



Planning Commission Agenda

October 4, 2022
5:30 pm
Hybrid Meeting

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: Alyne Hansen (Chair), Tony Zuniga Sanchez (Vice Chair), Tom Dantzler, Karin Ellis, Damiana Merryweather, 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 September 20, 2022, meeting. <i>(Exhibit 2)</i>	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 (5 min)
4	Public Hearing on Reentry Center Code Amendments (aka Halfway House, Work Release Facility) <i>(Exhibits 4a - 4f)</i>	Public Hearing and potential Recommendation	Staff and Members	5:40 (60 min)
5	CED Staff Report	Briefing	Staff	6:40 (3 min)
6	Planning Commission Comments (including suggestions for next meeting agenda)	Discussion	Members	6:43 (2 min)
7	Adjourn			6:45

This meeting will be conducted in a hybrid format with in-person and remote options for public participation. The meeting will be broadcast on SeaTV Government Access Comcast Channel 21 and live-streamed on the City's website <https://seatacwa.gov/seatvlive> and click the "live" Channel 1 grey box.

Public Comment Process: The commission will hear in-person public comments and is also providing remote oral and written public comment opportunities. All comments shall be respectful in tone and content. Providing written comments and registering for oral comments must be done by 3:30 pm the day of the meeting. Registration is required for remote comments and encouraged for in-person comments. 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 September 20, 2022 Meeting**

Members present: Bandhan Singh, Damiana Merryweather, Jagtar Saroya, Karin Ellis, Tom Dantzler, Vice Chair Tony Zuniga Sanchez

Members absent: Chair Alyne Hansen

Staff & Others

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

1. Call to Order/Roll Call

Vice Chair Sanchez called the meeting to order at 5:30 pm and roll call.

Planning Manager Jenn Kester introduced staff Senior Planner Kate Kaehny and Associate Planner Laura Stilwell to the Commission.

2. Approval of the minutes of August 16, 2022, meeting

Commissioner Merryweather moved to approve the meeting minutes. Commissioner Singh second. All were in favor of passing the meeting minutes. 6-0 Passed

3. Public Comments on items not on the agenda

None

4. SeaTac 2044: Major Comprehensive Plan & Transportation Master Plan (TMP) Update Project

Presented by Jenn Kester and Senior Planner Kate Kaehny.

The purpose of the presentation was to provide an overview of the SeaTac 2044 project, to discuss the Commission's role in the project and its review process, to get input on the project's community engagement process, and to answer questions about the project.

Discussion commenced with Commissioner Dantzler, Commissioner Ellis, Commissioner Saroya, Commissioner Merryweather, Commissioner Singh, Vice Chair Sanchez, Kate Kaehny, and Jenn Kester.

5. CED Staff Report

Reported by Jenn Kester.

- Updating Permit Database System Project
- Public Hearing on Work Release Code at next PC meeting on October 4, 2022

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

Commissioner Singh asked when the Work Plan will be finalized. Jenn Kester replied that the Work Plan happens for the PC in June of each year. July 2022 through June 2023 was finalized for this year.

7. Adjournment

Commissioner Dantzler moved to adjourn the meeting. Commissioner Merryweather second. All were in favor of motion. Meeting adjourned at 6:36 pm



Public Hearing Staff Report

File Number(s): CAM22-0001, SEP22-0001

Project Name: “Halfway House”, “Work Release Facilities”, and similar uses Code Amendment

Project Summary: The City is proposing amendments to the SeaTac Zoning Code pertaining to the halfway house use (herein referred to as Reentry Center) established in 1999, substantially updating standards and regulations to ensure compatibility with the community and consistency with the Comprehensive Plan in response to Ord. No. 21-1027.

Applicant: City of SeaTac

I. Background

On August 31, 2021, the City Council adopted a moratorium (Ordinance No. 21-1027) prohibiting the establishment, location, operation, and licensing of a permanent “Halfway House”, “Work Release Facility” or similar uses and incorporating a work plan for further study. The City Council found that it is necessary to review development regulations to determine whether the regulations adopted in 1999 continue to serve the present need of the community, are still compatible with adjacent land uses, and are consistent with the City of SeaTac Comprehensive Plan. Please refer to Exhibit A for the complete Ordinance.

