaTac only reviews Type IV - Conversion, forest practice permits
K.C.C. 21A.06.1340	Urban planned development land use designation	Not Applicable	SMC contains no equivalent comprehensive plan land use designation
KCC 21A.08	Definitions: Land Zoned for Agriculture (A zoned lands)	Not Applicable	SMC does not contain agricultural zoning classification
KCC 21.A12	Definitions: Urban Residential Development	15.200	The City of SeaTac Zoning Map contains Urban Low Density Residential (UL), Urban Medium Density Residential (UM), and Urban High Density Residential (UH).
KCC 21A.12.030	Impervious Surface Coverage	15.400.015	Only one zone in the City (Business Park [BP]) contains a maximum impervious surface coverage development standard
KCC 21A.12.030	Impervious Surface Coverage for Residential Subdivisions	Not Applicable	The City does not have impervious surface coverage development standards for residential subdivisions
KCC 21A.14.180	Onsite recreational space	15.510.500 – 15.510.560	The City allows vegetated roofs that are accessible to the general public and permeable pavement trails to count towards multi-purpose outdoor recreation and open

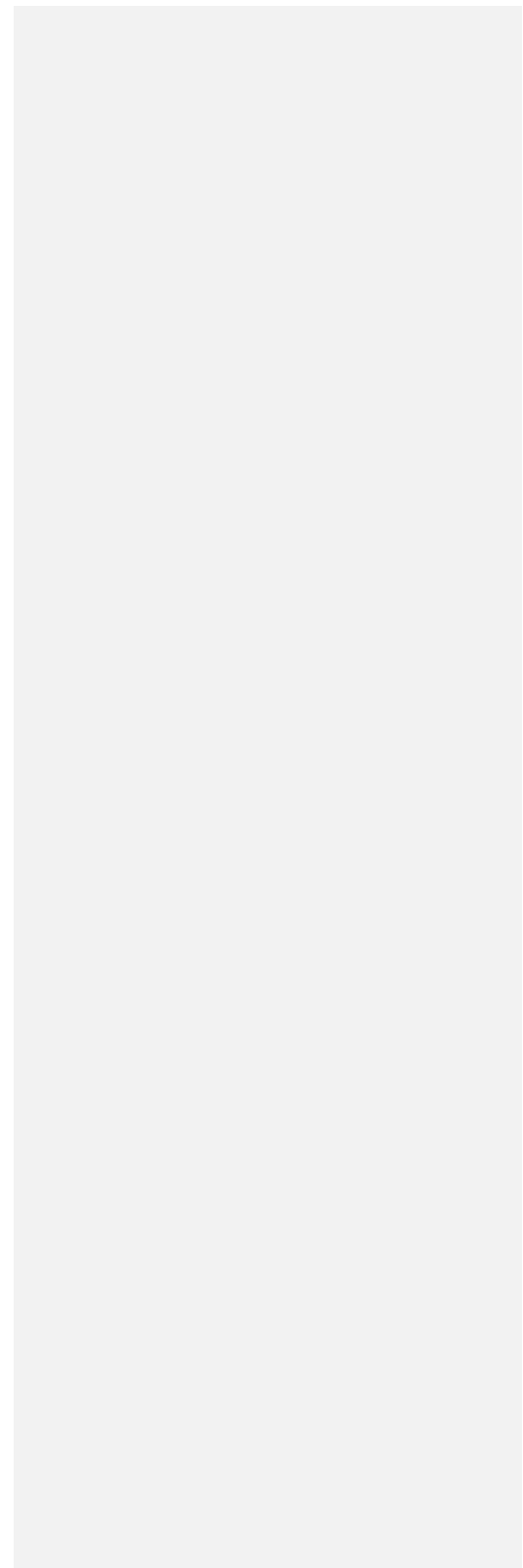
King County Code to SeaTac Municipal Code (SMC) Reference Table			
King County Code Reference	Subject of Reference	SMC Equivalent	Comment
			space
KCC 21A.14.180.D	21A.14.180 On-site recreation - space required.	15.510.510	The City allows vegetated roofs that are accessible to the general public and permeable pavement trails to count towards multi-purpose outdoor recreation and open space
KCC 21A.24	Critical Areas Code: 100-Year Floodplain	15.700	
KCC 21A.24	Critical Areas Code: Bridge Design	No Equivalent	In the absence of City standards for bridge design, the City will rely on King County Road Design and Construction standards and the WSDOT Standard Specifications for Road, Bridge, and Municipal Construction
KCC 21A.24	Critical Areas Code: Bridge pier and abutment locations	No Equivalent	In the absence of City standards for bridge and pier location, the City will rely on King County Road Design and Construction standards and the WSDOT Standard Specifications for Road, Bridge, and Municipal Construction
KCC 21A.24	Critical Areas Code: Critical Area Buffers	15.700	
KCC 21A.24	Critical Areas Code: Building Setbacks	15.700	
KCC 21A.24	Critical Areas Code: Channel Migration Zone	No Equivalent	In the absence of City standards for channel migration zones, the City will rely on King County standards

King County Code to SeaTac Municipal Code (SMC) Reference Table			
King County Code Reference	Subject of Reference	SMC Equivalent	Comment
KCC 21A.24	Critical Areas Code: Definition Streams	15.700	
KCC 21A.24	Critical Areas Code: Requirements of crossing streams	15.700	
KCC 21A.24	Critical Areas Code: Definition Wetlands/Wetland Soils	15.700	
KCC 21A.24	Critical Areas Code: Fish Passage Requirements	15.700	
KCC 21A.24	Critical Areas Code: Flood Hazard Area regulations	15.700	
KCC 21A.24	Critical Areas Code: Floodplain/Floodway Delineation	15.700	
KCC 21A.24	Critical Areas Code: Floodplain Data	15.700	
KCC 21A.24	Critical Areas Code: Flood Protection facility	No Equivalent	In the absence of City standards for flood protection facilities, the City will rely on King County standards
KCC 21A.24	Critical Areas Code: Notice on Title	15.700	
KCC 21A.24	Critical Areas Code: Regulation of Wetlands	15.700	
KCC 21A.24	Critical Areas Code: zero-rise and compensatory storage provisions	15.700	In the absence of City standards for zero-rise and compensatory storage, the City will rely on King County standards
KCC 21A.24	Definitions: Critical Area Ordinance (CAO)	15.700	See - Environmentally Sensitive Areas Code
KCC 21A.24	Farm Management Plans	Not Applicable	The City does not have Farm Management Plan code.

King County Code to SeaTac Municipal Code (SMC) Reference Table			
King County Code Reference	Subject of Reference	SMC Equivalent	Comment
KCC 21A.24	Floodplain Development Standards: Bridges	No Equivalent	In the absence of City standards for bridge design, the City will rely on King County Road Design and Construction standards and the WSDOT Standard Specifications for Road, Bridge, and Municipal Construction
KCC 21A.24, KCC 16.82	Rural Stewardship Plan or Farm Management Plan	Not Applicable	
KCC 21A.24	Sensitive Area	15.700	
KCC 21A.24	Sensitive Area Tract	15.700	
KCC 21A.24.100	Critical Area Review	15.700	
KCC 21A.24.110	Critical Area Reports	15.700	
KCC 21A.24.170	Notice on Title	15.700	
KCC 21A.24.230	Floodplain and Flood Hazard Areas	15.700	
KCC 21A.24.270	FEMA Elevation Certification	15.700	
KCC 21A.24.275	channel migration zone development standards	Not Applicable	
KCC 21A.25	Shorelines code	Title 18	
KCC 25 or Title 25	Shoreline Management: Bridge Design	Not Applicable	In the absence of City standards for bridge design, the City will rely on King County standards



**Appendix A – Hydrologic Analysis of the Des Moines
Creek Regional Detention Facility (July 23, 2003
Memorandum from the Department of Ecology)**





STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

Northwest Regional Office • 3190 160th Avenue SE • Bellevue, Washington 98008-5452 • (425) 649-7000

July 23, 2003

Mr. David Masters, Project Coordinator
Des Moines Creek Regional Detention Facility Planning Committee
P.O. Box 4008
Seattle, WA 98194

Dear Mr. Masters;

Re: Hydrologic Analysis of the Des Moines Creek Regional Detention Facility

We have reviewed the following reports submitted by you on behalf of the members of the Des Moines Creek Planning Committee:

- *Hydrologic Analysis of the Des Moines Creek Regional Detention Facility Using HSPF*
- *Des Moines Creek Regional Capital Improvement Project, Preliminary Design Report (including the Alternatives Analysis, Alternative Analyses Addendum, and Appendices A, B, D, and E).*
- *Des Moines Creek Basin Plan*

We find that these documents are responsive to the Department of Ecology's *Stormwater Management Manual for Western Washington, Appendix A, Guidance for Altering the Minimum Requirements Through Basin Planning*. The information submitted provides sufficient technical data to justify an alternative to the department's recommended minimum requirement for flow control within the Des Moines Creek Watershed. The alternative receiving the department's concurrence requires the implementation of three recommendations from the subject reports:

- A Des Moines regional detention facility in the Tyee Golf Course at the southern end of Sea-Tac airport, north of South 200th St., including two new stormwater detention ponds referred to as the Northwest Pond and the Approach Light Road Pond, as further described in the documents.
- Two bypass pipelines; a 48-inch diameter line to carry flow from the existing Tyee Regional Stormwater Pond to the Northwest Pond, and a 30-inch diameter line from the Tyee Pond to an abandoned sanitary sewer line that will be refurbished to carry stormwater to Puget Sound.

