

**\*\*Please Note that the Joint Meeting Minutes are presented in the meeting minute format of the Planning Policy Commission\*\***

## Special Joint Meeting

PLANNING POLICY COMMISSION & ENVIRONMENTAL BOARD

6:30 p.m. - Thursday, February 24, 2022

*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.*

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### 1. Call to Order

The meeting was called to order at 6:31 p.m. by Chair Faul.

Planning Policy Commissioners Present:

Chair Faul, Vice Chair Voiss, Commissioners Bader, Lewis, Milligan, Monahan, and Zaragoza

Absence: None

Environmental Board Members Present:

Chair Davidson, Board Members Anderson, McQuilliams, Newcomb, Finch, Hazra, and Wall

Absence: Board Member Hintz (Excused)

Board Members Bollapragada (Unexcused), Fisher (Unexcused), Lebeiko (Unexcused), and Madan (Unexcused)

Staff Present:

Millie Dhaliwal, Director, CP&D  
Christen Leeson, Senior Planner, CP&D  
Stacy Vynne McKinstry, Sustainability Manager  
Lucy Sloman, Planning Manager

## 2. Public Comments (General)

- There were no written comments or requests to speak.

## 3. Public Hearing

- a) Recommendation of Proposed Amendments to Title 18 Natural Environment: Outdoor Lighting and Shoreline Master Program (A)  
*Presented by Lucy Sloman, Land Development Manager*

CHAIR FAUL stated that the Planning Policy Commission would not be participating in the discussion regarding Natural Environment: Outdoor Lighting led by CHAIR DAVIDSON. The Planning Policy Commissioners were asked to turn off cameras and to rejoin the meeting for the Shoreline Master Program (SMP) discussion.

**(00:04)** Sloman stated past and next steps for Title 18 and presented Outdoor Lighting slides.

CHAIR FAUL opened Commissioner questions. **(00:11)**

COMMISSIONER LEWIS asked Sloman for more information regarding multi-family residential with six and fewer units exempt from permitting and why the specific number of units had been decided on, as smaller, more dense townhomes tend to be built with three units. Sloman replied that the Model Lighting Ordinance (MLO) sets the breaking point used of seven dwelling units, but a component is no common spaces. Common space is broad such as a parking lot or entry court. COMMISSIONER LEWIS asked about a plan for compliance for existing lighting to be converted. Sloman replied that different methodologies had been proposed within the MLO, one of which to set an amortization date by which all lighting in the city must come under compliance. However, the bandwidth needed to create an inventory to be aware of compliance is not realistic. The proposal from the MLO was proceeded with.

COMMISSIONER MILLIGAN asked if public comments displayed during the slideshow had impacted the material in meeting packets, or if the public comments have yet to be responded to. Sloman replied that comments had been logged prior to the discussion draft being issues. The comments shown in the slideshow came in after the discussion draft was issued and have not been incorporated. Emails, an Open House, and a discussion with the Police Chief have occurred. All comments are being read although all were not shown in the slideshow.

VICE CHAIR FINCH asked, in terms of the scope of discussion, how dark hours will be applied. Sloman replied that new lighting installed will be required to comply completely and subsequent replacement parts would also be required to comply. A question received was how new lighting could be encouraged to be installed sooner than later. There will be an education component to all of Title 18 that will emphasize money savings and security

improvements. VICE CHAIR FINCH asked for clarification that there is no actual mechanism proposed, all voluntary. Sloman replied yes. VICE CHAIR FINCH asked if dark hours were a relative target, a 30% reduction, versus a fixed threshold. Sloman replied that the MLO proposed an overall 30% reduction. Neighboring city codes vary by land use.

VICE CHAIR VOISS asked about a spelling error on page 25. Sloman replied that this and other spelling and punctuation errors would be edited. VICE CHAIR VOISS asked if certain developments would be non-compliant such as *Bed, Bath & Beyond*, *Vail Apartments*, *Issaquah Commons* and *Safeway*. Sloman replied that strings of lights are not non-compliant. A public comment was that holiday lighting and outlining buildings need to be reconciled. Currently, building outlining is not allowed. VICE CHAIR VOISS added examples such as *Front Street* and *Village Theater*.

BOARD MEMBER WALL stated that a study showed that outdoor lighting can increase predation of fry salmon and asked if this had been considered in lighting regulations. Sloman replied that there are restrictions on dock lighting included in the SMP. Within general lighting there is a proposal to set color lighting to 3000K on private property, a warmer light and consistent with the direction from King County and WRIA 8 (Water Resource Inventory Area) in terms of reducing impacts on fish. Street lighting remains at 4000K. BOARD MEMBER WALL asked if locations of streams had been considered and Sloman replied that currently, outdoor lighting in critical area edges is limited to 0.3 foot-candles to limit the amount of artificial light and color adjustments.

