

strategic framework would be examined at this meeting, coming back to Boards, Commission and City Council during the first quarter of 2022 with recommended actions incorporated.

Six preliminary focus areas are collaborative planning for future needs, protection of natural resources, investing in employee experiences for recruitment and retention, responsibly managing existing utility assets, transparent community engagement and education, and fiscal responsibility in an affordable rate structure.

Ellis continued the presentation regarding draft strategies, metrics, and action items.

Schimek concluded the presentation with next steps in the process. The Planning Policy Commission will see the project at least two more times.

LEWIS asked if questions should be condensed or if feedback questions should be addressed individually. Mr. Schimek replied that either way would work for staff. CHAIRMAN FAUL replied that the questions should be grouped together.

LEWIS thanked staff for the progress and integration of the project. A floodplain map would be helpful, as well as brief summaries and links to meetings conducted with other Boards and Commissions. Existing infrastructure that needs to be replaced to meet best practices does not appear to be examined in the Gaps Analysis. Schimek replied that all assets are being considered but Strategic Asset Management Plans for specific assets are being developed. LEWIS continued by referring to point two, reducing pollution impacts, asking how likely or achievable the goal of eliminating all or 90% in a hypothetical way of chemical run-off into waterways and other impervious surfaces is. Schimek replied that creating a metric showing progress and within control is the goal. LEWIS asked that specifically discussing run-off from roadways would be helpful. LEWIS asked if a three-year implementation is anticipated once the plan is adopted by Council. Schimek replied that dates should reflect the priority and are subject to change; current dates are aggressive. LEWIS stated that point three is a necessary call and stated appreciating the importance. Regarding language that should be included, point four regarding capacity needs a stopgap of how reliant natural water sources will be, calling out strong environmental leader language. The Habitat Policy is a great example of language regarding planting and maintaining appropriate vegetation that should be included. Addressing the use of chemicals across the city such as pesticides should be included as well. Point six, leveraging rainfall, is interesting to harness and utilize and would be helpful to include. Schimek replied that codes, operational issues, and long-term scenarios are needed within the document. LEWIS stated that more time on the agenda for discussion of the Plan would be requested.

MILLIGAN thanked staff and stated agreement with Commissioner Lewis. MILLIGAN asked if the sources of run-off contaminants can be addressed in the document. Number three, retention of quality staff, is what makes a strong city along with civic engagement. Number four, local water resources, may need more emphasis. Upland homes and less dense neighborhoods where owners have invested in wastewater is addressed well. Schimek replied that gauging how serious an issue is will help make staff time and funding more productive, infusing engineering with science. MILLIGAN stated that members of

the community are sometimes customers but also stakeholders and addressing this is in the right direction.

ZARAGOZA stated agreeing with Commissioners Lewis and Milligan. People are the greatest asset, and the employee experience is important. The Line of Site diagram is very helpful, and in the next round the entire plan should be diagrammed similarly for understanding. Schimek asked if a package of 20 diagrams with a staff report would work and ZARAGOZA replied yes. ZARAGOZA asked for the meaning of the innovative hybrid work environment. Schimek replied the flexibility of working at home as well as a space at City Hall; innovative tools are important as well.

VICE-CHAIRPERSON VOISS stated having no questions.

FAUL stated that the presentation was excellent. The previous comments were appreciated. Having 20 diagrams would be helpful. FAUL asked which entity would be paying to replace all existing systems in the shoreline buffer by 2040, homeowners or the city. Schimek replied that there are many options, all-customer paid to all city-paid and in-between. Moving off septic would reduce the pollution impact rather than remediating soil. If some costs would need to be funded by homeowners, grants may be available because of the importance of the work. 2040 is an aggressive target. FAUL asked, from a transparency standpoint, what the city would be sampling for referring to the goal to develop a Sampling Analysis Plan; how communicating to the public would occur regarding why people should be concerned about septic, what kinds of contamination is being seen in storm run-off on major roads, and how much is too much. Another question was what is the best vegetation that homeowners can plant for filtration and capturing toxins. Schimek replied that regarding transparent engagement, septic, water quality and vegetation are great examples of education to provide to the community before taking the first sample. FAUL asked if the water in Lake Sammamish will impact Issaquah aquifers in the future and what contaminants may be brought in from there. Schimek replied that the systems are separate and Issaquah groundwater flows into Lake Sammamish.

