



# MINUTES

## Special Joint Meeting

### PLANNING POLICY COMMISSION & DEVELOPMENT COMMISSION

6:30 p.m. - Thursday, May 12, 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.*

#### 1. Call to Order

The meeting was called to order at 6:30 p.m. by Vice Chair Voiss.

Planning Policy Commissioners Present:

Vice Chair Voiss, Commissioners Bader, Kim, Lewis, Milligan, and Monahan

Absence: None

Development Commission Members Present:

Chair Brennan, Vice Chair Price, Commissioners Dillon, Gilbert, Ikeda, Morgan, Sanford, and Silverman

Absence: Commissioner Shore (Excused)

Staff Present:

Minnie Dhaliwal, Director, CP&D  
Christen Leeson, Senior Planner, CP&D  
Stephen Padua, Long Range Planning Manager, CP&D  
Lucy Sloman, Land Development Manager

#### 2. Approval of Minutes

VICE CHAIR VOISS asked if there were any corrections to the Planning Policy Commission April 28, 2022 Minutes. COMMISSIONER MILLIGAN stated having an

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excused absence, rather than unexcused as listed. Chair VOISS stated that the corrected Minutes were approved.

VICE CHAIR VOISS stated that the meeting is the Public Hearing. Public comment would be taken following Commissioner questions after each topic, followed at the end of the meeting with General Public Comments. Emails received would be included in the record.

VICE CHAIR VOISS stated that Development Commission deliberations would be held at the end of presentations at this meeting and Planning Policy Commissioners will be asked to turn off video at those times. Planning Policy Commission deliberations would occur during a separate meeting in two weeks.

### 3. Public Hearing

#### a) Proposed Amendments to Title 18 Zoning and Uses, (D)

- Zones & Permitted Uses
- Specified Uses & Form and Intensity
- Subdivisions

*Presented by Christen Leeson, Senior Planner, Lucy Sloman, Land Development Manager, and Minnie Dhaliwal, Director*

**(00:07)** Leeson began the slide presentation and described changes.

**(00:17)** VICE CHAIR VOISS opened Commissioner clarifying questions from both the Planning Policy Commission and the Development Commission.

COMMISSIONER MILLIGAN asked for clarification regarding a map, page 19, in the packet and retail zone. Leeson replied that the map is Land Use Designation, an umbrella that includes retail. The map is not a zoning map. COMMISSIONER MILLIGAN asked what the zone in Issaquah Highlands would be for retail, and Leeson replied that UV Commercial and UV retail had been combined.

COMMISSIONER PRICE asked what the nature of footnotes mentioned in the presentation was, and where footnotes had been relocated to in the Permitted Uses table. Leeson replied that some footnotes referred to a section and were moved to that section for all information in one spot. Specified design standards were moved to specified use standards. VICE CHAIR PRICE asked if a link to another code section would be a hot link, and Leeson replied yes, when finalized and live.

COMMISSIONER LEWIS asked for clarification regarding an incomplete paragraph in the packet, page 24 of 30, and stated that Leeson could follow up after the meeting. COMMISSIONER LEWIS asked why the city has settled on 15% for the open space requirement in cluster housing. COMMISSIONER LEWIS asked if the number of days criteria for boutiques, yard sales had been brought over or if the criteria had been formed from internal debate, page 28. Leeson replied that the bulk had been brought over and the 15%

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number had been determined approximately 12 years ago. There has been no policy discussion and points have been clarified but not changed or added. COMMISSIONER LEWIS asked if the discussion were one that staff would like to have and Leeson replied that a white board has been started, and items from the Commission can be added. COMMISSIONER LEWIS stated that the Climate Action Plan and Open Space appear to be missing. Leeson replied that the purpose of cluster developments is to protect critical areas with smaller lots on a site. Sloman replied that the incomplete paragraph was most likely a clerical error. Sloman replied that regarding sales on page 28, a white board can be started to determine the appropriate number of sales to encourage reduce-reuse-recycle. There are instances where some residents will run fake garage sales to run businesses out of homes. To what degree a neighborhood would be comfortable tolerating sales is worth examining. COMMISSIONER LEWIS stated appreciating the explanation and that a white board can be started. COMMISSIONER LEWIS asked why Mineral Resource zones are not completely removed and banned. There is only one current use with Lakeside Industries and the Development Agreement will supersede any code. If there is a need in the future Mineral Resource zones can be re-opened, but at this time the city has no desire to continue the practices. Sloman replied that the Development Agreement is outside of the Mineral Resource zone and for the portion of the property that will be reclaimed over time as mining activities end. The portion of the property that continues to be used for mineral processing and other construction materials is outside of the Development Agreement. COMMISSIONER LEWIS asked if the area would be turned into multi-family homes when activity ceases and Sloman replied that the area under the Development Agreement will be a mixed-use neighborhood from Highlands Drive down the hill, but the valley floor close to Eastlake Sammamish Parkway continues to process and produce construction materials. The location promotes less driving to support construction activities in the community.

