



Proposed Correctional and Detention Facilities Permanent Regulations

City of Tacoma | Planning and Development Services

City Council Study Session

February 13, 2018

ITEM #2



OVERVIEW



- Interim Regulations (Two Versions)
- Definitions: Nonconforming and Conditional Uses
- Proposed Permanent Regulations
(as recommended by the Planning Commission)
- Timeline and Next Steps
- Decision Tree

NONCONFORMING USES



- “10%” expansion allowed administratively provided certain Code conditions are met
- More than “10%” expansion allowed if the basic conditional use criteria are met, **and**:
 - 1) a rezone of the site would be inappropriate, and
 - 2) the change or expansion of the nonconforming use will have a positive impact on the surrounding uses and the area overall

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CONDITIONAL USES



- Public Notice and City Hearing Examiner Review and Decision
- Mandatory Review Criteria include:
 - Demonstrated need/Not contrary to the public interest
 - Consistent with goals and policies of the Comprehensive Plan
 - Not inconsistent with health, safety, convenience, or general welfare
 - Availability of public services (including transit)

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BACKGROUND



- **Interim Regulations** (Enacted Mar. 7, 2017, Ord. 28417):
 - Private correctional facilities prohibited
- **Interim Regulations** (Modified/Extended, May 9, 2017, Ord. 28249):
 - Correctional facilities prohibited in M-1, but allowed in M-2 and PMI with a Conditional Use Permit (CUP), and
 - Modifications or expansions to existing facilities that increase the inmate capacity shall be processed as a “major modification” requiring a CUP reviewed by the City Hearing Examiner

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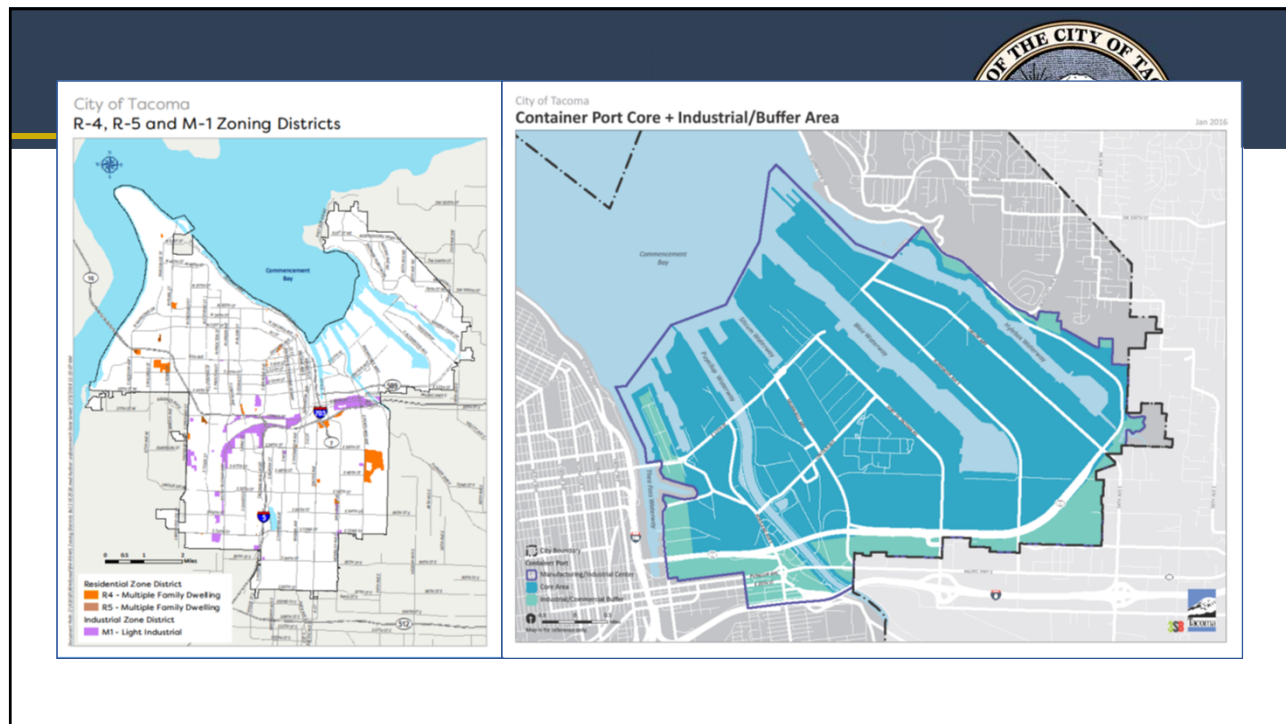
PROPOSED REGULATIONS



(as recommended by the Planning Commission, Jan. 17, 2018)

- Differentiate correctional facilities and detention facilities
- Prohibit correctional and detention facilities in:
 - Port-Maritime Industrial (PMI) zone
 - Heavy Industrial (M-2) zones
 - All residential zones (except R-4 and R-5)
- Allow correctional and detention facilities in the following zones, with a Conditional Use Permit:
 - Light Industrial (M-1) zones
 - Multifamily Residential zones (i.e., R-4, R-5)
- Increase in inmate capacity is considered a major modification
- As part of CUP, require 1,000-ft notification and pre-application community meetings

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TIMELINE & NEXT STEPS



Date	Event
Mar 7, 2017	Council enacted interim regulations
Apr 19, 2017	Commission Report (no recommendation)
May 9, 2017	Council modified and extended interim regulations
Jan 17, 2018	Commission recommendations
Feb 6, 2018	Council study session and public hearing
Feb 13, 2018	Council study session
Feb 13, 2018	First reading of ordinance adopting permanent regulations
Feb 20, 2018	Final reading of ordinance
Mar 4, 2018	Permanent regulations effective
Mar 6, 2018	Interim regulations expire

DECISION TREE



- Option A – Allow the Interim Regulations to expire:
 - Correctional facilities allowed in M-1, M-2, and PMI
 - Correctional facilities allowed in R-4-L, R-4, and R-5 , with a CUP
- Option B – Adopt Planning Commission’s Recommendations
- Option C – Modify Option B:
 - Prohibited in R4 and R5
 - With a non conforming use does an increase in inmate capacity require a CUP reviewed by the City Hearing Examiner?

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