ZARAGOZA stated agreement with all comments so far. Funding to replace septic and planting detoxifying vegetation are going to require assistance not only financially but in managing the processes to be sure these are completed. Not everyone has the time, money or focus to manage what can be a difficult process.

LEWIS stated that the processes address the hear and now rather than decades from now. Advocacy on a legislative level needs to be able to integrate a variety of things including watershed goals. A larger discussion may be needed with more people to ensure a strong administrative response to the needs of the community.

Schimek stated that there will be changes in the next presentation in response to comments and explanations if a change is not made.

b) Education: Title 18 Procedures and Administrations, (D)

Presented by:

Minnie Dhaliwal, Director, Community Planning & Development

PUBLIC COMMENTS – None

Dhaliwal discussed Conditional Use Permits and requirements. The question for the Commission was if some uses should be categorized as conditional with a process established.

LEWIS stated not understanding benefits, possibly boxing in important decisions early in the process, and with no appeal process. LEWIS asked if the issue is for streamlining or if the process would be better as a result. Dhaliwal replied that one benefit is that public hearings will be involved, public engagement for non-stereotypical uses. LEWIS stated that the explanation had been helpful and asked for clarification that staff has found that Conditional Use Permits would be beneficial. Dhaliwal replied yes, to capture uses that may require additional public notification and criteria. Sloman added that there are no conditional uses at this time but many burdensome footnotes.

MILLIGAN stated hoping for a more predictable application process in shorter time, and if the issue supports a less confusing process this would be appreciated. MILLIGAN asked if uses which are already allowed with footnotes would be the focus and if further uses including those not realized at this time could be made conditional uses later. Dhaliwal replied that previous big-picture feedback will be consolidated to identify broader categories shortly. Within this process, uses will be identified as missing from the table as well those that should be categorized as conditional. The table will be shared when completed.

Dhaliwal asked for a vote regarding the issue and there was a consensus.

Sloman continued with Administrative Deviations that code currently allows. The Administrative Adjustment of Standards (AAS) are in code to account for situations that do not fit into the general intention. AAS are intended to maintain consistent objectives while allowing some flexibility in achieving them. In some parts of the city, notification is always required while in other parts notification is only required sometimes, as well as variations in what cannot be adjusted and criteria. How adjustments of standards should be handled, and which topics currently allowed in AAS that should be carried forward would be considered.

VOISS asked for clarification that AAS is city-wide but with different requirements depending on the part of the city. Sloman replied that the provisions of different programs such as Urban Villages are different. Standards that cannot be adjusted vary depending on the part of the city you are in. The program is throughout the city, however.

LEWIS stated struggling with the issue as there is a tendency from a watchdog perspective to want as much transparency as possible. The intent is not being achieved and is a health meter of code. There should be notification for all, always. There is a reason that Urban Villages operate with a different code at a certain time. Limiting the number of adjustments may be an option. Dhaliwal stated that balancing flexibility and predictability is important. LEWIS stated that a new path forward can be found.

MILLIGAN stated appreciating the framing of the presentation. MILLIGAN stated that the variations in what is allowed is generally not popular with the public and puts staff in an awkward position. Increasing notification of proposed adjustments is important. When requirements such as building heights are changed, the option of further discussion should be given to the public. The allowed list of adjustments could be reduced, notifications could be added, and a limit to the number per application could be introduced.

FAUL stated support of the comments of Commissioner Milligan. Consolidating and reducing adjustments as well as more public engagement when requirements are adjusted out would be a good service.

Dhaliwal summarized comments and the Commission gave consensus.