COMMISSIONER SANFORD asked in terms of process if questions regarding all substantive content in the packet were desired at this time from the Development Commission or if questions should be asked section by section. Leeson replied that while questions regarding all substantive content is desired, at this time only questions regarding Zones and Permitted Uses were being asked for. Sloman replied that policy issues have not been examined yet and new policy topics would not be a part of this discussion. COMMISSIONER SANFORD asked for clarification that the purpose at this meeting is for organization and eliminating redundancy and Sloman replied yes. COMMISSIONER SANFORD asked if Dwelling Unit (DU) values were maximum values, page five of 30, and Leeson replied yes. COMMISSIONER SANFORD asked that the word *maximum* be added. COMMISSIONER SANFORD asked if the word *currently*, which implies not in the future, should be recast, page 6 of 30 and Leeson replied these will be revisited in code. Sloman stated that the clarifications are important, but that these possibly could be emailed after the meeting rather than requiring responses at this meeting and COMMISSIONER SANFORD agreed. COMMISSIONER SANFORD asked for clarification regarding *no development capacity for any units*, page 7 of 30. Sloman replied access, a garage, a park, or open space. COMMISSIONER SANFORD asked for clarification that under D, *critical area recharge areas* refers to critical aquifer recharge areas, page 15 of 30, and Sloman replied yes. COMMISSIONER SANFORD stated a concern that intensive commercial and critical aquifer recharge areas overlap and difficulty finding prohibited uses.

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Leeson replied that the section of Critical Areas code is pointed to which provides which uses are not allowed. COMMISSIONER SANFORD stated only seeing *mineral* and a circular reference back to the table, and that expressing that only mineral extraction is not prohibited in critical aquifer recharge areas is important, for the record. Sloman replied that staff has tried to work within topic groups and consistency between buckets will come when the comprehensive draft is developed. Leeson replied that all permitted uses are listed in the Permitted Uses table. COMMISSIONER SANFORD asked for clarification that the difference between Village Residential (VR) and Urban Core is that Urban Core can include offices, page 16 of 30. Leeson replied that there is a difference in density and more detail can be focused on.

VICE CHAIR VOISS stated that there will be multiple presentations and the Development Commission will have an opportunity for wide deliberation at the end of the meeting with the Planning Policy Commissioner deliberation in two weeks, but at this time only clarification on changes made is the focus.

COMMISSIONER SANFORD stated that an email would be submitted to staff after the meeting regarding other questions. Leeson replied that staff can be called and met with in person.

COMMISSIONER MILLIGAN stated looking forward to hearing Development Commission deliberations and that different paginations in different Board packets can make following questions difficult. COMMISSIONER MILLIGAN asked for clarification regarding allowable density in cluster housing with critical areas, page 129 of 159. Leeson replied that maximum density cannot exceed what is allowed in the zone. COMMISSIONER MILLIGAN stated that the question was more regarding buildable area after critical areas are identified. Sloman replied that the density transfer was removed from critical areas. Dhaliwal replied correct, setbacks met and 15% of residential development must be open space. COMMISSIONER MILLIGAN asked where a requirement for affordable housing is listed, and Leeson replied that affordable housing has always been negotiated. COMMISSIONER MILLIGAN asked if standards for duplexes also apply in single-family neighborhoods and Leeson replied that duplexes are only allowed in single-family zones and in other areas by clustering. COMMISSIONER MILLIGAN asked for clarification that being consistent with neighboring homes is only applied to duplexes or if the standard applies in single-family neighborhoods as well. Sloman replied that the verbiage is an intent statement and applies to areas that do not have architectural standards. COMMISSIONER MILLIGAN asked if other areas with single-family have a similar requirement. Sloman replied that the statement would be new, creating consistency. COMMISSIONER MILLIGAN asked for clarification that the statement is not under single-family but only in the duplex section at this time and Sloman replied yes.

COMMISSIONER MORGAN asked why mineral extracting and asphalt, concrete mixing is included in Permitted Uses, page 4 of 22, and not in the mining Mineral zone that Lakeside includes. Sloman replied that the statement was carried over from existing code. COMMISSIONER MORGAN asked if the statement could be removed as a part of the process, and Sloman replied that the comment would be recorded from the Commission.