Hydrologic Analysis of the Des Moines Creek Regional Detention Facility
July 23, 2003
Page 2 of 2

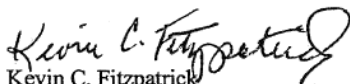
- Application of the King County Runoff Time Series (KCRTS) flow model or other DOE approved models, the King County Level 1 flow control standard, and the 1994 land use condition as the pre-developed condition for sizing flow control facilities for new development and redevelopment once the regional facilities and bypass lines are constructed and operational.

This concurrence should not be construed as the issuance of the necessary permits for construction of the above projects.

Because the planning documents do not provide alternative recommendations to the water quality treatment guidance provided in the 2001 Stormwater Management Manual for Western Washington, the Department of Ecology encourages the local governments to use the manual recommendations for new development and redevelopment. In addition, the Department encourages the Basin Committee to continue planning to address the existing water quality problems of the creek. The chemical parameters identified in the planning documents that exceed applicable water quality standards include: fecal coliform bacteria, temperature, dissolved copper and zinc. In addition, because of the relatively urbanized nature of the watershed, it is likely that concentrations of various polycyclic aromatic hydrocarbons and pesticides are periodically problematic.

We congratulate the local governments on their foresight, determination, and commitment to identify and implement a strategy that should give Des Moines Creek and its biologic resources a much improved chance at not only surviving, but thriving.

Sincerely,



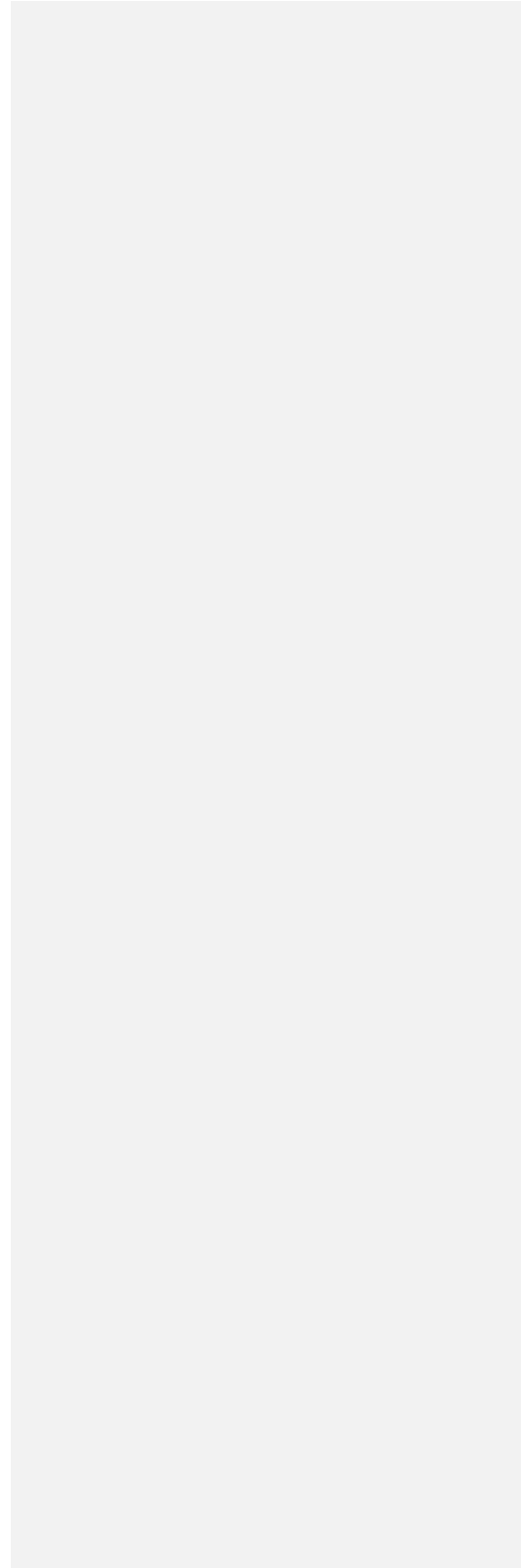
Kevin C. Fitzpatrick
Water Quality Manager
Northwest regional Office

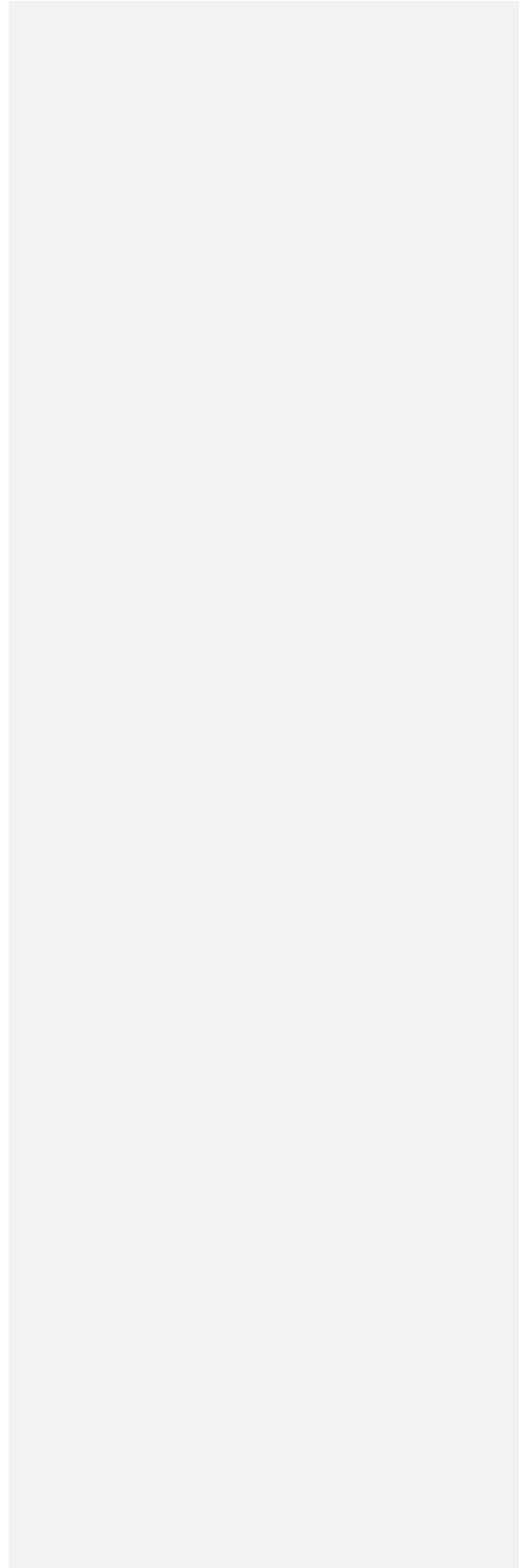
KCF:ha:jc

Cc: Donald Althausen, P.E., King County
Ed O'Brien, P.E., DOE, Water Quality, HQ
Ed Abbasi, Water Quality, NWRO

