



## MINUTES

### PLANNING POLICY COMMISSION 6:30 p.m. – Thursday, October 24, 2024

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#### 1. Call to Order

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

Commissioners Present: Chair Voiss, Vice-Chair Bader, Commissioners Krass, Patterson, and Zakharoff

Absent: Commissioner Kennedy (Excused)

Staff Present: Minnie Dhaliwal, Director, Community P & D  
Amanda Jackson, Meeting & Records Assistant  
Christen Leeson, Senior Planner  
Madelyn Nelson, Planning Intern  
Stephen Padua, Long Range Planning Manager  
Valerie Porter, Associate Planner

CHAIR VOISS thanked staff for organizing and conducting a tour of middle-housing throughout Issaquah.

#### 2. Public Comments (General)

There were no requests to speak.

#### 4. Regular Business (00:01)

- a) **Title 18 Code Update: Bees & Pollinators (D)**  
*Presented by Madelyn Nelson, Planning Intern*

Nelson gave the presentation.

COMMISSIONER KRASS asked how many properties currently have beehives. Nelson replied not having a figure, but that these are registered with the State and Washington Department of Agriculture. COMMISSIONER KRASS asked for clarification regarding how complaints and mitigation are handled. Nelson replied that officials can be called from the Department of Agriculture and a beehive can be abated. The responsibility is on the property

## 10-24-24 Planning Policy Commission Meeting Minutes

owner to maintain the hive including behavior.

VICE-CHAIR BADER asked if a hive is a box, and Nelson replied that code requires that hives be kept in a small movable frame. VICE-CHAIR BADER asked how many bees would be in one beehive, and Nelson replied approximately 20,000 to 50,000, up to 80,000 in a significant hive.

COMMISSIONER KRASS asked for clarification that one box is one hive and Nelson replied yes.

CHAIR VOISS asked why Issaquah would re-queen annually rather than bi-annually. Nelson replied that the question would be best asked of an expert, but that reducing aggression that could develop among bees may be the reason. CHAIR VOISS stated that older code comparatively had been more lenient.

CHAIR VOISS asked for clarification that a violation would come before abatement, a disciplinary process in code. Nelson replied that staff would explore a graduated system. Padua replied that complying with regulations would be a factor.

COMMISSIONER KRASS stated that there are two types of violation; one being that regulations are not being complied with, and the other that regulations have been followed but the bees are aggressive, and asked how mitigation would occur in the latter situation. Padua replied that there is guidance available regarding managing swarms and other threatening situations.

VICE-CHAIR BADER asked if the Department of Agriculture has recommendations for bees, and Nelson replied that the question would be researched.

CHAIR VOISS stated appreciating the new regulations that build on older regulations and asked if the number of hives is based on zoning or the size of the lot. Nelson replied based on the size of the lot.

VICE-CHAIR BADER asked if bee regulations apply to only residential or also commercial and Nelson replied that in code, there is no written difference or distinction; all uses regarding bees, an accessory use.

COMMISSIONER KRASS asked if there could be follow-up on current numbers, and that research into past complaints would be helpful. Padua replied that only two complaints regarding beekeeping in Issaquah have been reviewed, and these were actually inquiries as to if a neighbor actually can have bees in their backyard.

COMMISSIONER ZAKHAROFF asked to expand on the question of COMMISSIONER KRASS, The current number of bees broken down into different types and sizes of properties, and if there is any problem currently.

## 10-24-24 Planning Policy Commission Meeting Minutes

CHAIR VOISS stated agreement that research into the history of bees in Issaquah to inform hive limits will be helpful, and that signage is a plus for those allergic to bees.

COMMISSIONER PATTERSON stated that the signage requirement is for one sign, but that one as a minimum on larger properties should be added.

CHAIR VOISS asked if fencing is included, primarily to protect people and not the bees. Nelson replied that bee behavior research has concluded that adjusting the entrance of a hive can impact paths, and bees do respond to obstacles in that regard. When a bee leaves the hive, it travels in a straight line, and other city codes have requirements that a hive entrance must face away from property lines.

- b) **Title 18 Code Update: Middle Housing and Accessory Dwelling Units (ADU) (D)**  
**(00:24)**  
*Presented by Valerie Porter, Associate Planner*

Porter gave the presentation.

Porter asked for questions regarding lot density.