Dhaliwal continued with SEPA thresholds. There is not a significant number of projects in the past five years that would have benefitted from raising the threshold. Raising the threshold will avoid creation of redundant processes and does not add any value to the review process or mitigation that may come from it. The Commission can also continue with existing thresholds instead. SEPA laws have changed, and code has not been updated. Building more sustainable buildings could be an incentive for increased thresholds and options had been provided by staff in the packet.

LEWIS asked if feedback was not being asked for regarding the Gaps Analysis on the Update Approach. Dhaliwal replied that Decision Authority would be addressed after the SEPA issue. LEWIS stated that the Commission had not discussed the Gaps Analysis and Update Approach, page 44 in the packet, and asked if the issue would be discussed or if an email would be preferred. Dhaliwal replied that the issue could be discussed if time remains. LEWIS stated appreciating numbers regarding SEPA. Numbers do not support moving the threshold but that building sustainably could warrant increased thresholds. The need is for oversight for the protection of the environment.

MILLIGAN stated not being convinced to increase thresholds, and the only reason to increase would be if there were a value and benefit locally. Code could be tightened and relied on with a trade-off incentive, however.

Dhaliwal summarized comments and the Commission gave consensus.

Dhaliwal moved onto Decision Authority. Four options were included in the agenda packet; 1) no change, 2) to keep the decision making authority with the Development Commission but with better defined focus on site and building design, removing technical decisions such as critical areas, geotechnical reports and traffic studies from purview, 3) engaging with the Development Commission earlier in the process for recommendations with the final decision by the Hearing Examiner following a Public Hearing; and 4) anything larger than 45,000 square feet or three acres remaining with the Development Commission as a decision maker, with smaller projects sent for review only if located on certain streets and otherwise to the Hearing Examiner.

MILLIGAN asked for clarification regarding preferred option 2, where technical decisions would then be decided. Dhaliwal replied that a peer review consultant trained in the field would be involved. Geotechnical decisions would occur earlier in the process or at the building permit stage. The general framework would include robust public notification and a neighborhood meeting hosted by the Environmental Board, a decision made by the administrative lead and appeals to the Hearing Examiner.

LEWIS asked if, other than the general desire, there was an update with new direction from the Council. Dhaliwal replied that the subject has not been brought back to Council since the Study Session. LEWIS asked if the Development Commission should be restructured at some point. Peer review is already being utilized. LEWIS stated preferring option one with the possibility of agreeing with option two. A Hearing Examiner does not have the pulse of a community. The unique structure is important in the community and should only be reformed if there is a concrete plan of why reform is the better way. Sloman replied that the Development Commission is asked to read, in example, technical definitions given in wetland biologist reports, which are generally taken to the staff and the technical experts within the city; the process is misleading to the public regarding authority and not the best use of the time and focus of the Development Commission in terms of where community expertise resides. Staff will be hesitant to comment where an applicant engineer, and city engineering consultant have given recommendations. Public comment is necessary but will not successfully resolve technical reviews. LEWIS stated hesitancy in changing the Development Commission into a Design Review Board. There has been a high level of community involvement. LEWIS asked where oversight would come from over a peer review consultant as option two does not address this. Sloman replied that more research is ahead, but that if there is a disagreement between applicant and staff, the applicant would have an opportunity to appeal a decision to the Hearing Examiner and have a meeting allowing experts to contribute. LEWIS stated that a Hearing Examiner cannot look at only one piece of a project. Sloman replied that if a project interpretation is appealed, an appeal process can be separate from the rest of the permit. LEWIS stated that a clear-cut process through an appeal is needed. LEWIS stated that staff resources to define option two rather than a Hearing Examiner role would be appreciated.

VOISS stated agreement with Commissioner Lewis and requested more information on options two and four. If the Development Commission has expressed not being comfortable with these decisions, then the options are worthy of further discussion and a consensus from the Development Commission should be a requirement before moving forward.