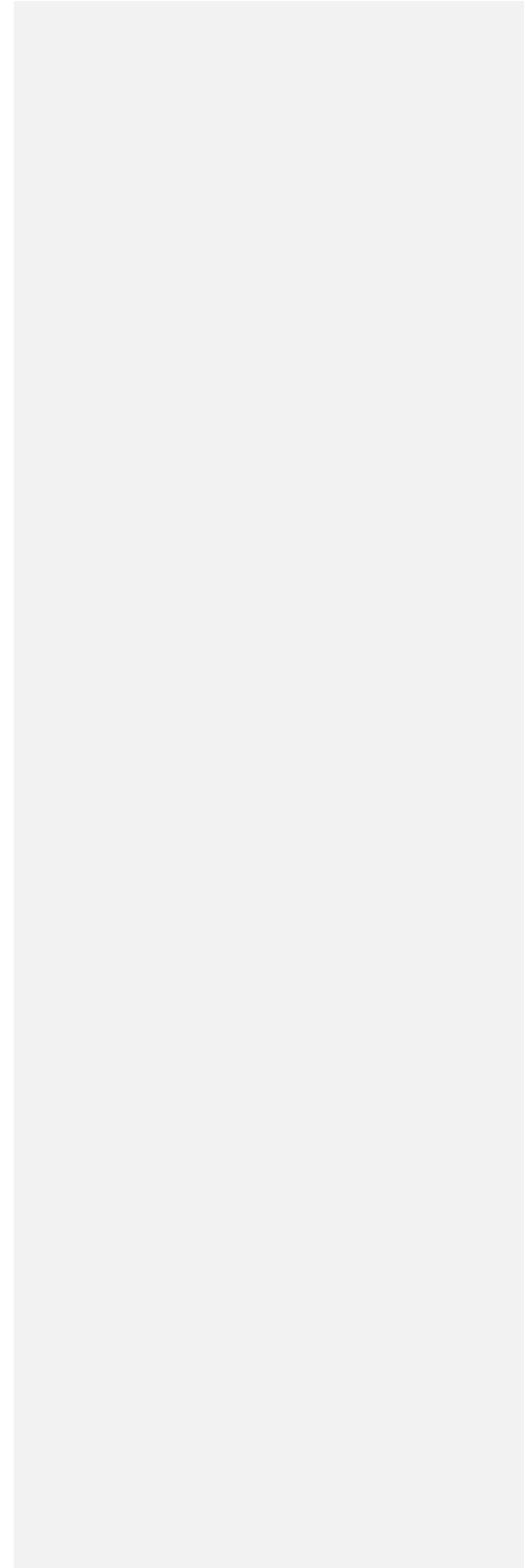
Appendix B – Soil Amendment Requirements

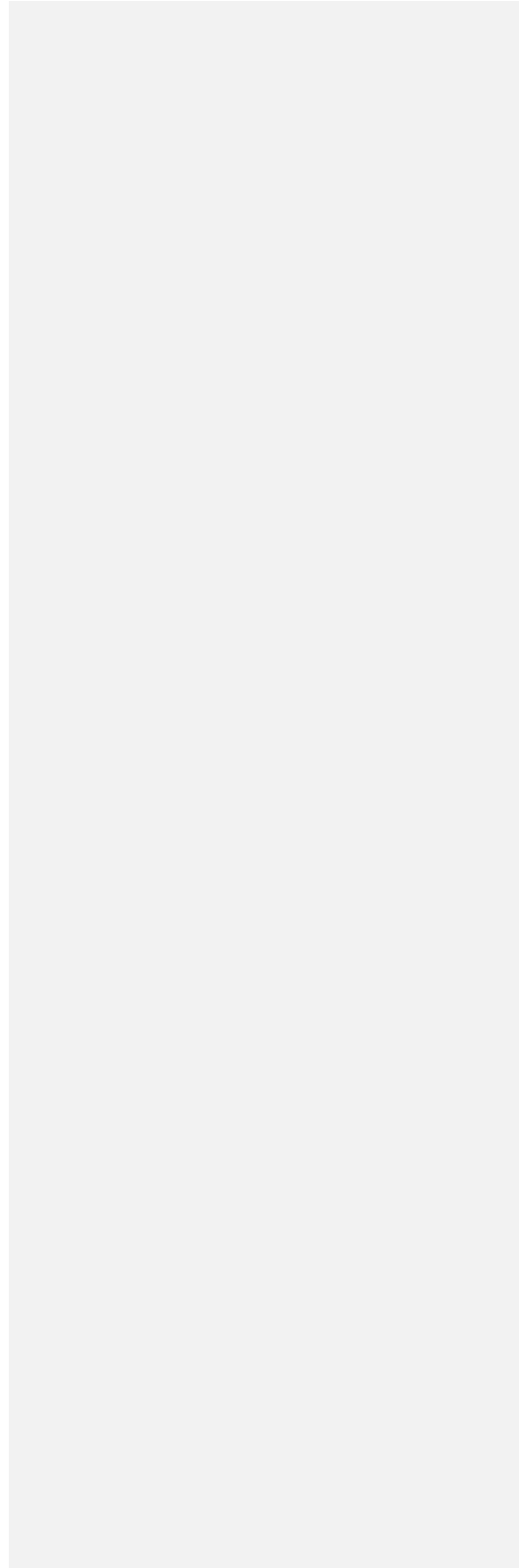
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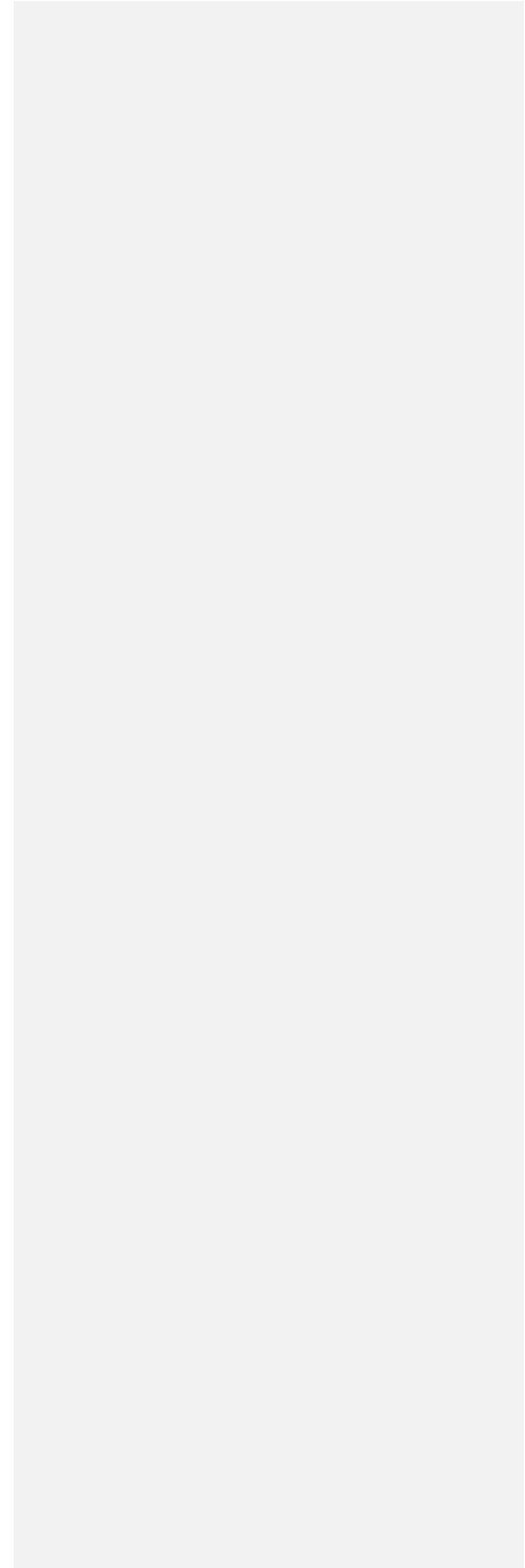


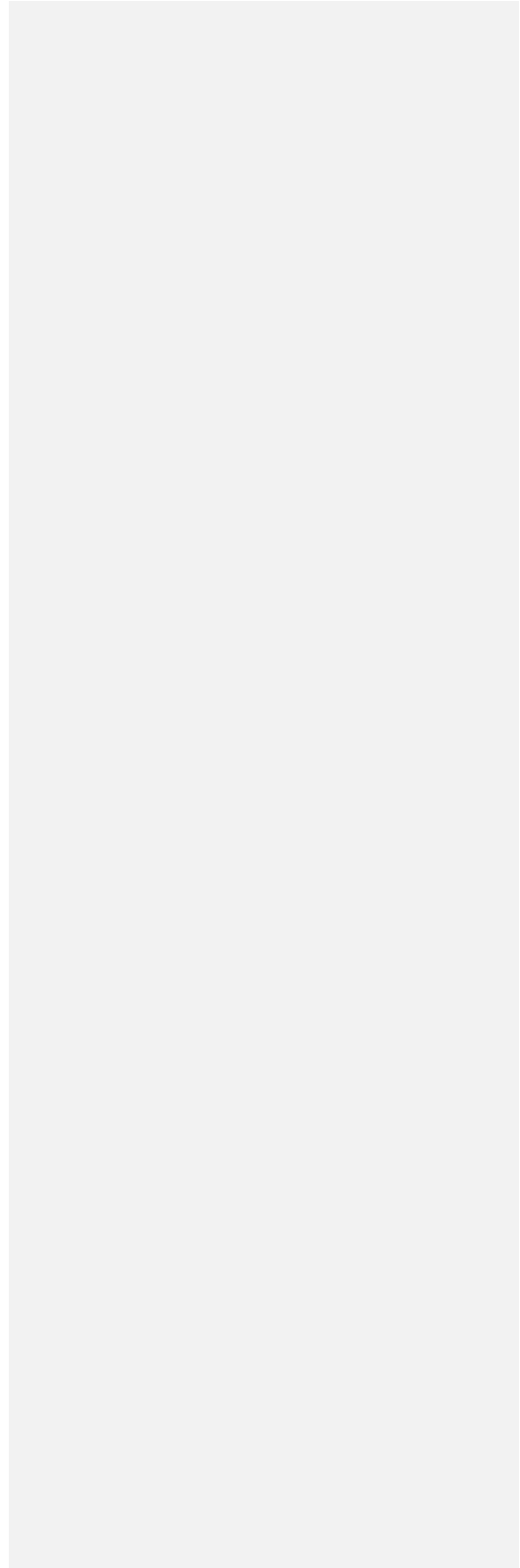
**Appendix C – Design and Maintenance Criteria for
BMPs/Facilities not included in the KCSWDM**





Appendix D – Flow Control and Water Quality Applications Maps







MEMORANDUM COMMUNITY & ECONOMIC DEVELOPMENT

Date: April 5, 2022
To: Planning Commission (PC)
From: Alena Tuttle, Associate Planner
Subject: Code Amendments: "Halfway House", "Work Release Facilities", and similar uses.

