

Correctional Facilities Interim Regulations

Planning and Development Services

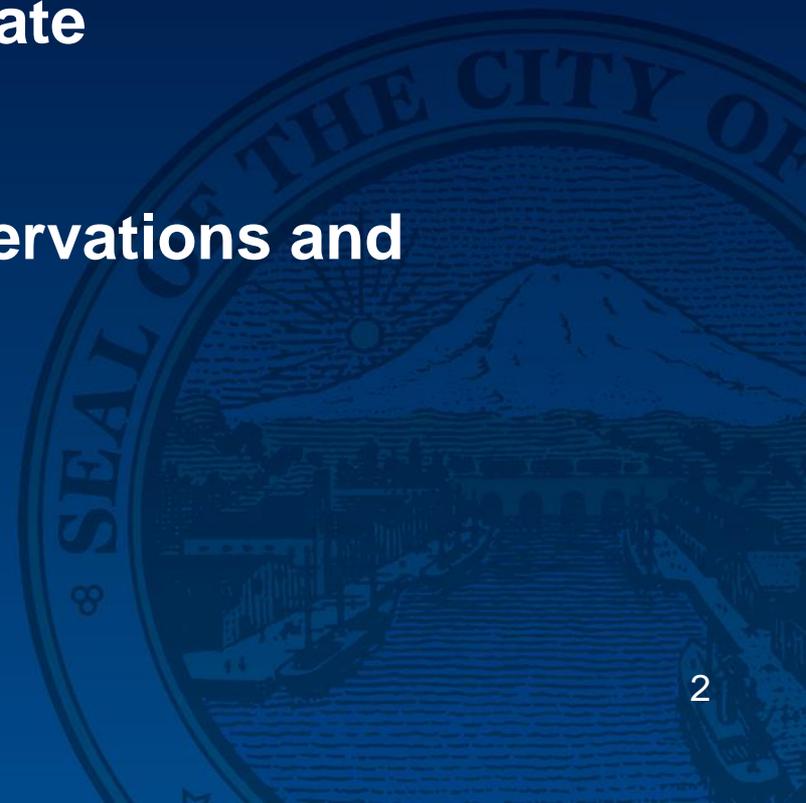
City Council Study Session

April 25, 2017



Presentation Outline

- **Project Overview**
- **Legal Guidance**
- **Commission Progress to Date**
- **Staff Recommendation**
- **Planning Commission Observations and Concerns**
- **Next Steps**



Actions to Date

- **March 7** **Emergency, Interim Regulations Enacted (Ordinance No. 28417)**
- **April 5** **Planning Commission Review**
- **April 18** **Legal Opinion concerning Essential Public Facilities**
- **April 19** **Planning Commission's Findings of Fact & Recommendations (*Draft*)**
- **April 25** **Study Session; Public Hearing**

Interim Regulations – Summary

- **Modify definition of “correctional facility” to differentiate public and private ones**
- **Prohibit private correctional facilities**
- **Prohibit public correctional facilities in multifamily and light-industrial zones**
- **Require CUP for public correctional facilities**
- **Notes:**
 - Effective for 6 months (through September 6, 2017)
 - Amending TMC 13.06, Sec. 100, 200, 300, 400 & 700

