BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF SPOKANE COUNTY

IN THE MATTER OF AMENDING
CHAPTERS 14.300, 14.605, 14.606, 14.608,
THE ZONING CODE OF SPOKANE
COUNTY REGARDING SECURE
COMMUNITY TRANSITION FACILITY

WHEREAS, pursuant to the provisions of RCW Chapter 36.70, the Board of County Commissioners of Spokane County, Washington, hereinafter referred to as the “Board,” has created a Planning Commission, hereinafter referred to as the “Commission”; and

WHEREAS, pursuant to the provisions of RCW Chapter 36.70, the Board may adopt a zoning ordinance for the unincorporated areas of Spokane County and may amend the same; and

WHEREAS, pursuant to the provisions of RCW Chapter 36.70, the Board has adopted the Zoning Code of Spokane County; and

WHEREAS, on March 12, 2002, the Washington State Legislature declared an emergency and passed Engrossed Substitute Senate Bill 6594 (ESSB 6594) implementing the recommendations of the Joint Select Committee on the Equitable Distribution of Secure Community Transition Facilities, and on March 21, 2002 the Governor signed ESSB 6594; and

WHEREAS, pursuant to the provisions of ESSB 6594 Spokane County, along with all planning jurisdictions within the state of Washington, was mandated to amend its development regulations as necessary to provide for the siting of secure community transition facilities as defined in RCW 71.09.020 and consistent with statutory requirements applicable to these facilities; and

WHEREAS, pursuant to the provisions of Chapter 36.70 RCW, the Commission is authorized to recommend changes to the Zoning Code to the Board for its review and consideration for adoption; and

WHEREAS, the Commission, recommended amendments to the Zoning Code relating to secure community transition facility, as more particularly set forth in Commission’s Attachment “A”, attached hereto and incorporated herein; and
WHEREAS, the Board acknowledges the Determination of Nonsignificance (DNS) issued by the Spokane County Division of Planning on June 21, 2002, with respect to the Zoning Code Amendment; and

WHEREAS, the Board, after considering the Commission’s Recommendation and reviewing the Commission’s Findings of Fact, concurs with the Findings of Fact, Decision, and Recommendation of the Commission dated July 25, 2002, attached hereto and incorporated herein by reference, and determines the best interest of the general public, as well as its health, safety and welfare, will be met by the Board amending the Zoning Code of Spokane County as recommended by the Commission.

NOW, THEREFORE, BE IT RESOLVED by the Board, after considering all of the above, that the Zoning Code Amendment as set forth in the Commission’s Attachment “A”, attached hereto and incorporated herein by reference, be adopted.

BE IT FURTHER RESOLVED that the Board does hereby adopt as Findings of Fact all recitals herein as well as the Commissions’ Findings of Fact as set forth in the Commission’s Findings, Decision, and Recommendation dated July 25, 2002, attached hereto and incorporated herein by reference.

APPROVED this 13th day of August, 2002.

ATTEST:
Vicky M. Dalton
Clerk of the Board

By: Daniela Erickson
Deputy

M. Kate McCaslin, Chair

John Roskelley, Vice-Chair

Phillip D. Harris, Commissioner
Zoning Code Amendment
Secure Community Transition Facility
Spokane County Planning Commission Recommendation
July 25, 2002

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Attachment “A”

Proposed Amendments to the Zoning Code of Spokane County

Chapter 14.300
DEFINITIONS

Secure Community Transition Facility: A residential facility for persons civilly committed and conditionally released to a less restrictive alternative under Chapter RCW 71.09. A Secure Community Transition Facility has supervision and security, and either provides or ensures the provision of sex offender treatment services. Secure Community Transition Facilities include but are not limited to the facilities established pursuant to RCW 71.09.250 and any community-based facilities established under RCW 71.09 and operated by the secretary of the Washington Department of Social and Health Services or under contract with the secretary.

Community Residential Facility: Any dwelling licensed, certified or authorized by state, federal or local authorities as a residence for children or adults with physical, developmental or mental disabilities, dependent children or elderly individuals in need of supervision, support and/or independent living training. Does not include: Halfway House, Crisis Residential Center or Secure Community Transition Facility. May include: specialized group home for the developmentally disabled, group care facility for children and boarding home.

