

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 6926

AN ORDINANCE imposing one-year moratorium on the acceptance or processing of applications for the establishment, expansion, or development of detention centers in the City of Bellevue; establishing a work plan; declaring an emergency; providing for severability; and establishing an immediate effective date.

WHEREAS, the Growth Management Act, at RCW 36.70A.390 (GMA), and RCW 35A.63.220 allow the City to establish and adopt moratoria when a public hearing is held on the moratoria within sixty (60) days of adoption; and

WHEREAS, the GMA and RCW 35A.63.220 authorize code cities to adopt moratoria for a period of up to six (6) months or, potentially, up to one-year if a legislative work plan is developed for related studies providing for a longer time period; and

WHEREAS, under the GMA and RCW 35A.63.220, moratoria may be renewed for one or more 6-month periods if the City Council holds additional public hearings and makes findings of fact supporting each renewal; and

WHEREAS, the establishment, expansion, and development of detention centers have been proliferating around the country, including but not limited to the Puget Sound region in Washington State; and

WHEREAS, consistent with 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), chapter 10.77 RCW, or chapter 71.05 RCW; and

WHEREAS, detention centers or detention facilities may also include public or private facilities used for the detention, transportation, or food services for persons detained by state or federal law enforcement including, but not limited to, holding facilities, processing centers, and staging areas for the transportation of detained persons; and

WHEREAS, multiple jurisdictions within King County and Pierce County have recently adopted moratoria on detention centers and detention facilities in order to provide the local jurisdictions sufficient time to effectively study and develop appropriate permanent zoning and development regulations governing such uses; and

WHEREAS, the City's current zoning and Land Use Code, Title 20 of the Bellevue City Code, do not specifically define or address detention centers as a unique use, with specific and potentially significant impacts, thereby creating uncertainty regarding the permitting and appropriate mitigation for the detention center use; and

WHEREAS, as a result of gaps in current City zoning and associated land use controls, the establishment, expansion, or development of detention centers within the City could result in impacts to surrounding land uses, transportation, and the environment, as well as the health, safety, and welfare of City of Bellevue residents; and

WHEREAS, the City Council has determined that a moratorium is necessary while the City studies and evaluates updates to City Code, local zoning, and associated land use controls to provide specific development regulations, zoning, and permit processes to address and mitigate potential impacts associated with detention center use in the City of Bellevue; and

WHEREAS, pursuant to RCW 35A.12.130, the City Council finds that an emergency exists and that it is necessary to impose a moratorium on the establishment, expansion, or development of detention centers in the City to allow sufficient time study and evaluate local zoning and land use regulation of detention center use and to prevent potential harm to the public health, safety, welfare, and peace; and

WHEREAS, this emergency moratorium is a reasonable exercise of the City's police power and land use authority to protect and support public and environmental health, safety, and welfare, as well as an authorized exercise of the City's local planning, zoning, and land use authority under the GMA; and

WHEREAS, pursuant to the GMA and RCW 35A.63.220, the City Council hereby establishes and approves the work plan identified in this Ordinance in support of this moratorium on detention center use within the City of Bellevue; and

WHEREAS, this moratorium will, for the initial one-year time period when the moratorium is in effect, provide the City with additional time to review, study, and potentially revise City Code, local zoning, and associated land use controls to address and mitigate potential impacts associated with detention center use in the City of Bellevue; and

WHEREAS, the City Council considered this emergency moratorium at its regularly-scheduled meeting on June 9, 2026; and

WHEREAS, the City Council adopts the foregoing as its findings of fact justifying adoption of this emergency moratorium; now, therefore

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. Moratorium Established. An emergency one-year moratorium is hereby imposed on the acceptance or processing of applications for the establishment, expansion, or development of detention centers in the City of Bellevue. The moratorium applies to all detention center uses, whether as a project or component or accessory use associated with a project, and applies to any and all permit applications that may be submitted to the City of Bellevue in connection with a detention center use. The moratorium applies across all zones and Land Use Districts within the City.

Section 2. Scope. Consistent with RCW 36.70A.200(1)(b), this moratorium is imposed on detention centers and detention 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. This moratorium does not include facilities detaining persons under RCW 71.09.020(7) or (16), chapter 10.77 RCW, or chapter 71.05 RCW.

Further, this moratorium is imposed on state, federal, and privately-operated detention centers, including holding facilities, processing centers, and staging areas for the transportation of detained persons. The moratorium does not include facilities that provide youth protection or services, including but not limited to under RCW 43.185C.260, or crisis recovery centers, substance abuse treatment centers, or facilities that provide mental health care as a primary service. This moratorium does not apply to existing lawfully established uses or to any complete land use or permit application that vested under the City's zoning and land use control ordinances prior to the effective date of this Ordinance.

Section 3. Work Plan. Consistent with the GMA, at RCW 36.70A.390, and RCW 35A.63.220, the City Council hereby establishes and approves the following work plan for the City to study and evaluate updates to City Code, local zoning, and associated land use controls. This work plan will consider specific development regulations, zoning, and permit processes to address and mitigate potential impacts associated with detention center use in the City of Bellevue:

- A. The Development Services Department, in coordination with other appropriate City Departments, will identify the gaps in current zoning and Land Use Districts, development regulations, and permitting processes that should be addressed in order to ensure that City zoning and regulation of detention center uses protects land use, transportation, public safety, environmental and public health, and the safety and welfare of City of Bellevue residents.
- B. The Development Services Department will evaluate potential amendments to City Code, zoning, and associated land use controls that are necessary to regulate detention center use within the City of Bellevue. The Department will consider whether potential amendments may be incorporated into legislative work programs that have been, or will be, initiated by the City Council prior to expiration of the moratorium.
- C. Prior to expiration of the moratorium, the Development Services Department will prepare findings and recommendations for the City Council to consider, based on the Department's study and evaluation of current and potential regulation of detention center use within the City. These findings and recommendations may be incorporated into initiated City work programs or provided separately in connection with future Council consideration of this moratorium.

Section 4. Public Hearing. Pursuant to RCW 36.70A.390 and RCW 35A.63.220, the City Council shall hold a public hearing on this moratorium within 60 days of its adoption to take public testimony and consider adoption of further findings.

Section 5. Duration of Moratorium. Pursuant to RCW 36.70A.390 and RCW 35A.63.220, this moratorium will remain in effect for a period of one-year and, thereafter, may be renewed for one or more six-month periods if a subsequent public hearing is held and findings of fact are made prior to each renewal. In the alternative, the City Council may terminate this moratorium prior to expiration of the initial one-year time period that this moratorium remains in effect through subsequent legislative action.

Section 6. Severability. If any section, subsection, paragraph, sentence, clause, or phrase of this Ordinance is declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining parts of this Ordinance.

Section 7. Findings of Fact. The findings contained in this Ordinance are hereby adopted as Findings of Fact to justify adoption of this moratorium.

Section 8. Effective Date. Based on the findings of fact contained in this Ordinance, the City Council finds and declares that this is an emergency moratorium Ordinance, which shall take effect immediately and is necessary to prevent potential harm to the public health, safety, welfare, and peace; and

Passed by the City Council this \_\_\_\_\_ day of \_\_\_\_\_, 2026 and signed in authentication of its passage this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

(SEAL)

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Mo Malakoutian, Mayor

Approved as to form:  
Trisna Tanus, City Attorney

\_\_\_\_\_  
Matthew McFarland, Supervising Civil Attorney

Attest:

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Charmaine Arredondo, City Clerk

Published: \_\_\_\_\_