



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

Ordinance 20041

Proposed No. 2026-0048.1

Sponsors Mosqueda, Barón, Balducci,
Lewis, and Dembowski

1 AN ORDINANCE declaring a one-year moratorium
2 prohibiting the acceptance of applications for the
3 establishment of new or expansion of existing detention
4 facilities, as primary or accessory uses; establishing a work
5 plan; and declaring an emergency.

6 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

7 **SECTION 1. Findings:**

8 A. King County has the authority, under constitutional police powers, home rule
9 authority, and the Washington state Growth Management Act, including chapter 36.70A
10 RCW, to establish a moratorium to preclude the acceptance of certain new development
11 applications while the county studies related land use issues.

12 B. Detention facilities have been proliferating around the country.

13 C. One detention facility in the Puget Sound area is in Tacoma. U.S. Immigration
14 and Customs Enforcement ("ICE") currently contracts with the GEO Group, Inc., to
15 operate the Northwest ICE Processing Center ("the NWIPC"). The NWIPC has a
16 capacity of one thousand five hundred seventy-five beds. Statistics published by ICE
17 show that the NWIPC's average daily population grew throughout 2025 and, as of
18 January 2026, the facility was near ninety-percent capacity.

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19 D. Reports and firsthand accounts have surfaced since 2020 that practices at the
20 NWIPC have resulted in inadequate living conditions for individuals detained. Attempts
21 at oversight at this facility have been met with resistance, as governmental officials,
22 health inspectors, and organizations have been denied access to the NWIPC.

23 E. The King County code does not currently define the term "detention
24 facilities," though jails and jail farms are defined in the code.

25 F. The King County code allows jails, which, by definition, must be government-
26 operated, with a special use permit in the R, NB, CB, RB, O, and I zones.

27 G. One jail, Echo Glen Children's Center, currently operates in unincorporated
28 King County. As Echo Glen Children's Center is located in an RA zone, it is classified as
29 an existing nonconforming use and subject to the county's existing nonconforming use
30 code provisions. This facility, while defined as a jail under the King County code, is not
31 considered a detention facility as defined in this ordinance, as it is a facility providing
32 rehabilitative, counseling, treatment, mental health, educational, or medical services to
33 juveniles who are subject to Title 13 RCW.

34 H. The King County code also allows jail farms, defined as a farm or camp on
35 which persons convicted of minor law violations are confined and participate in
36 agriculture and other work activities of the facility, with a special use permit in the A, F,
37 RA, and UR zones.

38 I. Under its Detention Reengineering Initiative, ICE intends to expand detention
39 capacity nationwide. A December 29, 2025, publication by the federal government on
40 the Acquisition Planning Forecast System indicates that ICE intends to expand capacity
41 in the Seattle-Tacoma area. While, according to a local news report, ICE is still in the

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42 planning stages for such a facility, a solicitation could be issued in the near future for a
43 detention facility with over one thousand six hundred beds and to include five
44 courtrooms.

45 J. New or expanded detention facilities are likely to draw significant public
46 interest and would require a long-term security plan and a short-term construction staging
47 plan. New or expanded detention facilities could have significant impacts on water,
48 sewage and wastewater, transportation and parking, public safety, and public health.
49 Impacts from these large-scale facilities are not contemplated by the county's
50 development regulations. The plans and mitigation measures for identified impacts
51 should be clearly addressed in the county's development regulations before the filing of
52 any permit for a new or expanded detention facility.

53 K. It is in the public interest that any land use, zoning, and development
54 regulations are consistent with the King County Comprehensive Plan, the State
55 Environmental Policy Act, the Growth Management Act, and other environmental and
56 land use laws.

57 L. With an imminent possibility of additional detention facilities being sited in
58 King County, the lack of clear King County Code provisions regarding detention
59 facilities, and because of the potential impacts listed in subsection J. of this section, it is
60 in the public interest and for the immediate preservation of health and safety, as well as
61 maintaining the support of the county's existing government, to establish a moratorium
62 on acceptance of applications for new or expanded detention facilities for one year in
63 order to analyze and determine how best to update regulations for these uses after
64 evaluation of potential impacts.

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65 M. Therefore, it is necessary that this ordinance go into effect immediately in
66 order to avoid a rush of applications for new or expanded detention facilities.

