



Planning and Economic Development Committee Agenda

May 26, 2022

4:00 P.M.

Virtual Meeting

Due to the current COVID-19 public health emergency, and social distancing protocols, pursuant to the Governor's and public health officials' orders, this meeting will be conducted virtually. The meeting will be live streamed on SeaTV Government Access Comcast Channel 21 and the City's website <https://www.seatacwa.gov/seatvlive> and click play. The public may also call in to the conference line to listen to the meeting. The number is 206.973.4555. While you will be able to hear the meeting; you will not be able to participate in the meeting. Please note that if you are unable to mute your phone, everyone else on the call-in line will be able to hear you, so please refrain from speaking. City Hall is closed, so no one will be able to physically attend this meeting.

Councilmembers

Mohammed Egal, Chair

Peter Kwon

Mayor Jake Simpson

A quorum of the Council may be present.

Staff Coordinator: Evan Maxim, CED Director

ITEM	TOPIC	PROCESS	WHO	TIME
1	Call to Order		Chair	4:00
2	PUBLIC COMMENTS (any topic): In an effort to adhere to the social distancing protocols, and in order to keep our residents, Council, and staff healthy, the Committee 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 <u>2:00PM</u> the day of the meeting.		Chair	4:00 (2 min)

	<p>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.</p> <ul style="list-style-type: none"> • 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 pedpubliccomment@seatacwa.gov. The comment will be mentioned by name and subject and then placed in the committee handout packet posted to the website. 			
3	Minutes of 03/24/2022 regular meeting	Review and approve	Committee	4:02 (2 min)
4	CRF2022-01: Planning Commission Membership and Scope of Work	Review and direction	Jenn Kester	4:04 (45 min)
5	Work Release Facilities: 6-month Moratorium Extension	Review and recommendation	Evan Maxim	4:49 (20 min)
6	Adjourn		Chair	5:09



Planning & Economic Development Committee Minutes

Thursday March 24, 2022

4:00 PM – 5:30 PM

* Virtual Meeting *

Members: Present: Commence: 4:00 PM
Adjourn: 6:18 PM

Mohamed Egal, Chair X
Jake Simpson, Mayor X
Peter Kwon, Councilmember X

Other Councilmembers:

Staff & Presenters: Evan Maxim, *CED Director*; Jenn Kester, *Planning Manager*; Aleksandr Yeremeyev, *Economic Development Manager*; Tanja Carter, *Economic Development Strategist*; Alena Tuttle, *Associate Planner*; David Tomporowski, *Senior Planner*; Ha Dao, *Assistant City Attorney*; Barb Mailo, *Admin 3*; SeaTV

1. Call to Order	Chair Egal called the meeting to order at 4:00 pm.
2. Public Comments	Written public comments were submitted by Angelia Liberty (resident) on 2/25/22 regarding <i>Low-income housing</i> and Roger Kadege (homeowner) on 2/26/22 regarding <i>Adoption of King County Planning Policy</i> .
3. Minutes of 02/24/2022 regular meeting	Review and approve Councilmember Peter Kwon motioned to approve the meeting minutes. Seconded by Mayor Simpson. Unanimous approval of meeting minutes.
4. Planning Division overview	Informational Briefing Presented by Planning Manager Jenn Kester. The presentation included: <ul style="list-style-type: none"> • What is Planning? (Lego presentation) • What is Planning in SeaTac? • How Does That Happen in SeaTac? • Planning Division Overview • Types of Land Use Decisions • SeaTac's Comprehensive Plan • Updating The Comprehensive Plan • Updating Development Regulations (Code Amendments) • Regional and Agency Interactions

	<ul style="list-style-type: none">• How Does Planning Serve the Council?
5. Work Release Facilities: Code Amendment	<p>Referral to Planning Commission</p> <p>Presented by Associate Planner Alena Tuttle. The purpose of the presentation was to provide an overview of Ordinance No. 21-1027, an overview of the preliminary research and Code analysis related to “Halfway Houses”, and to seek recommendation on further action for the Planning Commission.</p> <p>The presentation included:</p> <ul style="list-style-type: none">• State Work Release Program Overview• Facilities Located in Washington State• SeaTac Municipal Code History• “Halfway House” Zoning Designations• Potential Sites Based Upon Zoning Destinations• Conditional Use Permit (CUP) – Essential Public Facility (EPF) Review Procedure• Essential Public Facilities Process• Comparison of Other Municipalities• Potential Committee Action <p>Staff Recommendation:</p> <ol style="list-style-type: none">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; and4. Review and amend the current zoning designations and process for siting. <p>Alternative Direct staff to take no further action and allow the moratorium to expire without a code amendment.</p> <p>The PED Committee recommended to refer this to the Planning Commission.</p>
6. Renter’s Commission (CRF2022-01)	<p>Review / Direction</p> <p><i>As the meeting end time of 5:30pm was closely approaching, the PED Committee members agreed to approve a thirty-minute extension of the meeting time (to 6:00pm) to cover the remaining item on the agenda.</i></p> <p>Presented by CED Director Maxim. The purpose of the presentation was to seek direction regarding the creation of a renter’s commission and review and update the Planning Commission’s membership.</p>

	<p>The presentation included:</p> <ul style="list-style-type: none">▪ CRF2022-01▪ Alternative: Planning Commission▪ Potential Committee Action <p>Committee Action Requested</p> <ol style="list-style-type: none">1. Proceed with the work required to establish a Renter's Commission; or2. Proceed with the review and evaluation of the current Planning Commission approach; or3. Halt further work on this subject. <p>Staff Recommendation: Proceed with the review and evaluation of the current Planning Commission approach.</p> <p><i>As the thirty-minute meeting extension time was closely expiring, the PED Committee members approved an additional twenty-minute extension of the meeting (to 6:20pm) to allow PED Committee comments and questions.</i></p> <p>The PED Committee recommended to proceed with the review and evaluation of the current Planning Commission approach.</p>
7. Adjourn	Chair Egal adjourned the meeting at 6:18 pm.



