



## MINUTES

### PLANNING POLICY COMMISSION 6:30 p.m. - Thursday, April 28, 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. The public comment portion of the Public Hearing regarding Natural Environment had been closed on March 10, 2022, and no further public comments would be taken on the topic. General comments would be welcome after deliberation.

Commissioners Present: Chair Faul, Vice Chair Voiss, Commissioners Bader, Lewis, and Monahan

Absence: Commissioner Milligan (unexcused) and Commissioner Zaragoza (excused)

Staff Present: Millie Dhaliwal, Director, CP&D  
Stephen Padua, Long Range Planning Manager, CP&D  
Lucy Sloman, Current Planning Manager, CP&D

#### 2. Approval of Minutes

CHAIR FAUL asked if there were any comments or changes to the April 7, 2022, meeting minutes and there were none. The minutes were approved.

CHAIR FAUL asked if there were any comments or changes to the April 14, 2022, meeting minutes and there were none. The minutes were approved.

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## 3. Regular Business

## a) Preliminary Recommendation on Proposed Amendments to Title 18, Natural Environment (A)

*Presented by Minnie Dhalilwal, Director, CP&D*

(00:03) Sloman opened the presentation with a summary of questions and comments received.

(00:12) CHAIR FAUL opened Commissioner questions.

COMMISSIONER LEWIS asked what is being done now to bring current buildings into compliance for lighting. Sloman replied that the process is incremental. With the Title 18 update there will need to be an education process to make compliance more attractive. COMMISSIONER LEWIS asked why there are two different numbers in the update regarding Model Lighting. Sloman replied that the Model Lighting ordinance used either prescriptive or calculation, but not both. The process will be simpler for smaller projects. Both were proposed because there are properties without a building, in example a parking lot or outdoor activity, and the site and not only buildings need to be considered. COMMISSIONER LEWIS stated that the update could clarify *when there is no building* as the language is confusing. Sloman replied that more refinement is needed. COMMISSIONER LEWIS asked if seasonal lighting is proposed for 60 days total throughout the year or 60 continuous days. Sloman replied 60 continuous days, off for 30 days, and another 60 days permitted, no maximum within a year. COMMISSIONER LEWIS asked if holiday lighting and festival lighting were being merged. Sloman replied both would be merged. Festival lighting includes temporary and seasonal lighting in recognition that there are different purposes.

VICE CHAIR VOISS asked how the seven-unit threshold had been arrived at. Sloman replied that 4,000 square feet for a small and simple threshold comes from existing code, one of the triggers for a Land Use permit. Seven-units came from the Model Lighting ordinance. VICE CHAIR VOISS asked if there are people who believe the threshold should be higher. Sloman replied not higher but lower.

COMMISSIONER BADER asked if the seven-unit threshold is for requiring a permit and not regarding compliance with code. Sloman replied yes.

VICE CHAIR VOISS asked if lighting code would apply to the entire city or only certain areas. Sloman replied that there are three lighting codes currently. Issaquah Highlands, Talus and Central are under 17 and the rest of the city is under 1807. Old Town has additional lighting standards applying only there. The proposal is to bring all together, one set of standards for the entire city except where there are still active Development Grants.

CHAIR FAUL asked how businesses which have roof outline lights would be addressed. Sloman replied that that previous code did not allow outlining in neon tubing in Old Town. The Commission is being asked for direction by staff.

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CHAIR FAUL asked if there were any further questions from Commissioners and there were none.

(00:25) CHAIR FAUL opened Commissioner deliberation.

COMMISSIONER LEWIS stated that monitoring and reporting of light pollution needs to be addressed, not reliant on neighbors calling the city on other neighbors. A compliance officer or intern needs to examine where there are issues. What needs to be addressed is missing. New buildings are brought into compliance but there is nothing addressing light pollution elsewhere. An education piece is important and building owners may not realize there is a problem. Limiting spillover and requiring city-wide standards that adhere to the Dark Skies Initiative and reducing energy consumption is the reason for the lighting code and long overdue. Pollution occurs year-round and any possibility of exemption is concerning. A shorter time frame or specifying times during lowest pollution seasons are possibilities. The original goals need to be realigned to. Code specifies that business hours supersede the Dark Sky hours. Sloman replied that strings of lights are exempt from Dark Sky Hours. COMMISSIONER LEWIS stated that festival lighting would be higher voltage than low voltage string lights.

CHAIR FAUL stated that if many buildings have permanent outlining in lights, close to one-third of Old Town, Title 18 could require putting those light types on a timer circuit, possibly an hour or two after dusk or an hour after close of business, addressing energy efficiency, the night skies Initiative and flexibility for the businesses to continue using lights.

Sloman displayed the five questions from the presentation and CHAIR FAUL read the first question, if seven dwelling units are the right threshold for residential projects.