COMMISSIONER KRASS asked how involved obtaining a site development permit level one is. Porter replied that a separate permit from conceptual construction drawings would be submitted to staff. Staff would take six to eight weeks to review and then issue a decision. The scope of work would determine if the process is simple or complex as critical areas and consultants are a part of the land use review. COMMISSIONER KRASS asked if there is a risk of a large complex being built, as going directly to the building permit process is without site development. Porter replied that staff regulates the levels of review by building square footage, and that there could be a combination of reviews. COMMISSIONER KRASS asked for clarification regarding a duplex versus a six-plex and Porter replied that review is the same to apply code, but that including the Development Commission will bring a better review; a reply can be brought back after speaking with building officials for further details. Dhaliwal replied that there is no public notice in the processes for building permits or site development one. VICE-CHAIR BADER asked why sixplexes were being discussed, having the understanding that middle housing does not include. Porter replied that state regulations clearly define middle housing as building types of two sixplexes. Four is a density requirement unless zoning allows for more. Most single-family zone lots will not trigger a six-plex because of size, more likely two or four if affordable housing is chosen. VICE-CHAIR BADER stated that there may be a loophole in the process.

CHAIR VOISS stated not believing that building of many sixplexes is unlikely, but that the state will need to address this in the future and suggested that Issaquah add regulation for review triggers to fourplexes and up. Requirements must be the same across the board. Porter replied that if a detached single-family home is to be built, there would need to go through a land use process and asked if an individual homeowner should be required to obtain a second permit where today only one is required. COMMISSIONER KRASS stated that when

## 10-24-24 Planning Policy Commission Meeting Minutes

beyond the size of a duplex, the sizes become progressively more concerning, and less rather than more foresight going in would be uncomfortable for the community. CHAIR VOISS asked for clarification that what is being discussed is single-family lots that can built on up to a six-plex, one size fits all. COMMISSIONER ZAKHAROFF asked if a single-family lot owner building a massive home on the lot would be required to do site development, and Porter replied no, exempt regardless of square footage, only required to follow heights, setbacks, and lot coverage as presented. COMMISSIONER ZAKHAROFF asked for clarification that an entire extended family could live there, and Porter replied correct.

Padua asked Commissioners if a concern is the size of a development or the number of units and potential owners on the same lot. COMMISSIONER KRASS stated that someone building a six-unit development will be a professional builder building for profit, and if there is only a single-family lot review, asked what would be potentially lost; and in response to the question of Padua, that the number of units is of more concern, multiple separate entities. COMMISSIONER ZAKHAROFF stated that the issue is making sure that builders have reviews protecting homeowners or potential homeowners. CHAIR VOISS stated that the point of the House Bills is to encourage developers to utilize land in the best ways possible, and in response to the question of Padua, the concern is the amount of people, cars and parking.

COMMISSIONER KRASS clarified the previous question, what is the difference of review for larger properties if treated as single-family versus how the properties are treated now. Dhaliwal replied that Issaquah is a tier two city which must allow duplexes, and up to fourplexes if affordable housing or next to a transit stop. Porter replied that maximum density can remain low, but the six-plex housing type must be allowed but only where density allows.

CHAIR VOISS stated that if Issaquah would build fourplexes and less, then striking the site development permit would be okay.

VICE-CHAIR BADER asked if critical area studies are still required in the building permit process, and Porter replied yes. VICE-CHAIR BADER asked if the rest of code is sufficient to protect from the consequences being discussed. Porter replied that other considerations still include impervious surface, trees, and utilities.

COMMISSIONER KRASS asked for more clarification regarding the difference in reviews and Porter replied that the details will be brought back to the Commission.

COMMISSIONER PATTERSON asked if existing multi-family developments currently two to six units would be re-classified as middle-housing, Porter replied that depending on what the proposed change is, the project would be looked at through the middle-housing lens.

Porter stated that question number two, if middle-housing should be exempt from the land use process and require a site development permit, would be skipped at this time, until the information from the previous topic is researched and brought back.

## 10-24-24 Planning Policy Commission Meeting Minutes

Porter asked question number three, should middle-housing projects be exempt from constructing frontage improvements (curb, gutter, drainage, street illumination, and landscaping) when constructing a building on an existing lot.

COMMISSIONER ZAKHAROFF asked if frontage improvements are not required of a single-family lot now, and Porter replied that a detached single-family home is exempt. COMMISSIONER KRASS stated that a sixplex, in example, should possibly be required to do more in terms of frontage, and that related to the first question, there may need to be more stringent requirements for the multiple units. CHAIR VOISS stated that opportunities to make frontage improvements should occur at every opportunity. COMMISSIONER ZAKHAROFF stated that a sixplex will most likely be two single-family lots and that the frontage should not be required to be improved. VICE-CHAIR BADER stated that there should be a square footage threshold for required frontage improvements regardless of single-family or sixplex.