MEMORANDUM COMMUNITY & ECONOMIC DEVELOPMENT

Date: May 25, 2022
To: Planning & Economic Development (PED) Committee
From: Jenn Kester, Planning Manager
Subject: Planning Commission Membership and Scope of Work

Summary

On March 24, 2022, the PED committee reviewed CRF2022-01 regarding the establishment of a Renters' Commission. After review and discussion, the PED Committee recommended the review and evaluation of the current Planning Commission approach rather than establish a Renters' Commission.

The purpose of the discussion at the May meeting is for staff to gain direction from the PED committee on desired changes to the Planning Commission membership requirements and scope of work to incorporate renters and renter issues.

Upon consultation with PED Chair Egal, the process for this review will start with a PED recommendation, followed by an Administrative and Finance (A&F) Committee endorsement to City Council. Under Council administrative procedures, changes to advisory committee provisions are reviewed by A&F.

Planning Commission Membership Options

Current Membership Requirements: The Planning Commission includes seven (7) members. Four (4) members must be residents of the City. Three (3) members must own, operate or be employed by business entities located within the City. However, if such business candidates cannot be found, then these positions can be filled by city residents.

March 24 PED Direction: PED would like to modify the Planning Commission to require that one or more of the Commissioners be a resident of SeaTac who also rents their home. In giving this direction, the PED Committee reviewed Planning Commission membership provisions for several other cities. That memo is attached for reference.

Overview: To develop the appropriate changes to the code, staff has developed a series of questions to gain more specific direction from the PED. At the May meeting, staff will use these questions as a discussion guide. Staff is not recommending adding positions to the Planning Commission, as seven members is a reasonable number for meeting management and given the limited number of applicants typically received for position openings. As such, the business interest positions will most likely need to be reduced to accommodate renter positions and, therefore, questions begin with business interests.

Question 1: How many business interest positions should be on the Commission?

Further considerations:

- a. What should be the definition of "business interest?" Currently the person filling the position need to "own, operate, or be employed by business entities within the city." Is this broad description appropriate?
- b. Should the business interests be filled by residents? Currently, there is no residency requirement for business positions.

- c. If a qualified business candidate cannot be found, should we continue to allow a non-business candidate to fill the position?

Question 2: How many renters should be on the Commission?

Further considerations:

- a. Homes of renters come in many forms: apartment, townhome, single-family, accessory dwelling unit, etc. Do you want to specify the housing type of the renter?
- b. Do you want renters to be residents of the city for a certain length of time prior to appointment to the Planning Commission? As you are aware, a City Council candidate must live in the city for one year prior to filing for office.
- c. If a qualified renter candidate cannot be found, should we allow a non-renter candidate to fill the position?

Question 3: Any other specific terms desired for Planning Commission positions?

Further considerations:

- a. Do you want all resident positions to live in the city for a certain length of time prior to appointment to the Planning Commission?
- b. Should there be term limits? Currently, terms run for 3 years, with no limit in number of terms.
- c. Are there other experiences or qualifications desired in specific Planning Commission positions? Some cities prefer or require candidates representing the construction community: architects, engineers, urban planners, designers, etc.

Planning Commission Scope of Work

Current Scope of Work: The Planning Commission's bylaws and the Duties and Responsibilities section of SMC 2.15.200 outline the Planning Commission's scope of work, see attachments. In summary, the Commission's scope of work generally focuses on amendments to the Comprehensive Plan and development regulations. Renter-specific policies are not currently included in their scope of work.

March 24 PED Direction: PED would like to review and evaluate the current Planning Commission scope of work to ensure that renter-related policies are reviewed by the Planning Commission.

Overview: Below is a question to gain more specific direction from the PED. Staff assumes that changes will be necessary to both the Municipal Code and the Planning Commission Bylaws to implement any changes. Since SMA 2.15.030 provides for the Planning Commission to establish bylaws, the Commission will make updates to their bylaws once the Council has adopted the code changes.

Question 4: What renter-specific topics should be reviewed the Planning Commission?

Further considerations:

- a. Staff recommends that the work of the Planning Commission not overlap with the work of the Community Service Advisory Committee, see 2.15.170 attached.
- b. In review of the scopes of work of renters' commissions, the following policy topics could be included in the Planning Commission's work which are not included in the Community Service Advisory Committee's work
 - i. Housing affordability.
 - ii. Access to transportation and public spaces.
 - iii. Public health and safety, including inspections and code compliance.

Implementing Commission Position Changes

The PED Committee should also consider how they would like to implement any membership changes to ensure a smooth transition for members and staff. Here are two feasible options for the Committee to consider:

1. As existing terms end, recruit to fill with new/existing members that meet the new membership requirements. This approach will likely take up to 3 years to complete.
2. Have all current terms end at a date certain and fill all positions using new membership requirements. This approach could yield a new membership make-up much sooner. This approach also has additional considerations:
 - a. All advisory terms end on March 31st, which may be a good date for this approach.
 - b. Some existing members may already meet membership requirements. This approach would require them to re-apply prior to their term being up.
 - c. Staff recommends that new terms be staggered under this approach such that the entire Commission does not turnover in one year.

