

**Comments received via <http://www.seattle.gov/municipaljail/questions.htm>
for December 30, 2008**

Name: Ilene Kuhns

City: Unincorporated King County

I think the Kirkland area of King County is a terrible place to place a jail. I'm much more in favor of improving and enlarging the downtown Seattle jail. It seems that that would save money and be more convenient. Also, we have so little police force in this neighborhood. What were the plans to improve that with the jail here?

Name: Ted McLean

City: Unincorporated King County

**TO RESIDENT AND BUSINESSES IN UNINCORPORATED KING COUNTY AND
KIRKLAND THAT MAY BE CONCERNED ABOUT THE PLANS TO LOCATE A 640
BED MUNICIPAL JAIL FACILITY AT 13225 NE 226TH PLACE**

For complete details on the proposed sites please go to www.municipaljail.org

Attached is a two part report, addressed to the NECC and elected representatives, that lists numerous reasons why this particular property should not be considered as a possible site for the proposed jail facility and should be omitted from any further consideration.

The purpose of preparing and circulating this report is to urge all concerned residents and businesses to contact their elected representatives in King County, Kirkland or any other city involved, and the local press, to express your opinion in asking that this site be removed from any further consideration in the NECC jail selection process.

Contacts by email are:

NECC go to www.necmunicipaljail.org and "comments"

King County: Kathy.lambert@kingcounty.gov

Bob.ferguson@kingcounty.gov

Jane.ague@kingcounty.gov

Kirkland City Council: bsternoff@ci.kirkland.wa.us

Chair of JOG (Jail Oversight Committee.)

Please attend the meeting at Lake Washington Technical College, Auditorium W404 at 11605 132nd Ave. NE, Kirkland at 6 – 8:30 PM on January 6th 2009. and voice your opinion.

The residents of unincorporated King County in the Kingsgate and Totem lake area urge the NECC and all elected officials to take whatever action that is necessary to omit the site at 13225 NE 126th Place from further consideration as a site for the proposed 640 bed municipal jail. These are the reasons for this request:

TOP TEN REASONS TO OMIT THE PROPOSED UNINCORPORATED KING COUNTY JAIL SITE FROM FURTHER CONSIDERATION

10. **The proposed facility is HUGE.** The 255,000 sq ft (more than 5 acres) building area is absolutely inappropriate dwarfing the immediately adjacent long established businesses such as several Car dealerships, a children's playground equipment business, a children's dance school, as well as numerous business parks. These businesses bring tax revenue to King County and we do not wish them to move elsewhere.

9. **This is no "GREEN" solution.** Waste Management Services currently occupies the site. This company has been a good neighbor to Kingsgate/Totem Lake and an important employer and contributor to the tax base. To force this business to leave the area would no doubt place their large trucks on roads for longer periods, unnecessarily contributing to a larger carbon footprint and more traffic.

8. **440 of the proposed 640 beds are to serve the City of Seattle.**

Only 200 beds are for the needs of the other NE cities. Misdemeanants arrested in the City of Seattle would be brought here to Kingsgate/Totem Lake, held briefly (as little as 72 hours), transported to and from court appearances in Seattle and then released into our community with no money and no way back to the city.

7. **Lack of Transportation is a huge factor.** Public transportation to serve this site is inadequate. Infrequent bus service along 124th St. NE would have released inmates requesting their "associates" to pick them up or they would be forced to walk or hitch rides along 124th St. to the bus hub at I405 and 132nd St. NE.

6. **This jail does NOT even serve Kingsgate/Totem Lake and makes annexation even harder.**

Currently people who are arrested in Unincorporated King County are booked and must be held in King County jail facilities in either downtown Seattle or Kent. Residents of Unincorporated King County **already** pay taxes for these King County jails facilities. Since Kirkland has rejected annexation, Kingsgate/Totem Lake are not even part of the NEC Consortium and yet we are being asked to house their inmates. **The new jail facility in the proposed location will do NOTHING to serve the residents of the area in which it is to be located and will instead make our community less attractive as a potential annexation area for any other city.**

5. **The proposed jail will simply IMPORT CRIME into our community from elsewhere.** The NEC site advises us that the misdemeanants arrested are arrested on charges such as DUI or DWSL. In fact, these "misdemeanants" may have been arrested on lesser charges but an overwhelming number of them have long felony arrest records for crimes such as assault, theft, break ins, and numerous drug related crimes. These are the people that the jail will hold briefly and then simply release into our community within walking distance of our High Schools, our sports fields, our kid's playgrounds and

the streets our kids walk to school on every day. Who will be there to protect these kids?
This is a complete failure of public policy.

