

**CITY OF ISSAQUAH**  
**Planning Policy Commission**

6:30 PM  
February 14, 2019

**MINUTES**

Council Chambers  
135 E. Sunset Way

**COMMISSION AND ADMINISTRATIVE PERSONNEL PRESENT**

***Commissioners Present:***

Joan Probala, Chair  
Ron Faul, Vice Chair  
Bill Rinehart  
Jason Voiss, Alt. (Voting as Regular Member)

***Commissioners Not Present (Excused):***  
Joy Lewis  
Troy Rahmig

***Administration/Staff:***

Trish Heinonen, Planning Policy Manager  
Keith Niven, Development Svc. Director

***Others Present:***

Daniel Kenny, Ogden Murphy Wallace

**CALL TO ORDER**

PROBALA, Chair, called the meeting to order at 6:30 PM. She thanked Mayor Mary Lou Pauly for coming to PPC's last meeting and for her comments. She also congratulated former PPC member WALSH on her recent appointment to the position of Councilmember on the City Council. She also announced that McGAULEY is now a member of the Transportation Advisory Board and will no longer be serving as an alternate member of PPC.

**APPROVAL OF MINUTES**

- a) MOVED BY FAUL, SECONDED BY RINEHART that minutes of the January 24, 2019 meeting be approved as presented. MOTION CARRIED UNANIMOUSLY, 4-0.

**PUBLIC HEARING—Continued from 1/24/19**

**a) Proposed Amendments to IMC 18.22 Wireless Communication Facilities, (D)**

*Presented by:*

*Keith Niven, Economic Development. and Development Services Director*

Niven made staff's presentation. He explained how comments received from wireless providers (Verizon, T-Mobile, and AT&T) since the last meeting, and the City's responses to those comments, are organized in the agenda materials. He proceeded to describe those comments and responses in detail, as outlined on pages 11-15 of 69.

PROBALA asked whether there are federal requirements imposed on utility poles. Niven replied when we reviewed this last year, the City came up with a "box" of standards; then the FCC imposed new requirements of jurisdictions. So the round of changes that are before PPC now are the City's "box" with modifications to meet the FCC requirements. We are proposing changes to be compliant with the FCC regulations, he added. Daniel Kenny, Ogden Murphy Wallace/City Attorney's Office, said on the utility pole question, one way to look at this is that this is not a wired utility deployment in a right-of-way; there is nothing that says the City needs to treat this equipment the same way as other utilities.

Niven continued his presentation on the comments received and the City's responses. He referred to a letter received from AT&T yesterday requesting changes to the proposed new language and explained the City's response and proposed changes as a result of those

comments, including a change to IMC 18.22.090, Siting Criteria, Section C, Deviations (1), as follows: *“The applicant provides sufficient technical or other relevant information that demonstrates there are no encouraged or discouraged sites available.”*

RINEHART said the proposed change appears to open up the kinds of deviations a carrier could claim for non-technical reasons. Kenny noted just making it allowed does not mean it would be approved, and gave the rationale for the proposed change. He gave examples of what non-technical but relevant information could be. RINEHART asked can the City add language that would make “relevant information” more specific. Kenny said that’s possible, although it would be difficult to write out exactly what all the instances of what “non-technical but relevant” information could be.

FAUL asked would each application under the “relevant information” provision be subject to Land and Shore’s and/or the Council’s review and approval. Niven replied no; added a Council review of each new wireless facility would make it difficult for the City to achieve compliance with the “shot-clocks” specified in the FCC regulations. FAUL asked what about review by PPC. Niven said again, we tried to make changes only based on what the federal government requires, and adding PPC to the review process would likely add at least two weeks to the process. FAUL said he is thinking of instances where a deviation is requested, and how that request would be debated. Niven gave examples. He continued if the Commission is concerned about possible expansion by including this language, he continued, it can be so noted in the record and included in the report that is given to Council. VOISS said he tends to agree with the concern expressed by RINEHART but also understands that opening up a decision for a public process could be very time consuming.

Niven continued his presentation on the remaining comments submitted by the carriers and the City’s responses.

PROBALA asked when the vendors apply to the City for construction of these facilities, will the City have enough staffing available to implement the regulations according to the time frames specified in the FCC regulations. Niven replied he’s not sure whether staffing will be adequate or not, but doing so would be a priority for the City.