Packet Materials:

- a. This memo
- b. Code Excerpts - SMC 2.15: Planning Commission and Community Services Advisory Committee
- c. Planning Commission Bylaws
- d. March 24 PED Memo
- e. PowerPoint

SMC 2.15.200 Planning Commission

A. Duties and Responsibilities. The Planning Commission acts in an advisory capacity to the City Council with the following purposes:

1. In order to maintain and achieve the highest level of the City's attributes so that all SeaTac residents and businesses can enjoy and be proud to reside in this community, study and make recommendations to the City Council for adoption of long range comprehensive plans, policies, programs, services related to land use, transportation and community facilities, and development regulations which shall be consistent with and implement the Comprehensive Plan.

2. Recommend to the City Council such development regulations which may be deemed necessary, but which shall be consistent with and shall implement the Comprehensive Plan, to include the following:

- a. Subdivision Code, SMC Title 14;
- b. Zoning Code, SMC Title 15, including the Official Zoning Map;
- c. Development Review Code, SMC Title 16A;
- d. Crime Prevention Through Environmental Design Code, SMC Title 17; and
- e. Shoreline Master Program, Chapter 18.05 SMC.

3. Conduct public hearings as required, review individual or City-wide rezones initiated by the City, and such other actions as may be requested by the City Council.

4. Research and fact finding, which may include undertaking such surveys, analyses, research, and reports in order to fulfill the purposes set forth in this section. The Planning Commission is specifically authorized to join with and cooperate with the planning agencies of other cities and counties, to include regional planning agencies, in furtherance of such research and planning.

5. Annually, by July 15th of each calendar year, to coincide with the City's preliminary budget or mid-year biennial review process, submit to the City Council a work plan for the ensuing calendar year, together with a report on progress made in implementing the goals and requirements of State law and on the status of land use policies and procedures within the City, for the purpose of assisting the Council in establishing a budget to support the Commission. The work plan may include:

- a. A description of all anticipated amendments to the Comprehensive Plan;
- b. Anticipated preparation of subarea plans;
- c. Anticipated area rezones;
- d. Anticipated amendments of development regulations;
- e. Any other studies and projects reasonably expected to be undertaken; and
- f. Any estimated direct expenses.

B. Membership. The Planning Commission shall consist of seven (7) members that are composed of:

1. Four (4) members who are residents of the City; and
2. Three (3) members who shall own, operate or be employed by business entities located within the City, but if such candidates cannot be found, then these positions shall be residents of the City.

SMC 2.15.170 Community Services Advisory Committee

A. Duties and Responsibilities. The Community Services Advisory Committee acts in an advisory capacity to the City Council with the following purposes:

1. Make reports and recommendations to the City Council concerning community service issues;
2. Bring committee members, leaders and businesses to address issues related to community service;
3. Review City actions which may affect the accessibility or quality of community services available to City residents;
4. Seek volunteers who are interested in performing service in our community;
5. Evaluate funding requests and, based on Council priorities, make recommendations on funding human service agencies and organizations to the Parks and Recreation Committee;
6. Help volunteers find projects in which that can serve the community;
7. Connect volunteers with agencies or groups who conduct community service projects in the City;
8. Connect agencies or groups with service projects in our community;
9. Address other community service issues as deemed appropriate by the Committee;
10. Review and recommend community service plans and policies, including the human service element of the City's Comprehensive Plan; and
11. Participate in collaborative planning efforts involving citizen groups, human service agencies and local organizations.

B. Membership. The Community Services Advisory Committee shall consist of seven (7) members composed of:

1. Individuals who work or reside in the City, one (1) of which can be a youth member.

BYLAWS OF THE PLANNING COMMISSION OF THE CITY OF SEATAC

We, the members of the Planning Commission of the City of SeaTac, State of Washington, created pursuant to Chapter 35A.63 of the Revised Code of Washington and Chapter 2.15 of the SeaTac Municipal Code, do hereby adopt the following BYLAWS:

ARTICLE 1 – NAME

Section 1.1

The official name of the commission is the "Planning Commission of the City of SeaTac".

Section 1.2

The official seat of the Commission is the City Hall of the City of SeaTac.

ARTICLE 2 – JURISDICTION

Section 2.1

The purpose and intent of the Commission is to promote orderly physical development; prepare and recommend regulations, amendments, extensions, or additions to the regulations or plans for physical development; and review and make recommendations, hold public hearings, and establish regulations and standards regarding plats, plans for subdivisions or dedications of land situated within the boundaries of the City or proposed for annexation to the City.

ARTICLE 3 – RELATIONS TO CITY STAFF

Section 3.1

The Community and Economic Development Department staff of the City, as assigned by the City Manager, shall provide staff assistance and serve as liaison between the Planning Commission and those boards and commissions not represented on the Planning Commission, and shall also serve to facilitate communication by the Planning Commission to the City Council.

