

Chapter 17.48 ESSENTIAL PUBLIC FACILITIES

17.48.010 Purpose.

The purpose of this chapter is to regulate the siting of Essential Public Facilities (EPFs) including Secure Community Transition Facilities (SCTFs) in order to promote the health, safety, and general welfare of the citizens of the City of Millwood, and to establish reasonable and uniform regulations to prevent the adverse effects of the siting of EPFs and SCTFs within the city. In enacting this chapter, it is not the intent of the city ~~council~~ to restrict rights of individuals protected by State or Federal Constitutions. It is the intent of the city ~~council~~ to protect the life, safety, and public welfare of the citizens of the City of Millwood.

(Ord. No. 527, § 1, 6-14-2022)

17.48.020 Applicability.

The standards established in this chapter apply to all Essential Public Facilities (per RCW 36.70A.200) which make application to the city after completion of the Spokane County Regional EPF Siting Process.

(Ord. No. 527, § 1, 6-14-2022)

17.48.030 Reserved.

17.48.040 Limitations.

The standards established in this chapter shall not be construed to restrict or prohibit the rights of individuals protected by State or Federal Constitutions.

(Ord. No. 527, § 1, 6-14-2022)

17.48.050 Location of EPFs.

EPFs as defined herein shall be allowed in ~~zoning districts~~zones as set forth in Title 17 and as set forth below:

UR-1	SCTFs.
UR-2	SCTFs.
C-1	Education facilities, community centers, SCTFs, correctional facilities, and social service facilities.
C-2	Educational facilities, community centers, and SCTFs.
I-1	Correctional facilities, airport facilities, community centers, parks and recreation facilities , SCTFs, solid waste facilities, <u>organic materials management facilities</u> , wastewater facilities, and water facilities.
I-2	<u>SCTFs (refer to MMC 17.34.010) & Utilities</u>
PR-1	Public safety facilities, parks and recreation facilities, community centers, and water facilities.
Allowed in all zones:	Transportation facilities.

(Ord. No. 527, § 1, 6-14-2022)

17.48.060 EPF permitting.

The permitting of all EPFs shall be in accordance with the conditional use process in Chapter 17.44.070—130. After required public hearings, EPFs may be conditioned to assure the public's health, safety, and welfare.

(Ord. No. 527, § 1, 6-14-2022)

17.48.070 Secure community transition facilities.

Secure Community Transition Facilities (SCTF) may be permitted in all ~~zoning districts~~zones, with the exception of PR-1 public reserve ~~area-district~~zone, by conditional use permit. In no case shall a SCTF be sited adjacent to, immediately across the street or parking lot from, or within the line of, sight of risk potential land uses in existence at the time a site is listed for consideration. Distance shall be measured from the nearest property line of the risk potential land use to the nearest property line of the SCTF. "Within line of sight" means that it is possible to reasonably visually distinguish and recognize individuals. After an open-record public hearing, ~~by the planning commission, the city council~~ the decision body may impose conditions upon the siting of SCTFs. For the purposes of granting a conditional use permit for siting a SCTF, the ~~city council~~ decision body shall consider an unobstructed visual distance of six hundred (600) feet to be "within line of sight." Reasonable conditions of approval may be required, however, conditions imposed must not be more restrictive than state law allows. Through the conditional use permit process, "line of sight" may be considered to be less than six hundred (600) feet if the applicant can demonstrate that visual barriers exist or can be created that would reduce the sight to less than six hundred (600) feet.

(Ord. No. 527, § 1, 6-14-2022)

17.48.080 Limitations of liability.

None of the provisions of the chapter are intended to create a cause of action or provide the basis for a claim against the city, its officials or employees through the performance or the failure to perform a duty or obligation running to a specific individual or specific individuals. Any duty or obligation created herein is intended to be a general duty or obligation running in favor of the general public.

(Ord. No. 527, § 1, 6-14-2022)