Community Treatment Facility: Any dwelling or place licensed, certified or authorized by state, federal or local authorities as a residence and treatment facility for children or adults with mental disabilities, alcoholism or drug abuse problems needing a supervised living arrangement and rehabilitation services on a short-term or long-term basis. Does not include: detoxification centers, Halfway House, Crisis Residential Center or Secure Community Transition Facility. May include: alcohol and/or drug abuse treatment facilities and adult treatment facilities.
Chapter 14.612
SUBURBAN RESIDENTIAL-1 (SR-1) ZONE
Chapter 14.614
SUBURBAN RESIDENTIAL-1/2 (SR-1/2) ZONE
Chapter 14.616
URBAN RESIDENTIAL-3.5 (UR-3.5) ZONE
Chapter 14.618
URBAN RESIDENTIAL-7 (UR-7) ZONE
Chapter 14.620
URBAN RESIDENTIAL-12 (UR-12) ZONE
Chapter 14.622
URBAN RESIDENTIAL-22 (UR-22) ZONE

14.6xx.240 Conditional Uses

x. Secure Community Transition Facility (SCTF) (3 or fewer residents), provided that:
   a. The use shall not be allowed outside the Urban Growth Area Boundary except for zones within the Limited Development Area designation of the Comprehensive Plan;
   b. The use is located or maintained at a distance so that it is not across the street from, across the parking lot from, adjacent to, or within the line of sight of the following pre-existing uses, as measured from the nearest property line of the Secure Community Transition Facility to the nearest property line of the pre-existing use. For Spokane County, the definition of “within line of sight” means that it is possible to reasonably visually distinguish and recognize individuals. For the purposes of granting a conditional use permit, the Hearing Examiner shall consider an unobstructed visual distance of 600 feet to be “within line of sight.” Through the conditional use process, “line of sight” may be considered to be less than 600 feet if the applicant can demonstrate that visual barriers exist or can be created that would reduce the line of sight to less than 600 feet.
      i. Public library;
      ii. Public playground, sports field, recreational center, community center, park, publicly dedicated trail, as designated in the Spokane County Geographic Information System (GIS) Parks Map Layer, as amended;
      iii. Public or private school and its grounds of preschool to twelfth grade;
      iv. School bus stop;
v. Child day-care center;
vi. Places of worship such as church, mosque, synagogue, and temple;
vii. Another Secure Community Transition Facility subject to the provisions of this section; and
viii. Any other risk potential activity or facility identified in siting criteria by the Department of Social and Health Services, with respect to siting a Secure Community Transition Facility.

c. The Secure Community Transition Facility shall meet all applicable state, federal, and local licensing for a facility authorized by state, federal, or local authorities to confine and treat sex offenders through a rehabilitation treatment program for those conditionally released from total confinement under a court-ordered civil commitment;
d. Before issuance of a conditional use permit, the applicant shall have complied with all applicable requirements for the siting of an essential public facility in accordance with state, regional, and local mandates, including the Spokane County Regional Siting Process for Essential Public Facilities;
e. The applicant shall demonstrate that it has met all the standards required by state law for public safety, staffing, security, and training, and those standards shall be maintained for the duration of the operation of the Secure Community Transition Facility; and
f. Properties that fail to meet any of these criteria must be removed from further consideration. The properties that do meet the minimums must be further evaluated to determine which one, among the available properties, is the most suitable. When a site is selected, preference must be given to properties that are the farthest removed from risk potential activities or facilities.
Chapter 14.606  
RURAL RESIDENTIAL-10 (RR-10)  
Chapter 14.608  
SEMI-RURAL RESIDENTIAL-5 (SRR-5)  
Chapter 14.609  
RURAL-5 (R-5)  
Chapter 14.610  
SEMI-RURAL RESIDENTIAL-2 (SRR-2)  
Chapter 14.624  
NEIGHBORHOOD BUSINESS (B-1)  
Chapter 14.626  
COMMUNITY BUSINESS (B-2)  
Chapter 14.628  
REGIONAL BUSINESS (B-3)  
Chapter 14.630  
INDUSTRIAL PARK (I-1)  
Chapter 14.632  
LIGHT INDUSTRIAL (I-2)  
Chapter 14.634  
HEAVY INDUSTRIAL (I-3)  
Chapter 14.636  
MINING (MZ)

14.6xx.240 Conditional Uses

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exist or can be created that would reduce the line of sight to less than 600 feet.

i. Public library;
ii. Public playground, sports field, recreational center, community center, park, publicly dedicated trail, as designated in the Spokane County Geographic Information (GIS) Parks Map Layer, as amended;
iii. Public or private school and its grounds of preschool to twelfth grade;
iv. School bus stop;
v. Child day-care center;
vi. Place of worship such as church, mosque, synagogue, and temple;
vii. Another Secure Community Transition Facility subject to the provisions of this section; and
viii. Any other risk potential activity or facility identified in siting criteria by the Department of Social and Health Services, with respect to siting a Secure Community Transition Facility.