Porter asked if homes with small footprints should have frontage improvement requirements. VICE-CHAIR BADER replied that an extra level of review could be helpful, and that size becomes the character of the neighborhood. COMMISSIONER KRASS stated that if the requirement is based on size, frontage improvements will be a burden on a single-family and will result in frontage work possibly only at one lot on an entire street, in example a sidewalk that begins at one end of a property, ends at the other, and no other sidewalks on the street. CHAIR VOISS stated that Washington State is going to need to address the details, as there is more nuance than is being considered; slow and cautious is a good way to proceed. COMMISSIONER KRASS asked if there would be different rules for property owners who have stormwater, thoroughfares, or alleys. Padua replied there is discretion depending on roadway designs and street standards, but residential roads are not differentiated between neighborhoods. COMMISSIONER KRASS stated that single-family homes should not be required to make frontage improvements, not required now and a large burden, and that the type of road also needs to be considered. Padua replied that newer neighborhoods with existing infrastructure are usually a part of larger developments as opposed to older neighborhoods with piece-meal development.

Porter asked if direction is toward a unit requirement in addition to a square footage, or lot length requirement. CHAIR VOISS replied that location would be an ideal consideration. Porter replied that location could be, but all would need to apply also to single-families. COMMISSIONER ZAKHAROFF stated that plexes will be built to sell, and even if there are no regulations, sellers will be interested in building frontage to bring attention to the property. Porter replied that the market usually dictates what will be constructed. COMMISSIONER KRASS stated that larger properties become more complicated. VICE-CHAIR BADER stated still learning toward square footage, and asked if requirements would need to be in place immediately. Porter replied that a developer speaking at a conference recently suggested the same and to let developers build, see what is being built, and imposing requirements at that point. COMMISSIONER KRASS asked how many plexes are listed on the online development page, and Dhaliwal replied that while there are many townhomes under six-count, there are a handful of larger. COMMISSIONER KRASS stated that the pipeline of coming projects can provide scale. COMMISSIONER PATTERSON stated hearing that more regulations should not

## 10-24-24 Planning Policy Commission Meeting Minutes

be applied to single-family, but because of the State, Issaquah must allow up to six units, all regulations must be the same for all and being in favor of seeing what happens going forward; the issue may be overcomplicated at this point with limited knowledge. CHAIR VOISS stated that the issue could be watched and that amendments can come later if needed. Porter asked for clarification that middle-housing is being exempted and CHAIR VOISS replied yes, and suggested another walking tour as was provided today in the near future to evaluate. Padua asked if more information could be brought back to the Commission and CHAIR VOISS replied yes.

Porter asked question number four, should the city allow ADUs to be used towards achieving lot density. COMMISSIONER ZAKHAROFF asked for clarification that the question is if two more ADUs should be allowed, and Porter replied yes, and if those ADUs should be counted toward lot density.

COMMISSIONER KRASS asked for clarification that ADUs could be sold as a unit and recommended that ADUs count toward lot density. COMMISSIONER ZAKHAROFF stated support for counting ADUs toward density and asked why ADUs should be allowed in an addition to a duplex. Porter replied an additional housing opportunity; all other regulations would still need to be met. COMMISSIONER ZAKHAROFF asked why only a duplex could be currently built, and Porter replied that density must be increased due to state regulations. COMMISSIONER ZAKHAROFF asked if a fourplex could be built on a large lot and Porter replied yes. COMMISSIONER ZAKHAROFF asked why a fourplex can be built, but not a duplex and two ADUs, still four units of housing. Porter asked if a garage converted to an ADU on a single-family lot should be counted toward unit lot density. Dhaliwal replied with various examples of allowed uses. COMMISSIONER ZAKHAROFF stated that if a fourplex can be built, then building a duplex and two ADUs should also be allowed; if a triplex can be built, then a duplex and one ADU should also be allowed. Dhaliwal continued to explain square footage restrictions and stated that scenarios will be explained in further detail at the next presentation. COMMISSIONER KRASS asked to also know the background of current regulations.