CHAIR DAVIDSON asked how security issues were considered regarding cameras protecting private investments. Sloman replied that more research on cameras would be needed. In terms of security, there is an ability to have security lighting that comes on when motion is detected. The reduction in lighting for dark sky hours was endorsed by the Police Chief and others, advantageous because both neighbors and law enforcement are alerted as the activity takes place. CHAIR DAVIDSON asked if the MLO would apply across all sectors and Sloman replied correct. CHAIR DAVIDSON asked if there would be exemptions for the city or School District and Sloman replied that there is not a single dark sky hour across the board, reasoning being to make the most of public investments and a more direct feedback loop on public property. With private property, code needs to establish dark sky hours while with public projects, feedback from public allows for adjustments if not working. CHAIR DAVIDSON asked for clarification that the MLO would not affect the new High School, already approved, and Sloman replied correct.

COMMISSIONER BADER asked why a *Target* parking lot security camera with a flashing light is allowed when code specifies that Fire or Police lights are not allowed, a niche security issue. Sloman replied that the draft is the first discussion and good ideas are being brought up. At this time, code allows for motion activated lighting at entrances that may need lighting in off-hours.

CHAIR FAUL asked how Kelvins affects wildlife, if there is a difference between effects on fish and birds, and if Kelvins should be specified in code for over water versus business inland.

CHAIR FAUL also asked if Kelvins or lumens are more important to protect wildlife. Sloman replied that some studies have focused on circadian rhythms, finding 3000K has less impact. King County guidance for dock lighting is below 3000K. The lighting ordinance proposal for dock lighting is 2700K, amber. There are mixed studies that blue light or 4000K is better for clarity and preventing accidents. In terms of animals and humans, 3000K is beneficial but there may be more visual benefit at 4000K. Regarding lighting levels versus lighting color, the answer was not known at this time. Dhaliwal replied lighting levels have been found to play a role in fish counts, in example light from a bridge that stuns fish creating vulnerability. CHAIR FAUL asked for clarification that the concern is being studied and Dhaliwal replied correct.

CHAIR FAUL opened Public Comment. (00:37)

- Kristi Tripple, representing Rally Properties, 1595 Northwest Gilman Boulevard, Suite 1, Issaquah, stated that written comment had been submitted. It is important that public safety and aesthetics are balanced with the environment and with that lens, light serves an important psychological and economic function particularly during dark Pacific Northwest winters for beautification and geographic orientation as well as creating safer spaces for interaction. Wayfinding visibility is also imperative. Design guidelines have been well-written as part of the code. Not allowing accent lighting higher than 15-feet deprives whimsy that can make buildings art. A Central Issaquah Task Force member had commented that a building is one of the largest art forms a person interacts with, an example being a Rally Properties 2005 office building with internally lit stairs. Hope is that updated code will provide a more nuanced approach to allow buildings to have soul in a tasteful way that inspires. Not allowing or time-limiting rooftop and outline lighting would make Gilman Village feel dark. Lighting is a critical factor in crime deterrent and prevention and the Issaquah Police Department has always advocated for crime prevention through design. The maintenance section of code needs to be reviewed further regarding thresholds and expectations for existing properties.
- Connie Marsh, Squak Mountain, stated that the conversation is regarding function of light versus light pollution. All of Issaquah Highlands along the ridge is an example of light pollution with car dealerships, sports fields, and Costco. Municipal lighting is not enough in places and a lighting code would add appropriate lighting in cut-off areas, aimed down for security and not up into the sky as well as addressing light shining out from inside of buildings. An individual building can be guilty of light pollution and screening of interior lights should be required. A 15-foot setback is allowed at the edge of critical area buffers and asphalt parking tends to be placed here, allowing headlights, not measured, and parking lot lighting. Many buffers have light more than the standard mentioned earlier. Regal Cinema is another example of a building needing attention. The darkest months are during holiday lighting times.

CHAIR FAUL left Public Comments open.

CHAIR FAUL asked Planning Policy Commissioners to turn off cameras, and CHAIR DAVIDSON opened the Environmental Board Discussion. (00:47)

BOARD MEMBER ANDERSON suggested a program that will track measurement and progress and asked if alignment is occurring with sister cities in King County. BOARD MEMBER ANDERSON stated agreement that public education is important for progress and gave an example of light reduction in Sun River, Oregon.

BOARD MEMBER McQUILLIAMS stated understanding that bright lights can temporarily blind nocturnal animals and fish, leaving them vulnerable to predators. The city needs to conduct more research regarding how the lighting code will affect critical areas.