67 SECTION 2.

68 A. A one-year moratorium, commencing on the effective date of this ordinance,
69 is declared on the acceptance of any applications for the establishment of new detention
70 facilities or the expansion, which is increasing the size, quantity, or scope, of existing
71 detention facilities in unincorporated King County, regardless of whether the use is
72 primary or accessory, and regardless of whether the use is permanent or temporary.

73 B. An application shall not be accepted and a building permit, occupancy permit,
74 department of public health approval, temporary use permit, and other development
75 permits or approvals of any kind shall not be issued for any of the purposes or activities
76 prohibited by the moratorium. Any application that is accepted as a result of error or by
77 use of vague or deceptive descriptions during the moratorium is null and void and
78 without legal force or effect. All vested and otherwise lawfully established uses,
79 structures, or other developments may continue to be maintained, repaired, and
80 redeveloped consistent with K.C.C. 21A.32.020 through 21A.32.055, so long as the use is
81 not expanded, under the terms of the land use regulations in place at the time the use was
82 established. Vested and otherwise lawfully established governmental uses may expand
83 only when it is demonstrated that the expansion is necessary for security improvements to
84 prevent likely and substantial harm to residents, staff, or public safety.

85 C. Within sixty days of the effective date of this ordinance, the council shall hold
86 a public hearing on the moratorium.

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87 D. During the moratorium, the executive shall complete a work plan for detention
88 facilities subject to this moratorium as follows:

89 1. The executive shall complete a study to analyze and make recommendations
90 for permanent regulations, mitigation measures, and appropriate zones for detention
91 facilities. The study shall be informed by public engagement and consultation with the
92 Washington state Department of Children, Youth, and Families, and should include, but
93 not be limited to, analysis of the impact of these facilities in other locations where they
94 have been sited, additional governmental services and public safety needs that the siting
95 and operation of these facilities would require, what regulations are necessary for the
96 health and safety of detainees in these facilities, and whether and how different types of
97 facilities should be regulated differently based on their impacts;

98 2. No later than nine months after the effective date of this ordinance, the
99 executive shall electronically transmit the results of the study, and a proposed ordinance
100 with any recommended changes to development regulations and permitting processes, to
101 the clerk of the council, who shall retain the original and provide an electronic copy to all
102 councilmembers, the council chief of staff, the chief policy officer, and the lead staff for
103 the local services and land use committee or its successor; and

104 3. Upon receipt of the study results and proposed ordinance, the council will
105 consider the proposal and, if new permanent regulations are deemed necessary, adopt
106 new, permanent regulations by ordinance.

107 SECTION 3. For the purposes of this ordinance, unless the context clearly
108 requires otherwise, "detention facility" is as defined in RCW 70.395.020(3), but excludes
109 the categories of uses listed in the subsections of RCW 70.395.030(3) except RCW

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110 70.395.030(3)(g), whether run by government or private entity, and excludes influx care
111 facilities for unaccompanied noncitizen children operated by the U.S. Department of
112 Health and Human Services Office of Refugee Resettlement and commercially sexually
113 exploited children receiving centers under RCW 7.68.380. For the purposes of this
114 ordinance, "jail" and "jail farm," as defined in K.C.C. Title 21A, are considered detention
115 facilities.

116 SECTION 4. Severability. If any provision of this ordinance or its application to
117 any person or circumstance is held invalid or should any portion of this ordinance be
118 preempted by state or federal law or regulation, the remainder of the ordinance or the
119 application of the provision to other persons or circumstances is not affected.

120 SECTION 5.

121 A. The county council finds as a fact and declares that an emergency exists and
122 that this ordinance is necessary for the immediate preservation of public peace, health, or
123 safety or for the support of county government and its existing public institutions.

124 B. Enactment of this temporary moratorium as an emergency under Section
125 230.30 of the King County Charter waives certain procedural requirements, including
126 State Environmental Policy Act review under chapter 43.21C RCW and K.C.C. chapter

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- 127 20.44, notice to the state under RCW 36.70A.106, and published notice under K.C.C.
- 128 20.18.110.

Ordinance 20041 was introduced on 3/3/2026 and passed by the Metropolitan King County Council on 3/3/2026, by the following vote:

Yes: 7 - Balducci, Barón, Dembowski, Fain, Lewis, Mosqueda and Perry
No: 2 - Dunn and von Reichbauer

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

Signed by:

062AC77E76FB49B...
Sarah Perry, Chair

ATTEST:

DocuSigned by:

C267B914088E4A0...
Melani Hay, Clerk of the Council

Attachments: None

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King County Council

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