Legal Guidance

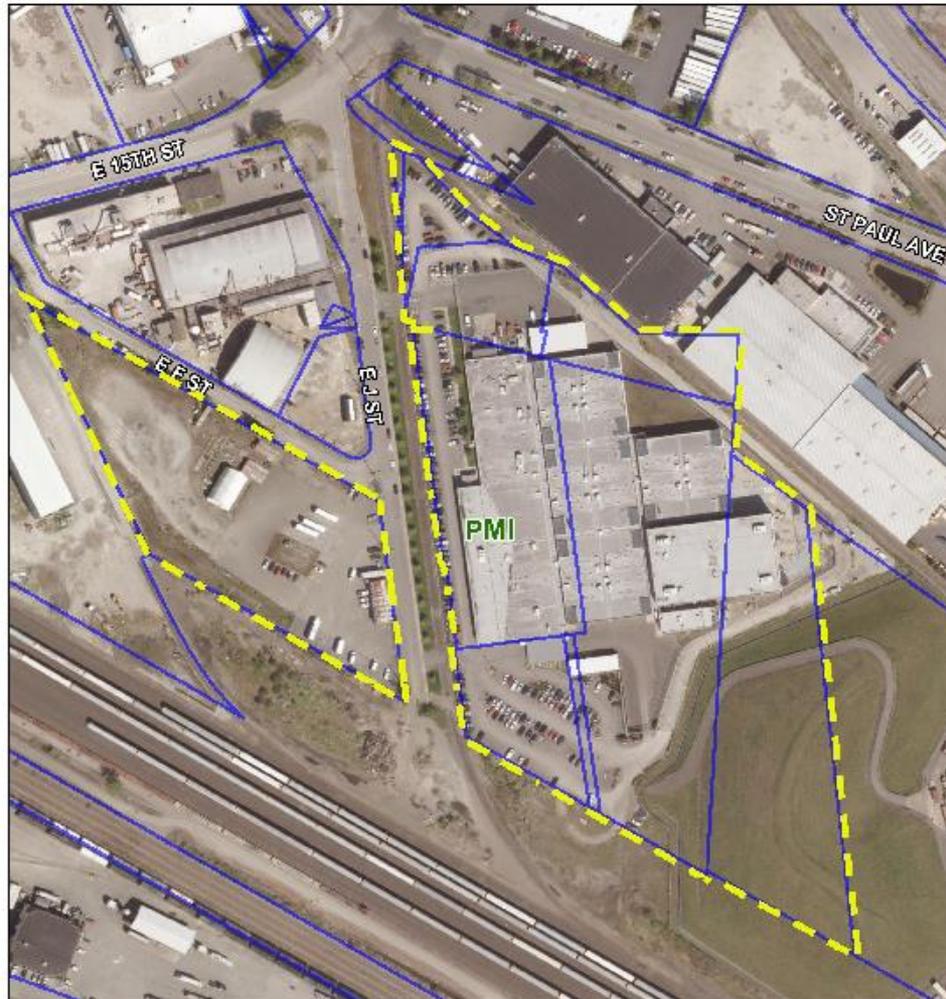
Essential Public Facilities

- **What are they:**
 - Providing public services
 - Difficult to site
 - Such as airports, highways, mental health facilities, state or local correctional facilities, etc.
- **How they can be regulated:**
 - Cannot be prohibited through Comprehensive Plan or development regulations
 - Siting and permitting can be regulated and conditioned

Commission's Review

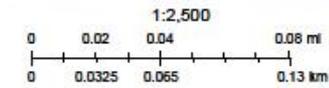
- Council's legislative intent
- 3 facilities affected (maps on next page)
- Nonconforming use
- Expansion of existing facilities
- Incompatible land uses
- CUP allows broader notification
- Public vs. private correctional facilities
- Essential public facilities
- Affecting other high priority projects

Northwest Detention Center Parcels



March 10, 2017

- | | | | |
|--|--------------------------|--|--------------------|
| | Tacoma City Boundary | | Building Only |
| | Street Names | | Condominium |
| | Zoning | | Lease Hold |
| | Parcels (All categories) | | Tax Purpose Only |
| | Airspace Condominium | | Undivided Interest |
| | Base Parcel | | |