The moratorium was set to expire on August 31, 2022. As the SeaTac Planning Commission required additional time to complete their review of information relevant to the preparation of proposed development regulation amendments, City Council passed an additional six month extension to the moratorium, now set to expire on March 1, 2023, unless extended or repealed according to law.

There are no work release facilities established in SeaTac and no applications for a permanent work release facility were received and vested to the regulations in effect prior to the passage of the moratorium. These proposed development regulation amendments, if approved, will be applicable to any future application(s).

II. Summary of Amendments

The following amendments related to the Reentry Center use, as detailed in Exhibit B Draft Code, are proposed. This approach and draft code have been reviewed by the Legal Department for consistency with State Law.

- A.** The “Halfway House” use and definition will be removed from the zoning code. New use and definition for “Reentry Center” will be added to the zoning code. All references to “Halfway House” in Title 15 shall be changed to the term “Reentry Center”. *(See items 1, 2, 3 and 5 in Exhibit B)*
- B.** Reentry Centers will be permitted in Community Business (CB), Community Business in the Urban Center (CB-C), Regional Business Mix (RBX), and Industrial (I) zones as a conditional use (C). The Reentry Center use is prohibited within the City Center, South 154th Street Station Area, and Angle Lake Station Area Overlay Districts. The general land use chart in SMC 15.205.040 will be amended, removing “C” from the O/CM column (Office/Commercial Medium) and adding “C” to the “I” (Industrial) column. *(See items 5, 6, 7, and 8 in Exhibit B)*

- C. The siting of a Reentry Center will be processed as a Major Conditional Use Permit, not through the Essential Public Facilities process. The Essential Public Facilities Section 15.115.040 SMC will be amended to clarify the applicability of the Section to the Reentry Center use. *(See items 4 and 5 in Exhibit B)*
- D. Siting, development, and performance standards will be established through a new Reentry Center Section within Chapter 15.415 Commercial Standards and Regulations. *(See items 9, and 10 in Exhibit B)*
- E. Requirements for off street parking will be regulated per Chapter 15.455 and determined based upon a required parking and circulation plan submitted by the applicant and approved by staff.
- F. Setbacks, lot coverage, structure height and other development standards already established for “Halfway Houses” according to zone per Chapter 15.400 Dimensional Standards and Regulations are not proposed to be amended.
- G. Landscaping standards already established for “Halfway Houses” in SMC 15.445.210 Landscaping Standards Chart, are not proposed to be amended.

III.Planning Commission Review

- A. The Planning Commission reviewed this topic at its April 5, May 3, May 17, June 21, July 19, and August 16, 2022 meetings.
- B. **Discussion and Approach.** As part of the Commission review of potential regulations for Reentry Centers, the Commission considered some of the following questions.
 - 1. What land uses should be buffered from a Reentry Center?
 - a. Approach: Consider the vulnerable population of SeaTac and the potential safety and security risks individuals in a Reentry Center may pose to them. Apply a distance buffer from certain land uses similar to what was adopted as part of recent code amendment related to supportive housing.
 - 2. How to ensure the Department of Corrections (DOC) is following proper protocol and being transparent during site selection?
 - a. Approach: Early and continuous public notification and participation with the SeaTac community and staff by way of mandatory public meeting(s) subject to specific notification, agenda, and public comment requirements; in addition to DOC documenting compliance with the siting requirements and site selection process as required under RCW72.65.220 and WAC 137-57-050.
 - 3. How to reduce social equity impacts due to Essential Public Facility concentration in and around SeaTac?
 - a. Approach: Add a maximum occupancy and limit facility concentration by applying a dispersion distance.
 - 4. How to increase compatibility with the surrounding community?
 - a. Approach: Blend the use into the zone where it is located by way of general appearance standards that are safe, functional, and appropriate for the surrounding community. Consider future growth targets, housing policies and potential for multi-family development in proposed zones. Verify potential sites have reasonable access to transit services as necessary to reach employment and other services.
 - 5. How to compensate for individuals in Reentry Centers only being allowed short periods of time outside of the facility?
 - a. Approach: Require a minimum of 120 square feet of open space provided per person allocated as outdoor and/or indoor type space.

6. Is the Essential Public Facilities process the most appropriate review process for siting a Reentry Center?
 - a. Approach: Procedurally review the proposed project through a neutral party, such as staff, compared to a potentially biased Ad Hoc Committee. Ensure that a professional in land use law (Hearing Examiner) reviews the proposed development, confirms it satisfies all the criteria for approval and is granted permit approval under the appropriate conditions.