MILLIGAN thanked Sloman for elaboration in the reply to Commissioner Lewis regarding the Development Commission. The current Development Commission needs to be reached out to for clarity. MILLIGAN referred to the Bergsma Property as an example of thoughtful analysis which came from looking at the road; if roads had been removed as being too technical from the Commissioner review, challenges in the site plan could not have been thoroughly considered from the public point of view. Sloman replied that the grading which resulted from the road is a good example.

FAUL stated leaning toward a hybrid between option one and option two and agreeing with Commissioner comments. Prior to a decision, feedback from the Development Commission is needed regarding which option is preferred and why, realizing any limitations.

ZARAGOZA stated agreement with Commissioner comments and leaned toward option two. However, Development Commission advice needs to be obtained before moving forward. Sloman replied that this stage in the process is for early feedback prior to investing time in moving forward. The next phase will be drafting code, and internal and external reviews. The Development Commission may need to see the same draft on procedures rather than only hypotheticals to comment. Dahliwal suggested that feedback from the Development Commission regarding maintaining the Development Commission as a decision maker be obtained before returning to the Planning Policy Commission.

LEWIS thanked Dahliwal for hearing a comment in 2021 regarding Joint Commissions and the benefit of more voices.

Dahliwal asked if there were comments regarding the Update Approach. LEWIS asked regarding page 44 of the packet for this meeting, delaying the permit process, if slowing the process down could be a natural safeguard for the community rather than fast streamlining. Sloman replied that feedback is a desire to make the process better for applicants while not losing oversight and transparency. LEWIS stated the need for increasing access for the community who are not big builders and to know how individuals are navigating the building process. Number three, eliminating duplicate text, should not make code become a flip book; keeping duplicate text where appropriate should also be examined. Dahliwal replied that there would be a filter for the point. LEWIS stated that a direct link to policy focuses in draft code would be helpful.

PUBLIC COMMENTS

Brook Lang asked why an administrative adjustment would be made if there are well-defined standards. An administrative adjustment should be available only in unique situations that are not accounted for. A question is if there are no complaints in a usual situation, would an administrative adjustment be given solely because the applicant doesn't like the standard.

Connie Marsh stated having a perspective based on what makes a successful community when being developed. Development Commissions should be uncomfortable when challenging standards. People who disagree about a project need to be able to elaborate on concerns that deserve more consideration. Marsh stated disagreement with the current option two for the Development Commission due to the need for conversation regarding natural context as a part of a standard within a code. The conversation should not be removed from the Development Commission and sending to a Hearing Examiner will result in losing the core interface of community values. The more taken away will result in the difference between very good and adequate development, cookie cutter buildings. Marsh asked that words be displayed on screen for understanding during meetings. The SEPA issue represents a small difference in a process that is already addressed in code. The Comprehensive Plan is not a criteria and there should be different answers regarding footnotes and conditional use as described. Marsh stated that Council should never be deciding anything in advance of Planning Policy Commission recommendations. The definition of success on all levels is not clearly stated at the end of every topic. Marsh stated that the conversations during the meeting had been important and thoughtful and thanked the Commission for time and energy given.

REPORTS

a) **Council Update**

Presented by:

Christen Leeson, Senior Planner

Leeson stated that there was no report.

OTHER BUSINESS/ANNOUNCEMENTS

Leeson stated that during a formal public hearing meeting voting an abstention counts as a Yes vote, so a poll of both Yes and No votes need to be taken in the future.

Leeson stated introduced the new Long-Range Planning Manager, Steven Padua. All questions still will come to Christen Leeson at this time. Padua stated that the official first day in the position will be December 16, 2021 and looking forward to working with everyone. Dahliwal stated that the expertise in the department is positive. A bridge between transportation and land use is the focus.

a) Upcoming Schedule

Leeson stated that the last meeting of the year would be December 9, 2021. Leeson would not be able to attend but thanked everyone for hard work through the year.

ADJOURNMENT

With no additional business to conduct, the meeting was adjourned at 9:13 P.M.

Respectfully submitted,

Carolyn Garza

Recording Secretary