

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

CITY OF SEATTLE
ORDINANCE 127401
COUNCIL BILL 121174

AN ORDINANCE relating to land use and zoning; adopting a moratorium on the filing, acceptance, processing, or approval of applications for the establishment, expansion, or change of use for detention centers; adding a definition for detention centers; amending Section 23.84A.008 of the Seattle Municipal Code; approving a work plan; declaring an emergency; and establishing an immediate effective date; all by a 3/4 vote of the City Council.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. The City finds and declares:

A. Detention centers have been proliferating around the country. Consistent with Washington law, RCW 36.70A.200(1)(b), detention centers are facilities that are operated by a private entity in which persons are detained in custody under process of law pending the outcome of legal proceedings but are not used for punishment, correction, counseling, or rehabilitation following the conviction of a criminal offense, and exclude facilities detaining persons under RCW 71.09.020(7) or (16) or chapters 10.77 or 71.05 RCW.

B. The Seattle Municipal Code (SMC) does not currently define detention centers and does not identify where detention centers are appropriate within Seattle.

C. New or expanded detention centers are likely to draw significant public interest and would require a long-term security plan and a short-term construction staging plan. New or expanded detention centers could have impacts on water, sewage and wastewater, transportation and parking, public safety, and public health. Plans and mitigation measures for identified impacts should be clearly delineated in the City’s development regulations before the filing of any permit for a new or expanded detention center.

1 D. The City needs time to analyze and determine how best to update its regulations to
2 address detention centers after evaluation of appropriate locations for such uses.

3 E. The City needs time to identify what mitigation measures, if any, would be most
4 appropriate to address the impacts of locating new or expanded detention centers in Seattle's
5 dense urban environment.

6 F. Given the negative public health and safety impacts of detention center siting and
7 operations, the City Council determines that an exemption from conducting review under the
8 Washington State Environmental Policy Act of the interim prohibition on the filing, acceptance,
9 processing or approval of applications for new or expanded detention centers is necessary under
10 SMC 25.05.880. The proposed moratorium must be implemented immediately or within a period
11 too short for full compliance with SMC Chapter 25.05 to prevent an imminent threat to public
12 health and safety.

13 G. For these reasons, the City proposes a moratorium that prohibits the filing, acceptance,
14 processing or approval of applications for new or expanded detention centers, as principal and
15 accessory uses, to allow the City time to consider and adopt appropriate permanent legislation.

16 Section 2. The Council hereby adopts a moratorium on the filing, acceptance, processing
17 or approval of applications to establish or expand detention centers, either as principal or
18 accessory uses, or change of use to detention centers, either as principal or accessory uses in all
19 zones in the city. The moratorium applies to detention centers whether as a component of a
20 project or as the entire project for which a permit is sought.

21 Section 3. Section 23.84A.008 of the Seattle Municipal Code, last amended by Ordinance
22 127376, is amended as follows:

1 **23.84A.008 “D”**

2 ***

3 “Detention center” means a facility that is operated by a private entity in which persons
4 are detained in custody under process of law pending the outcome of legal proceedings but is not
5 used for punishment, correction, counseling, or rehabilitation following the conviction of a
6 criminal offense. This definition does not include facilities for detaining persons under RCW
7 71.09.020(7) or RCW 71.09.020(16), chapter 10.77 RCW, or chapter 71.05 RCW.

8 ***

9 Section 4. The moratorium set forth in this ordinance shall be in effect for a period of 365
10 days from the effective date of this ordinance and shall automatically expire after the 365-day
11 period ends unless the moratorium is extended as provided by statute, or unless terminated
12 sooner by the City Council.

13 Section 5. Pursuant to RCW 36.70A.390, the Council will hold a public hearing within 60
14 days of adoption of this ordinance to take public testimony and to consider adopting further
15 findings.

16 Section 6. Under RCW 36.70A.390, the Council approves the following work plan for
17 the development of permanent regulations to address the issues in this ordinance and directs the
18 Seattle Department of Construction and Inspections (SDCI) to transmit proposed legislation to
19 the Council for consideration.

SDCI undertakes investigation and analysis to inform permanent legislation	Winter of 2026 through Summer of 2026
Mayor transmits permanent legislation to Council	Anticipated September 2026
Council considers and approves permanent legislation	Anticipated December 2026
Permanent controls effective	Anticipated January 2027

1 Section 7. Based on the authority of RCW 36.70A.390 and the findings of Section 1 of
2 this ordinance, the public hearing requirement of Section 23.76.062 of the Seattle Municipal
3 Code is waived for the adoption of this ordinance.

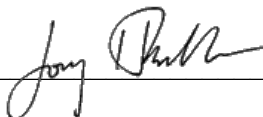
4 Section 8. The City may renew this moratorium for one or more six-month periods in
5 accordance with RCW 36.70A.390.

6 Section 9. The provisions of this ordinance are declared to be separate and severable. The
7 invalidity of any clause, sentence, paragraph, subdivision, section, or portion of this ordinance,
8 or the invalidity of its application to any person or circumstance, does not affect the validity of
9 the remainder of this ordinance or the validity of its application to other persons or
10 circumstances.

11 Section 10. Based on the findings of fact set forth in Section 1 of this ordinance, the
12 Council finds and declares that this ordinance is a public emergency ordinance, which shall take
13 effect immediately and is necessary for the protection of the public health, safety, and welfare.

1 Section 11. By reason of the findings set out in this ordinance, and the emergency that is
2 hereby declared to exist, this ordinance shall become effective immediately upon a passage by a
3 3/4 vote of the Council, and its approval by the Mayor, as provided in Article IV, subsection 1.I
4 of the Charter of the City.


5 Passed by a 3/4 vote of all the members of the City Council the 10th day of
6 March, 2026, and signed by me in open session in authentication of its
7 passage this 10th day of March, 2026.

8 
9 _____
President _____ of the City Council

10 Approved / returned unsigned / vetoed this 10th day of March, 2026.

11 
12 _____
Katie B. Wilson, Mayor

13 Filed by me this 10th day of March, 2026.

14 
15 _____
Scheereen Dedman, City Clerk

16 (Seal)