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HOUSE BILL 2521

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State of Washington

54th Legislature

1996 Regular Session

By Representatives D. Schmidt, Ballasiotes, Thompson, Radcliff,  
Sherstad, Koster and Elliot

Read first time 01/12/96. Referred to Committee on Corrections.

1 AN ACT Relating to work release facilities; adding a new section to  
2 chapter 72.65 RCW; adding a new section to chapter 35.63 RCW; adding a  
3 new section to chapter 35A.63 RCW; and adding a new section to chapter  
4 36.70 RCW.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 NEW SECTION. **Sec. 1.** A new section is added to chapter 72.65 RCW  
7 to read as follows:

8 (1) Work release facilities may not be located in any primarily  
9 residential area. This subsection applies prospectively only and does  
10 not apply to any work release facility already in operation on the  
11 effective date of this act.

12 (2) Work release facilities that are already operating in primarily  
13 residential areas on the effective date of this act may not increase  
14 the number of work release inmates they handle beyond their capacity  
15 existing on the effective date of this act.

16 NEW SECTION. **Sec. 2.** A new section is added to chapter 35.63 RCW  
17 to read as follows:

1 No city may enact, enforce, or maintain an ordinance, development  
2 regulation, zoning regulation, or official control, policy, or  
3 administrative practice that prohibits the location of work release  
4 facilities within its boundaries.

5 A city may require that the facility: (1) Comply with all  
6 building, fire, safety, health code, and business licensing  
7 requirements; (2) conform to lot size, building size, setbacks, and lot  
8 coverage standards applicable to the zoning district except if the  
9 structure is a legal nonconforming structure; and (3) include signage,  
10 if any, that conforms to applicable regulations.

11 Nothing in this section may be construed to prohibit a city from  
12 imposing zoning conditions on the establishment and maintenance of a  
13 work release facility in an area zoned for residential or commercial  
14 use, so long as such conditions are no more restrictive than conditions  
15 imposed on other residential dwellings in the same zone and the  
16 establishment of such facilities is not precluded.

17 NEW SECTION. **Sec. 3.** A new section is added to chapter 35A.63 RCW  
18 to read as follows:

19 No code city may enact, enforce, or maintain an ordinance,  
20 development regulation, zoning regulation, or official control, policy,  
21 or administrative practice that prohibits the location of work release  
22 facilities within its boundaries.

23 A code city may require that the facility: (1) Comply with all  
24 building, fire, safety, health code, and business licensing  
25 requirements; (2) conform to lot size, building size, setbacks, and lot  
26 coverage standards applicable to the zoning district except if the  
27 structure is a legal nonconforming structure; and (3) include signage,  
28 if any, that conforms to applicable regulations.

29 Nothing in this section may be construed to prohibit a code city  
30 from imposing zoning conditions on the establishment and maintenance of  
31 a work release facility in an area zoned for residential or commercial  
32 use, so long as such conditions are no more restrictive than conditions  
33 imposed on other residential dwellings in the same zone and the  
34 establishment of such facilities is not precluded.

35 NEW SECTION. **Sec. 4.** A new section is added to chapter 36.70 RCW  
36 to read as follows:

1       No county may enact, enforce, or maintain an ordinance, development  
2 regulation, zoning regulation, or official control, policy, or  
3 administrative practice that prohibits the location of work release  
4 facilities within its boundaries.

5       A county may require that the facility: (1) Comply with all  
6 building, fire, safety, health code, and business licensing  
7 requirements; (2) conform to lot size, building size, setbacks, and lot  
8 coverage standards applicable to the zoning district except if the  
9 structure is a legal nonconforming structure; and (3) include signage,  
10 if any, that conforms to applicable regulations.

11       Nothing in this section may be construed to prohibit a county from  
12 imposing zoning conditions on the establishment and maintenance of a  
13 work release facility in an area zoned for residential or commercial  
14 use, so long as such conditions are no more restrictive than conditions  
15 imposed on other residential dwellings in the same zone and the  
16 establishment of such facilities is not precluded.

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