ARTICLE 4 – FUNCTIONS AND DUTIES

The Commission, pursuant to SMC2.15.200(A), shall have the following major functions:

Section 4.1

Serves as an advisor to the SeaTac City Council in order to promote the orderly physical development and growth of the City;

Section 4.2

Prepare a comprehensive plan for the City, in accordance with state law, and recommend not more than once a year to City Council such changes, amendments or additions to the comprehensive plan as may be deemed desirable for the physical, social and economic development of the City;

Section 4.3

Recommend, or prepare and recommend, for the adoption by Council, regulations, amendments, extensions or additions to such regulations or plans for the physical development of the City in the interests of health, safety or general welfare;

Section 4.4

Review and make recommendations to the Council on such development regulations which may be deemed necessary and which shall be consistent with and shall implement the comprehensive plan;

Section 4.5

Act as a research and fact finding agency of the City, with the assistance of the Director of Community and Economic Development, in regard to growth management/annexation, land use, transportation, environmental management, parks/recreation/open space, housing, utilities, historic resources, community quality/design, economic development and capital facilities. The Commission, with the assistance of the Director of Community and Economic Development, shall conduct such surveys, analysis, studies and reports as are generally authorized or requested by the City Council;

Section 4.6

Conduct advanced planning for public works programs and the long-range capital budget;

Section 4.7

Establish such other work project priorities as the City Council may direct;

Section 4.8

Review, discuss and analyze work products, projects and recommendations of other City commissions that may relate to the functions and duties of the Commission, and when appropriate, actions of Hearing Examiner, which may indicate the need for amendments to the Municipal Code;

Section 4.9

Review, discuss and analyze work products and projects as may be referred to the Commission by the Council or Staff, and when appropriate, solicit and consider input from other Boards or Commissions which may have an interest in the subject mater;

Section 4.10

With City Council approval, to study specific problems or projects which may arise from time to time. This may include, but is not limited to, forming ad hoc committees from within as well as outside its membership.

Section 4.11

Hold public hearings or public meetings, as required by the SeaTac Municipal Code or State law, or as requested by the City Council.

ARTICLE 5 – MEMBERSHIP

Section 5.1

The Commission shall be composed of seven (7) members that shall include four (4) members that are residents of the City and three (3) members shall own, operate or be employed by business entities located within the City, but if such candidates cannot be found, then these positions shall be residents of the City.

Section 5.2

The members of the Planning Commission shall be appointed by the Mayor, subject to confirmation by the City Council.

Section 5.3

Members of the Planning Commission shall serve for a term of three years, or until appointment of a successor member, whichever is later.

Section 5.4

If a member of the Planning Commission shall be absent, without prior notification and excuse, from three (3) consecutive regularly scheduled meetings of the Commission, the Chairperson shall report that fact and circumstances to the Mayor, who may declare the position held by that member vacant and a new member may be appointed in the manner set forth above.

Section 5.5

Absences from six (6) convened meetings by any Commission member, excused or unexcused, occurring within a twelve-month period, may likewise be grounds for removal.

ARTICLE 6 – MEETINGS

Section 6.1

Regular meetings are held the first and third Tuesday of each month, except when the Planning Commission sets an alternative meeting time, for the expressed purpose of conducting business and taking formal action. Agendas are issued and the proceedings of the meetings are recorded and published in the form of adopted meeting minutes.

Section 6.2

The Director of Community and Economic Development, or designee, shall attend each meeting of the Planning Commission and shall ensure that minutes of each meeting are taken and published. The Director, or designee, shall provide copies of the published minutes to each member of the City Council.

Section 6.3

The Planning Commission may hold joint meetings with one or more city or county planning agencies and may engage in regional planning activities.

Section 6.4

Special meetings may be called by the Chairperson as needed and formal action may be taken. Agendas are issued and the proceedings of the meetings are recorded and published in the form of adopted meeting minutes. Notice of any special meeting shall be issued as required by state law.

Section 6.5

Workshop meetings are held as needed for the purpose of providing work sessions for the development, review and discussion of draft documents, studies and reports. Agendas are

issued; however, the proceedings are not recorded or published, and no formal action may be taken.

Section 6.6

All meetings shall be held in the Council Chamber or Riverton Room, SeaTac City Hall starting at 5:30 p.m., unless otherwise directed by the Chairperson.

Section 6.7

All meetings shall be open public meetings as required by state law.

ARTICLE 7 – OFFICERS

Section 7.1

The officers of the Commission shall consist of a Chairperson and Vice-Chairperson, elected from the appointed members of the Commission. The election of officers shall take place the first regular meeting of February of each year, unless otherwise directed by the Chairperson. The term of office for each officer shall run until the next subsequent election of new officers; provided, however, that any officer may be removed at any time by a majority vote of the entire Commission.

Section 7.2

If the position of Chairperson becomes vacant, the Vice-Chairperson shall automatically become Chairperson until the next election of officers, as provided in Section 7.1. If the position of Vice-Chairperson becomes vacant, the Commission shall elect a Vice-Chairperson at the next regular meeting after the vacancy occurs.

Section 7.3

The election of Chairperson or Vice-Chairperson requires the affirmative vote of at least three commission members. The election of an Officer shall be continued to the next regularly scheduled meeting should the commission be unable to select an Officer in accordance with this Section.

ARTICLE 8 – DUTIES OF OFFICERS

Section 8.1

Chairperson – The chairperson shall preside over the meetings of the Commission and may exercise all powers usually incident to the office, retaining as a member of the Commission, however, the full right to have a vote recorded on all deliberations of the Commission. The City Council Committee liaison(s) shall be appointed, as needed, by the Planning Commission from within its membership.

Section 8.2

Vice-Chairperson – The Chairperson being absent, the Vice-Chairperson shall preside as acting Chairperson for the meeting. If both the Chairperson and Vice-Chairperson are absent, a member of the Commission shall be designated as acting Chairperson for the meeting.