VICE CHAIR VOISS asked for clarification that festival and patio lighting are exempt, and festival lighting is different from outlining buildings. Sloman replied that seasonal festival lighting is exempted and building outlining is prohibited, potentially in conflict and addressed in question number five. VICE CHAIR VOISS asked if neon would be allowed under festival lighting, in example for Halloween and Christmas. Sloman replied that temporary lighting is installed in connection with holidays, festivals, or tradition with a maximum light level per light. VICE CHAIR VOISS asked if festival lighting would allow neon runners and streamers every 60 days on a property, exempt. Sloman replied that for 60 days temporary festival, seasonal lighting is allowed, and then no lights for at least 30 days. There does not appear to be a problem with lighting currently, but the question is, if a problem arose, is there language to allow a problem to be addressed. VICE CHAIR VOISS asked if holiday lighting is currently allowed only in winter or if a resident could display a lighted Easter bunny outline in the Spring. A regulation should not ban enjoyable residential displays, or a regulation established if there is not currently an issue. The terms *holiday lighting* and *festival lighting* are confusing. Sloman read the current code in 1807 and then read proposed code. VICE CHAIR VOISS asked if code were being opened, formerly focused on only winter months. Sloman replied yes.

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COMMISSIONER LEWIS asked to address question number five and stated that a business being required to pay to remove outlining lights and subsequently re-install after 30 days is not feasible. Light pollution is a genuine problem. Holiday lighting requires more nuance. The 60-day limit does not fulfill the intent of the Model Lighting ordinance. Yard displays are not the issue but rather businesses leaving egregious amounts of light on for the sake of aesthetics. The old way of consuming energy is not sustainable. The section needs to be cleaned to be more prescriptive to say when there is a low pollution season and the darkest days

VICE CHAIR VOISS also asked to address question number five. Outlining buildings should be allowed as lights beautify a city, in example Paris. There could be separation between areas such as Old Town, Issaquah Highlands, commercial areas, and Central Issaquah. Having a dim downtown following dark hours would be disappointing. Lighting should be not neon but with classic string lights.

COMMISSIONER MONAHAN stated agreement with VICE CHAIR VOISS and that the ability to outline with lights but not neon should be allowed.

COMMISSIONER BADER stated that outlining of buildings in commercial areas creates a sense of place if people are present, and a sense of community would be lost without.

CHAIR FAUL stated that if a portion of downtown Issaquah currently has light-outlined rooflines, owners could be asked to install shielding over top to eliminate light pollution moving up into the sky. Beautification would be maintained, and timer controls could be utilized during non-business traffic times.

COMMISSIONER LEWIS stated that Dark Sky Initiatives do not align to darkness, but rather for a 30% reduction in lighting. Where lighting is placed makes a difference in spillover of light pollution.

VICE CHAIR VOISS stated that downtown business lights dimming at 10 p.m. on a Saturday night could cause patrons to assume businesses are now closing. The city is not consistent across the board and there are unique needs in different areas, in example industrial versus residential, so creating one consistent code is not feasible.

Sloman stated that there are light zones and a possibility to tie certain regulations to certain light zones.

COMMISSIONER LEWIS stated that dimming lights on a business after closing would be different than sitting at an open establishment with lights dimming indicating last call. Cities around the world are beginning to practice light dimming including Paris.

CHAIR FAUL stated that a conflict around too much oversight may ensue, in example around the use of fireworks on the Fourth of July, but at least a slow change toward the city goal is needed so that people can adapt to the change.

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(00:55) Dhaliwal asked if there were a consensus regarding building lighting outlines for question number five. CHAIR FAUL asked for a show of hands by Commissioners. Having no neon lights was unanimous. There was a consensus to allow individual incandescent or LED lights for building outlining adding shielding over top to reduce extraneous light pollution. COMMISSIONER LEWIS stated that a season of lighting needs to be fine-tuned to address times of high festivals and low pollination periods. CHAIR FAUL asked COMMISSIONER LEWIS for clarification that lights off for 30 days rather than physically removed lights would be acceptable and COMMISSIONER LEWIS replied that a season of lighting needs to be identified when the community is darkest rather than a continuous outlining of buildings throughout the year. Current code at 78 days is long and the idea of 60 days makes more sense in relation to fall pollination. VICE CHAIR VOISS stated being in support of the seasonal lighting idea, but against rope or neon lights going up every 30 days. COMMISSIONER LEWIS stated being against the permanent lighting of rooflines due to light pollution in spillover, overconsumption of energy, and effects to nighttime pollination. The Outdoor Lighting ordinance needs to address comments in alignment with the Climate Action Plan. Additional use of lighting during seasonal times is fine, if highly prescriptive regarding timing. CHAIR FAUL asked for a show of hands supporting the comments but did not express the result of show of hands for the audio recording.

(01:03) CHAIR FAUL read question number four regarding exempt lighting being turned off to comply with dark sky hours, string lights specifically, and asked for a show of hands by Commissioners. Sloman stated that Dark Sky hours are 10 p.m. to 6 a.m. or 30 minutes before and after closing. CHAIR FAUL stated being in support but did not express the result of show of hands for the audio recording.