Purpose

This meeting is meant to provide the Planning Commission an overview of Ordinance No. 21-1027, a Moratorium on the permanent establishment of "Halfway House", "Work Release Facilities", and similar uses which was adopted by City Council on August 31, 2021. Furthermore, staff will brief PC on the State work release program, common issues identified by local law enforcement, regulations adopted in 1999, the SeaTac Municipal Code to-date, and how these regulations compare to other Municipalities. Staff is seeking initial Planning Commission questions, comments, and concerns in order to prepare for further discussions starting at your April 19 meeting.

Background

In February 2021, the Washington Department of Corrections (DOC) identified a site in SeaTac for a new work release facility, located near International Boulevard and South 188 Street. Between February and August of 2021, representatives of the City of SeaTac, together with the Cities of Burien, Des Moines, and Normandy Park actively engaged with the Washington Department of Corrections expressing several concerns, including:

- Impacts to the SeaTac community resulting from the creation of another essential public facility in a relatively small geographic area - there are approximately fifteen essential public facilities within city limits;
- Compatibility between a work release facility and the hospitality focus of the Urban Center;
- Social equity impacts and the effects on SeaTac's historically disadvantaged Black, Indigenous, and People of Color (BIPOC) community;
- Failure to provide sufficient community engagement in the siting process.

In response, the Washington Department of Corrections repeatedly declined to take meaningful action to address these concerns and in August indicated they would proceed with the evaluation of the proposed SeaTac site.

On August 31, 2021, the City Council adopted the moratorium (Ordinance No. 21-1027) prohibiting the establishment, location, operation, and licensing of a permanent "Halfway House", "Work Release Facility" or similar uses.

There are no work release facilities established in SeaTac and no complete applications for a permanent work release facility were received and vested to the regulations in effect prior to the passage of the moratorium. Following adoption of the moratorium, the Washington Department of Corrections abruptly cancelled its work to identify candidate sites in King County for a work

release facility. Code amendments will be applicable to any future application(s) after the expiration of the moratorium.

The moratorium expires August 31, 2022, unless extended or repealed according to law. Refer to Exhibit 1 for the complete ordinance.

State Work Release Program Overview

According to the Washington Department of Corrections (DOC), an incarcerated person with six months left to serve on his/her sentence may be eligible to spend those last months in a work release facility. These facilities serve as a bridge between living in prison and living in the community, assisting in creating a safe and productive lifestyle that can be sustained upon release. Focus areas include: finding and retaining employment, treatment, re-connecting with family members and refining various social and living skills.

Incarcerated people in work release facilities must follow all program rules such as searching for/retaining employment, frequent testing for substance abuse, and may only leave the facility for specific activities. Residents are monitored to ensure compliance and failure to abide by the rules may result in termination from the program.

Within Washington State, there are currently twelve work release facilities that collectively house 782 individuals: the smallest capacity facility totaling 26, the largest at 101. A table breaking down the numbers by facility can be found in Exhibit 2, while a map with the exact facility locations can be seen in Exhibit 3.

Local Law Enforcement Statistics

Anecdotally, issues and concerns regarding such facilities have been voiced. In speaking with Sgt Chad Mulligan of the SeaTac Police Department, he conveyed that limited statistical data from other agencies has been provided to support these claims when requested. Jurisdictions may or may not track calls for service specific to the facility itself, and rather within a certain mile radius. In turn, the correlation between calls for service and the facility is unknown. Seattle did not follow up and provide any data. Tacoma provided data; however, the address did not match the DOC work release facility location and may have been associated with a different type of facility. The Olympia facility has received minimal calls for service since 2014, most minor nuisances, such as harassment and theft. The Bellingham facility also has received minimal calls for service since 2019 (six total), most minor nuisances, such as suspicious circumstances, theft, and drugs. As a side note, both facilities are on the smaller capacity side, housing 26 and 50 individuals respectively.

SeaTac Comprehensive Plan Support

SeaTac Comprehensive Plan goals and policies should be considered when analyzing whether current regulations for halfway houses and work release sites should be modified or expanded upon, as such changes need to be supported by and consistent with the Comprehensive Plan.

The goals and policies below were included in the moratorium ordinance. Goal 2.1 specifically calls for a balanced mix and arrangement of land uses that support economic vitality, community health and equity, and transit access. Land use compatibility and support for the business community will need to be considered in the siting and regulation of work release facilities.

CHAPTER 1 INTRODUCTION AND FRAMEWORK

- GOAL 1.1 As a public entity, serve the good of the SeaTac community.
 - Policy 1.1B Support a culture of dialogue and partnership among community members, agencies, organizations, officials, and City departments.
 - Policy 1.1D When preparing City policies and regulations, take into account the good of the community as a whole, while treating property owners fairly and allowing some reasonable economic use for all properties.
 - Policy 1.1E Where possible, evaluate the effectiveness of policies, regulations, and other implementation actions in achieving SeaTac’s goals and vision and update the Plan as needed.

CHAPTER 2 LAND USE

- GOAL 2.1 Focus growth to achieve a balanced mix and arrangement of land uses that support economic vitality, community health and equity, and transit access.
- GOAL 2.7 Accommodate essential public facilities in alignment with this Plan’s goals and policies.

CHAPTER 8 ECONOMIC VITALITY

- GOAL 8.2 Review and reform regulations and taxing policies to develop a strong business climate and encourage entrepreneurial government.

SeaTac Municipal Code Analysis

On February 9, 1999, the SeaTac City Council passed Ordinance No. 99-1005 establishing “Halfway House” defined as *“State licensed work/release facilities and other housing facilities serving as an alternative to incarceration”*, as an allowed use within some zoning designations.

The Municipal Code has been amended periodically since that time; however, such amendments have not substantially amended the standards or requirements for the “Halfway House” use.

Currently, there are no provisions in the zoning code that establish specific standards and/or development regulations for “Halfway Houses”. An example of similar provisions would be SMC 15.465.350, Supportive Housing Facilities Standards.

The SeaTac Municipal Code (SMC) permits the “Halfway House” use within the following zoning designations:

- Office/Commercial (O/CM)
- Community Business (CB)
- Community Business in the Urban Center (CB-C)
- Regional Business Mix (RBX)

The use is not permitted in City Center, South 154th Street Station Area or Angle Lake Station Area Overlay Districts. For visual reference and scope of potential sitting locations within the city, please refer to Exhibit 4 for a SeaTac vicinity map highlighting parcels within the above zoning designations.

Halfway Houses as an Essential Public Facility:

The “Halfway House” use is allowed in the above-mentioned zoning designations subject to a conditional use permit (CUP). As part of the CUP process, a determination will be made as to whether an Essential Public Facility (EPF) siting process is needed. An Essential Public Facility is defined per SMC 15.105.050 as *“a facility providing public services, or publicly funded services that is difficult to site or expand...”*

A CUP is a Type III land use action that requires a Pre-Application Meeting prior to project submittal. During or within 45 days of the meeting, the Director makes a determination on whether the proposed project is an EPF and difficult to site based upon the known or reasonably perceived facts.

All proposed projects determined to be an EPF require Conditional Use Permit (CUP) - Essential Public Facility (EPF) review as briefly articulated below. Proposed projects determined not to be EPFs or proposed projects determined to be EPFs but not difficult to site are reviewed and processed only as a CUP.

Consideration should be given to whether this process and the deciding factor of “difficult to site” is best suited for work release facilities or should be amended.