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COMMISSIONER MORGAN asked why detached single-dwelling units on individual lots are only in Urban Villages, also on page 4. Sloman replied that Issaquah Highlands and Talus have townhomes on individual lots while elsewhere in the city, there is one lot with two houses built as a duplex. The statement will be examined for consistency going forward. COMMISSIONER MORGAN asked if detached single-dwelling units could be expanded to other zones and Sloman replied that various documents had been carried forward for consistency and Urban Villages are being examined. Leeson replied that a grant has been secured to increase diversity of housing.

VICE CHAIR VOISS opened Public Comment. (00:55)

- Brooke Lang stated that two items have been submitted regarding property lines and Accessory Dwelling Units (ADU). Regarding property lines on the Lake Sammamish waterfront only, current Title 18 designates that a driveway is a front property line, making the side property line the front and the waterfront line the side property line. The proposal is that if the ingress-egress is a side property line, the property owner should have the ability to choose the other sides making the waterfront the rear line. There are problems in code in regard setbacks and waterfront being considered the side property. Regarding ADUs, a couple both receiving 24-hour nursing care require three bedrooms, for each care recipient and the nurse, ineffective within 1,000 square feet. The proposal is to change to 1,200 square feet for one level or the foundation 1,000 square feet for up to 1,800 square feet total for multi-level.
- Connie Marsh stated than an email had been submitted regarding community facilities. The Land Use table brings up questions, with no language on non-conforming uses or private facilities in public parks. Temporary uses such as a taco truck also could not be found. Having zoning standards in one space and Use standards in another space may be hard to follow and different re-organization and clustering would create easier use. A conversation regarding language to address the development of a building that does not fit in size within a neighborhood was a suggestion.
- Kyler Michaelson with Lakeside Industries stated that the Lakeside plant is zoned as Intensive Commercial. A written comment had also been submitted.

VICE CHAIR VOISS stated that emailed comments are included in Commissioner packets.

(01:07) Sloman continued the presentation with Zones and Form & Intensity.

(01:16) COMMISSIONER MILLIGAN began Commissioner questions, asking how Self-Storage facilities can be eliminated in Issaquah with language in code. Leeson replied that the number of employees to meet targets in Central Issaquah had been an issue discussed in 2016 and that staff would be available to talk more as the topic is a policy discussion.

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VICE CHAIR VOISS asked Commissioners to ask clarifying questions regarding changes in code in the interest of time. Another meeting can be scheduled if needed.

CHAIR BRENNAN asked for clarification regarding different Use standards reconciling in code. Sloman replied that some Specified Use standards are not about building design but rather operations. Self-Storage is predominantly about building design.

COMMISSIONER LEWIS asked for clarification regarding underground communications and electrical, the source of standards for all zones, page 16 of 18, Specified Use standards, point two. Sloman replied that all had been pulled over from existing language. COMMISSIONER LEWIS asked if language would be added regarding flood plains as well as other more updated language. Sloman replied that construction is permitted in the flood plain and standards need to be met. COMMISSIONER LEWIS clarified that confusion was concerning where burying can and cannot occur. Sloman replied that currently wires must be underground in general. Most equipment is not underground due to flooding vaults. COMMISSIONER LEWIS stated that comments by COMMISSIONER SANFORD were appreciated.

COMMISSIONER SANFORD asked about a redundancy in Utility Facilities, page 16 of 18. Sloman replied that a distinction was being made between unoccupied and community facilities such as pump stations, but language will be examined.

COMMISSIONER MORGAN asked if the word *recreational* is needed, and if *facilities* should be defined as either for sales or production, page 13 of 18, Recreational Cannabis Facilities. Sloman replied that language had been carried over from existing language. The term *recreational* may have been influenced by medical uses at the time. The standards apply to retail settings. COMMISSIONER MORGAN asked if the standards would apply to a growing facility and Leeson replied that there is a difference in permitted uses for retail and production. COMMISSIONER MORGAN asked if B5, a standard that states horticulture production, processing or delivery cannot be visible to the public, should be eliminated if growing is not allowed. COMMISSIONER MORGAN asked how native soil is defined, item C, page six of 24. Sloman replied that the definition would be researched. COMMISSIONER MORGAN asked if density is limited in F.A.R. ratios, page 17 of 24, and Sloman replied that the issue would be researched further.

