

**CITY OF ISSAQUAH
Development Commission**

7:00 PM
October 6, 2021

Virtual Meeting

MINUTES

COMMISSION AND ADMINISTRATIVE PERSONNEL PRESENT

Alternate Meeting Format: On March 6, 2020 the Mayor declared a civil emergency due to the outbreak of novel coronavirus (COVID-19). On March 24, 2020 the Governor issued Proclamation 20-28 relating to the COVID-19 emergency and open public meetings. The proclamation has been extended. Due to these factors, the meeting was held using a remote meeting platform.

Commissioners Present:

Michael Brennan, Chair
Kevin Price, Vice Chair
Brooke Shore
Patty Dillon
Richard Sanford
Arthur Schulte
Richard Sowa
Jon Ikeda, Alternate
Mel Morgan, Alternate

Administration/Staff/Others Present:

Lucy Sloman, Land Dev. Manager
Minnie Dhaliwal, CP&D Director

CALL TO ORDER

BRENNAN, Chair, called the meeting to order at 7:00 PM.

APPROVAL OF MINUTES

a) BRENNAN asked for any corrections or objections to minutes of the June 16, 2021 meeting. BRENNAN noted the June 16 meeting was called to order at 7:00 PM, not 7:30 PM. Minutes are approved with the correction noted.

b) BRENNAN asked for any corrections or objections to minutes of the September 29, 2021 meeting, and there were none. Minutes are approved.

AGENDA ITEMS

a) Title 18 Introduction, (I)

Presented by:

Minnie Dhaliwal, Community Planning & Development Director
Lucy Sloman, Land Development Manager

Dhaliwal made a presentation on the City's land use code, including some background; the goals and outcomes for the Title 18 update; and direction from the Council's Land Use Code (Title 18) Ad Hoc Committee on how to proceed with the update. She continued with the framework for land use regulations, including the need to ensure the City's code is consistent with the state Growth Management Act and Issaquah's adopted visions, goals, and policies.

She described the 13 goals and outcomes the Ad Hoc Committee has established for the update (pages 16-19). She also described the differences between goals, policies and goals, and explained how the goals and policies in the Strategic Plan, Comprehensive Plan, and other City-adopted plans are reflected in the code. She also briefly described the vision and goals in the Central Issaquah Plan, and said Title 18 is an implementation tool. She described the six broad topic areas for the Title 18 land use code to be primarily reviewed by the Policy Planning

Commission (PPC) (*natural environment, landscape and open space, zoning and uses, building and design, zoning and development standards, and procedures and administration*), and indicated the three areas that the Development Commission is being asked to review with PPC (*zoning and uses, building and design, zoning and development standards*). She used parking and circulation as examples of what will be reviewed in the Title 18 update. She concluded by displaying a diagram of the land use review process, explaining the review process being followed, and describing the timeline for the update effort.

SANFORD asked for clarification of the deadline for the project. Dhaliwal replied Council has indicated it wants the update completed by the end of 2022. SANFORD asked for clarification about the Development Committee's upcoming joint meetings with PPC. Dhaliwal referred to an email sent today with an updated meeting schedule for Commissioners, including joint meetings with PPC. Sloman added the joint meetings between boards and commissions and PPC are expected to be completed by the end of January or early February. So the joint meetings listed in the updated calendar are related to Title 18.

SANFORD said it appears that of the six main topic areas, the Development Commission is primarily involved with three of them. He continued in the past there have been intersections between aspects of the topics the Development Commission is not reviewing and applications that have come before the Development Commission. For example, the definition of "stream" would be part of the natural environment category, which is one of the topics not assigned to the Development Commission, but was part of an application we reviewed last year. Dhaliwal said we would welcome any feedback from Commissioners on any topic that interests you. We can facilitate hearing from you in multiple ways, she continued, including assembling an ad hoc committee of Commissioners on a particular issue, attending Development Commission meetings and giving updates, meeting with members one-on-one, sending out first drafts for Commissioner comments, and so on. She continued in the case of the natural environment topic specifically, the Environmental Board and PPC are the primary reviewers on the details, but we are happy to receive any feedback from the Development Commission as well. Sloman added like staff did with the sign code, staff can always send Commissioners emails at pivotal points in the process asking for your feedback, and you can respond according to your level of interest.

MORGAN asked as design standards are updated, will established Central Issaquah standards remain as they are. In other words, what happens if conflicts are created between the Title 18 update and Central Issaquah standards. Dhaliwal replied the goal is to fold the Central Issaquah standards into Title 18 and not maintain them as a separate document as they are now. The vision in the standards will stay the same, but the regulations and details will reside in Title 18. SANFORD asked will ordinances that are referenced in Title 18 be incorporated into the update. Dhaliwal replied yes; our intent is to be comprehensive in the update.

SCHULTE asked how the update will impact new development projects in 2022 as well as projects under development now. Will the updated policies be adopted as a complete package, or will they be fragmented and adopted piecemeal. Dhaliwal said the Council has indicated it does not want a piecemeal approach. There may be a few ordinances about shorelines that are addressed separately, but primarily adoption of the updated code will be done altogether at one time. She continued any complete building permit submitted to the City before the new code is adopted will be vested to the old code. That includes any permits now in process, she added. Sloman said state law is not always clear about vesting, and the Council has indicated it intends to be as clear as possible about when the new code will apply.

