

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

6:30 PM  
July 9, 2020

Virtual Meeting

**MINUTES**

**COMMISSION AND ADMINISTRATIVE PERSONNEL PRESENT**

*Commissioners Present:*

Joan Probala, Chair  
Ron Faul, Vice Chair  
Janice Carle  
Joy Lewis  
Jason Voiss  
Robin Beukers, Alternate

*Administration/Staff:*

Christen Leeson, Senior Planner  
Evan Brumfield, Environmental &  
Regulatory Program Administrator  
Tisha Geiser, Deputy City Clerk  
Keith Niven, Community Planning &  
Development Director

*Commissioners Not Present:*

Randy Harrison (Excused)  
Bill Rinehart (Excused)

**CALL TO ORDER**

FAUL, Vice Chair, called the meeting to order at 6:38 PM. PROBALA, Chair, joined the meeting. She noted that BEUKERS, Alternate Member, will act as a Regular Member at tonight's meeting and will vote.

PROBALA explained that, due to the Governor's Proclamation 20-28 prohibiting meetings that fall under the Open Public Meetings Act from being conducted in person, tonight's meeting will be held entirely remotely. She provided some guidelines for participants at tonight's virtual public hearing, including Commissioners and members of the public who wish to provide public comment.

**APPROVAL OF MINUTES**

PROBALA asked for any objections to approval of the February 6, 2020 and February 12, 2020 PPC meeting minutes. There were no objections.

**PUBLIC HEARING**

a) **Proposed Amendments to IMC 16.36 Special Flood Hazard Areas, (A)**

*Presented by:*

*Evan Brumfield, Environmental & Regulatory Program Administrator*

Brumfield made staff's presentation on the purpose of tonight's meeting. He gave some background on his role with Public Works Engineering and the proposed amendments to the Areas of Special Flood Hazard Code Amendments, IMC 16.36. He explained that FEMA indicated to the City on February 19, 2020 that adoption of amendments is necessary by August 19, 2020 to maintain the City's compliance with the National Flood Insurance Program (NFIP). He explained why compliance is important, including the assurance that businesses in Issaquah can qualify for 25-percent flood insurance discounts through the Community Rating System program and grant eligibility for flood control projects.

He said staff is recommending acceptance of the code amendments as presented tonight, recognizing that there is a desire on the part of the City, County, and residents for the code to

be more restrictive. However, given the pandemic situation and the resulting time constraints the City is facing, it is not possible to conduct a full-scale public review and still meet FEMA's deadline.

He continued his presentation with a brief description of the mandatory code requirements in the proposed amendments, and explained the four non-mandatory code amendments the Administration is recommending where the City has elected to be more prescriptive [IMC 16.36.110.B (page 25 of 53); IMC 16.36.120.L (page 28 of 53); IMC 16.36.120.M (page 29-30 of 53); and IMC 16.36.130.J (page 31-32 of 53)].

Brumfield concluded his presentation by stating the Administration recommends PPC forward these code amendments to Council for approval, given the time and resource constraints the City is facing due to the pandemic. He said potentially pursuing more restrictive code amendments is definitely possible, including seeking additional input from the public, but now is not the right time.

FAUL asked about a new car dealership development near a salmon-bearing stream. How would the dealership be able to safely meet hazardous waste requirements in the event of flooding, he asked. Brumfield replied that would be handled through the permit review process. FAUL asked so it would not be part of tonight's discussion. Brumfield replied correct; tonight's discussion is focused on the proposed code amendments only. FAUL asked for clarification of IMC 16.36.120.E-5 (page 27 of 53), "Where base flood elevation data has not been provided or is not available from another authoritative source, it shall be generated by the applicant..." and asked whether the applicant could simply supply the data themselves. Brumfield clarified that an official survey of the lot would be required.

VOISS commented that the City is trying to adopt these code amendments and only has a few weeks before the deadline. The City can come back and fine-tune this, he continued, but we don't want to parse verbiage too closely now because getting the insurance discount is very important for small businesses. The City needs to make sure that rates are as low as possible, especially right now while businesses are already struggling.

LEWIS asked whether there has been any discussion at the City of allocating resources so this can be re-addressed. Brumfield replied based on recently submitted public comments, it sounds like this is something the Council will want to consider having re-addressed, but as far as he is aware, no specific budget allocation has been made. LEWIS asked has the outgoing Rivers and Streams Board, soon to be replaced by the newly formed Environmental Board, looked at these amendments. Brumfield replied no, although that would be well within the scope of the new Environmental Board.

BEUKERS said his concern is that re-visiting this issue not be just open-ended. The public clearly wants the opportunity for additional input and the City needs to take that seriously, he added.

PROBALA thanked staff for their work on this. She spoke about the value to small businesses of getting a discount on flood insurance. She said she is pleased to see that, despite a very compressed time frame and the pandemic, staff was able to comply with FEMA's mandated changes and also include some extra measures that go beyond the mandates. She said she agrees that additional work on the amendments is warranted, and that hopefully the

Environmental Board will have members who are knowledgeable about water issues, ecology, flooding, and so on.

### **PUBLIC COMMENT**

PROBALA opened the meeting for public comment at 7:20 PM. She gave instructions for the public on how to participate via phone and/or video participation.