C. Changes since August 16, 2022, Planning Commission Meeting. Based on comments from Commissioners and further staff review, the following changes to the draft code occurred since the August 16 Commission meeting:

1. Added a Dispersion subsection under Siting. *(See 15.415.400(B)(2) of Exhibit B)*
2. Public meeting requirements updated in Siting Process section to include: *(See 15.415.400(B)(3) of Exhibit B)*
 - a. Time of day in which public meetings shall occur.
 - b. Notification of public meeting requirements.
 - c. Minimum requirements for the public meeting agenda and opportunity for public comment.
 - d. Required documentation to be included in the mandatory pre-application meeting submittal.
3. Added a Street Frontage subsection under Development Standards. *(See 15.415.400(C)(3) of Exhibit B)*
4. Operations subsection of Performance Standards amended as recommended by Legal. *(See 15.415.400(D)(1) of Exhibit B)*

IV. Regulatory Requirements

A. SEPA Review

The City served as SEPA Lead Agency for this proposal and issued a Determination of Nonsignificance (DNS) on October 3, 2022 (Exhibit C). The comment period for the SEPA action will expire on October 17, 2022 at 5pm. No public comments have been received to date.

B. Washington State Department of Commerce Review

The City submitted a Request for 60-day Review with Notice of Intent to Adopt Amendments to Commerce on September 16, 2022. No comments from Commerce have been received to date.

C. Public Hearing Notice

Notice of this public hearing was published in the Seattle Times on September 20, 2022.

V. Staff Recommendation

Staff believes these proposed regulations comply with State Law, serve the present need of the community, are compatible with adjacent land uses, and are consistent with the City of SeaTac Comprehensive Plan.

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 by October 18, 2022 but may provide its recommendation after the public hearing on October 4, 2022.

VII. Exhibits

- A. Moratorium Ordinance
- B. Proposed Code Amendments

- C. SEPA Determination of Nonsignificance
- D. Maps

Prepared by: Alena Tuttle, Associate Planner
Prepared on: 09/30/2022

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/mvAccess/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

SeaTac “Halfway House”, “Work Release Facilities”, and similar uses Code Amendments

Purpose of Project: Amendments to the SeaTac Zoning Code pertaining to the halfway house (hereon referred to as Reentry Center) use established in 1999, substantially updating standards and regulations to ensure compatibility with the community and consistency with the Comprehensive Plan in response to Ordinance No. 21-1027.

Approach to Project:

- Reentry Centers will be permitted in Community Business (CB), Community Business in the Urban Center (CB-C), Regional Business Mix (RBX), and Industrial (I) zones as a conditional use. The Reentry Center use is prohibited within the City Center, South 154th Street Station Area, and Angle Lake Station Area Overlay Districts.
- The siting of a Reentry Center will be processed as a Major Conditional Use Permit, not through the Essential Public Facilities process.
- Development and performance standards are established through a new Reentry Center Section within Chapter 15.415 Commercial Standards and Regulations.

Proposed Code Amendments: The following numerical items are proposed amendments to Title 15 ZONING CODE of the SeaTac Municipal Code.

Underlined text indicates an addition.

~~Strikethrough~~ text indicates a removal.

*** indicates additional text within the Code Section is omitted, as it doesn’t pertain to the amendment.

1. Remove the following definition in Section 15.105.080, “H” Definitions:

~~Halfway House~~

~~State licensed work/release facilities and other housing facilities serving as an alternative to incarceration.~~

2. Add the following new definition to Section 15.105.180, “R” Definitions:

Reentry Center

Facility or institution operated under contract with the Department of Corrections, and/or owned by the state or any other unit of government, for incarcerated individuals to complete their sentence of twelve months or less in partial confinement. Alternatively referred to as “Work Release” per RCW 72.65. This definition excludes at-home electronic surveillance.

3. All references to “Halfway House” in Title 15 shall be changed to the term “Reentry Center”.

4. Essential Public Facilities: Amend the Essential Public Facilities Section 15.115.040 SMC to clarify the applicability of the Section to the Reentry Center use.

