



MINUTES

PLANNING POLICY COMMISSION 6:30 p.m. – Thursday, March 14, 2024

1. Call to Order

The hybrid meeting was called to order at 6:35 p.m. by VICE-CHAIR BADER.

Commissioners Present: Vice-Chair Bader, Commissioners Altimore, Esemuede, Kennedy, Krass, Milligan, and Patterson

Absent: Chair Voiss (Excused)

Staff Present: Christen Leeson, Senior Planner
Valerie Porter, Associate Planner

2. Approval of Minutes

- There being no corrections or comments, the Minutes of January 11, 2024 were approved.
- There being no corrections or comments, the Minutes of January 25, 2024 were approved.

3. Public Comments (General)

There were no requests to speak.

4. Regular Business

- a) **House Bill 1220: Emergency Shelters and Supportive Housing (D) (00:01)**
Presented by:
Christen Leeson, Senior Planner

Leeson presented the Emergency Shelters topic.

COMMISSIONER KRASS asked if there is a shortage of Shelter areas. Leeson replied that the state requires that shelters be allowed in zones where hotels are allowed, and the proposal is to also allow at religious and public facilities which are frequently located in single-family zones.

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COMMISSIONER ESEMUEDE stated that there are not many hotel zone areas and understanding that the proposal is to provide more areas.

COMMISSIONER MILLIGAN asked for clarification regarding allowed zones. Leeson replied only in an existing church or existing public facility such as City Hall; no new facilities would be created. COMMISSIONER MILLIGAN asked if *existing* means that a new church could not take on an emergency shelter use, and Leeson replied existing at the time of the emergency.

COMMISSIONER PATTERSON asked for clarification regarding the half-mile spacing. Leeson replied that measurements need to be confirmed, and that the reason for a specific distance would be researched. COMMISSIONER PATTERSON asked how permitting would work in an emergency situation. Leeson replied that in the event of an emergency, the permitting process would not be required.

COMMISSIONER KENNEDY asked if there is a comprehensive list of public or religious spaces. Leeson replied yes, and that Human Services is working with religious facilities. COMMISSIONER KENNEDY asked if the buildings would need to have been built specifically for religious purposes and not services held once a week in a private facility. Leeson replied that language can clarify that the primary use must be a religious facility.

COMMISSIONER KRASS asked if a city map could be created with pinpointed locations of facilities indicated rather than color blocked zones for clarity. Leeson replied yes, and stated that there could be a flooding situation, in example, which would require that Shelter areas not be limited. COMMISSIONER KRASS stated not intending to limit, but that the public may interpret the current map as allowed everywhere.

COMMISSIONER ESEMUEDE stated that the half-mile spacing was approximate and could be more or less, depending on geography. Leeson replied that the spacing would be researched.

VICE-CHAIR BADER asked for clarification regarding the term *emergency* in terms of natural disasters or individual personal emergencies including excessive heat or domestic violence. Leeson replied temporary facilities for emergencies, and that emergency housing would be more of a domestic violence situation.

COMMISSIONER KENNEDY asked what previous code allowed Porchlight as an emergency shelter in Issaquah. Leeson replied that the location was on faith community land. COMMISSIONER KENNEDY stated that ownership of the property should be specified as opposed to primary use. The proposal is regarding temporary emergency shelters.

COMMISSIONER MILLIGAN asked if the category includes individuals seeking shelter for a personal emergency, and Leeson replied no, that that situation will fall under emergency housing. COMMISSIONER MILLIGAN asked for clarification regarding proportionality and the number 50 per facility. Leeson replied that Bellevue uses 100 per facility, and that the number 50 is based on experiences in the past.

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COMMISSIONER PATTERSON asked about a possible contradiction between a) temporary use permits for Emergency Shelter and d) not being required in an emergency. Leeson replied that the permitting issue will be clarified.

COMMISSIONER KENNEDY asked if schools are included and Leeson replied no, but they could be. The Commissioners agreed that schools should be included. COMMISSIONER KENNEDY stated that large common areas and kitchens exist in the schools.

COMMISSIONER ESEMUEDE asked if someone losing their home would be considered an emergency for shelter in a school, and Leeson replied no, the situation would fall under emergency or transitional housing and not temporary emergency shelters. A heat wave could be a state of emergency for homeless, but a school would not be used during the school year. VICE-CHAIR BADER stated that the state of emergency could also be for people who are not specifically homeless but in homes without air conditioning, and Leeson replied that the language would be clarified.

COMMISSIONER PATTERSON asked for clarification regarding the terms *No Overnight* and *Emergency Housing*. Leeson replied that specific day shelters and warming centers only can also be included.

COMMISSIONER KENNEDY asked for clarification regarding staffing at shelters that are public or shared spaces. Leeson replied that an operational plan will be required. Details for a mass evacuation situation still needs to be worked on.

