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Siting of Secure Community Transition Facilities

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News Notes

The Washington State Department of Social and Health Services does not anticipate siting any additional secure community transition facilities (SCTFs) in the future. There are currently two SCTFs, one in Pierce County on McNeil Island and one in King County, in south Seattle.

This page is not being updated on a regular basis and is retained as background historical information.

Statutory Requirements and Statutes

In 2001 ([ESB 6151](#), Chapter 12, Laws of 2001, 2nd Spec. Sess.) and in 2002 ([ESSB 6594](#), Chapter 68, Laws of 2002), the Growth Management Act was amended to require that cities and counties establish a process and adopt regulations for the siting of secure community transition facilities (SCTFs) by September 1, 2002. SCTFs are considered "essential public facilities," and local comprehensive plans or development regulations may not preclude the siting of "essential public facilities."

- [RCW 36.70A.200](#) - Siting of essential public facilities - Limitation on liability
- RCW 71.09.250 – 71.09.350 regarding transition facilities - siting (in [Chapter 71.09 RCW](#) Sexually Violent Predators).

About Siting Secure Community Transition Facilities

What is a Secure Community Transition Facility? A "secure community transition facility" (SCTF) is the statutory name for a less restrictive alternative residential facility program operated or contracted by the Department of Social and Health Services. As stated in RCW 71.09.020, "...a secure community transition facility has supervision and security, and either provides or ensures the provision of sex offender treatment services." The program offers 24-hour intensive staffing and line-of-sight supervision by

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Planning in the News

- [Black Diamond split over big growth plans](#) (Seattle Times, July 4, 2011)
- [Bainbridge shoreline regulations spark outcry](#) (Kitsap Sun, June 22, 2011)
- [Poulsbo's 2009 Comprehensive Plan recognized by governor as promoting 'smart growth'](#) (North Kitsap Herald, June 15, 2011)

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trained escorts when residents leave the facility. A less restrictive alternative (LRA) placement is defined in the state law as a living arrangement that is less restrictive than total confinement.

Six County Preemption. Although there are no fiscal penalties for failing to complete the mandated planning, six counties and their cities were subject to preemption by the state: Clark, King, Kitsap, Snohomish, Spokane, and Thurston counties and their cities. These six counties and Pierce County have at least five residents in the Special Commitment Center for sexual offenders at McNeil Island Corrections Center. However, Pierce County was exempt from the preemption requirement because it is the site of a 24-bed SCTF on McNeil Island. If DSHS decides to site a SCTF in any of the preempted jurisdictions, the department will consult with the local government and attempt to follow local procedures and practices.

If a jurisdiction within Clark, King, Kitsap, Snohomish, Spokane or Thurston counties failed to comply with the September 1, 2002 deadline for establishing siting regulations for SCTFs, as of October 1, 2002, the state could have pre-empted and superseded local development regulations in order to site, construct, and plan SCTFs.

Other Provisions. The law also provides that no person may bring a cause of action for civil damages based on the good faith actions of any county or city to provide for the siting of SCTFs. The law also amends the siting criteria for SCTFs, and a recommended average law enforcement response time not greater than five minutes has been eliminated from the siting guidelines. State regulations recommend that local governments take a cooperative, inter-jurisdictional approach in planning for essential public facilities of a countywide, regional, or statewide nature that are difficult to site.

Information Sources. There is no model ordinance available for the siting of SCTFs. Sample ordinances are available on this Web page. Some jurisdictions chose to be subject to state preemption rather than adopting a local ordinance regulating SCTFs. For further information on siting of SCTFs, see the [Washington State DSHS Special Commitment Center Web page](#).

Sample Ordinances

The following are offered as samples rather than models and were not reviewed for compliance with siting requirements. Since the siting of Secure Community Transition Facilities is a very sensitive topic, MRSC recommends that you work closely with your city or town attorney or county prosecuting attorney before incorporating these provisions into your own regulations.

King County

- [Secure Community Transition Facility in King County](#) () brochure, Washington State Department of Social and Health Services, 2004
- [Bellevue Ordinance No. 5404](#) () 302 KB) - Creates regulations regarding secure community transition facilities, passed 8-02
- [Burien Ordinance No. 363](#) () 133 KB), passed 8-02
- [Issaquah Ordinance No. 2345](#) () 2771 KB) - Siting regulations for Secure Community Transition Facilities, passed 8-5-02
- [Kirkland Ordinance No. 3853](#) () 179 KB) - Creates a secure community transition facility overlay zone, passed 8-02
- [Redmond Ordinance No. 2152](#) () 92 KB) - Adopting regulations regarding the siting of Secure Community Transition Facilities in the Business Park, Manufacturing Park and Industrial zones, passed 2-03





[SeaTac Ordinance No.02-1029](#) - Amending the Zoning Code regarding the siting of Secure Community Transition Facilities (SCTF), passed 7-02

- [Tukwila Ordinance No. 1991](#), passed 8-02
- [Woodinville Ordinance No. 325](#), passed 8-02.



Snohomish County

- [Brier Ordinance No. 20X](#), passed 8-02.

Spokane County

- [Cheney Resolution No. C-815](#) ( 411 KB) - Amending the essential public facilities element and adopting the Spokane County Regional Siting Policy for Essential Public Facilities, passed 8-02
- [Liberty Lake Ordinance No. 94](#) ( 488 KB), passed 8-02
- [Spokane Ordinance No. C33085](#) ( 78 KB), passed 8-02
- [Spokane County Resolution 02-0812](#) ( 2,632 KB), passed 8-02.

Thurston County

- [Thurston County Ordinance No. 12807](#) ( 144 KB) - Providing regulations for the siting of Secure Community Transition Facilities, passed 8-02
- [Tumwater Ordinance No O2002-013](#) ( 161 KB) - Amends zoning code for Secure Community Transition Facilities, passed 8-02.

Walla Walla County (County Not Preempted by State)

- [Walla Walla Ordinance No. 2000-38](#) - Interim Zoning Ordinance for Less Restrictive Alternate (LRA) Housing Units, 12-00.

Other Reference Sources

- [Center for Sex Offender Management](#) (CSOM), a Project of the U.S. Department of Justice.

Related Resources

[MRSC Index – Treatment housing for sex offenders, secure community less restrictive alternative \(LRA\) housing, secure residential treatment housing, secure community transition facilities, community transitional housing, community treatment housing](#)