COMMISSIONER LEWIS asked if Specified Standards for Adult Entertainment is complete or if feedback is needed. Sloman replied that language was carried over from existing code. COMMISSIONER LEWIS asked about modes of nudity not listed such as maternity and artistic. Sloman asked COMMISSIONER LEWIS to send an email to staff with the questions. Leeson replied that 1999 State Law had been used to formulate the initial standards and staff would check for updates.

VICE CHAIR VOISS opened Public Comment (01:33)

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- Connie Marsh stated having very few comments regarding Form and Intensity other than impervious surface ratio not being firmly set due to landscaping and tree preservation. The change is better than previous, however. Marsh asked if deviations approved by staff would have a process or separate section in code.

(01:36) Dhaliwal presented the last topic, Subdivisions.

(01:52) VICE CHAIR VOISS opened Commissioner clarifying questions and reminded the Commissioners that the Development Commission could discuss deliberative questions afterwards, and Planning Policy Commission at the meeting in two weeks.

VICE CHAIR PRICE asked if there is a scenario where a short plat limit is increased but not subject to SEPA. Dhaliwal replied that SEPA is issued first followed by the planning process. The thresholds are independent.

COMMISSIONER DILLON asked if there are guidelines or restrictions on lot size or just a number. Dhaliwal replied just a number based on State Law.

(01:55) VICE CHAIR VOISS opened Public Comment.

- Connie Marsh stated that the chapter could be reduced by making general overarching requirements and specific language that is different in subdivision areas. There should be a process chapter separately. A 250-foot lot would be okay in certain areas but not in all areas across Issaquah. The term *zero lot line* is confusing. Bringing the Golden Outcome Chart into discussions would be helpful.

(01:58) VICE CHAIR VOISS closed the public hearing and thanked everyone who made public comments, a vital part of the process.

VICE CHAIR VOISS asked the Planning Policy Commissioners to turn cameras off and turned the meeting to CHAIR BRENNAN for Development Commission deliberations.

(02:00) CHAIR BRENNAN stated that topics would be addressed independently for organization. The first topic was Zones and Permitted Uses.

COMMISSIONER MORGAN stated that staff would need to clarify the zoning map of Lakeside Industries and other properties not a part of Lakeside Industries. Mineral extraction and asphalt operations should not be allowed on the properties that are not a part of the specific Lakeside Industries operations. Single-family developments on individual lots should be examined to be allowed in areas other than Urban Villages due to housing shortages as the more options available will be better.

COMMISSIONER SANFORD suggested that the key to zone abbreviations still be available in the footer of the Permitted Use table. Cross referencing and hyperlinking are the most useful tools for usability. The order of the table is difficult to decode, and COMMISSIONER

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SANFORD asked if Alpha organization for both headings and rows could be used. Regarding the Residential, Commercial and Receptions table and Community and Resource table, References of see *also* to the second table should be made in the first table.

COMMISSIONER MORGAN stated that in Permitted Uses, page 15 of 22, if a reference to cannabis processing should be to cannabis sales. Leeson replied that after checking, processing is allowed in the Intense Commercial (IC) zone.

CHAIR BRENNAN stated that the Permitted Use table is an effective and consolidated way to communicate and organize. Hyperlinking and clear references are important.

COMMISSIONER IKEDA stated sharing the concern of COMMISSIONER SANFORD regarding coordination of buckets of information, a massive task. COMMISSIONER IKEDA asked if there are exceptions to cluster or single-family uses. CHAIR BRENNAN replied that staff would work on the comments.

**(02:09)** CHAIR BRENNAN asked for deliberation regarding the next section, Specified Uses and Form and Intensity.

COMMISSIONER MORGAN stated that Central Issaquah should be looked to as the standard for roofline variations, page 4 of 18. COMMISSIONER MORGAN asked staff to clarify native retention areas from a practical standpoint in Form and Intensity, page 6 of 24, and changes to "NA" versus F.A.R., Table 18.404.100.

COMMISSIONER SANFORD stated that there is a table regarding allowances for additional heights which does not appear to be a matrix and asked if a different organization could be used, page 9 of 24. COMMISSIONER BRENNAN replied that the great comments regarding code language could be emailed directly to staff as the level of specificity may be difficult to move through at this time.

COMMISSIONER GILBERT stated not seeing permeable paving exceptions that might need to be added to encourage sustainable building and water run-off solutions.

COMMISSIONER DILLON stated agreement with COMMISSIONER GILBERT, perhaps linking with Stormwater code. CHAIR BRENNAN stated changes to code are outside of the scope of the Title 18 update. Substantive change ideas are valuable and can be added to a whiteboard, however.

COMMISSIONER MORGAN stated that staff has generally considered permeable pavement to be impervious surface but a very good question from COMMISSIONER GILBERT.