ARTICLE 9 – QUORUM

Section 9.1

Four (4) members of the Commission shall constitute a quorum for the transaction of business. Any action taken by a majority of those present, when those present constitute a quorum, at any regular or special meeting shall be deemed as the action of the Commission.

ARTICLE 10 – AGENDA/RULES OF ORDER

Section 10.1

The regular order of business shall be as follows, but may be adjusted as needed:

- Call to Order/Roll Call
- Approval of Minutes
- Public Comment on non-agenda items
- Business Items, including any public hearings
- CED Director/Staff Report
- Commission Comments
- Adjournment

Section 10.2

Regular and special meetings of the Commission shall be conducted under the most recent edition of Roberts Rules of Order, except as otherwise addressed by these Bylaws.

ARTICLE 11 – PUBLIC HEARINGS

Section 11.1

The following procedure shall apply to Public Hearings held by the Planning Commission:

- The Director of Community and Economic Development or designee shall present the issue to the Planning Commission and respond to questions.
- A person may speak for up to three minutes, although up to ten minutes may be granted by the Chairperson if a person is speaking for a group of at least four people in attendance at the Public Hearing. The Chairperson may establish longer time periods, if there is unanimous concurrence by the rest of the Commission.
- The Planning Commission may ask questions of the speaker and the speaker may respond, but may not engage in further debate.

The Public Hearing will then be closed, but Planning Commission discussion may ensue if the Commission so desires.

ARTICLE 12 – COMPENSATION/EXPENSES

Section 12.1

The members of the Planning Commission shall serve without compensation.

Section 12.2

The City Council may appropriate a budget for use of the Planning Commission in meeting such expenses and expenditures as may be necessary. The City shall provide to the Planning Commission adequate space and facilities and necessary supplies to facilitate the official business of the Commission. It should be noted that the Community and Economic Development Department is designated to provide space and the necessary supplies to facilitate the official business of the Commission.

ARTICLE 13 – CONFLICTS OF INTEREST

Section 13.1

Planning Commission members shall abide by the City Code of Ethics adopted in SMC 2.92. In addition, if any member of the Planning Commission concludes that such member has a conflict of interest or an appearance of fairness problem with respect to a matter pending before the Commission, that member shall disqualify himself or herself from participating in the deliberations and the decision-making process with respect to that matter. If the Mayor and City Manager conclude that a member has a conflict of interest

or an appearance of fairness problem with respect to a matter pending before the Commission, that member shall be disqualified from participating in the deliberations and the decision-making process with respect to that matter. In either event, the Mayor may appoint, without necessity of confirmation by the City Council, a person to serve as an alternate on the Planning Commission in regard to that particular matter.

ARTICLE 14 – AMENDMENT

Section 14.1

These Bylaws and Rules of Procedure may be amended by the Planning Commission by the affirmative vote of a majority of the entire Commission membership during the course of a regular or special meeting; provided, however, that the amendment was proposed at a prior regular or special meeting. The Director of Community and Economic Development, or designee, shall transmit the adopted bylaws to the City Council.



MEMORANDUM COMMUNITY & ECONOMIC DEVELOPMENT

Date: March 24, 2021
To: Planning & Economic Development (PED) Committee
From: Evan Maxim, Community & Economic Development Director
Subject: Renters' Commission & Alternative Approach (CRF2022-01)

Summary

On February 8, 2022, the City Council referred Council Request Form (CRF) CRF2022-01 to the Planning and Economic Development (PED) committee. CRF2022-01 seeks to create a SeaTac Renters' Commission, similar to the Renters' Commissions established by the City of Seattle and King County.

The CRF indicates that the purpose of forming the Renters' Commission is to have representatives of the renters advise the council members on ideas, policies, regulations to ensure healthy housing and community voice. Alternatively, the City Council could modify the membership of the Planning Commission to ensure that the Planning Commission included residents who are also renters.

CRF2022-01: Renters' Commission

Overview The purpose of the Renters' Commission is to have residents in SeaTac, who are also renters, advise the City Council on ideas, policies, and regulations to ensure healthy housing and community voice. Staff understands that this idea is based on the existing Seattle and King County Renters' Commissions.

Using the City of Seattle ([SMC 3.65](#)) and King County ([KCC 2.150](#)) as the basis for a scope of work, a SeaTac Renters' Commission could have the following duties:

1. Advise the City Council and City on issues and policies affecting renters including, but not limited to, housing affordability, transportation access, green and other public spaces, land use, renter protections, public health and safety, education, and economic growth;
2. Monitor the enforcement and effectiveness of legislation related to renters and renter protections;
3. Provide periodic advice on priorities, policies, and strategies for strengthening and enhancing the enforcement and effectiveness of renter protections;
4. Adopt an annual work plan; and
5. Meet periodically with other City Commissions, City departments, and other community groups and associations, including those representing rental property landlords, to gather information, feedback, and recommendations related to the Commission's work.

Establishing and operating a Renters' Commission will require the expenditure of both "one-time" and "on-going" time and resources (cost). Required actions are summarized here and in the attached CRF2022-01.

One-time costs Staff will require approximately 140 hours to prepare the ordinance establishing the Renters' Commission, an application form and process for new commissioners, and a budget amendment for Council to authorize long term staffing of the Renters' Commission. This "one-time" work could be completed by existing staff by September of 2022, if started in April 2022 and would cost approximately \$12,100 in staff time.