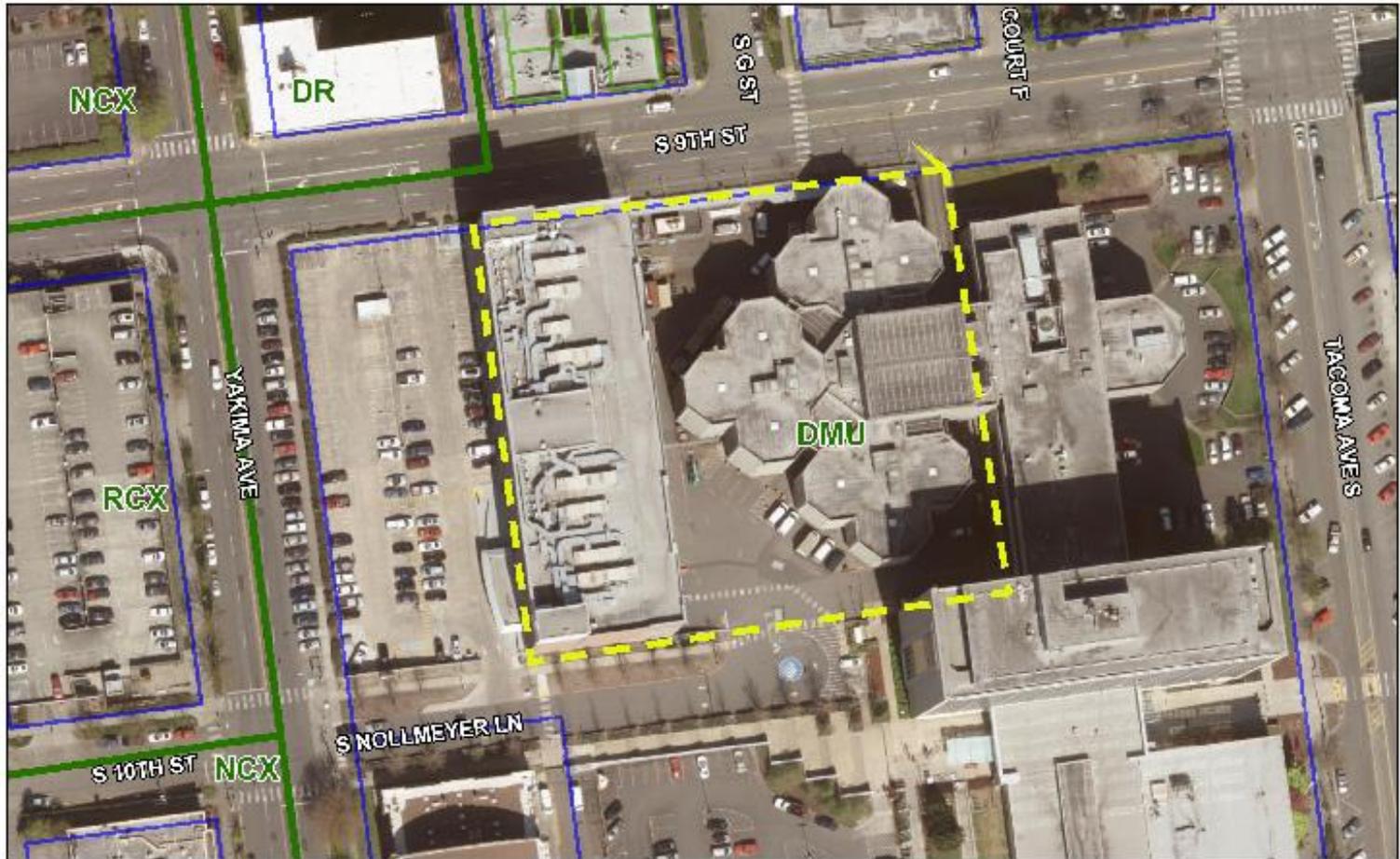


Tacoma IT-GIS
 Tacoma Community & Economic Development Department

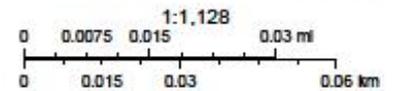
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Pierce County Jail



March 23, 2017



Tacoma IT-QIS
Tacoma Community & Economic Development Department

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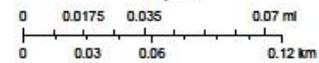
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March 10, 2017

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|---|----------------------|---|--------------------|
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Tacoma IT-GIS
Tacoma Community & Economic Development Department

Staff Recommendations

- 1. Modify the interim regulations to regulate private and public correctional facilities in the same manner**
 - Siting allowed only in M-2 and PMI, with Conditional Use Permit (CUP)
 - Modifications subject to CUP if significant in size or results in increase in inmate capacity
- 2. Develop permanent regulations by September 6, 2017**

Commission's Recommendations

(Draft, Unapproved)

A. Work Plan – Issues

- Nonconforming Use
- Essential Public Facilities
- Conditional Use Permit
- Public vs. Private Facilities
- Code Clarifications
- Land Use on Tidel flats



Commission's Recommendations

(Draft, Unapproved)

B. Work Plan – Timeline (6-month)

| Date | Event |
|-----------|--|
| Apr 25 | Council public hearing |
| May 2 & 9 | Council retains, removes or modifies the interim regulations |
| May/June | Commission drafts permanent regulations |
| Jul 19 | Commission public hearing |
| Aug 2 | Commission recommendation |
| August | Council public hearing and adoption of permanent regulations |
| Sep 6 | Interim regulations expire |

Commission's Recommendations

(Draft, Unapproved)

C. 3-Phased Action Strategy

- **Immediate Action:**
 - Evaluate the legal issues associated with the interim regulations, particularly as they relate to private correctional facilities
- **Short-Term Action:**
 - Development permanent regulations by September 6, 2017
- **Long-Term Action:**
 - Evaluate broader Tideflats land use issues through the Subarea Plan

Next Steps *(tentative)*

| Date | Event |
|-----------|--|
| Apr 25 | Council public hearing |
| May 2 & 9 | Council retains, removes or modifies the interim regulations |