Connie Marsh referred to comments she had previously submitted via email. She noted this is the first of two public hearings on the code amendments and asked to be on the list of those who wish to speak at the second public hearing. She said she understands the insurance issue but would like to see several things addressed now. The code states that the FEMA map has to be in place by the time the development permit is submitted, but in the past the Community Development & Planning Department has conditioned projects so that the applicant has to just prove that the FEMA map will be completed. That has allowed the entire permit to move forward reliant on future action by the applicant. She continued she would like to see a code change to state that the FEMA map can't be conditioned as a future action, and in fact should be done in advance of even submitting the application. She gave examples of projects from the last year or two and said the code should be more prescriptive there. She also suggested that PPC consider a letter or other way to let the Council know that, while PPC may be approving the code amendments now for expediency, this needs to be revisited near-term, and with public input. She also noted that the new Environmental Board, as a new entity, will likely not be able to address an issue like this for six or eight months and it is not realistic to expect them to get on board so soon.

Steve Pereira referred to his previously submitted email comments. He said he shares Marsh's concern that the City Council be made aware that the community wants more conversation and discussion on this.

Hearing no further requests to give comment, PROBALA closed the public hearing at 7:20 PM.

### **DISCUSSION**

FAUL spoke in favor of designating a time frame, say within 24 months, for adequate public outreach and then circle back to PPC for additional discussion. He said he understands the need to meet the immediate FEMA deadline.

LEWIS asked what a realistic timeframe is for addressing the code beyond the mandatory changes. Brumfield replied it would depend on what the Council chose to prioritize, and the extent of the code amendments. He said he could get back to LEWIS with that information. LEWIS said her concern is finding a way to be compliant with FEMA's deadline, yet also be responsive to the community comments we have received and let Council know what PPC would like to see happen in terms of revisiting these amendments. She said the use of sandbags, which is mentioned in IMC 16.36.20.B-2 (page 18 of 53), and the section on anchoring (page 26), are good examples of standards that need more discussion. Brumfield referred to Public Works Engineering's Stormwater Master Plan, which is being developed now. That plan will address a lot of issues that are in this document, such as flooding, stormwater management, and opportunities for improvement in specific watersheds. LEWIS asked when that plan will be available. Brumfield replied work on the plan is currently on hold due to the pandemic. The City's original objective was to have it complete by June 2021. We are working with a consultant on the Issaquah Creek watershed portion now, he added.

VOISS said he agrees with LEWIS's comments, particularly the example of sandbags, which is a good reason why it is appropriate for PPC to revisit these amendments along with seeking public input. He said he also favors expressing deep concern to Council about recommending these amendments now and emphasizing the need for more work on them, including a strong public process.

BEUKERS said he agrees with VOISS and LEWIS, and said he'd like to be aggressive about this. He voiced concern about making a recommendation for Council to approve these amendments without also expressing PPC's concern that the amendments receive additional public comment and PPC review.

Niven gave his perspective of the City's capabilities, given existing resources, layoffs, furloughs, reduced consultant resources, and the existing work plan for Public Works. He said an expectation that additional work on these amendments can happen this calendar year is probably not realistic. FAUL asked what a realistic time frame would be. Niven replied in the ladder of priorities for the City, there may be room in Public Works' work plan for 2021, although he can't speak for Public Works. He said his best guess is that Council would react well to making this an early priority for the new Environmental Board's docket.

The Commissioners briefly discussed whether to include its recommendations in a separate letter from PPC to the Council or include them as part of the motion. It was the consensus to include recommendations in the motion.

MOVED BY LEWIS, SECONDED BY FAUL that PPC recommend conditional approval of the Findings of Fact as stated, with the request that the Council dedicate resources for the continued revision of Areas of Special Flood Hazard Code Amendments, IMC 16.36; and that PPC recommends (1) concrete work sessions be scheduled as a priority item to collect further feedback and public input on the code amendments, and (2) this issue be returned to PPC for its 2021 docket. MOTION CARRIED UNANIMOUSLY, 6-0.

## REPORTS

### a) **Olde Town Land Use Code Implementation and Architectural Standards**

Leeson explained the City's reorganization of the former Planning Department into the new Community Planning & Development Department. She gave an update on recent Council actions regarding land use code amendments for Olde Town, including building height, impervious surface, parking, and Transfer of Development Rights. Niven noted that a joint meeting of the Development Commission and PPC is still being planned to review architectural standards for Olde Town.

The Commission asked Leeson to express appreciation to Trish Heinonen for her many years of work for the City and with PPC.

## AUDIENCE COMMENTS

Connie Marsh made comments about the new Environmental Board and her understanding of how it will function. She said she is having trouble envisioning how it will work with PPC and how it could best function in reality and not just in theory.

## ADJOURNMENT

PROBALA asked staff for any updates they would like to add. Niven explained that City staff has been adjusting to working remotely for the last four months while also keeping the City's business moving forward. He explained how the pandemic, budget deficits, layoffs and furloughs, the demonstrations, and the resurgence of the pandemic over the last few weeks have impacted how much work City staff has been able to accomplish. He described construction projects now under way around the City, including at Costco headquarters, the middle school in Talus, Gilman Lofts, and the Rowley office building. He said a lot is happening while the City is also focused on finding ways to help businesses survive.

FAUL noted he and VOISS are members of the Issaquah Recovery Task Force and gave a brief update on the task force's recent activities.

With no additional business to conduct, PROBALA adjourned the meeting at 8:16 PM.

Respectfully submitted,

Susan Lowe  
Recording Secretary

*NOTE: Due to the Governor's Proclamation 20-28 related to the COVID-19 emergency and open public meetings, this meeting was held remotely. Participation and listening options were provided in the meeting agenda.*