

# Correctional Facilities Interim Regulations

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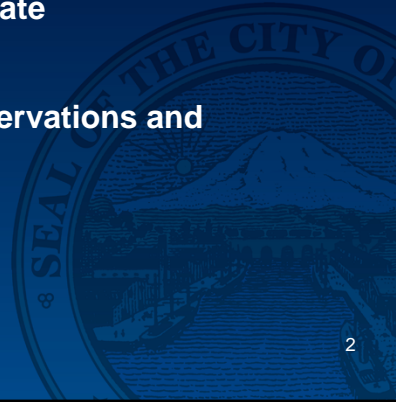
Planning and Development Services

**City Council Public Hearing**  
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

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## 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

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## Staff Review

### Legal Department Guidance

#### 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**

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## Commission's Recommendations

*(Draft, Unapproved)*

### Numerous Concerns

#### Three Phase Work Plan:

- **Immediate Action**
  - Evaluate legal issues regarding interim regulations
- **Short-term Action**
  - Develop focused permanent regulations by September
- **Long-term Action**
  - Coordinate broader issues with Tideflats Subarea Plan

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## Key Issues

- Are the Interim Regulations appropriate? Should they be retained, removed, or modified?
- If modified, how should they be modified?
- If retained or modified, is the scope and timeline for the consideration of permanent regulations appropriate?

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## Next Steps *(tentative)*

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

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