On-going costs There is insufficient capacity to adequately staff a Renters' Commission. On-going costs, which include technical (substantive material, liaison work) and administrative staff (scheduling, agenda

prep, meeting minutes support), will depend heavily on the work program for the Renters’ Commission. Staff anticipates that the work of the Renters’ Commission will require at least 540 to 1080 hours annually, which is equivalent to 0.25 to 0.5 FTEs. Anticipated “on-going” costs to staff the Renters’ Commission are approximately \$29,200 to \$58,300 annually. On-going costs may increase based on the Commission’s scope of work and authority.

Alternative: Amend Planning Commission Membership

Overview The purpose of an advisory commission is to advise the City Council on policy issues. Advisory commissions provide community value by taking the time to conduct research, explore options, hear public testimony, and represent different community viewpoints. The City of SeaTac currently has two advisory commissions (Planning Commission and Community Services Advisory Committee, see attached) that advise the City Council on topics similar to the scope of the Renters’ Commission, above.

The SeaTac Planning Commission is already responsible for researching, exploring options, and hearing public testimony on topics related to the scope of work established for the Seattle and King County Renters’ Commission. The SeaTac Planning Commission is also responsible for fulfilling several mandated state functions, including the review of Comprehensive Plan and development regulation amendments. Recommendations from a Renters’ Commission related to these subjects will also need review by the Planning Commission. Consequently, staff recommends focusing on a modification to the Planning Commissions’ membership and duties to address the concerns in CRF2022-01.

The SeaTac Municipal Code also makes provision for the SeaTac Planning Commission to represent different community viewpoints – specifically business viewpoints – by generally requiring that three of the Planning Commissioners represent businesses in SeaTac. However, the Planning Commission does not currently have to include residents who are also renters; this may limit the viewpoints represented by the Planning Commission in their analysis of policy issues.

The following table provides a comparison of nearby cities for the City Council’s review. If the City Council does modify the Planning Commission membership to include renters, it may be appropriate to also modify the number of business representatives.

Comparison Cities Summary: Planning Commission

City	Renters’ Commission	Residency Requirement	Business Representative	Renter vs. Homeowner	Term Limit
SeaTac	No.	No. Four members must live in City.	Yes. Three members representing business required unless candidates can’t be found.	No.	No.
Seattle (CRF2022-01)	Yes. SMC 3.65	Yes.	Yes. One engineer or architect/urban planner, required	No.	Yes. Two terms.
Federal Way	No.	Yes.	No.	No.	No.
Burien	No.	Yes.	No.	No.	Yes. Two terms.
Kent	No.	Yes.	No.	No.	No.

City	Renters' Commission	Residency Requirement	Business Representative	Renter vs. Homeowner	Term Limit
Tukwila	No.	No. Resident or business owner.	Yes. One member representing business, required	No.	No.
Renton	No.	Yes.	No.	No.	No.
Issaquah	No.	No. Residents preferred.	Yes, but not required	No.	No.
Shoreline	No.	Yes.	No.	No.	Yes. Two terms.
Maple Valley	No.	No. No more than one non-resident business owner	Yes, but not required	No.	No.

Alternative Approach & Cost As an alternative to forming a Renters' Commission, the City Council could modify the Planning Commission to require that one or more of the Commissioner's be a resident of SeaTac who also rents their home. The City Council could also modify the scope of work assigned to the Planning Commission. This alternative has several possible benefits:

- A. New community viewpoints would be introduced into the Planning Commission's analysis of policy both by new commissioner(s) and the rental community they represent;
- B. Policy questions related to renters' concerns can be addressed more efficiently, through review by one commission instead of two commissions: and,
- C. The Planning Commission is currently supported by Community and Economic Development staff.

Staff will require approximately 60 hours to develop and prepare an ordinance and seek Council approval. This "one-time" work could be completed by existing staff by July of 2022, if started in April 2022 and would cost approximately \$5,300 in staff time. At present, the Planning Commission is supported by existing CED staff. It is possible that additional staff resources may be required if the City Council significantly increases the Planning Commission workload.

PED Committee Direction

Staff is seeking the PED Committee's direction to:

1. Proceed with the work required to establish a Renters' Commission; or
2. Proceed with the review and evaluation of the current Planning Commission approach; or
3. Halt further work on this subject.

Packet Materials:

- a. This memo
- b. Code Excerpts - SMC 2.15: Planning Commission and Community Services Advisory Committee
- c. CRF2022-01
- d. PowerPoint

Planning Commission Membership and Scope of Work

Code Amendments

Planning and Economic Development (PED) Committee

May 26, 2022



PRESENTATION OVERVIEW

PURPOSE OF PRESENTATION

- To guide the PED Committee through a series of questions to gain direction for staff in order to draft changes to the municipal code related to Planning Commission membership and scope of work.

WHY IS THIS ISSUE IMPORTANT?

1. On March 24, 2022, the PED committee considered the establishment of a Renters' Commission.
2. After review and discussion, the PED Committee decided to review the current Planning Commission approach rather than establish a Renters' Commission.



POTENTIAL COMMITTEE ACTION

COMMITTEE ACTION REQUESTED

- Provide direction to the staff on the desired changes to the Planning Commission membership requirements and scope of work to incorporate renters and renter issues.

REVIEWS TO DATE

- RCM: 2/8/2022
- PED: 3/24/2022
- PED: 5/26/2022 (Today)



OVERVIEW

PED COMMITTEE REVIEW PROCESS:

- PED recommendation, followed by an Administrative and Finance (A&F) Committee endorsement to City Council.
- Under Council administrative procedures, changes to advisory committee provisions are reviewed by A&F.

