



# 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 and Lewis

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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Sarah Perry

sarah.perry@kingcounty.gov

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Angel Foss

Angel.Foss@kingcounty.gov

Deputy Clerk of the Council

King County Council

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Agent Delivery Events	Status	Timestamp
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Envelope Summary Events	Status	Timestamps

<b>Envelope Summary Events</b>	<b>Status</b>	<b>Timestamps</b>
Envelope Sent	Hashed/Encrypted	3/4/2026 4:01:15 PM
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Signing Complete	Security Checked	3/5/2026 8:33:28 AM
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