15.115.040 Essential Public Facilities

B. Included Essential Public Facilities. EPFs subject to this section include, but are not limited to, those facilities identified in the EPF definition (SMC 15.105.050), the Seattle-Tacoma International Airport, Interstate 5, State Route 509 (both current and proposed extensions), State Route 518, the Federal

Detention Center, the King County Bow Lake Solid Waste Transfer Station, and the Sound Transit’s “LINK” Light Rail System. Reentry Centers are not subject to the CUP-EPF review procedure and are permitted as a Major Conditional Use, subject to the criteria in SMC 15.115.020(D), Conditional Use Permit (CUP).

5. General Land Use Chart: The general land use chart in SMC 15.205.040 is amended, removing “C” from the O/CM column (Office/Commercial Medium) and adding “C” to the “I” (Industrial) column. The Reentry Center land use shall be labeled as “C” (Conditional Use Permit required) in the following zones: CB, CB-C, RBX, and I.

Additional Standards column to be amended as follows:

~~As part of the CUP process a determination will be made as to whether an essential public facility (EPF) siting process is needed. See SMC 15.115.040, Essential Public Facilities. These requirements shall not be construed to limit the appropriate use of schools and other facilities for emergency shelters in disaster situations.~~

Permitted as a Major Conditional Use, subject to the criteria in 15.115.020(D), Conditional Use Permit (CUP).

LAND USE	UL	UM	UH	UH-UCR	T	MHP	NB	O/C/MU	O/CM	CB	CB-C	RBX	I	P	ADDITIONAL STANDARDS
Halfway House Reentry Center									C	C	C	C	C		<p>As part of the CUP process a determination will be made as to whether an essential public facility (EPF) siting process is needed. See SMC 15.115.040, Essential Public Facilities. These requirements shall not be construed to limit the appropriate use of schools and other facilities for emergency shelters in disaster situations.</p> <p><u>Permitted as a Major Conditional Use, subject to the criteria in 15.115.020(D), Conditional Use Permit (CUP).</u></p>

6. City Center Overlay District: The City Center Overlay District land use chart in SMC 15.300.055 is amended to add Reentry Center under Health and Human Services land use. The use is prohibited, and columns should remain blank.

7. South 154th Street Station Area Overlay District: The South 154th Street Station Area Overlay District land use chart in SMC 15.305.055 is amended to remove Halfway House and replace with Reentry Center under Health and Human Services land use. The use is prohibited, and columns should remain blank.

8. Angle Lake Station Area Overlay District: The Angle Lake Station Area Overlay District land use chart in SMC 15.310.055 is amended to remove Halfway House and replace with Reentry Center under Health and Human Services land use. The use is prohibited, and columns should remain blank.

9. Commercial Standards and Regulations: Amend Purpose, Authority and Application Sections of the Commercial Standards and Regulations Chapter 15.415 to include Reentry Centers.

15.415.005 Purpose

The purpose of this chapter is to delineate regulations that apply to the following commercial uses: fueling/service stations, sexually oriented businesses, ~~and~~ mobile food vending and Reentry Centers.

15.415.010 Authority and Application

The provisions of this chapter shall apply to all fueling/service stations, sexually oriented businesses, and mobile food vending uses and Reentry Centers, regardless of where located.

10. Commercial Standards and Regulations: Add a new Section to Commercial Standards and Regulations Chapter 15.415 regarding Reentry Center Standards.

15.415.400 Reentry Center Standards

A. Purpose and Applicability.

1. The purpose of this section is to establish reasonable standards upon siting of a Reentry Center to minimize impacts and ensure neighborhood compatibility within the City of SeaTac, while protecting the public health, safety, welfare and peace of both facility residents and the broader community. This Section does not include regulations for federal, state and/or local correction facilities, or other uses as regulated by SMC 15.115.040 Essential Public Facilities.

B. Siting.

1. Buffer.

- a. A Reentry Center shall not be located closer than one thousand seven hundred fifty (1,750) feet to any elementary-middle school, high school, active recreation public park, or community center (including teen centers and YMCA) within or outside of City limits.
- b. For the purposes of this subsection, distance shall be measured in a straight line from the closest property line upon which the proposed Reentry Center is to be located, to the closest property line from which the proposed Reentry Center is to be separated.

2. Dispersion.

- a. A new or expanding Reentry Center shall not be located closer than one-half (1/2) mile from the closest property line of any other Reentry Center.