DIRECTION FROM MARCH PED MEETING:

- Require that one or more of the Commissioners be a resident of SeaTac who also rents their home
- Ensure that Planning Commission scope of work includes review of renter-related policies.

**NEXT: SERIES OF QUESTIONS TO PROMPT DISCUSSION AND
PROVIDE STAFF DIRECTION**



PLANNING COMMISSION MEMBERSHIP OPTIONS

CURRENT MEMBERSHIP REQUIREMENTS:

- Seven (7) members total.
- Four (4) members must be residents of the City.
- Three (3) members must own, operate or be employed by business entities located within the City.
- If business candidates cannot be found, positions can be filled by residents.

STAFF APPROACH:

- Keep seven (7) positions on Planning Commission, which is reasonable for:
 - Meeting management
 - Number of applications for position openings.
- To add renters, staff recommends reducing business interest positions.



PLANNING COMMISSION MEMBERSHIP OPTIONS

QUESTION 1:

How many business interest positions should be on the commission?

Considerations:

- a. What should be the definition of “business interest?” Currently the person filling the position need to “own, operate, or be employed by business entities within the city.” Is this broad description appropriate?
- b. Should the business interests be filled by residents? Currently, there is no residency requirement for business positions.
- c. If a qualified business candidate cannot be found, should we continue to allow a non-business candidate to fill the position?



PLANNING COMMISSION MEMBERSHIP OPTIONS

QUESTION 2:

How many renters should be on the Commission?

Considerations:

- a. Homes of renters come in many forms: apartment, townhome, single-family, accessory dwelling unit, etc. Do you want to specify the housing type of the renter?
- b. Do you want renters to be residents of the city for a certain length of time prior to appointment to the Planning Commission, similar to City Council.
- c. If a qualified renter candidate cannot be found, should we allow a non-renter candidate to fill the position?



PLANNING COMMISSION MEMBERSHIP OPTIONS

QUESTION 3:

Any other specific terms desired for Planning Commission positions?

Considerations:

- a. Do you want all resident positions to live in the city for a certain length of time prior to appointment to the Planning Commission?
- b. Should there be term limits? Currently, terms run for 3 years, with no limit in number of terms.
- c. Are there other experiences or qualifications desired in specific Planning Commission positions? Some cities prefer or require candidates representing the construction community: architects, engineers, urban planners, designers, etc.



PLANNING COMMISSION SCOPE OF WORK

CURRENT SCOPE OF WORK:

- The Planning Commission's Bylaws and the Duties and Responsibilities section of SMC 2.15.200 outline the Planning Commission's scope of work.
- The Commission's work generally focuses on amendments to the Comprehensive Plan and development regulations. Renter-specific policies are not currently included in their scope of work.

STAFF APPROACH:

- Changes will be necessary to SMC Section 2.15.200 and the Planning Commission Bylaws.
- Necessary bylaws changes will be done by the Planning Commission once the Council has adopted the changes to SMC 2.15.200.
- Recommend that the work of the Planning Commission not overlap with the work of the Community Service Advisory Committee.



PLANNING COMMISSION SCOPE OF WORK

QUESTION 4:

What renter-specific topics should be reviewed the Planning Commission?

Considerations:

In review of the scopes of work of renters' commissions, the following policy topics could be included in the Planning Commission's work, which are not included in the Community Service Advisory Committee's work

- a. Housing affordability.
- b. Access to transportation and public spaces.
- c. Public health and safety policies, including inspections and code compliance.



IMPLEMENTATION

Options for Implementing Commission Position Changes:

1. **Existing terms end:** Recruit to fill with new/existing members that meet the new membership requirements. Will likely take up to 3 years to complete.
2. **All current terms end at a date certain:** Fill all positions using new membership requirements. This approach could yield a new membership make-up much sooner. This approach also has additional considerations:
 - a. All advisory terms end on March 31st, which may be a good date for this approach.
 - b. Some existing members may already meet membership requirements. Would require them to re-apply prior to their term being up.
 - c. New terms should be staggered such that the entire Commission does not turnover in one year.



POTENTIAL COMMITTEE ACTION

COMMITTEE ACTION REQUESTED

- Provide direction to the staff on the desired changes to the Planning Commission membership requirements and scope of work to incorporate renters and renter issues.

REVIEWS TO DATE

- RCM: 2/8/2022
- PED: 3/24/2022
- PED: 5/26/2022 (Today)





MEMORANDUM COMMUNITY & ECONOMIC DEVELOPMENT

Date: May 26, 2022
To: Planning & Economic Development (PED) Committee
From: Evan Maxim, Community & Economic Development Director
Subject: Ord. No. 21-1027: Work Release Moratorium - Extension

Summary

On August 31, 2021, the SeaTac City Council adopted Ordinance No. 21-1027. Ordinance No. 21-1027 established a moratorium on the acceptance of permit applications to create a “Halfway House”, “Work Release Facilities”, or similar uses for a period of one year. The Ordinance also established a work plan for study and to take any necessary actions following study.

Following review of the issues and information related to these types of facilities, staff recommends adjusting the work plan and extending the moratorium for an additional six (6) months. This extension will provide sufficient time for full discussion and analysis by the Planning Commission, Planning and Economic Development Committee, and City Council.

Background

In 1999 the SeaTac City Council passed Ordinance No. 99-1005, which established a “Halfway House” as an allowed use within some zoning designations in the City of SeaTac. The definition of the Halfway House use includes state licensed work release facilities, and the use is also considered an Essential Public Facility for the purposes of permitting. The Halfway House use is allowed in most commercial zoning designations, subject to a Conditional Use Permit and compliance with parking and landscaping requirements. The City has not substantially amended the development regulations for the Halfway House use since 1999.