### **Public Comment**

PROBALA continued the public hearing from the January 24, 2019 meeting and asked for public comment at this time.

Greg Busch, AT&T, explained the areas in the proposed code language changes where AT&T agrees with the City’s responses and staff edits. He spoke to the difficulty of being overly-specific in the code and trying to describe all the items that could be, for example, considered “relevant.” He also described AT&T’s request to remove the indemnification section.

Devendra Mararaj, Verizon, gave a few brief comments on the City’s responses and said Verizon is looking forward to working with the City as implementing these policies moves forward.

David Kappler, 255 SE Andrews Street, said he questions how much equipment can be suspended above the ground and what the visual impacts could eventually look like.

Hearing no additional requests to speak, PROBALA closed the public hearing at 7:28 PM.

**Discussion**

Niven thanked Devendra Mararaj, Verizon, for providing some photo simulations of what equipment could look like on an existing power and light pole, which he displayed for PPC and the audience to view.

FAUL asked why would the equipment box not be located near the ground where it could be disguised with vegetation. Niven referred to Section 4 in the Design Section, which specifies that the equipment box be located “as high up on the pole as possible.” He also referred to relevant language in Section 4, Screening, about pole mounting, and said locating equipment on the ground could also pose hazards in some cases.

FAUL said he thinks these decisions should be made or at least reviewed by the public, as they will be the ones that will experience the resulting visual impact on their community. He spoke in favor of allowing more public comment and opportunities for the City to take this issue to the public for their feedback. He said he has done some research on how other communities have addressed the issue of small wireless facilities and gave examples. He said he could support reevaluating the existing code about locating equipment boxes near the ground rather than “as high as possible” on poles because the full visual impacts are not well understood by the public.

Niven asked Greg Busch to give his perspective on the number and configuration of equipment that would be needed. Busch replied each carrier’s needs would vary, and locating the equipment would depend on both those needs and the specific type of equipment to be installed. He briefly outlined the criteria that AT&T would use in making that determination.

RINEHART asked could the code be worded to encourage the use of vaults over poles. Niven replied the City has expressed its preference in the code for vaulting, but there are factors in the right-of-way that could prohibit that. He explained what is in the current code, and explained why ground-mounted is not always preferred over pole-mounted, including examples. He said the code does not specify a preference for pole-mounting, and noted it is unfortunate that there are currently no examples in the City to view and evaluate.

Niven asked Busch to comment on any technical reasons why vaults could not be used to house equipment. Busch replied the closer the equipment is to the antenna, the better the performance; but vaulting does not have a major impact. The prospect of undergrounding equipment is far more problematic, he added, and gave examples. He said from a technical standpoint, there is no reason not to put equipment on the ground in a vault, but there could be other, non-technical reasons.

VOISS said he has no problem trusting City staff to make decisions about locating equipment on behalf of the City, but said he would make to make sure that City staff will be adequately involved in that process. Niven said staff would work with providers to minimize the visual impact as much as possible.

PROBALA said the future is here, and while we don’t want to rein in our views, people will want the added bandwidth, speed, and capacity that 5-G will provide. She said she hopes that the design of this equipment as time moves forward will allow it to be smaller and nicer-looking. VOISS said he tends to agree, and added he doesn’t see how more public conversation would be helpful. FAUL said he thinks more discussions would help get more buy-in from the public. He said he can support what has been presented tonight but has reservations, and thinks that strong public reaction is likely.

**Commission Decision**

MOVED BY RINEHART, SECONDED BY FAUL that the words "or other relevant" be removed from 18.22.090, Siting Criteria, Section C, Deviations (1), in exchange for a better definition to be prepared by staff before the decision goes to Council. MOTION CARRIED UNANIMOUSLY, 4-0.

MOVED BY VOISS, SECONDED BY RINEHART that PPC recommend forwarding the amendments to IMC 18.22 Wireless Communication Facilities, with the revision approved by PPC tonight, to the City Council for approval. MOTION CARRIED UNANIMOUSLY, 4-0.