4. **Kingsgate/Totem Lake has NO POLICE FORCE.** A jail of some 640 beds in which the average stay is only 9 days will see over 70 inmates a day, most with serious criminal records released into our community.

Kingsgate/Totem Lake **HAS NO EFFECTIVE POLICE FORCE.** We are served by King County Sheriff's department which has recently reduced the service to even less. Property crimes of less than \$10,000 will not even be investigated unless there is injury. Clearly businesses and residents alike are on their own. To propose a jail of ANY size in a residential neighborhood with no police force is clearly irresponsible and should be a "deal breaker" taking this site completely off the list.

3. **There are no related services in the area.** Court facilities and jails need to be in close proximity to run efficiently. The large single facility is proposed as a cost saving alternative to smaller jails built and maintained by individual cities. The transportation costs involved for escorted transportation of inmates to and from court appearances and sentencing hearings will certainly prove this to be either vastly less than anticipated or a complete myth.

2. **The lack of Compassion is staggering.** Many of the inmates arrested and brought to Kingsgate will be in desperate need of counseling, psychiatric evaluation and treatment. They struggle with addiction issues and more. Some are mothers who need to be near their families. Helpful services need to be a part of any jail and they are non-existent in Kingsgate. Many people in great need will simply be briefly treated by a staff medical person at the jail and then released out on the street far from services, far from home and far from any family who would help. **Another failure of public policy.**

1. **The single biggest reason to NOT locate a jail in Kingsgate/Totem Lake is the unavoidable fact of LAND USE ISSUES. There are serious and complicated legal land use issues which will greatly influence the ability of anyone to build a jail in the site being considered in Kingsgate/Totem Lake. It is important that the businesses and residents of Kingsgate/ Totem Lake are aware of these issues and understand them. To this end, we have outlined and explained these issues in the following report.**

PROPOSED UNINCORPORATED KING COUNTY JAIL SITE LAND USE ISSUES

At this stage in the NECC process to find a suitable site for a combined jail facility, it is important for local residents to understand the zoning and land use process that would be required to have the jail approved for development on the proposed site in Unincorporated King County. In this case a public body, yet to be formed, would purchase or gain legal control of the land and then apply to another public body, King County, for a *Special Use Permit*.

The proposed site at 13225 NE 126th Place consists of two adjoining five acre parcels zoned Industrial (I). In an Industrial zone a jail is not a *Permitted Use** and not a *Conditional Use***

but can be approved as a *Special Use****. A Special Use is approved by granting a Special Use Permit. The King County Code defines a Special Use Permit as:

21A.06.1195 Special use permit. Special use permit: a permit granted by the County to locate a regional land use at a particular location, *subject to conditions placed on the proposed use to ensure compatibility with adjacent land uses.*

Who sets the conditions on the proposed use is unclear at this time but they must *ensure compatibility with adjacent land uses.* The Special Use Permit process involves a Type 4 Application and a Public Hearing in front of a Public Hearing Examiner and the decision of the Hearing Examiner may be appealed. The Public Hearing process is quasi-judicial.

In the Washington State SEPA Checklist [State Environmental Protection Agency], Section 8. Land and Shoreline Use. 1. the proponent is required to list:

Proposed measures to ensure the proposal is compatible with existing land uses and plans, if any:

In both cases where jurisdictional approval is required the standard is to “*ensure*” compatibility with adjoining or adjacent land uses. Given that while the site is zoned Industrial, it is immediately across the street from a planned multi-family development which is connected to a long established single family area, and this arbitrary standard cannot reasonable be met. No conditions that may be placed on the proposal for a 640 person jail facility could make the proposal compatible. A jail land use and a residential land use are inherently incompatible when placed beside each other.

Other than in Section 14. Transportation of the SEPA Checklist, where the local traffic conditions can be considered, and given that the Development Standards in the Industrial zone are minimal, there are few other areas where the approval process could be challenged. **It is therefore incumbent on the residents in Kingsgate and Totem Lake to collectively let the elected officials know that in your opinion the proposed jail is not compatible with the existing and established residential land use.**

**A Permitted Use can be allowed outright without specific approval.*

***A Conditional Use can be allowed but only with specific additional conditions that are not required for a Permitted Use.*

****A Special Use has been specifically made a part a part of the King County Code to deal with such uses as landfills and jails. These uses also require special conditions. Jails in any zone require a Special Use Permit.*