BRENNAN asked about public engagement in the process going forward. Dhaliwal gave an outline of the public engagement activities for the update process, including receiving public

comment at formal meetings of boards, commissions, and the Council; soliciting written comments on the City's website; public hearings; meetings of stakeholders, sometimes called "affinity" or focus groups; meetings with property owners, architects, and developers who have dealt with the City's code in the past; Council study sessions and presentations to Council, which are open to the public; and a future open house. She said the goal is to try to engage with as many people as possible, and noted the virtual environment creates some unique conditions.

BRENNAN asked how scope creep will be managed, specifically what will happen with ideas and suggestions that perhaps don't fit into the update process right now. Dhaliwal referred to the long-range plan and chart of goals and outcomes. She said she agrees that some "asks" could be large projects in and of themselves that require more time and conversation. If the number of asks becomes substantial, she continued, we can include them in a parking-lot list to Council for future consideration. She agreed with BRENNAN that controlling scope creep is likely to be challenging.

PRICE asked for clarification whether the update process includes the establishment of a design review board. Dhaliwal said that is a common practice in many jurisdictions, but the City is bundling all aspects of a master site plan together for review by the Development Commission. She continued how we define quasi-judicial matters is something the Ad Hoc Committee wants us to look at, probably during the focus on procedures and administration. Sloman said she is not aware of establishing a design review board as part of the update.

IKEDA asked how the code in Title 18 works with the International Building Code, Regional Fire Authority code, and so on. What happens if there are conflicts, he asked. Dhaliwal said the IBC is currently adopted in Title 16 as a stand-alone document. The code in Title 18 should not conflict with IBC, but if it does, then a process would be required to clarify that the most stringent of the two applies, or that the City's Planning Director makes a determination. The Regional Fire Authority code is currently a separate code, but ideally it would be elevated to Title 18 and so there would not be another layer of regulations.

BRENNAN said as we move forward and think about how to engage, it would be useful to think about how potential confusion or tensions between the code and standards would be resolved. He referred to SANFORD's earlier point about the definition of a stream. He said there also needs to be clarity about the breadth of the Development Commission's responsibility and role. He added having examples is also really helpful, including looking at what has not gone well in the past as well as what has. We don't want to undo what is working, he added. Dhaliwal agreed.

Dhaliwal encouraged Commissioners to reach out to staff if they have any questions after receiving packets or emails about the Title 18 update effort. MORGAN asked as this is not a judicial matter, can comments be emailed to all Commission members. Dhaliwal replied yes; it is a legislative process, so as long as the Open Meetings Act is not being violated, it is okay for Commissioners to communicate with each other. BRENNAN said it is important to remember to avoid "email meetings." He asked is it correct that the Development Commission is providing input to PPC, who is the lead for this process. Dhaliwal replied that is correct; we want feedback from the Development Commission, and PPC makes the official recommendation to Council in accordance with state law and City regulations.

PUBLIC COMMENTS

Connie Marsh, Issaquah resident, spoke of her appreciation for the expertise and experience that resides in the Development Commission. She gave her view that the land use section of the City's Comp Plan on which Title 18 is based is outdated and does not have goals and objectives that point us to the future. So the City needs to either change its Comp Plan in advance, or

change it simultaneously with the Title 18 update. She added the code update process needs to be changed because the Comp Plan has always lagged behind, and gave examples. She continued the update also needs to address terrain management with the Commission as well as with the Environmental Board. She said she has a problem with the quasi-judicial situation, which she sees the City using as a blockade or barrier. She noted that all public comment does not need to be considered in quasi-judicial matters, and suggested that be addressed in the code update. She said the Commission's tools—formerly the green sheets, which now resemble a checklist of tick-boxes-- also could be re-imagined as something better. She concluded her remarks by noting that two of the three Ad Hoc Committee members said the goals and objectives are just a guideline, or baseline. So if the Commission feels there are other things that are important and which are not on the chart, they could be added and discussed.

REPORTS

a) Council Update

Presented by:

Lucy Sloman, Land Development Manager

Sloman gave a short update on the Council's recent approval of the sign code. Dhaliwal added information about the Council's recent discussions on fee ordinances, increasing the CPI-indexed fees for development applications, and a Study Session on Title 18.

PUBLIC COMMENT

None.

OTHER BUSINESS / ANNOUNCEMENTS

a) Upcoming Schedule. Sloman said the Commission's next meeting, scheduled for October 20, will be a discussion and adoption of rules and procedures for the Commission. The joint meeting with PPC is scheduled for October 28, and will be continued to PPC's next meeting on November 4 if necessary. The next regular Commission meeting is scheduled for November 3. A community conference is anticipated on November 17.

MORGAN noted that the tour staff arranged on September 29 was very helpful. Others agreed.

ADJOURNMENT

With no further business to discuss, BRENNAN adjourned the meeting at 8:08 PM.

Respectfully submitted,

Susan Lowe
Recording Secretary