c. The Secure Community Transition Facility shall meet all applicable state, federal, and local licensing for a facility authorized by state, federal, or local authorities to confine and treat sex offenders through a rehabilitation treatment program for those conditionally released from total confinement under a court-ordered civil commitment;

d. Before issuance of a conditional use permit, the applicant shall have complied with all applicable requirements for the siting of an essential public facility in accordance with state, regional, and local mandates, including the Spokane County Regional Siting Process for Essential Public Facilities;

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f. Properties that fail to meet any of these criteria must be removed from further consideration. The properties that do meet the minimums must be further evaluated to determine which one, among the available properties, is the most suitable. When a site is selected, preference must be given to properties that are the farthest removed from risk potential activities or facilities.
Zoning Code Amendment  
Secure Community Transition Facility  
Spokane County Planning Commission Recommendation  
July 25, 2002

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Chapter 14.605  
RESIDENTIAL ZONES MATRIX

|----------|-----------------------------|--------------------------------------|---------------------------------------------------------------|----------------------------------------|

### 14.605.020 USE - Residential

<table>
<thead>
<tr>
<th>Secure Community Transition Facility (3 or fewer residents) (Res. 1-0566, dated June 19, 2001)</th>
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</thead>
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### 14.605.080 Index of Letters and Symbols

- **P** Permitted use  
  - **P(1)** See Chapters 14.606 (RR-10) thru 14.622 (UR-22) for specific standards for locating and approving these uses.  
  - **P(2)** See Chapter 14.808 for required Manufactured (Mobile) Home Development Standards.  
  - **P(4)** See home profession definition.  
- **P-(Acc)** Permitted accessory use (Res. 2-0159, dated February 12, 2002)  
- **C.U.** Conditional use (Res. 2-0159, dated February 12, 2002)  
- **C.U.(1)** See Chapter 14.816  
- **N** Not permitted use  
  - (1) Specific standards exist for approving and locating these uses  
- **C.U. (2)** Only within Limited Development Area designation of the Comprehensive Plan located outside Urban Growth Area Boundary.
Chapter 14.623  
BUSINESS ZONES MATRIX

Section:
14.623.020 Use
14.623.080 Index of Letters and Symbols

14.623.020 Use

<table>
<thead>
<tr>
<th>Use Description</th>
<th>B-1</th>
<th>B-2</th>
<th>B-3</th>
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<tr>
<td>Secure Community Transition Facility (3 or fewer residents)</td>
<td>C.U.</td>
<td>C.U.</td>
<td>C.U.</td>
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14.623.080 Index of Letters and Symbols

<table>
<thead>
<tr>
<th>Letter</th>
<th>Description</th>
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</thead>
<tbody>
<tr>
<td>P</td>
<td>Permitted use</td>
</tr>
<tr>
<td>P(1)</td>
<td>See Chapters 14.624 (B-1), 14.626 (B-2) and 14.628 (B-3) for specific standards for approving and locating these uses (Res. 2-0159, dated February 12, 2002).</td>
</tr>
<tr>
<td>P(2)</td>
<td>See Section 14.804.180 for location and setback requirements.</td>
</tr>
<tr>
<td>P(3)</td>
<td>not displaying Inherently Dangerous Mammal/Reptile as defined in this Code (Res. 2-0159, dated February 12, 2002)</td>
</tr>
<tr>
<td>P-Acc</td>
<td>Permitted accessory use (Res. 2-0159, dated February 12, 2002)</td>
</tr>
<tr>
<td>C.U.</td>
<td>Conditional use</td>
</tr>
<tr>
<td>I.E.</td>
<td>Not elsewhere classified</td>
</tr>
<tr>
<td>N</td>
<td>Not permitted use</td>
</tr>
<tr>
<td>(1)</td>
<td>Specific standards exist for approving and locating these uses</td>
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</table>
Chapter 14.629
INDUSTRIAL ZONES MATRIX

Section:
14.629.020 Use
14.629.080 Index of Letters and Symbols

14.629.020 Use

<table>
<thead>
<tr>
<th>Use</th>
<th>I-1</th>
<th>I-2</th>
<th>I-3</th>
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<tbody>
<tr>
<td>Secure Community Transition Facility</td>
<td>C.U.</td>
<td>C.U.</td>
<td>C.U.</td>
</tr>
</tbody>
</table>
(3 or fewer residents)

14.629.080 Index of Letters and Symbols

P Permitted use
P(1) See Chapters 14.630 (I-1), 14.632 (I-2) and 14.634 (I-3) for specific standards for approving and locating these uses
(Res. 2-0159, dated February 12, 2002)
P(2) See Section 14.804.180 for sign location and setback standards
P-Acc Permitted accessory use
N Not permitted use
(1) Specific standards exist for approving and locating these uses