3. Siting Process Requirements.

- a. Following identification of a site under consideration within the City of SeaTac, notification of site selection in writing shall be provided directly to the City Manager and Director.
- b. Prior to scheduling the mandatory pre-application meeting with the City, the Applicant shall hold a minimum of one public meeting within the City limits to inform the neighborhood and solicit public comment.
 - i. Public meeting(s) shall occur between the hours of 5pm-9pm on weekdays, or anytime on a weekend.
 - ii. Public meeting(s) subject to this section shall occur within the corporate city limits of SeaTac.
 - iii. At least fourteen (14) days prior to the public meeting, public notification of the public meeting shall be provided in writing and sent to all parcels and associated addresses, including residents, owners, and tenants within a one-half (1/2) mile radius of the proposed site(s). The notification shall also be published in the City's officially designated newspaper and provided to the City Manager and Director.

iv. The Applicant shall provide a public meeting agenda, which shall include, at a minimum, a description of the proposed project description, site location, timeline, and proposed site and building layout. The neighborhood meeting should provide a time for verbal public comments from attendees and provide contact information for the Applicant for written comments.

c. All public notifications shall include:

i. Date, time and location of the meeting;

ii. A description of the proposed project;

iii. A description of the site, including current zoning classification, site address/parcel number, and vicinity map reasonably sufficient to inform the reader of the general location;

iv. The name, address and telephone number of the applicant and/or agent;

v. A statement that persons may appear at the meeting and provide public comment and/or may provide written comment to the applicant and/or agent listed.

d. Copies of the mailing list, agenda, attendance sign-in sheet, minutes, written comments received, presentation materials, handouts and documents shall be included in the mandatory pre-application meeting submittal.

e. In addition to compliance with local siting and development requirements, the Department of Corrections (“DOC”), its agents, or any private or public entity under contract with the DOC shall provide verifiable proof of compliance with the siting requirements and site selection process as required under RCW 72.65.220 and WAC 137-57-050 including a copy of the Local Advisory Committee recommendation to the Secretary and Secretary preliminary approval (if applicable) at time of conditional use permit application.

C. Development Standards.

1. Occupancy.

a. A Reentry Center shall house no more than thirty (30) persons, excluding resident staff.

2. Appearance.

a. The Reentry Center shall match the bulk and scale of the uses allowed in the zone where the Reentry Center is located. The design, construction, appearance, physical integrity, and maintenance of the Reentry Center shall provide an environment that is attractive, sustainable, functional, appropriate for the surrounding community, and conducive to residents’ stability. Building entries shall be prominent and highly visible from other buildings and public areas.

3. Street Frontage.

a. The Reentry Center shall not be located on a property that has street frontage on a major or minor arterial road.

4. Open Space.

a. **Minimum Area Required.** A minimum of 120 square feet of open space shall be provided per person, allocated by type as follows:

Outdoor Common Space	Minimum 50%
----------------------	-------------

Outdoor Single-Purpose Space	Up to 50%
Indoor Common Space	Up to 50%

b. General Location and Design Requirements.

- i. To the extent possible, all open space shall be centrally located, accessible and usable to residents while maintaining a high level of visibility from the structure.
- ii. Open space shall not be located adjacent to dumpster enclosures, loading/service areas or other incompatible uses.
- iii. No required open space shall have a slope greater than four percent (4%) unless the area has been developed with an enhanced accessibility system.
- iv. Vehicular use areas, critical areas and associated buffers, setbacks, and landscaping shall not count towards open space requirements.

c. **Outdoor Common Space.** Outdoor common space shall be usable outdoor multi-purpose space accessible by all residents, including but not limited to: courtyards, plazas and multi-purpose green spaces, and upper level common decks or terraces.

i. **Design Features.** Courtyard/plaza areas shall include:

- a. Minimum width of twenty (20) feet and a minimum depth of fifteen (15) feet.
- b. A minimum of one (1) tree for each two hundred (200) square feet of required area.
- c. Include one (1) lineal foot of seating per each forty (40) square feet of required area.

d. **Outdoor Single-Purpose Space.** Outdoor single-purpose facilities shall be usable and accessible by all residents including but not limited to: swimming pools, tennis and sport courts.

e. **Indoor Common Space.** Indoor common space shall be designed to accommodate a wide-range of users, which include but are not limited to amenities and/or equipment for recreational uses such as, lounge rooms, game rooms and exercise rooms. Lobbies and hallways do not count as indoor common space.