(01:04) CHAIR FAUL read question number three regarding single-family residential properties being allowed to have low voltage landscape lighting. CHAIR FAUL asked if there is a difference in whether low voltage landscape lighting is being pointed up or shielded and Sloman replied that low voltage lighting is defined as less than 24 volts and an output of 525 lumens. 800 lumens are 12 watts. A comment from the community was that landscape lighting has been precluded. CHAIR FAUL stated that the issue does not appear to be a problem and possibly should not be regulated. COMMISSIONER LEWIS stated not believing that low voltage lighting should be regulated unless there is an issue. There does need to be a clear distinction between low voltage pathway lighting versus upshot landscape lighting. Dark Sky times and mandatory timers should be regulated for upshot lighting as there is not a reason for a tree to be lighted at 3:00 a.m. Solar lights should be encouraged. VICE CHAIR VOISS stated yes, low voltage landscape lighting should be allowed. Enforcement would be an issue. Dark Sky hours should apply in residential areas.

COMMISSIONER BADER stated that regarding festival lighting, the city should not regulate holidays people are allowed to celebrate in private yards. A two-week period rather than 60 days is more reasonable. Two-week periods throughout the year are an alternative.

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COMMISSIONER MONAHAN stated agreement that low voltage lighting should not be regulated at this time.

(01:10) CHAIR FAUL read question number two regarding the threshold for small and simple projects. COMMISSIONER LEWIS stated agreeing with a lower number, more prescriptive in code rather than tied to square feet of property and building. The lower number of the threshold the city is comfortable with should be adopted. VICE CHAIR VOISS stated that questions two and one appear to be joined and favored consistency, liking the thresholds and reasons why, all tied to Land Use permits. COMMISSIONER MONAHAN stated agreement with VICE CHAIR VOISS, yes to questions one and two. COMMISSIONER BADER also stated agreement with questions one and two if compliance is achieved. COMMISSIONER LEWIS stated agreement and asked staff to come to a consensus for what threshold is comfortable. Consistency is the goal for the Title 18 update.

CHAIR FAUL asked Sloman if there were any clarification questions and Sloman replied no.

(01:14) Dhaliwal asked if all concerns have been captured to this point and referenced a list included in packets.

Dhaliwal presented the first summary on the list regarding the Shoreline Master Plan (SMP).

COMMISSIONER LEWIS stated that Council had given the Commission a narrow list of items to examine regarding the SMP. There were comments indicating that the SMP needed to be examined in a broader scope in terms of both the Climate Action Plan and Title 18 rework. The Commission answered the questions asked by Council only, but Council can choose to broaden the requested scope if desired.

There were no further questions or comments.

Dhaliwal continued with a summary of the general section in Aquatic Critical Areas.

COMMISSIONER LEWIS stated that there is confusion regarding buffers, and code for streams are not operating on best available science. More resources will be needed to bring up to date. Comments from staff would be appreciated regarding more information on types of buffers for wetlands and further protections moving forward.

There were no further questions or comments.

Dhaliwal presented the next topic, Wetlands and Streams.

There were no further questions or comments.

Dhaliwal continued with Fish & Wildlife Conservation Area.

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COMMISSIONER LEWIS stated that there is a discrepancy in code regarding the use of chemicals, not reflecting best available science or protecting Fish and Wildlife Conservation Areas. How the use of chemicals is allowed by both the public and city needs to be fine-tuned.

CHAIR FAUL stated having witnessed a city worker spraying Round-Up on weeds next to the Community Center creek. The worker, when asked, confirmed that the chemical was Round-Up. Round-Up is not allowed to be used in any other country except the United States due to toxicity to both wildlife and humans. Herbicides and Pesticides used by the city for weed control should be included. Dhaliwal replied that follow-up would occur regarding the issue at the Community Center.

There were no further questions or comments.

Dhaliwal continued with Critical Aquifer Recharge Area (CARA).

There were no further questions or comments.

Dhaliwal presented the last topic, Geohazard Areas.

VICE CHAIR VOISS stated that the amendments looked good and stated appreciating the education regarding peat.

There were no further questions or comments.

#### 4. Public Comments

(01:34) CHAIR FAUL clarified that comments would be general.

Padua stated that no hands had been raised for Public Comment.

#### 5. Reports

##### a) Council Update (01:35)

*Presented by Stephen Padua, Long Range Planning Manager*

Padua stated that city Council would receive the second presentation in the Title 18 process on May 3, 2022.

#### 6. Other Business/Announcements

##### a) Upcoming Schedule (01:36)

Padua stated that there would be a new Commissioner member beginning in May, 2022. Staff will follow up with the Commissioners to schedule a special meeting regarding Public Meeting training. Whenever a new Commissioner begins, the training is required to occur.

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Padua stated that the regular review of Rules and Regulations will occur during the special meeting.

This meeting is the last with the participation of CHAIR FAUL. CHAIR FAUL thanked the Commissioners and staff for the experience. Personal and career issues make continuing impossible at this time, however.

**7. Adjournment**

With no further business to conduct, CHAIR FAUL adjourned the meeting at 8:09 p.m.

Respectfully submitted,

Carolyn Garza, LLC  
Recording Secretary