Essential Public Facilities Process:

1. **Formation of Ad Hoc Committee.** The City Council establishes an Ad Hoc Committee by appointing up to seven members and the Planning Commission appointing one member. The Ad Hoc Committee is appointed by the City Council within 75 days of the determination by the Director that the proposed project is an EPF.
2. **Ad Hoc Committee Review and Coordination.** The Ad Hoc Committee makes recommendations to the designated hearing body within 60 days regarding the appropriate conditions to mitigate the impacts of the proposed EPF under the authority of the City’s SEPA regulations, Comprehensive Plan and development regulations.
3. **Designated Hearing Body.** The Hearing Examiner will hear an essential public facility application. However, the City Council may determine that the application should be heard by the City Council, and in that case, the City Council will be the designated hearing body.
4. **Public Hearing and Decision.** The designated hearing body shall hold a public hearing to make findings and issue a decision.

Conditional Use Permit (CUP) Process:

The process is a means of imposing special conditions and requirements on development when the use is not permitted outright due in the zone due to the nature of impacts created. This reasonably assures the compatibility of uses shall be maintained and that a nuisance or hazard to life or property will not occur.

The applicant must show that the proposed development satisfies all the following criteria for approval by the Hearing Examiner:

1. The proposed use is listed as a conditional use under SMC 15.205.040, Use Chart;
2. The site is adequate in size and shape for the proposed project and the use conforms to the general character of the neighborhood;

3. The unique character of topography, arterial streets and adjacent land use complement the proposed conditional use;
4. The conditional use would not be detrimental to surrounding land use;
5. Modifications to standards are limited to those which will mitigate impacts in a manner equal to or greater than the standards of this code;
6. The conditional use is such that pedestrian and vehicular traffic associated with the use will not be hazardous or conflict with existing and anticipated traffic in the neighborhood; and
7. The conditional use will be supported by adequate public facilities or services, and will not adversely affect public services to the surrounding area unless conditions can be established to mitigate adverse impacts.

Other Municipalities Code Analysis

Brief code research of the municipalities in which a work release facility is currently established was conducted.

The City of Kennewick, City of Spokane, City of Yakima and City of Tacoma all permit “Work Release Facilities” and/or similar terminology through the Conditional Use Process (CUP) as an Essential Public Facility (EPF), which is consistent with the City of SeaTac Municipal Code.

Permitted zoning designations vary.

- Within City of Kennewick and City of Spokane, EPF’s are not limited to certain zones but rather have the potential to be sited in all zones through the CUP process.
- Within the City of Yakima, “Halfway House” may be permitted in a Multifamily Residential District by staff approval and in the General Commercial and Central Business District by the Hearing Examiner.
- Within the City of Tacoma, “Work Release Center” may be permitted in the Urban Center Mixed Use, Commercial Industrial Mixed Use, and Light / Heavy Industrial Zones through the CUP process.

Planning & Economic Development Committee Direction:

On March 24, 2022, the PED Committee initiated the Planning Commission’s review of a potential code amendment related to halfway houses, work release facilities and similar uses with the following work tasks for the Planning Commission:

1. Evaluate the compatibility of and impacts upon adjacent land uses allowed within the applicable zoning designations and Urban Center;
2. Ensure consistency with the Comprehensive Plan’s goals and policies;
3. Establish performance standards such as occupancy limits, access to services and transportation, appearance, and parking; and
4. Review and amend the current zoning designations and process for siting.

Next Steps:

Staff from CED, GIS and Police are working to develop maps showing population density, hotel locations, and police service calls. Performance standard options, potential economic development and neighborhood impacts surrounding existing work release facilities across the state will also be provided for Planning Commission consideration at future meetings.

As part of the moratorium ordinance, a work plan for further study was incorporated, which includes the Planning Commission holding a public hearing and making a recommendation to City Council by the end of June. The following tentative schedule for Planning Commission allows the City Council to adopt code amendments no later than their meeting on August 9, 2022 before ordinance expiration on August 31, 2022.

- April 19 – Further analysis and direction provided to Staff
- May 3 – Draft code language review
- May 17 – Public hearing of the draft code
- June 7 – Recommendation to City Council

Attached Items (Exhibits)

1. Ordinance 21-1027.
2. DOC work release program fact sheet.
3. Statewide DOC work release map.
4. SeaTac vicinity map showing zones in which “Halfway Houses” are permitted through the Conditional Use Process.

**CITY OF SEATAC
DISTRIBUTION SCHEDULE**

Ord/Res No.: 21-1027	Subject: enacting a Moratorium on the permanent establishment of "Halfway House", "Work Release Facilities", and similar uses; declaring an emergency; and establishing an effective date.
--------------------------------	---

 KMG Confirmation of Exhibits (See Agenda Bill n/a)

Date passed by City Council: 08/31/2021 **Date Published:** 9/6/2021 **Date Effective:** 08/31/2021
Emergency Ordinance

COPIES OF EXECUTED DOCUMENT DISTRIBUTED AS FOLLOWS:

09/01/2021 Date copy uploaded to CODE Publishing website (Ordinance Only) .pdf for all / .docx if changes code (https://user.codepublishing.com/users/sign_in)

09/01/2021 Date copy emailed to Municipal Research (gnicas@mrsc.org) (35A.39.010)

 N/A Agmt/Cont #: file made Signed

 N/A Bid/RFP/RFQ

 N/A Date mailed to: John Wilson, King County Assessor (zoning) (per RCW 36.70B.230)
Ordinances passed July 1 through June 30 are due to the Assessor by July 31.

09/01/2021 Date mailed to: Washington Department of Commerce: secureaccess.wa.gov/myAccess/saw/select.do
Within 10 days after adoption

09/01/2021 INTERNAL email OnBase link to: Planning Department (zoning and Development Agreements)

 N/A INTERNAL email OnBase link to: GIS Analyst (Street Vacations, ROW acquisition)

 N/A INTERNAL email OnBase link to: Real Property Management Specialist (Street Vacations, ROW acquisition)

 N/A INTERNAL email OnBase link to: Budget Analyst (Budget / Fee Schedule)

 N/A Date mailed to: King County for recording (certified copy)
fully executed Agreement or Ord. upon effective date (Street Vacations & Ord. with instructions)
<http://www.kingcounty.gov/depts/records-licensing/recorders-office/recording-documents.aspx>

 N/A Email recorded copy of Street Vacation Ordinances to the Assessor's Office ATTN: **Abstract**
Christie.Most@Kingcounty.gov and Nimpa.Gueco@kingcounty.gov

09/01/2021 Date scanned into ONBASE

Other: _____

CERTIFIED COPIES PROVIDED AS FOLLOWS:

_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

ORDINANCE NO. 21-1027

AN ORDINANCE of the City Council of the City of SeaTac, Washington enacting a Moratorium on the permanent establishment of “Halfway House”, “Work Release Facilities”, and similar uses; declaring an emergency; and establishing an effective date.

WHEREAS, on February 9, 1999, the SeaTac City Council passed Ordinance No. 99-1005 establishing “Halfway House” as an allowed use within some zoning designations in the City of SeaTac, subject to development regulations requiring a Conditional Use Permit, compliance with standards related to landscaping and parking, and requirements related to the establishment of an Essential Public Facility; and

WHEREAS, Ordinance No. 99-1005 defined “Halfway House” as “*State licensed work/release facilities and other housing facilities serving as an alternative to incarceration*”; and

WHEREAS, the City of SeaTac City Council has amended the SeaTac Municipal Code periodically between 1999 and 2021, resulting in substantial changes to land use regulations within the City of SeaTac, however such amendments have not substantially amended the standards or requirements for the “Halfway House” use; and

WHEREAS, the SeaTac Municipal Code authorizes the “Halfway House” use within the Office/Commercial (O/CM), Community Business (CB), Community Business in the Urban Center (CB-C), and Regional Business Mix (RBX) zoning designations; and

WHEREAS, the City of SeaTac’s Comprehensive Plan Introduction establishes Goal 1.1, which reads: “*As a public entity, serve the good of the SeaTac community*”, with related policies 1.1B, 1.1D and 1.1E which reads “*Support a culture of dialogue and partnership among community members, agencies, organizations, officials, and City departments (Policy 1.1B)*” and “*When preparing City policies and regulations, take into account the good of the community as a*

whole, while treating property owners fairly and allowing some reasonable economic use of all properties (Policy 1.1D)”, and “Where possible evaluate the effectiveness of policies, regulations, and other implementation actions in achieving SeaTac’s goals and vision and update the Plan as needed”; and

WHEREAS, the City of SeaTac’s Comprehensive Plan Land Use Element establishes Goals 2.1 and 2.7, which read: *“Focus growth to achieve a balanced mix and arrangement of land uses that support economic vitality, community health and equity, and transit access (Goal 2.1)”* and *“Accommodate essential public facilities in alignment with this Plan’s goals and policies (Goal 2.7)”*; and