D. Performance Standards.

1. Operations.

a. A security plan containing, but not limited to the following, shall be provided at time of conditional use permit application:

- i. Staffing, scheduling and level of responsibilities;
- ii. Onsite and off-site security and surveillance measures;
- iii. Policy and procedure for locating a missing Reentry Center participant.

b. An attestation and supporting documenting from Department of Corrections (DOC) and/or managing agency that the proposed Reentry Center has earned accreditation or is undergoing the accreditation process from the American Correctional Association shall be provided at the time of conditional use permit application.

2. Site and Transit.

a. A description of transit, pedestrian, and bicycle access from the subject site to services shall be provided at time of conditional use permit application.

3. General.

a. In addition to the Zoning Code under SMC Title 15, Reentry Centers shall comply with the provisions of the Building and Construction Code under SMC Title 13 and are subject to the provisions of crime prevention through environmental design (CPTED) under SMC Title 17.

b. Exterior lighting to be located as to minimize spillover light on surrounding properties while maintaining appropriate intensity and hours of use to ensure that security is maintained.

c. Specific needs of each facility will be reviewed through the conditional use permit process in SMC 15.115.020.



DETERMINATION OF NONSIGNIFICANCE (DNS)

FILE NUMBER: SEP22-0001 / CAM22-0001

PROJECT NAME: “Halfway House”, “Work Release Facilities”, and similar uses Code Amendment

PROJECT LOCATION: Citywide

PROJECT DESCRIPTION: Amendments to the SeaTac Zoning Code pertaining to the halfway house (hereon referred to as Reentry Center) use established in 1999, substantially updating standards and regulations to ensure compatibility with the community and consistency with the Comprehensive Plan in response to Ord. No. 21-1027. Reentry Center use will be permitted as a Major Conditional Use in the CB, CB-C, RBX, and I zones outside of Overlay Districts; subject to siting, development and performance standards within code.

PROPONENT: City of SeaTac, Community and Economic Development

LEAD AGENCY: City of SeaTac

STAFF CONTACT: Alena Tuttle, *Associate Planner*; Department of Community and Economic Development; 4800 South 188th Street, SeaTac, WA 98188; atuttle@seatacwa.gov; 206-973-4841

RESPONSIBLE OFFICIAL: Jennifer Kester, *Planning Manager*; Department of Community and Economic Development; 4800 South 188th Street, SeaTac, WA 98188; 206-973-4750

The City of SeaTac, as lead agency for this proposal, has determined that the proposal will not have a probable significant adverse impact on the environment, and an environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed Environmental Checklist and other information on file with the City of SeaTac.

COMMENT PERIOD: This DNS is issued under WAC 197-11-340(2); the lead agency will not act on this proposal for **14 days** from the date of issuance. Comments must be submitted by **5:00 P.M. on Monday, October 17, 2022**. Detailed information is available to the public upon request.

APPEAL PERIOD: Any person wishing to appeal this determination may file such an appeal to the SeaTac City Clerk within **10 days** from the end of the comment period. All appeals of the above determination must be filed by **5:00 P.M. on Thursday, October 27, 2022**. There is a fee to appeal this determination (see City of SeaTac fee schedule).