In February of 2021, the Washington Department of Corrections (DOC) identified a site near the intersection of South 188th Street and International Boulevard in SeaTac for a new work release facility. Between February and August of 2021, SeaTac representatives actively engaged with DOC expressing concerns regarding:

- Impacts to the SeaTac community resulting from the creation of another essential public facility in a relatively small geographic area.
- Compatibility between a facility and the hospitality / business focus of the Urban Center.
- The failure to provide sufficient community engagement.

The DOC declined to take meaningful action to address the City’s concerns and indicated that it was proceeding with the site in SeaTac. In response, the SeaTac City Council adopted Ordinance No. 21-1027, establishing a moratorium on work release facilities and established a work plan.

Original Work Plan and Schedule – Ordinance No. 21-1027

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.

On March 24, 2022, the Planning and Economic Development Committee directed the Planning Commission to engage in further study and recommend amendments to the SeaTac development regulations. The Planning Commission began their review on April 5, 2022, and requested additional information from CED staff. In particular, the Commission requested that the City investigate the criteria for individuals to be placed in a work release facility and the safety and security measures established around individuals interacting with the surrounding community. While investigating these questions, CED staff became aware of a proposed work release facility in the City of Wenatchee and expanded their research into this recent permitting.

Proposed Work Plan and Schedule – Extended Moratorium

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 September 2022 June 2022	<ul style="list-style-type: none"> • Planning Commission review, public hearing, and recommendation on any proposed code amendment(s).
October to December 2022 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.
December 2022 to January 2023 July to September 2022	<ul style="list-style-type: none"> • City Council review and action.

The City recommends that the City Council extend the moratorium, established under Ordinance No. 21-1027 for an additional 6 months, resulting in an expiration at the end of February 2023. This extension will provide sufficient time for the staff to gather the requested information, and to allow the Planning Commission, PED Committee, and the City Council to review and act on any proposed amendments to the development regulations.

PED Committee Direction

Staff are seeking:

1. The PED Committee’s recommendation to the City Council to extend the moratorium established by Ordinance No. 21-1027 for an additional 6 months; OR,
2. The PED Committee’s direction to take no action to extend the moratorium. The current moratorium, if not extended, will end on August 31, 2022.

If the PED committee recommends option “1,” staff will schedule a public hearing before the City Council in July of 2022 prior to adoption of an extension of the moratorium.

Packet Materials:

- a. This memo
- b. Ordinance No. 21-1027
- c. PowerPoint

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

MORATORIUM EXTENSION: Work Release

May 20, 2022



PRESENTATION OVERVIEW

PURPOSE OF PRESENTATION

Seek PED Committee guidance on the 6-month extension of Ordinance No. 21-1027, establishing a moratorium on Halfway Houses, Work Release Facilities, and similar uses

WHY IS THIS ISSUE IMPORTANT?

1. On August 31, 2021, the City Council adopted Ordinance No. 21-1027, establishing a moratorium on Halfway Houses, Work Release Facilities, and similar uses.
2. The Planning Commission is currently reviewing and has requested additional staff research.
3. Additional time to conduct research and develop proposed regulations is needed prior to City Council action.

POTENTIAL COMMITTEE ACTION

COMMITTEE ACTION REQUESTED – Staff are seeking:

- The PED Committee’s recommendation to the City Council to extend the moratorium established by Ordinance No. 21-1027 for an additional 6 months; OR,
- The PED Committee’s direction to take no action to extend the moratorium. The current moratorium, if not extended, will end on August 31, 2022.

STAFF RECOMMENDATION Staff recommends extending the moratorium for an additional 6 months.

REVIEWS TO DATE

- RCM: 08/31/2021, 10/26/2021
- PED: 03/04/2022, 05/26/2022



BACKGROUND

SeaTac Municipal Code & Department of Corrections

- The City of SeaTac has not substantially amended the standards for the Halfway House use, which includes work release facilities, since 1999.
- In February 2021, the Washington Department of Corrections (DOC) identified a site in SeaTac for a new work release facility.
- In August 2021, the City Council passed a moratorium, after raising concerns related to:
 - Impacts to the SeaTac community resulting from the creation of another essential public facility in a relatively small geographic area
 - Compatibility between a facility and the hospitality focus of the Urban Center
 - The failure to provide sufficient community engagement



MORATORIUM EXTENSION

- In March 2022, the PED committee referred the code amendment to Planning Commission for further review.
- In April 2022, the Planning Commission requested additional information and research from the CED staff, related to:
 - The criteria for individuals to be placed in a work release facility
 - The safety & security measures for individuals in the work release facility to interact with the community
- While investigating these questions, CED staff became aware of a proposed facility in the City of Wenatchee
- This additional research is the basis for the recommended extension of the moratorium



ORIGINAL WORK PLAN / SCHEDULE

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



PROPOSED WORK PLAN

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 September 2022 June 2022	<ul style="list-style-type: none"> • Planning Commission review, public hearing, and recommendation on any proposed code amendment(s).
October to December 2022 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.
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POTENTIAL COMMITTEE ACTION

COMMITTEE ACTION REQUESTED – Staff are seeking:

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STAFF RECOMMENDATION Staff recommends extending the moratorium for an additional 6 months.

REVIEWS TO DATE

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- PED: 03/04/2022, 05/26/2022

