



MINUTES

PLANNING POLICY COMMISSION 6:30 p.m. - Thursday, March 28, 2024

1. Call to Order

The hybrid meeting was called to order at 6:33 p.m. by CHAIR VOISS.

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

Absent: Commissioner Kennedy (Excused)

Staff Present: Christen Leeson, Senior Planner
Stephen Padua, Long Range Planning Manager

2. Approval of Minutes

- Regarding the Minutes of March 14, 2024, Vice-Chair Bader stated that a comment on page three of five regarding school included attributed to Vice-Chair Bader should be attributed to Commissioner Kennedy. There being no further corrections or comments, the Minutes of March 14, 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 second review.

CHAIR VOISS asked if the number of units are being mandated by the state, and Leeson replied no, rather a target provided by the county. CHAIR VOISS asked what entities will be in charge of oversight and Leeson replied the organizations such as PorchLight. CHAIR VOISS

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asked for clarification that funding would not come from the city general fund and Leeson replied no, but funds are given to the A Regional Coalition for Housing (ARCH) general fund, and those funds go toward funding projects. COMMISSIONER ALTIMORE replied that the target number of units is 30% and below, but not necessarily targeted to people experiencing homelessness. CHAIR VOISS asked if a comparison could be a half-way home, and COMMISSIONER ALTIMORE replied that congregate living with services would be more of a shelter situation.

COMMISSIONER MILLIGAN stated that confusion regarding the Use Table is resolved, asked if *short term* is defined under Definitions for Emergency Housing, and for clarification regarding the phrase *may fall under tenant law*. Leeson replied that as Emergency Housing is not a shelter, agreements can be required that would fall under state tenant law. *Short term* will be defined. COMMISSIONER MILLIGAN asked for clarification that a concern regarding landlord tenant law is the difficulty in evicting someone who is not following an agreement. CHAIR VOISS replied that squatters are a national story at this time. COMMISSIONER ALTIMORE replied that the landlord tenant law does not apply to a night shelter, but to a room or apartment with a key and lock, and that decisions are not by the operator but by state law. COMMISSIONER KRASS stated that if rules cannot be changed, then the only discussion is where emergency housing will be located. Leeson replied that day shelters and night shelters are required to be allowed where hotels are allowed and that the city is requiring the shelters to be at least half-mile apart, while state law requires that emergency housing be allowed where hotels are allowed and wherever any residential uses are allowed. CHAIR VOISS asked which entity is responsible for the code of conduct and Leeson replied the operator of the facility, required if receiving federal or state funding. CHAIR VOISS asked if the city has power within the permit process and Leeson replied that some cities have adopted regulations regarding what should be included in operational plans but Issaquah has opted not to due to liability.

COMMISSIONER MILLIGAN asked for clarification that a person in emergency housing who has the opportunity to stay more than one night is under a lease or under tenant law, and asked if *short term* is one night to avoid tenant law that would restrict the ability of the operating agreement to be enforced. Leeson replied no, as the purpose of having emergency housing would be defeated. COMMISSIONER MILLIGAN stated that providing safe, protective housing is difficult if someone is making the situation unsafe for others. COMMISSIONER ALTIMORE stated that landlord tenant law cannot be undermined or overridden in any way, code is only one piece, and public funding adds more rules; regarding a one-night stay, the person would need to completely remove their items each day. The city attorney determines if the police are able to remove a person in night shelters. COMMISSIONER ESEMUDE stated that both *short term* and *code of conduct* need to be defined. Leeson replied that a required operational plan must include a code of conduct. COMMISSIONER KRASS stated that codes of conduct are unenforceable because of landlord tenant law. VICE-CHAIR BADER stated that there is potential to provide an essential service and there will be individuals who are using illegal drugs, but as there are in any apartment building across the city; essential services should not be limited. CHAIR VOISS stated that non-profit organizations build out regularly

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and while agreeing with VICE-CHAIR BADER, there is transitional housing that is not working well.

VICE-CHAIR BADER asked for clarification regarding services. Leeson replied that homelessness has grown and the need was not seen in smaller communities previously. COMMISSIONER ALTIMORE stated that there are several properties built with tax credit funding, and in order to acquire points a certain number of units needed to be targeted for people exiting homelessness, not permanent supportive housing but permanent housing with services which does not fall under HB 1220. VICE-CHAIR BADER asked if ARCH maintains a waiting list, and Leeson replied only for rental and for sale units. COMMISSIONER ALTIMORE replied that many providers must process through Coordinated Entry for All.

COMMISSIONER MILLIGAN asked for clarification regarding verbiage and Life Enrichment Options (LEO). Leeson replied that LEO does not fall under Permanent Supportive Housing but will be in addition. VICE-CHAIR BADER stated appreciation for a disability definition. COMMISSIONER ALTIMORE stated that placement of words made a difference.