WHEREAS, the City of SeaTac’s Comprehensive Plan Economic Development Element establishes Goal 8.2, which reads: *“Review and reform regulations and taxing policies to develop a strong business climate and encourage entrepreneurial government”*; and

WHEREAS, the City of SeaTac’s Comprehensive Plan Land Use element generally directs the City of SeaTac to evaluate and ensure the compatibility of adjacent land uses through the establishment of a land use designation map, zoning designation map, and implementing development regulations; and

WHEREAS, between February 2021 and August 2021, representatives of the City of SeaTac have been actively engaged with the Washington State Department of Corrections related to a possible work-release facility in the City of SeaTac; and

WHEREAS, on March 26, 2021, the City of SeaTac Mayor Erin Sitterley signed a letter requesting that the Washington Department of Corrections take action to address numerous concerns, including the effect a work release facility would have on SeaTac’s historically disadvantaged Black, Indigenous, and People of Color (BIPOC) community, and further noting

that the establishment of a work release facility will directly conflict and is incompatible with the City's vision for SeaTac's Urban Center and conflict with the hospitality industry focus of the Urban Center; and

WHEREAS, the City of SeaTac currently hosts approximately fifteen essential public facilities, within the SeaTac city limits; and

WHEREAS, on July 20, 2021, the City of SeaTac City Manager Carl Cole, together with the City Managers of the Cities of Burien, Des Moines, and Normandy Park, signed a joint letter to the Washington Department of Corrections again expressing numerous concerns and requesting, in part, that the Washington Department of Corrections take action to address impacts to social equity and the effects of concentrating Essential Public Facilities into a relatively small geographic area; and

WHEREAS, on April 9, 2021, and August 11, 2021, the Washington Department of Corrections responded to the March 26, 2021 and July 20, 2021 letters, and further declined to take any meaningful action to address the concerns expressed by the cities of SeaTac, Des Moines, Burien, and Normandy Park; and

WHEREAS, on August 17, 2021, the Washington State Department of Corrections indicated that the Washington State Department of Corrections would proceed with the evaluation of a work-release facility located in the City of SeaTac; and

WHEREAS, the City Council finds that review of the "Halfway House" development regulations is necessary to ensure that the regulations adopted in 1999 continue to serve the good of the community in 2021, ensure compatibility between adjacent land uses, and are consistent with the City of SeaTac Comprehensive Plan; and

WHEREAS, the City Council finds that the establishment of a new “Halfway House” or work-release facility should only be authorized if such facility is sited in a manner consistent with the Comprehensive Plan’s goals and policies; and,

WHEREAS, the City Council may adopt an immediate moratorium, incorporating a work plan for further study, for a period of up to one year on the acceptance of permit applications for the purpose of establishing permanent “Halfway House”, work-release facility, and similar uses, as long as the City Council holds a public hearing on the moratorium within sixty days after adoption pursuant to RCW 35A.63.220 and RCW 36.70A.390; and

WHEREAS, to prevent the potential harm to public health, safety, welfare, and peace, the City Council concludes that immediate action is necessary; and

WHEREAS, the moratorium does not apply to any complete application for a permanent “Halfway House”, work-release facility, or similar use that has vested to the regulations in effect prior to the passage of this Ordinance; and

WHEREAS, the City shall hold a public hearing on October 26, 2021, consistent with the requirements of RCW 35A.63.220 and RCW 36.70A.390;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC, WASHINGTON, DO ORDAIN as follows:

Section 1. Pursuant to the provisions of RCW 35A.63.220 and 36.70A.390, a moratorium is hereby enacted in the City of SeaTac prohibiting the establishment, location, operation, and licensing of a permanent “Halfway House”, work-release facility, or similar uses.

Section 2. Through August 31, 2022, the City shall not accept applications for pre-applications, rezones, land use permits, development permits, or building permits for any of the purposes or activities listed in Section 1 above, and no business license shall be granted or accepted while this moratorium is in effect. Any land use approvals, business licenses or other permits for these facilities that are issued as a result of error or by use of vague or deceptive descriptions during the moratorium are null and void, and without legal force or effect.

Section 3. The above “Whereas” clauses of this Ordinance constitute specific findings by the Council in support of passage of this Ordinance.

Section 4. Pursuant to RCW 35A.63.220 and RCW 3670A.390, the City Council shall cause appropriate notice to be given and shall hold a public hearing regarding the moratorium established in Section 1 of the Ordinance not later than sixty (60) days after adoption hereof, and the City Council may make additional findings of fact justifying the moratorium or rescind the same.

Section 5. Pursuant to RCW 35A.63.220 and RCW 3670A.390, the City Council sets forth the following work plan for study, and to take any necessary actions following study:

Time Period	Study / Action
September 2021 to March 2022	<ul style="list-style-type: none"> • Staff study of applicable statutes, review of available studies related to the compatibility between work-release facilities and businesses • Planning and Economic Development Committee review of staff findings and further guidance on necessary action(s)
March to June 2022	<ul style="list-style-type: none"> • Planning Commission review, public hearing, and recommendation on any proposed code amendment(s)
June to July 2022	<ul style="list-style-type: none"> • Planning and Economic Development Committee and / or City Council Study Session review and recommendation to City Council
July to September 2022	<ul style="list-style-type: none"> • City Council review and action


Section 6. Pursuant to RCW 36.70A.106, this Ordinance shall be transmitted to the Washington State Department of Commerce as required by law.

Section 7. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

Section 8. The City Council declares that an emergency exists requiring passage of this Ordinance for the protection of public health, safety, welfare, and peace based on the Findings set forth in Section 3 above. This Ordinance shall take effect and be in full force immediately upon passage and shall expire August 31, 2022 unless extended or repealed according to law.

ADOPTED this 31st day of August, 2021, and signed in authentication thereof on this 31st day of August 2021.

CITY OF SEATAC


Peter Kwon, Deputy Mayor

ATTEST:


Kristina Gregg, City Clerk

Approved as to Form:


Mary E. Mirante Bartolo, City Attorney

[Effective Date: 8/31/2021]

[Moratorium Halfway House and Work-Release Facility]

City of SeaTac
SeaTac City Hall
4800 South 188th Street
SeaTac, WA 98188
206.973.4800

(Legal Notice)

August 31, 2021.


**NOTICE OF ORDINANCE ADOPTED
BY THE SEATAC CITY COUNCIL**

Following is a summary of Ordinances adopted by the City of SeaTac City Council on the 31st day of August 2021:

ORDINANCE NO. 21-1027

AN ORDINANCE enacting a moratorium on the permanent establishment of “Halfway House”, “Work Release Facilities”, and similar uses; declaring an emergency; and establishing an effective date. Effective immediately upon passage and shall expire August 31, 2022 unless extended or repealed according to law.

The full text of each Ordinance is available at the City Clerk’s Office, SeaTac City Hall, 4800 South 188th Street, SeaTac, Washington 98188, 206.973.4800. A copy will be mailed upon request.



Kristina Gregg, City Clerk

Published in the Seattle Times: September 6, 2021

Work Release Program

A structured transition back into the community



DEPARTMENT OF CORRECTIONS

Mission Statement

The mission of DOC is to improve public safety by positively changing lives.

Vision Statement

Working together for safer communities.

Cheryl Strange

Secretary

Danielle Armbruster

Assistant Secretary, Reentry Division

Mark Kucza

Senior Administrator, Reentry Division

For more information about the Department, visit us at:

www.doc.wa.gov

FACTS

The legislature provided funding of \$8.07 million annually in the 2021 – 2023 Biennial Budget to operate an increased bed capacity at work/training release by 200 beds.

During Fiscal Year 2020:

- Work Release residents earned \$9,750,331.26 collectively while employed during their time at work release.

Earnings by Region:

- Northwest Region - \$3,866,061.89
- Southwest Region - \$3,012,540.98
- East Region - \$2,871,728.39

Residents paid \$901,084.10 towards their court ordered legal financial obligations.

Work release facilities serve as a bridge between living in prison and living in the community. Residents in work release are focused on transition, to include finding and retaining employment, re-connecting with family members and becoming productive members of the community. They also learn and refine social and living skills such as riding the bus, going to the grocery store, and managing their personal finances – all while completing their sentence in partial confinement. Work release is an opportunity for self-improvement, while assisting incarcerated individuals to create a safe and productive lifestyle that can be sustained upon release.

Who is eligible for Work Release?

- Both male and female individuals.
- Individuals who are within six months of release.
- Individuals who are awarded minimum security status based on a behavior-driven classification process.

What are the benefits of Work Release?

- Residents resume responsibility for their decisions and actions, and they establish employment prior to release. As a result, they are able to contribute to the support of their families and make payments towards their court-ordered legal financial obligations; including paying restitution to their victims.
- Residents contribute to the cost of their room and board.
- While they are in the program, work release staff assist the residents to establish community ties through education, treatment, family, and support groups.