COMMISSIONER KRASS stated that people adding an ADU are most likely in possession of an external garage, with setbacks, plumbing already established, and asked if external garages can be converted into an ADU everywhere currently, and Porter replied yes, not counted toward unit lot density. COMMISSIONER KRASS asked to know how many have converted and the methods used in the last five years for insight into future behavior. Porter replied that the information can be provided.

VICE-CHAIR BADER stated that ADUs are an opportunity for a more affordable home in Issaquah for the missing-middle population, as well as for a new homeowner to rent out an ADU for additional income. COMMISSIONER KRASS replied that the Commissioners agreed, but that the question is if ADUs will count toward density. VICE-CHAIR BADER asked for clarification regarding the type of ADU being discussed and Porter replied any ADU, detached or attached, or a basement unit. Today ADUs are not allowed with any multi-family structure, only with a detached single-family home.

## 10-24-24 Planning Policy Commission Meeting Minutes

COMMISSIONER ZAKHAROFF asked for clarification regarding ADU regulations. Porter replied that the Commissioners will decide if ADUs will count toward unit lot density but if allowed, the other code requirements will dictate size and more including emergency access and parking stalls. The property owner is currently required to live on the site but with new regulations property owners will not be required to live on site. COMMISSIONER ZAKHAROFF stated being in favor of affordable housing but not wanting affordable housing to become unaffordable and low quality.

Porter asked again if the consensus is to count ADUs toward unit lot density or not. CHAIR VOISS stated support for counting towards unit lot density and that amendments can be made if needed in the future. More information from staff would be appreciated for understanding and Commissioners provided further questions. COMMISSIONER PATTERSON stated agreement with proceeding slowly with caution.

Porter asked question number three, if the city should allow the development of middle-housing on lots encumbered with critical areas, still following existing critical area code.

COMMISSIONER KRASS asked for clarification that these lots would be treated as single-family is now, and Porter replied correct.

CHAIR VOISS stated that there was a consensus among Commissioners.

Porter asked question number four, if the city should continue to waive impact fees for ADUs.

COMMISSIONER KRASS asked if behavior has changed while waiving impact fees, and Porter replied that more ADUs were built, but not a significant number. COMMISSIONER KRASS asked if ADU size is scaled in fees, as a 600 square foot ADU tenant may not be utilizing public schools. Porter replied that ADU impact fees need to be reevaluated. COMMISSIONER KRASS asked for clarification and Porter replied that currently impact fees are based on the unit and not square footage. Dhaliwal replied that square footage could be considered for fire impact in example. Porter replied that someone pays the fee, and at this time this is the city and not the applicant.

VICE-CHAIR BADER asked how ADUs are taxed. Dhaliwal replied that King County assesses, and that while taxes would be higher, the city only receives a portion of property taxes after other entities are paid such as schools, libraries, and Sound Transit.

CHAIR VOISS stated that impact fees should continue to be waived until there is a fuller picture of ADU behavior.

COMMISSIONER KRASS asked if waived impact fees are common practice, and Padua replied yes. Padua gave numbers of ADUs built. VICE-CHAIR BADER stated that charging the same amount as a single-family home is high and disincentivizing, and stated support for continuing to waive impact fees while watching behavior.

## 10-24-24 Planning Policy Commission Meeting Minutes

COMMISSIONER KRASS asked if there should be a provision that if the ADU is sold, the city would be reimbursed impact fees. Porter replied that the property owner would need to record a covenant on the property, but hard for staff to track. A portion could be required as an option. Dhaliwal replied that impact fees must be used for capital projects within ten years or returned to the developer with interest.

Porter asked for a consensus on a scaled fee, and COMMISSIONER KRASS stated support for either scaling or waiving while keeping an eye on development. CHAIR VOISS stated agreement and that neighboring cities should be consulted also.

Porter asked if any other areas should be addressed.

COMMISSIONER KRASS asked if there are specific goals for momentum in the next five years, and Padua replied that at this time the goal is to comply with State Bills, and as discussions continue further goals can be examined. Dhaliwal replied that there is a Housing Dashboard with an annual Housing report card.

Porter asked that emails be sent if there is anything further.

## 5. Reports

### a) Council Update (02:03)

Padua stated that Council will be receiving an update and holding a discussion on the budget, informing future projects.

## 6. Other Business/Announcements

### a) Upcoming Schedule

CHAIR VOISS congratulated COMMISSIONER KRASS on becoming a regular member of the Commission.

## 7. Adjournment

CHAIR VOISS adjourned the meeting at 8:40 p.m.

Respectfully submitted,

Carolyn Garza, LLC  
Recording Secretary