COMMISSIONER MILLIGAN asked if there was a regulation that would assure that a facility fits into the neighborhood being located in. Leeson replied that there are single-family residential standards that a building would be required to adhere to. COMMISSIONER MILLIGAN asked if there is maximum allowed parking in a residential zone and Leeson replied that the issue would be researched. COMMISSIONER MILLIGAN asked for the maximum capacity of a building with an unlimited allowed number of residents in a residential zone, considering narrow streets, septic systems and sewers in example. Leeson replied that regarding the parking question, upon checking code, there is a maximum of two off-street parking spaces

COMMISSIONER MILLIGAN stated that there is a responsibility to make neighborhoods safe and transit-friendly, but that the state is not giving Issaquah the tools to achieve; also frustrating is that emergency housing will be allowed throughout the city but not necessarily near other facilities that would make them successful. CHAIR VOISS stated support for the comments by COMMISSIONER MILLIGAN. COMMISSIONER ALTIMORE stated having operated emergency housing for thirty years and that there have not been safety issues that do not occur in any residential zone and they do not stand out. Placement is difficult sometimes because of a belief in how they operate as opposed to knowledge of how they operate.

COMMISSIONER ESEMUEDE stated that there is a responsibility of the city to take care of Issaquah residents.

COMMISSIONER ALTIMORE stated that there have been changes in funding structures of programs serving the homeless, and a time limit on a shelter has sometimes been taken away; transitional housing is limited to 24 months but some shelters under funding structures cannot have a specific time limit. The definition of *short term* could be difficult at a city level. If a definition is made, the definition may not work within the larger structures of the systems of programs serving the homeless.

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Leeson stated that technical difficulties were being experienced. (00:44)

b) **Comprehensive Plan: Draft Housing Element Revised Policies (D)** (00:45)

Presented by:

Christen Leeson, Senior Planner

Leeson began the presentation.

COMMISSIONER MILLIGAN asked for clarification regarding racial disparities and middle housing options. Leeson replied that regarding racial disparities, people of different income levels and cultures will be able to purchase homes in single-family neighborhoods where they might not have been able to previously. COMMISSIONER MILLIGAN stated that the wording suggests smaller houses will bring different races in, a stereotype. There is an assumption in the change that middle housing is affordable. Leeson stated agreement. COMMISSIONER ESEMUEDE stated that affordability is being addressed and that the language *race* and *low income* is discriminatory. Leeson stated that the language was used to address a comment made, but asked if the policy as written is good. COMMISSIONER ESEMUEDE stated that affordability and racial disparity should be addressed separately. Leeson replied that affordability is addressed in code, and that HB 1110 addresses middle housing, and racial disparity is addressed in other policies. COMMISSIONER PATTERSON stated that the comment being addressed came in two parts: from Commerce on the middle housing piece and from Leland Consulting on the racial disparity piece. Leeson replied that the two pieces can be separated. COMMISSIONER ESEMUEDE stated that seeing language elsewhere would be helpful for discussion. COMMISSIONER ALTIMORE stated that the change addresses racial disparities by not having requirements for specific housing types, previously used to segregate neighborhoods. VICE-CHAIR BADER stated that there is history behind the language that can cause harm and that the new language is good. Leeson replied that specificity had been removed.

Leeson concluded the presentation.

COMMISSIONER MILLIGAN stated appreciating the revision regarding neighborhood character.

COMMISSIONER PATTERSON asked if Remote Digitized Inspection (RDI) policy evaluation has been applied, and Leeson replied that the consultant has reviewed the evaluation but staff has not. COMMISSIONER PATTERSON asked for clarification that there may be slight changes in policy based on the feedback and Leeson replied yes. COMMISSIONER PATTERSON asked if Growth Management Act (GMA) goals will not be included in the next draft and Leeson replied correct but that the goals are followed. Padua replied that not much will change as the state had identified issues previously.

VICE-CHAIR BADER stated that there are policies in the RDI highlighted as challenging equity and these should be examined carefully.

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CHAIR VOISS stated that in addition to residents, comments are from consultants in Portland, Oregon not from Issaquah, and some points could be omitted; the hard work by staff was appreciated. Leeson replied that points that are questionable should be emailed to staff. CHAIR VOISS stated that residents may feel that changing zoning to allow everything would eliminate a small-town feel.

VICE-CHAIR BADER asked for clarification regarding the RDI, and Leeson replied that the document will be an appendix to the Comprehensive Plan. VICE-CHAIR BADER stated that some language could be changed, and Leeson replied that issues can be emailed to staff.

5. Reports

a) Council Update (01:09)

Padua stated that an event will be held on May 1, 2024 with ARCH offices, Housing 101, for elected officials and Commissioners. The Comprehensive Plan docket and Pioneer Program were approved on March 18, 2024 by Council, and a light rail planning document has been developed.

COMMISSIONER KRASS stated having attended the March 18, 2024 Council meeting, and that the groups that moved the Pioneer Program forward in discussion were praised.

COMMISSIONER MILLIGAN asked if there was any significant change to the Pioneer Program in final adoption, and Padua replied yes, that the final program will offer both 10% at 80% AMI and 8% at 60% AMI as options for developers, and two-year changed to three-year timeline for construction.

6. Other Business/Announcements

a) Upcoming Schedule

There was no further business.

7. Adjournment

CHAIR VOISS adjourned the meeting at 7:45 p.m.

Respectfully submitted,

Carolyn Garza, LLC
Recording Secretary