Are there specialized programs?

- The Graduated Reentry Program, HB2638 is available to certain participants which may now allow an individual to become a work release resident during the final 12 months of their incarceration.
*Final six months to include electronic home monitoring at an approved residence.
- Helen B. Ratcliff Work/Training Release offers an opportunity for mothers within the Residential Parenting Program at Washington Corrections Center for Women (WCCW) to transition to the facility where the mother can live with and care for her child, while participating in Work Release. Helen B. Ratcliff also provides overnight visits for children with their mothers.
- Eligible residents participate in Chemical Dependency treatment, Offender Change Programs and other treatment programs.

Work Release Program—Page 2

FACTS

Legal Financial Obligation by Region:

- Northwest Region - \$347,456.60
- Southwest Region - \$277,785.45
- East Region - \$275,842.05

Fiscal Year 2020 Work Release Costs:

- Average cost per resident is \$41,880 per year or \$114.74 per day
- Residents pay \$13.50 per day towards their room & board
- Average cost to house an individual in Prison is \$46,758 per year or \$128.10 per day
- Housing residents in work release facilities saves an average \$4,878 per year

CURRENT WORK RELEASE FACILITIES AND FUNDED CAPACITIES

(AS OF JUNE 30, 2020)

Work Release Facility	County	M	F	Total
Olympia	Thurston	18	8	26
Bellingham	Whatcom	43	7	50
Reynolds	King	92	0	92
Tri-Cities	Benton	35	5	40
Ahtanum View	Yakima	81	20	101
Bishop Lewis	King	47	0	47
Brownstone	Spokane	84	0	84
Eleanor Chase House	Spokane	0	55	55
Helen B. Ratcliff	King	0	45	45
Longview	Cowlitz	78	11	89
Peninsula	Kitsap	55	8	63
Progress House	Pierce	76	14	90
Total		608	174	782

(Data shown in above table: Current Work Release Facilities and Funded Capacity) Olympia Work Release, Thurston County, 18 males, 8 females for a total of 26. Bellingham Work Release, Whatcom County, 43 males, 7 females for a total of 50. Reynolds Work Release, King County, 92 males, 0 females for a total of 92. Tri-cities Work Release, Benton County, 35 males, 5 females, for a total of 40. Ahtanum View Work Release, Yakima County, 81 males, 20 females, for a total of 101. Bishop Lewis Work Release, King County, 47 males, 0 females, for a total of 47. Brownstone Work Release, Spokane County, 84 males, 0 females, for a total of 84. Eleanor Chase Work Release, Spokane County, 0 males, 55 females, for a total of 55. Helen B. Ratcliff Work Release, King County, 0 males, 45 females, for a total of 45. Longview Work Release, Cowlitz County, 78 males, 11 females, for a total of 89. Peninsula Work Release, Kitsap County, 55 males, 8 females for a total of 63. Progress House Work Release, Pierce County, 76 males, 14 females, for a total of 90. In total there are 608 males and 174 females, for a total of 782 people in work release facilities.

What are the expectations of residents in Work Release?

- All residents must abide by the rules and regulations of the program. Deviations can result in disciplinary action, to include termination from the program.
- Residents work on job development including searching for, placement in, and retention of employment. On-site job visits and verification are completed by work release staff to assure the resident is employed at the designated site. Staff verify work schedules and travel times for destinations to ensure accountability when in the community.
- Residents are only allowed out of the facility if they work, are conducting personal essential business, or are on a supervised social outing to visit family members. These outings are always in the presence of an approved sponsor who has undergone a criminal background check.
- Residents must continue therapy, parenting classes, anger management training, and substance abuse treatment in the community while in Work Release. This may also include participation in Alcoholics Anonymous, as identified in their case management plan.
- Residents must submit to frequent test for substance abuse.

BENEFIT-COST SUMMARY STATISTICS PER PARTICIPANT

(FROM THE [WSIPP BENEFIT-COST RESULTS REPORT—DECEMBER 2019](#))

Benefits to:

Tax Payers	\$1,1122	Benefits minus costs	\$5,013
Participants	\$0	Benefits to ratio	n/a
Others	\$2,536	Chance the program will produce	
Indirect	\$826	benefits greater than costs	99%
Total benefits	\$4,483		
Net program cost	\$530		

Benefits minus costs \$5,013

**The estimates shown are present value, life cycle benefits and costs. All dollars are expressed in the base year chosen for this analysis (2018). The chance the benefits exceed the costs are derived from a Monte Carlo risk analysis. The details on this, as well as the economic discount rates and other relevant parameters are described in our [Technical Documentation](#).*



Incarceration Facilities Map



Reentry - Assistant Secretary Danielle Armbruster

Correctional Industries - Director Sarah Sytsma
Work Release - Field Administrator David Ganas

Prisons - Assistant Secretary Mike Obenland

East - Deputy Assistant Secretary Jeff Uttecht
 AHCC - Superintendent - James Key
 CCCC - Superintendent - Dean Mason
 CRCC - Superintendent - Melissa Andrewjeski
 LCC - Superintendent - JC Miller
 WSP - Superintendent - Don Holbrook

West - Deputy Assistant Secretary Ron Haynes
 CBCC - Superintendent - Jeri Boe
 MCC - Superintendent - Eric Jackson / Jack Warner
 OCC - Superintendent - Jason Bennett
 SCCC - Interim Superintendent - Dan Van Ogle
 WCC - Superintendent - Dan White