Jennifer Kester, *Planning Manager*

10/03/2022

Date Issued

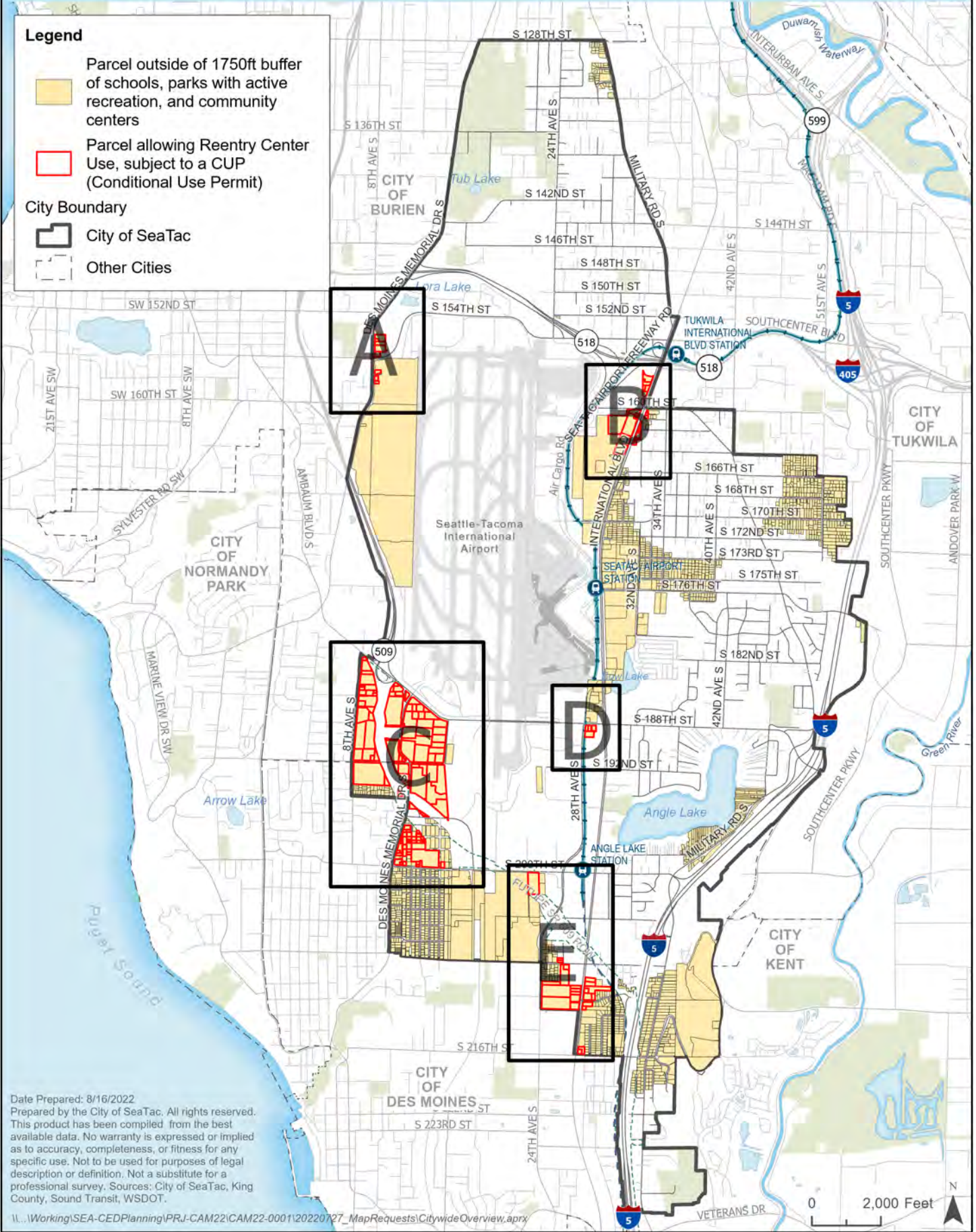
POTENTIAL REENTRY CENTER LOCATIONS

City of SeaTac

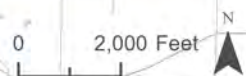


Legend

- Parcel outside of 1750ft buffer of schools, parks with active recreation, and community centers
- Parcel allowing Reentry Center Use, subject to a CUP (Conditional Use Permit)
- City Boundary
- City of SeaTac
- Other Cities



Date Prepared: 8/16/2022
 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.



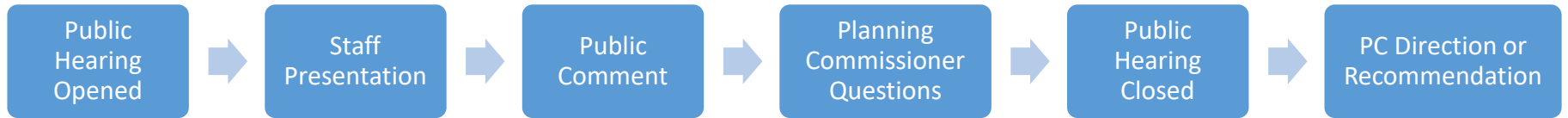


Reentry Center Proposed Code Amendments

Planning Commission
Public Hearing
October 4, 2022



PUBLIC HEARING OVERVIEW



POTENTIAL COMMITTEE ACTION

COMMITTEE ACTION REQUESTED

Planning Commission recommendation to City Council to approve or deny the proposed amendments or approve with specific modifications.

