

High-Risk Secured Facilities

Staff Responses by Topic to Public Comment

As of May 15, 2019, the Kitsap County Department of Community Development received 82 additional public comments regarding the proposed amendment to replace interim zoning regulations for High-Risk Secured Facilities. A complete summary of public comment and exhibits received can be accessed online using the link at the bottom of page 3. Staff responses to the concerns raised are summarized by topic below:

Response #	Topic and Staff Response
1	<p>Ban these facilities from being built in Kitsap County</p> <p>We understand concerns with the impact these facilities may have in Kitsap County. Local communities are not able to ban these facilities from being built because state law requires counties and cities to allow these facilities. However, the County can adopt regulations that ensure neighborhood compatibility and safety by:</p> <ul style="list-style-type: none"> • restricting these facilities to certain zones; • limiting their proximity to risk potential facilities, such as schools, to the extent allowed under state law; • requiring landowners within a half mile of a proposed facility to receive notification so they are aware of the applicant's request and can participate in the permit review process; • Holding a neighborhood meeting prior to processing a permit application; and • Requiring a public hearing before the County's hearing examiner
2	<p>Status of the existing facility on Viking Way</p> <p>Several public comments discuss concerns regarding the existing facility on Viking Way and question whether it is a permitted use in a residential zone. The Department of Community Development sent a notice of violation to the landowner and property manager on March 5, 2019 that determined the existing facility was in violation of Title 17, Kitsap County Zoning Code, for maintaining an unpermitted use. The landowner and property manager have appealed the Department's determination. The appeal will be considered by the County's Hearing Examiner. The appeal hearing is scheduled for May 23, 2019.</p>
3	<p>Outings in the community & supervision</p> <p>We understand concerns related to court-approved community outings. Unfortunately, local communities are not able to regulate the operations of these facilities, staff training, or limit outings in the community. These provisions are put in place by superior court and Kitsap County has no authority in court proceedings. We encourage you to reach out to your state representatives to address your concerns with facility operations and outings.</p>

Response #	Topic and Staff Response
4	<p>Proximity to schools, residential neighborhoods, and other risk potential facilities and the economic impact of a proposed facility</p> <p>We understand concerns with siting these facilities close to schools, residential neighborhoods and other risk potential facilities. State law only allows local communities to restrict these facilities from being located within 880-feet from a school. In addition, the ordinance restricts facilities from being located adjacent to, across the street from, or within the line of sight of the following facilities: Public and private schools, school bus stops, licensed day care and licensed preschool facilities, domestic violence shelters, public parks, publicly dedicated trails, sports fields, playgrounds, recreational and community centers, churches, synagogues, temples, mosques, public libraries, public and private youth camps, and others identified during a public hearing.</p> <p>We also understand concerns with the economic and neighborhood impacts these facilities may have on the surrounding area. This is one of the reasons Kitsap County is requiring a Conditional Use Permit (CUP) for these facilities. The CUP process is when a proposed facility is evaluated to ensure that it is compatible with the surrounding neighborhood. The CUP process also requires a public hearing and is reviewed by the County’s Hearing Examiner. If the Hearing Examiner determines during the CUP review process that the proposed facility will have a detrimental impact and will not be compatible with the surrounding neighborhood, the applicant’s request may be denied.</p>
5	<p>Siting these facilities in or near Bremerton</p> <p>The interim ordinance only applies to unincorporated Kitsap County and not the City of Bremerton. The City of Bremerton has its own zoning requirements that allow these facilities in the City’s industrial and freeway corridor zones.</p> <p>Like the City of Bremerton, Kitsap County requires a Conditional Use Permit (CUP) for these facilities. The CUP process is when a proposed facility is evaluated to ensure that it is compatible with the surrounding neighborhood. The CUP process for Kitsap County requires a public hearing before the County’s Hearing Examiner. If the Hearing Examiner determines during the CUP review process that the proposed facility will have a detrimental impact and will not be compatible with the surrounding neighborhood, the applicant’s request may be denied.</p> <p>Unlike the City of Bremerton, Kitsap County also:</p> <ul style="list-style-type: none"> • Requires notification to all landowners within a half mile when a facility is proposed to ensure they have an opportunity to participate in the permit review process; • Requires a neighborhood meeting prior to processing a permit

Response #	Topic and Staff Response
	<p>application; and</p> <ul style="list-style-type: none"> Restricts placement of these facilities within 880 feet of public and private schools. In addition, a proposed facility cannot be located adjacent to, across the street from, or within the line of sight of the following facilities: Public and private schools, school bus stops, licensed day care and licensed preschool facilities, domestic violence shelters, public parks, publicly dedicated trails, sports fields, playgrounds, recreational and community centers, churches, synagogues, temples, mosques, public libraries, public and private youth camps, and others identified during a public hearing.
6	<p>Community notification when a facility is proposed</p> <p>The interim ordinance requires Kitsap County to mail notification to all landowners within a half mile when the Department of Community Development receives a permit application for a proposed facility. Kitsap County also requires the applicant to hold a neighborhood meeting and have their project proposal reviewed at a public hearing before the County’s Hearing Examiner. A half mile radius was selected because it is consistent with the Sheriff’s Office community notification standards. There was a suggestion to mail notification to the school district even if there is not a school located within the half mile notification radius to ensure they have an opportunity to participate in the permit review process. The Department can propose in the final ordinance that the school district receive notification regardless of a school’s proximity to a proposed facility.</p>
7	<p>Impact on local police services</p> <p>We understand concerns related to the impact these facilities may have on local police services. It is the Department’s understanding that the Washington State Department of Corrections is monitoring the occupants of these facilities on a 24/7 basis using GPS monitoring and in certain circumstances security cameras. There are also court-ordered staffing requirements at facilities that typically require 24/7 supervision. In addition, the Kitsap County Sheriff’s Office is required to visit these facilities every 90 days. State law also allows local law enforcement the authority to intervene if the court-ordered conditions of release are violated.</p>

A summary of the public comment and exhibits submitted by interested parties regarding this topic can be accessed online here:

<https://www.kitsapgov.com/dcd/PEP%20Documents/Attachment%20E2%20-%20PublicCommentMatrix.pdf>