Womens Prisons - Assistant Secretary: VACANT

MCCCW - Superintendent - Dennis Tabb
WCCW - Superintendent - Jeneva Cotton

Human Resources - Director Todd Dowler

Training & Development - Administrator Jason Aldana

Health Services - Assistant Secretary Dan Johnson

Maple Lane Pharmacy - Director William Hayes

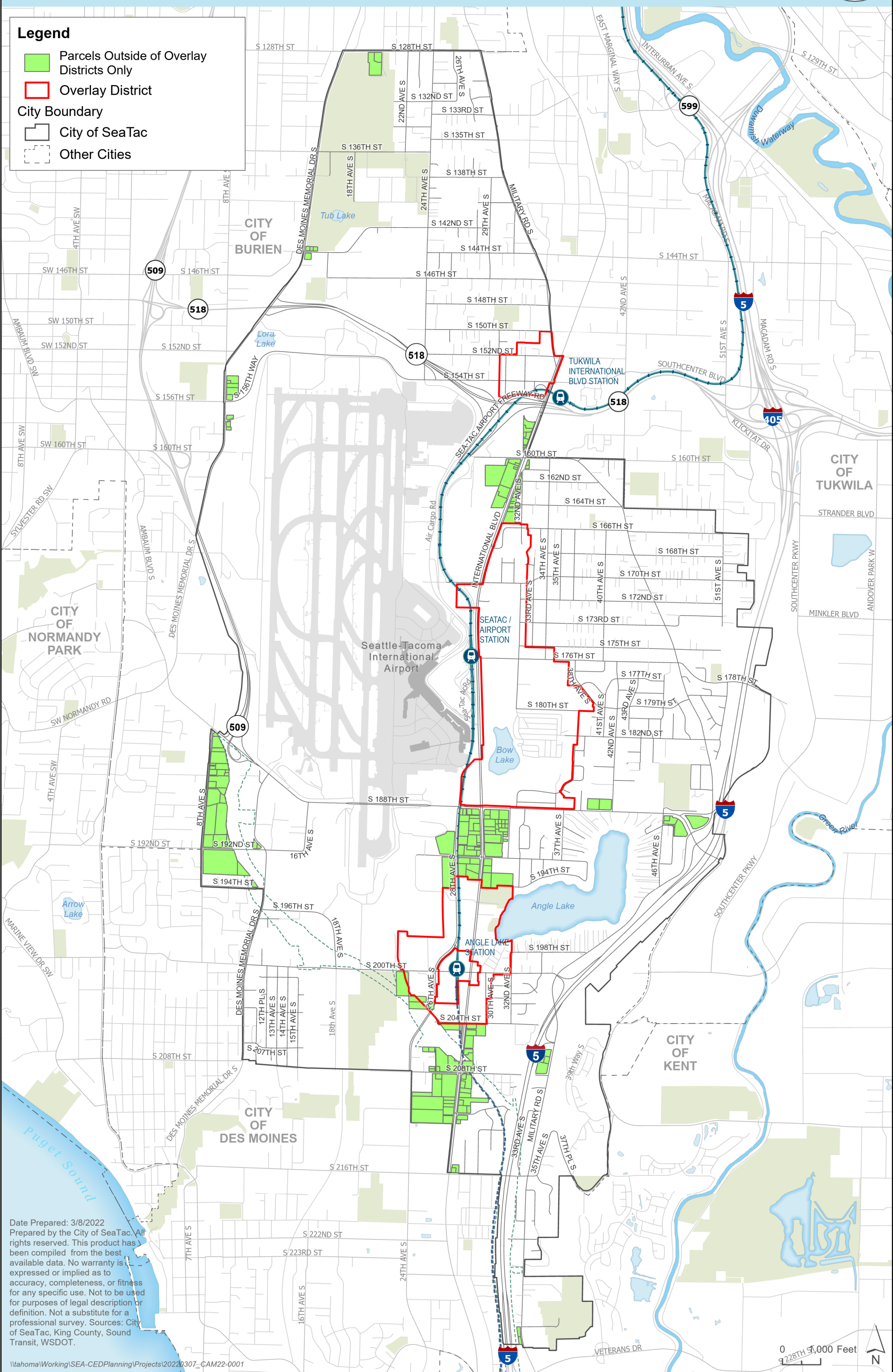
ZONES WHERE HALFWAY HOUSES ARE PERMITTED THROUGH THE CONDITIONAL USE PROCESS

City of SeaTac

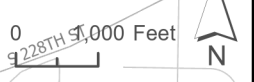


Legend

- Parcels Outside of Overlay Districts Only
- Overlay District
- City Boundary
- City of SeaTac
- Other Cities



Date Prepared: 3/8/2022
Prepared by the City of SeaTac. All rights reserved. This product has been compiled from the best available data. No warranty is expressed or implied as to accuracy, completeness, or fitness for any specific use. Not to be used for purposes of legal description or definition. Not a substitute for a professional survey. Sources: City of SeaTac, King County, Sound Transit, WSDOT.





Potential Code Amendment for Work Release Facilities

Planning Commission

April 5, 2022



PRESENTATION OVERVIEW

PURPOSE OF PRESENTATION

- Staff to provide overview of Ordinance No. 21-1027.
- Staff to provide overview of preliminary research and Code analysis related to “Halfway Houses”.
- Seek recommendation on further action for Planning Commission.

WHY IS THIS ISSUE IMPORTANT?

1. In February 2021, the Washington Department of Corrections (DOC) identified a site in SeaTac for a new work release facility.
2. In August 2021, the City passed a one-year moratorium on the permanent establishment of “Halfway House”, “Work Release Facilities”, and similar uses.
3. Council found that review of the “Halfway House” development regulations is necessary.
4. The moratorium includes a work plan for further study.
5. The moratorium expires on August 31, 2022 unless extended or repealed.



PRESENTATION OVERVIEW

- No work release facilities established.
- No complete applications received and vested.
- The DOC cancelled its work to identify candidate sites in King County for a work release facility.
- Code amendments will be applicable to any future application(s) after the expiration of the moratorium.



POTENTIAL COMMITTEE ACTION

COMMITTEE ACTION REQUESTED

- Review materials and provide any direction to staff for further research and/or code writing.
- Draft code amendment review expected on 5/3/2022.
- Planning Commission Public Hearing tentatively scheduled for 5/17/2022.

REVIEWS TO DATE

- RCM: 8/31/2021 Moratorium
- PED: 5/24/2022



STATE WORK RELEASE PROGRAM OVERVIEW

WHAT DOES THE PROGRAM DO?

- Assist in creating a safe and productive lifestyle that can be sustained upon release
- Find employment
- Provide treatment
- Re-connect individuals with family
- Refine various social and living skills

WHO IS ELIGIBLE?

An incarcerated person with 6 months left to serve on his/her sentence.

HOW MANY ARE IN OPERATION?

12 work release facilities in Washington State that collectively house 782 individuals.

ISSUES ENCOUNTERED BY LAW ENFORCEMENT:

Limited statistical data provided.

Most calls were minor nuisances in Olympia and Bellingham locations.



FACILITIES LOCATED IN WASHINGTON STATE



SEATAC COMPREHENSIVE PLAN

Any code amendment needs to be supported by and consistent with the Comprehensive Plan.

- **GOAL 1.1** As a public entity, serve the good of the SeaTac community.
 - Policy 1.1B Support a culture of dialogue and partnership among community members, agencies, organizations, officials, and City departments.
 - Policy 1.1D When preparing City policies and regulations, take into account the good of the community as a whole, while treating property owners fairly and allowing some reasonable economic use for all properties.
 - Policy 1.1E Where possible, evaluate the effectiveness of policies, regulations, and other implementation actions in achieving SeaTac's goals and vision and update the Plan as needed.
- **GOAL 2.1 Focus growth to achieve a balanced mix and arrangement of land uses that support economic vitality, community health and equity, and transit access.**
- GOAL 2.7 Accommodate essential public facilities in alignment with this Plan's goals and policies.
- GOAL 8.2 Review and reform regulations and taxing policies to develop a strong business climate and encourage entrepreneurial government.



SEATAC MUNICIPAL CODE HISTORY

- Ordinance No. 99-1005 established the “Halfway House” use.
- Defined as “State licensed work/release facilities and other housing facilities serving as an alternative to incarceration”.
- No substantial amendments to the use have been made since.
- There are no provisions in the zoning code that establish specific standards and/or development regulations for “Halfway Houses”.

Examples include:

- Occupancy limits
- Code of conduct
- Security measures
- Contact information



“HALFWAY HOUSE” ZONING DESIGNATIONS

The SeaTac Municipal Code (SMC) permits the “Halfway House” use within the following zoning designations:

- Office/Commercial (O/CM)
- Community Business (CB)
- Community Business in the Urban Center (CB-C)
- Regional Business Mix (RBX)

The use is not permitted in:

- City Center Overlay District
- South 154th Street Station Area Overlay District
- Angle Lake Station Area Overlay District



CONDITIONAL USE PERMIT (CUP) PROCESS

The “Halfway House” use is allowed subject to a conditional use permit (CUP).

WHAT IS A CUP?

- A Type III land use action that requires a Pre-Application Meeting prior to project submittal.
- The proposed development must satisfy all criteria for approval by the Hearing Examiner.
- Can impose special conditions and requirements on development due to the nature of impacts created.

As part of the CUP process, a determination will be made as to whether an Essential Public Facility (EPF) siting process is needed.



CUP – EPF REVIEW PROCEDURE

WHAT IS AN EPF?

An Essential Public Facility is “a facility providing public services, or publicly funded services that is difficult to site or expand...”

DETERMINATION

Within 45 days of the pre application meeting, Director determines whether the proposed project is an EPF and difficult to site.

- Projects determined to be an EPF require a CUP - EPF review.
- Proposed projects determined not to be EPFs or EPFs but not difficult to site are reviewed and processed only as a CUP.



ESSENTIAL PUBLIC FACILITIES (EPF) PROCESS

1. Pre-Application Meeting

- Within 45 days the Director makes a determination on whether the proposed project is an EPF.

2. Formation of Ad Hoc Committee

- City Council appoints up to 7 members and the Planning Commission appoints 1 member within 75 days of the EPF determination.

3. Ad Hoc Committee Review & Coordination

- Makes recommendation to the designated hearing body within 60 days regarding the appropriate conditions to mitigate the impacts of the proposed EPF.

4. Designated Hearing Body

- The Hearing Examiner will hear an essential public facility application. However, the City Council can choose to be the designated hearing body instead.

5. Public Hearing and Decision

- The designated hearing body shall hold a public hearing to make findings and issue a decision.



COMPARISON OF OTHER MUNICIPALITIES

City of Kennewick and City of Spokane

- EPF's in all zones through the CUP process.

City of Yakima

- Multifamily Residential District (at the Staff level)
- General Commercial and Central Business District (by the Hearing Examiner)

City of Tacoma

- Urban Center Mixed Use
- Commercial Industrial Mixed Use
- Light / Heavy Industrial Zones

Facilities are permitted through the Conditional Use Process (CUP) as an Essential Public Facility (EPF), which is consistent with the City of SeaTac Municipal Code.



POTENTIAL COMMITTEE ACTION

COMMITTEE ACTION REQUESTED

Staff is seeking initial PC questions, comments, and concerns in order to prepare for further discussion.

PED DIRECTION ON FURTHER REVIEW OF...

- Compatibility and impacts on adjacent land uses.
- Consistency with Comprehensive Plan.
- Creating performance standards.
- Amending zoning and/or process for siting.

FUTURE REVIEWS

Tentative schedule for PC allows the City Council to adopt code amendments before ordinance expiration on August 31, 2022:

- April 19 – Further analysis and direction provided to Staff
- May 3 – Draft code language review
- May 17 – Public hearing of the draft code
- June 7 – Recommendation to City Council
- June 23 – PED Committee Recommendation to City Council
- August 9 – City Council adoption

