



Kitsap County Department of Community Development

FREQUENTLY ASKED QUESTIONS INTERIM ZONING ORDINANCE TO REGULATIONS THAT APPLY TO GROUP RESIDENTIAL FACILITIES – SECURED HIGH RISK

The Board of County Commissioner’s (BCC) adopted an interim zoning ordinance on February 6, 2019 to regulate Group Residential Facility - Secure High Risk.

What is a Group Residential Facility - Secured High Risk?

A Group Residential Facility - Secured High Risk houses one or more civilly committed Sexually Violent Predators (SVP). A civilly committed individual has completed a criminal sentence, but once they complete their sentence, they must enter a program for treatment and supervision in a secure facility operated by the State. Superior court can order the use of a community-based living facility to carry out these programs. These community-based facilities are known as a less restrictive alternative living arrangement (LRA). A LRA still requires court ordered supervision and treatment.

Where can these facilities be located?

Federal and state court decisions require cities and counties to allow these secured community-based living facilities. The temporary ordinance regulates the location (i.e. zones) that these facilities can be located. These facilities are currently allowed in Commercial, Regional Center, Industrial, Business Park, and Business Center zones (see map).

Why is this a temporary ordinance?

Prior to this ordinance, there were no local regulations for where these types of facilities could be located. The Board is allowed under state law to pass temporary ordinances to protect the public’s safety and welfare. The temporary ordinance is a starting point to ensure neighborhood compatibility when considering the placement of these facilities across the County. The Department will develop a final code over the next six months for the Board to consider. The public is encouraged to participate through this important process.

What does the interim zoning ordinance include?

The ordinance adopts temporary regulations that:

- Define these facilities the Kitsap County Code
- Allow these facilities to be located in the following zones: ([see map](#))
 - Commercial
 - Regional Center
 - Industrial
 - Business Park
 - Business Center
- Require DCD to host a neighborhood meeting before processing a permit application
- Establish a permit review process that includes a public hearing before the County’s Hearing Examiner
- Require the facility to meet specific siting and safety requirements, such as:
 - an automatic fire sprinkler system
 - a security system that interlocks with the fire alarm system
 - a backup power supply in case of an outages

Does the interim zoning ordinance apply to an existing land use?

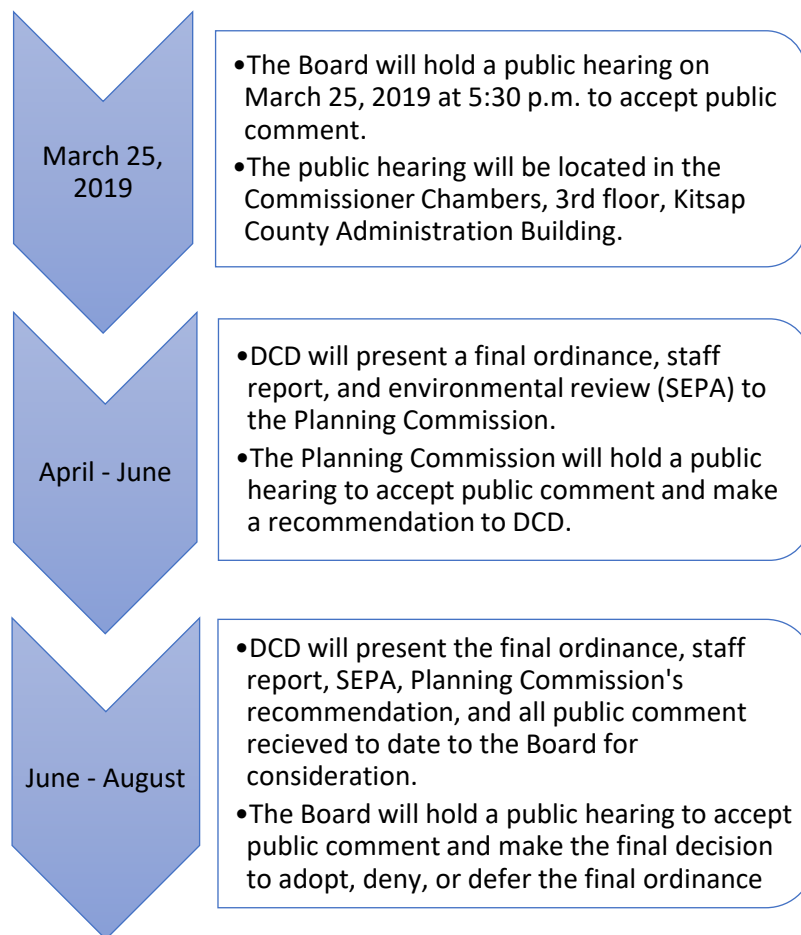
No. The temporary regulations do not apply to an existing land use that was legally established prior to the adoption of the interim zoning ordinance on February 6, 2018.

How can I participate during this project?

You can access information regarding opportunities to participate online at <https://tinyurl.com/KitsapCodeProjects>. We encourage you to attend the public hearing scheduled for March 25th, 2019 at 5:30 p.m. to share your feedback on the interim zoning ordinance with the Board. The public hearing will be in the Commissioner Chambers, 3rd floor, Kitsap County Administration Building.

Stay informed! Sign up for electronic notifications by selecting the “Kitsap County Code Update Announcement” topic list online at <http://tinyurl.com/KCNotifications>.

What is the process and timeline for this project?



Do you have questions about this project?

Please contact Liz Williams at lwilliams@co.kitsap.wa.us or (360) 337-5777.

Key Terms

Civily Committed – State law (Chapter 71.09 RCW) requires individuals that have completed their criminal sentence to determine if they meet the definition of a sexually violent predator (SVP). If the individual is found to be A SVP they are civily committed in a total confinement program to receive ongoing care, control, and custody.

Sexually Violent Predator – An individual who has been convicted of or charged with a crime of sexual violence and who suffers from a mental abnormality or personality disorder which makes the person likely to engage in predatory acts of sexual violence if not confined in a secure facility (Section 71.09.020(17) RCW).

Conditional Release – An individual may petition Superior court to receive ongoing treatment in a supervised living arrangement known as a Less Restrictive Alternative.

Less Restrictive Alternative - Court-ordered treatment in a setting less restrictive than total confinement which satisfies the conditions set forth in state law (Section 71.09.092 RCW).