**REGULAR BUSINESS****a. Discussion—Issaquah Treasures (I)**

*Presented by:*

*Keith Niven, Economic Services and Development Services Director*

Niven gave some background information on the Issaquah Treasures, including when the list was first developed. He said the list of Treasures is not governed by code, and speaks more to the soul of the City. He said tonight is staff's first attempt to get some feedback from PPC by having a broad conversation about how to go about updating and reviewing these Treasures in 2019.

At the invitation of the PPC Chair, Robin Kelly, Issaquah resident, who worked on these Treasures when they were developed in 1993, gave some background from her involvement in their development. She spoke about how the effort really brought the community together and focused on feelings residents have about what is special about living in Issaquah.

PROBALA asked staff how they would like to proceed. Niven noted this is an item on staff's work plan for 2019, and wanted to have a discussion with PPC before spending staff time moving in a particular direction. He gave some options about how to approach addressing the Treasures. PROBALA said she would favor updating the list; whatever is already on the list should stay. She also said the City should commit to protecting the items on the list. FAUL agreed once something is on the list, it should stay. He also spoke in favor of reviewing this list every ten or twenty years, not annually, or after two or three years. He also spoke in favor of the City assembling a volunteer committee to discuss what items should be on the list and how the City should protect them. It would be a great way to bring the community together, he added. RINEHART said reviewing the Treasures is long overdue, and agrees it could be a great community-building event. VOISS said he agrees that Treasures should not be updated every year. FAUL said the list would lose its magic if it is tweaked too often. The Commissioners generally agreed that a review every five, ten, or twenty years would be an appropriate time span.

**Public Comment**

Tyson Garbusjuk, owner of Boehm's Candies, said Boehm's Candies is proud to be deemed an Issaquah Treasure. He spoke about the difficulties businesses such as Boehm's face in remaining viable, such as getting an adequate supply of employees, increasing property taxes, and so on. He said his only caveat is that he would not want to see any new restrictions imposed on businesses such as Boehm's as a result of being on the Treasures list as Boehm's tries to explore different ways to remain a viable business.

PROBALA said that's a good point, and said it would not be our intention to create any difficulties for private businesses like Boehm's. Niven agreed, and said one option to explore is providing incentives to businesses on the list such as B&O tax breaks.

David Kappler, 255 SE Andrews St., said in his experience being on the list has been something to celebrate. The list has been noncontroversial and not used punitively. He spoke positively about the existence of a list of Issaquah Treasures.

Sasha Hendricks, Education Curator at the Cougar Mountain Zoo, said the Zoo is proud to be on the list of Issaquah Treasures and uses that designation in its promotional materials. She said the Zoo would be supportive of working with the City as a designated business on the list.

Frank Stilwagner, Director of Development at Village Theater, gave some background on the Village Theater's history in Issaquah and said the Theater is proud to be designated an Issaquah Treasure. He said he agreed with an earlier comment that the Theater would probably resist any new restrictions as a result of being on the list, but that said, the Theater is proud to be an Issaquah Treasure.

Robin Kelley, Issaquah resident, said she agreed with earlier comments that the list should not be reviewed too often because it takes time for the designated items to establish their historical and cultural importance. She offered some suggestions to consider for new items that could be added to the list, including Confluence Park, the skateboard park, possibly something at the Highlands, some of the public art that exists throughout the City, the renovated Shell Station and Feed Store, and the City's walking trail system. She noted that only one item from the original list, the open meadow west of Issaquah-Fall City Road at the south edge of the Plateau, no longer exists.

#### **OTHER BUSINESS/ANNOUNCEMENTS**

- a) *Upcoming Schedule:* Heinonen noted that PPC will be invited to meetings of the Transportation Advisory Board on the City's Mobility Master Plan in April and November, and referred to the meeting schedule on page 69 of 69. She noted that about 3,000 notification letters have been sent to the public in advance of PPC's next meeting on February 28, at which a code amendment prohibiting new duplexes in the SF-S zoning district will be discussed.

She also noted that the City is accepting applications now for PPC membership for the upcoming term.

#### **AUDIENCE COMMENTS**

None.

#### **ADJOURNMENT**

With no additional business to conduct, PROBALA adjourned the meeting at 8:45 PM.

Respectfully submitted,

Susan Lowe  
Recording Secretary