VICE CHAIR FINCH stated that understanding where existing light pollution comes from would be helpful toward further evaluation and recommendations. Knowing the gaps between the needs of the public and actual current levels provided would be helpful also, to the public comment of Marsh. Lastly, VICE CHAIR FINCH suggested that dark sky hours can be connected to energy saving incentives and that how existing buildings can be incentivized should continue to be examined.

BOARD MEMBER NEWCOMB stated that the number of insects has decreased, but are food to many species of birds, and a possible reason is due to night lighting.

CHAIR DAVIDSON stated agreement with BOARD MEMBER McQUILLIAMS regarding reducing the amount of lighting that infiltrates critical areas to reduce impacts. Marsh made a good point regarding parking lots and car headlights. Indoor lighting is missing from code. Security concerns around gas stations is understood, but indoor lighting flooding outdoors should be addressed.

CHAIR FAUL asked the Planning Policy Commission to turn cameras back on.

(00:57) Sloman continued the presentation with the next topic, the Shoreline Master Program (SMP).

CHAIR FAUL opened Commissioner questions. (01:05)

COMMISSIONER MILLIGAN asked for clarification regarding the bulkhead removal requirements and how the buffer would change. Sloman replied that there is an incentive now to remove bulkheads to reduce the buffer. The incentive has not been effective so the incentive would be removed, the buffer unable to be reduced, and bulkhead removal would be required unless demonstrated infeasible.

CHAIR DAVIDSON asked for clarification regarding how developing a more robust buffer enhancement and monitoring provisions will address the need for enhancement and monitoring. Sloman replied that the item was more broadly targeted at all Critical Areas and more of the enhancement will appear in Critical Area code, to be reviewed soon. In terms of

the SMP, eliminating the common line and bulkhead removal incentive ensures that the full dimensional buffer established remains. The goal was to, as much as possible, have the full depth of the buffer present. CHAIR DAVIDSON asked if Council would be asking why an enhancement is not provided, and Sloman replied that in the existing SMP, the largest concern was multiple means available to reduce the buffer. CHAIR DAVIDSON asked if there is buffer averaging. Sloman replied not believing averaging is in the code. New building or re-development would require a full 50-foot buffer, but existing structures have not been studied yet. CHAIR DAVIDSON stated that buffer give-and-take needs to be spelled out as allowed or not allowed. Dhaliwal replied that the setback along the lake is where the common line setback approach was done. The draft code takes away averaging in terms of reduction. Fifty feet would apply to the entire stretch. Buffer reduction for streams is no longer available but buffer averaging for streams is in the draft code. Inconsistencies will need to be corrected in the SMP depending on the decisions made for the Critical Areas code as related to buffer averaging for streams. SMP applies to the lake and two streams, Issaquah Creek and East Fork.

COMMISSIONER LEWIS stated a concern regarding dock lighting spread and asked why a regulation to limit impact on natural environment was not discussed. Sloman replied that the city lighting consultant was worked with. Some degree of spread reduces the number of fixtures to light a dock. How to conduct an evaluation will need to be answered by the consultant. COMMISSIONER LEWIS stated that narrowing spread to usable walkways could be a natural way to limit exposure to the water. Sloman replied that most dock surfaces are made of a material that allows light through during the day and while containing light to a dock surface is important, equally important will be automatic shut off and motion detection. COMMISSIONER LEWIS asked if staff believes that all inconsistencies have been addressed, particularly where the SMP may fall short of implementing updated environmental policies. Sloman asked if the question was regarding Comprehensive Plan policies or policies within the SMP. COMMISSIONER LEWIS replied that within the last year new environmental policies have been implemented which are strongly supported by the community. Sloman replied that in terms of plans which were already in place such as the Comprehensive Plan, SMP policies and Strategic Plan, inconsistencies have been addressed. The draft has not been evaluated against the ICAP because of the narrow focus of changes staff was asked to make. COMMISSIONER LEWIS stated that more details need to be looked at in a broader sense but respecting that the focus is on the three revisions requested by Council. When the draft is seen again, staff might be able to express concern to Council that more encompassing direction could be provided.

VICE CHAIR VOISS asked if costs to replace or upgrade a bulkhead would be a hardship to a single residential lot, or if costs would be rolled into a basic building permit. Sloman replied that costs would be the responsibility of the property owner and that there will be criteria regarding impacts that will make the project infeasible. The cost of bulkhead removal and the cost of the project will continue to be addressed. VICE CHAIR VOISS asked if cost would be a separate expense and stated that a specialist and not a city planner may be needed to assess. Sloman replied correct, additional cost, and that the assessment would be conducted by a technical expert and a peer review would be required not conducted by staff.