Recommendation provided today, or no later than next regular PC meeting on 10/18/22.

REVIEWS TO DATE

- RCM: 8/31/2021 Moratorium
- PED: 3/24/2022
- PC: 4/05/2022
- PC: 5/03/2022
- PC: 5/17/2022
- PED: 5/26/2022 Moratorium extension recommendation
- PC: 6/21/2022
- RCM: 6/28/2022 Moratorium extension approved
- PC: 7/19/2022
- PC: 8/16/2022



PURPOSE OF PRESENTATION

- Provide information for public hearing related to proposed Reentry Center code amendment.

WHY IS THIS ISSUE IMPORTANT?

1. In August 2021, the City Council adopted a 1-year moratorium on the permanent establishment of “Halfway House”, “Work Release Facilities”, and similar uses.
2. The City Council found that review of the “Halfway House” development regulations adopted in 1999 is necessary.
3. The moratorium was granted a 6-month extension and now expires on March 1st, 2023.
4. Any code amendments ideally need to be passed before moratorium expiration.

SUMMARY OF DRAFT AMENDMENTS

NEW USE & DEFINITION

“Halfway House” use and definition will be removed

~~State-licensed work/release facilities and other housing facilities serving as an alternative to incarceration.~~

“Reentry Center” use and definition will be added

Facility or institution operated under contract with the Department of Corrections, and/or owned by the state or any other unit of government, for incarcerated individuals to complete their sentence of twelve months or less in partial confinement. Alternatively referred to as “Work Release” per RCW 72.65. This definition excludes at-home electronic surveillance.

All references to “Halfway House” changed to the term “Reentry Center”.



SUMMARY OF DRAFT AMENDMENTS

ZONING & PERMITTING

Permitted in:

- Community Business (CB)
- Community Business in the Urban Center (CB-C)
- Regional Business Mix (RBX)
- Industrial (I)

Prohibited in:

- All Overlay Districts

Permitting Process:

- Major Conditional Use Permit required.
- Will not be subject to the Essential Public Facilities process.



SUMMARY OF DRAFT AMENDMENTS

DIMENSIONAL STANDARDS

Standards already established for “Halfway House” use according to zone per Chapter 15.400 Dimensional Standards and Regulations are not proposed to be amended such as:

- Setbacks
- Lot coverage
- Structure height

PARKING

- Off street parking will be regulated per Chapter 15.455.
- Requirements determined based upon a parking and circulation plan submitted by the Applicant and approved by staff.

LANDSCAPING

- Landscaping standards already established in SMC 15.445.210 Landscaping Standards Chart, are not proposed to be amended.



SUMMARY OF DRAFT AMENDMENTS

SMC 15.415.400 Reentry Center Standards

Specific siting, development, and performance standards will be established through a new Reentry Center Section within Chapter 15.415 Commercial Standards and Regulations.



CHANGES TO DRAFT CODE SINCE 8/16 PC MEETING

1. Added a Dispersion subsection under Siting.
2. Public meeting requirements updated in Siting Process section to include:
 - Time of day in which public meetings shall occur.
 - Notification of public meeting requirements.
 - Minimum requirements for the public meeting agenda and opportunity for public comment.
 - Required documentation to be included in the mandatory pre-application meeting submittal.
3. Added a Street Frontage subsection under Development Standards.
4. Operations subsection of Performance Standards amended.



REGULATORY REQUIREMENTS

SEPA REVIEW

- The City served as SEPA Lead Agency for this proposal
- Determination of Nonsignificance (DNS) issued on October 3, 2022
- Comment period expires on October 17, 2022 at 5pm
- No public comments have been received to date.

COMMERCE REVIEW

- The City submitted a Request for 60-day Review with Notice of Intent to Adopt Amendments to Commerce on September 16, 2022
- No comments from Commerce have been received to date.



POTENTIAL COMMITTEE ACTION

COMMITTEE ACTION REQUESTED

Provide City Council a recommendation to approve or deny the proposed amendments or approve with specific modifications.

FUTURE REVIEWS

- Planning Commission meeting 10/18 (if needed).
- Planning & Economic Development meeting October 27, 2022.
- City Council meeting November 22, 2022 or December 13, 2022.