COMMISSIONER ALTIMORE asked if emergency housing and emergency shelters are from state law or Issaquah code, and Leeson replied state and that further clarification is needed from the state.

COMMISSIONER MILLIGAN stated that a definition could be added that both currently homeless and others in need of shelter are included, and asked if the emergency would be a technically declared state of emergency. Leeson replied that code specifies a declared local, county or state emergency. COMMISSIONER MILLIGAN asked for clarification that because a use is allowed in a location does not mean that the location is a shelter. Leeson replied correct, allowed. COMMISSIONER MILLIGAN asked for clarification that if a state of emergency is declared, a school is not necessarily an emergency shelter. Leeson replied that Human Services staff are working with facilities for agreements and agreements will need to be in place.

Leeson continued with the Supportive Housing topic. (00:27)

COMMISSIONER KRASS asked how the two-year transitional time limit was arrived at. Leeson replied the state, and that two years is typically what is offered and how long the process usually takes. COMMISSIONER ALTIMORE replied that the two-year period is a Housing and Urban Development (HUD) stipulation. COMMISSIONER KRASS asked how the number of residents, 100, was arrived at. Leeson replied that 100 residents number is what most cities have used. COMMISSIONER KRASS asked for clarification regarding code of conduct, and specifically if no illegal drug use allowed could be specified. Leeson replied that screening of incoming residents is allowed by facilities. COMMISSIONER KRASS asked if a person could be removed

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from a facility for using illegal drugs and Leeson replied yes. COMMISSIONER ALTIMORE replied that for transitional housing there is a lease, under the Fair Housing and Landlord Tenant Act, and the lease cannot supersede Landlord Tenant law; if the facility is not a designated Sober Living facility, someone cannot be removed for illegal drug use. COMMISSIONER KRASS if drugs are allowed in a Motel Six and COMMISSIONER ALTIMORE replied that a person can be removed for drug use in a nightly situation, but for multiple nights with an assumed living tenancy agreement, real or assumed lease, the landlord would need to use an eviction process. COMMISSIONER KRASS asked for clarification that if a person stays for more than one night at a Motel Six, they are considered a tenant and would require an eviction process to be removed and COMMISSIONER ALTIMORE replied by describing a past situation of a squatter in a storage unit, and that if there is assumed tenancy, the court must be involved and ultimately the City Attorney. COMMISSIONER KRASS asked if the situation is theoretical or if the situation has been an issue at Motel Six and Leeson replied not being aware of an issue. COMMISSIONER ALTIMORE replied that the situation would have little to do with city regulations, and that Landlord Tenant law is state law with little leeway.

COMMISSIONER MILLIGAN asked if there could be a property-wide rule that illegal drug use is not allowed on this property and if caught the eviction process will begin. COMMISSIONER ALTIMORE replied that in theory, yes, but the courts must be involved. COMMISSIONER MILLIGAN stated trying to address possible public concerns, and asked if there is a limit on how many unrelated people can live in a unit and Leeson replied not anymore. COMMISSIONER MILLIGAN asked for clarification that, based on the presentation, there is a limit in Urban Core but no limit in residential areas, and Leeson replied yes. COMMISSIONER MILLIGAN stated that the state needs to be made aware of some problematic issues despite best intentions. COMMISSIONER ALTIMORE stated that most funding sources come with occupancy limits such as Section Eight to avoid unsafe living situations. Leeson replied that public safety laws must be abided by and that A Regional Coalition for Housing (ARCH) also has conditions for funding.

COMMISSIONER PATTERSON asked for clarification regarding requirements for the Operational Plan. Leeson replied that the state does not mandate requirements and legal issues are possible. COMMISSIONER ALTIMORE stated that requirements generally come with service funding and not through code.

VICE-CHAIR BADER asked if definitions can be slightly edited, and Leeson replied yes, as long as the intent is not edited. VICE-CHAIR BADER suggested an edit to Transitional Housing, using the term *People experiencing homelessness* rather than *Homeless Persons*. COMMISSIONER ALTIMORE stated that the HUD definition is clearer than state intent.

Leeson concluded the presentation.

5. Reports

a) Council Update (00:44)

Leeson stated that the Pioneer Program went to the Council of the Whole in early March, 2024 and will again on March 18, 2024 for Council Action.

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6. Other Business/Announcements

a) **Upcoming Schedule**

Leeson stated that there were no calendar updates.

Leeson introduced the new Planning Intern, Danielle **Sloney**.

COMMISSIONER MILLIGAN stated that the April 2024 issue of Dwell Magazine features a story regarding a shelter at Eastgate and the built environment.

7. Adjournment

VICE-CHAIR BADER adjourned the meeting at 7:22 p.m.

Respectfully submitted,

Carolyn Garza, LLC
Recording Secretary