VICE CHAIR FINCH asked for clarification regarding timelines for monitoring native plantings in the buffer. Sloman replied that shoreline vegetation preservation requires five-years maintenance and monitoring, found on page 57 of the actual document and not the packet page. VICE CHAIR FINCH asked for clarification regarding pruning in the buffer. Dhaliwal replied that the subject would be examined further.

COMMISSIONER MILLIGAN asked if there is salt water and Sloman replied no. On page 27 of the document, the water quality definition may be a copy and paste error. Sloman replied most likely. COMMISSIONER MILLIGAN stated that there is an inability to enforce *should*, also creating confusion in the document. Sloman replied that the SMP is a combination of policies in standards and regulations, and the question may be where the references to *should* are located, not known at this time.

CHAIR FAUL opened Public Comment. (01:26)

- Connie Marsh, Squak Mountain, stated having called the Department of Ecology regarding the SMP because the new draft code called out wetlands. The Department of Ecology replied that State Law states that SMP rules anything 300-feet from the outer edge of your streams, associated wetlands and floodways whether mentioned in Issaquah SMP or not. Issaquah SMP is very unclear. Maps were updated in 2019 but wetlands and floodways are not included. State Law requires habitat protections in and around a stream but is missing from Issaquah SMP, and how SMP is not being brought up to State Law when the update is justified for legal purposes. These are considered shorelines of statewide significance, but access must be allowed to the public. Buffers should show, with best available science, how Issaquah is protecting the habitat areas to the largest extent possible. Issaquah might be able to easily update regulations in the SMP by referencing new code, and best available science in theory will give the buffers and habitat protections desired. Policies need to remain in the SMP including the *shoulds*. The idea of a functional SMP using both Fish & Wildlife conservation habitat areas and the code will not mesh to where someone could not choose one rule over another. A suggestion was that the SMP returns with changes that will connect with new Critical Area codes. The request of Council to review only three areas is not realistic.

CHAIR FAUL closed Public Comment.

CHAIR FAUL stated that the Planning Policy Commissioners should turn cameras off, and CHAIR DAVIDSON opened the Environmental Board discussion. (01:33)

CHAIR DAVIDSON stated being troubled by the lack of connection by the SMP to the Critical Areas ordinance. Council has asked for a robust buffer enhancement to the SMP, but other areas must be addressed in addition. There are several inconsistencies in terms of buffers between the SMP and Title 18 Critical Areas graph part A. Stormwater code will also include requirement inconsistencies. The public needs to be involved to be sure there are rules with variances and the public needs to be treated consistently. CHAIR DAVIDSON stated agreeing

with the point of Marsh to include wetlands. Regarding *shall, should, may* and *where feasible*, what *shall* is needs further thought and *where feasible* should be removed. References in the Title 18 Critical Areas will no longer be accurate. There are undefined words, in example, *the average grade level on the shoreline*, and therefore subject to interpretation and opportunities for developers take advantage. In summary, a more rigorous update of the SMP is needed because differences between Critical Areas in Title 18 are significant.

VICE CHAIR FINCH stated agreement that the plan must be consistent with the Critical Areas portion. Changes specific to Lake Sammamish, common line setback and removal of the bulkhead incentive are appreciated, but VICE CHAIR FINCH asked if changes were being left out for Issaquah Creek and East Fork.

Dhaliwal stated that feedback had been excellent. In 2019, changes were made to the Critical Areas code formally approved by the Department of Ecology. A Shoreline permit may be needed even though exempted under Critical Areas. Conversations will be held with the Department of Ecology as Critical Areas are being worked on. Shoreline will be worked on afterward.

Leeson stated that WebEx invitations were sent to the Environmental Board as panelists but there are glitches that may have been noticed. Gmail works differently than Outlook. COMMISSIONER MILLIGAN explained having received an invitation for the March 9, 2022 meeting within the Outlook Calendar and not in a G-Mail email.

#### 4. Reports

- a) Council Update (01:44)  
*Presented by Christen Leeson, Senior Planner*

Leeson stated that on Tuesday, February 22, 2022 Council approved the allocation of \$3.1 million in ARCH general funds for four different projects, including five Leo affordable units in the transit-oriented development project. Council also voted to move all three docket items forward in 2022. Dhaliwal stated that Council stated special appreciation of the work the Planning Policy Commission has done. Leeson stated that the next Planning Policy Commission will be March 9, 2022, attending a regular Environmental Board meeting. On March 10, 2022 there will be a Public Hearing on Natural Environment.

#### 7. Adjournment

With no further business to conduct, CHAIR FAUL adjourned the meeting at 8:17 p.m.

Respectfully submitted,

Carolyn Garza,  
LLC Recording  
Secretary