**(02:18)** CHAIR BRENNAN asked for deliberation regarding the questions from the Subdivision presentation beginning with question one.

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COMMISSIONER DILLON stated that the character of residential neighborhoods is different in various parts of the city, and that connections and cul-de-sacs may not fit well into certain neighborhoods. Consideration should be given to how the requirements will fit into different types of neighborhoods.

COMMISSIONER MORGAN stated agreement with COMMISSIONER DILLON and asked why there is a requirement to buffer other properties from single-family, Preliminary Plat, second item C3.

COMMISSIONER SANFORD asked staff, regarding the comment of COMMISSIONER DILLON, if there were requirements in the overlay section that would override the requirements of concern.

CHAIR BRENNAN stated appreciating the comment of COMMISSIONER DILLON and that not being overly prescriptive will help with topographic differences and integration with existing neighborhoods being connected into. A public facing frontage for single-family homes is appreciated but may not work in all areas.

**(02:22)** CHAIR BRENNAN proceeded to question two.

CHAIR BRENNAN stated that zero lot line development for townhomes is useful and allows for homeownership in that form of development, owning the property as well as the building. Adding to code is a benefit to create accessible housing.

**(02:23)** CHAIR BRENNAN proceeded to question three.

CHAIR BRENNAN stated that open spaces are important for livability. Applying the same standard to all may not make sense and should be looked at.

COMMISSIONER DILLON stated agreement with CHAIR BRENNAN that there should be some difference in the standard, possibly a scaling factor based on lot size and number of residences. The expectations of the type of development and opportunities for open space will vary.

VICE CHAIR PRICE stated that the comment had been captured.

COMMISSIONER MORGAN stated agreement.

**(02:26)** CHAIR BRENNAN proceeded to question four.

COMMISSIONER MORGAN stated that change at the State level should be followed, increasing to nine. The more that can be done in the process to have new homes better built will be positive.

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VICE CHAIR PRICE stated agreement that there needs to be flexibility for developers for viable homes for consumers, more density allowed.

COMMISSIONER DILLON stated that a size threshold might need to be established, for a large lot being subdivided with a larger environmental impact.

CHAIR BRENNAN stated that SEPA, minimum lot size and impervious surface codes still apply and being confident that staff level reviews will provide the appropriate controls.

**(02:30)** CHAIR BRENNAN proceeded to the last question.

Dhaliwal stated that the goal was staff-driven and not from city Council.

CHAIR BRENNAN stated that interface is important and needs to align with whatever is adjacent to a property.

COMMISSIONER SANFORD stated that there is still a lot of intent and purpose language in the body of requirements. Chapters should be structured, and guidance language could be made at the top. Discourage language would then become more prominent.

VICE CHAIR PRICE stated that developers and not individual homeowners will need the guidance for quality and performance.

CHAIR BRENNAN stated appreciating the challenge of the work, opening the door for even more policy questions. There will still be parts found needing to be cleaned-up after implementation.

**(02:39)** VICE CHAIR VOISS and the Planning Policy Commissioners re-joined the meeting and allowed the Development Commission to exit.

**4. Regular Business **(02:41)****  
**a) Officer Nominations**

COMMISSIONER MONAHAN nominated Jason Voiss for CHAIR.

COMMISSIONER MILLIGAN nominated Matt Monahan for VICE CHAIR.

CHAIR VOISS and VICE CHAIR MONAHAN accepted the nominations.

**5. Public Comments (General)**

Padua stated that there were no raised hands to speak.

**6. Reports**  
**a) Council Update**

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*Presented by Stephen Padua, Long Range Planning Manager*

Padua stated that city Council has reviewed the next recommendations. Dhaliwal stated that there were some items staff were asked to continue to review for the second draft.

**7. Other Business/Announcements**  
**a) Upcoming Schedule**

Padua stated Commissioners will be contacted shortly regarding a Special Meeting for annual training.

Padua stated that the Planning Policy Commission will move back to hybrid and in-person meetings beginning June 9, 2022. The level of participation will be discussed at the Special Meeting.

COMMISSIONER MILLIGAN asked if governing documents, rules, and regulations would be discussed, and Padua replied that any changes to consider can be discussed at the Special Meeting.

CHAIR VOISS stated looking forward to meeting many of the Commissioners for the first time at in-person meetings and welcomed COMMISSIONER KIM to the Commission.

**8. Adjournment**

With no further business to conduct, CHAIR VOISS adjourned the meeting at 9:19 p.m.

Respectfully submitted,

Carolyn Garza, LLC  
Recording Secretary