



## TOWN OF BEAUX ARTS VILLAGE

### PLANNING COMMISSION

#### MINUTES

June 18, 2020

Remote Via Zoom / Telephonically

**Present:** Chairperson Steve Tegeler, Commissioners Jeremy Laws, Kim Moloney, Steve Miller

**Excused:** Commissioner James McCarthy

**Staff:** Deputy Clerk Angela Kulp

**Guests:** None

Chairperson Tegeler called the meeting to order at 7:01pm.

The Planning Commission welcomed new commissioner Steve Miller, who was confirmed at the May 12<sup>th</sup> Council meeting to the Commission's Position No. 1. Commissioner Miller brings a wealth of experience from several sources.

Deputy Clerk Kulp reported that Commissioner McCarthy is in the process of being confirmed to the Council to fill their vacancy. Commissioner McCarthy's term in Position No. 2 on the Planning Commission was set to expire the end of this year. We thank him for his service; Mayor Gillem is working to fill this new vacancy.

**MINUTES:** Commissioner Laws moved to approve the February 13, 2020 minutes as written. Commissioner Moloney seconded. Vote: 3 For, 0 Against, with Commissioner Miller abstaining. Motion carried.

There were no meetings in March, April, or May due to the COVID-19 pandemic's shutdown. Deputy Clerk Kulp reviewed the annual meeting calendar with the commissioners for updates.

**COUNCIL UPDATE:** Deputy Clerk Kulp reported that Ms. Eileen Keiffer from the Madrona Law Group has alerted the Town that the Federal Communications Commission voted on a declaratory ruling that changes the interpretation of certain FCC rules relating to wireless facilities. She has reviewed the current 5G wireless ordinance drafts and determined some revisions were warranted. The Town had Ms. Keiffer update The Small Wireless Facilities Master Ordinance 13.25 for franchise agreements, and the Small Wireless Facilities Deployment Ordinance 18.10 for design standards in the Town's ROW and share them as appropriate.

### **OLD BUSINESS: 5G Technology Analysis**

Deputy Clerk Kulp noted for the record that a public hearing of the 5G ordinances was to take place in March but has been continued to a later date due to the pandemic. As noted, previously scheduled meetings were also subsequently cancelled. She reminded a phased re-opening by the governor that allows gatherings of up to 50 people (like public hearings) must be delayed until phase 3. The governor has set each phase to be a minimum of 3 weeks long based upon metrics that must be met before a county can apply to move into a subsequent phase. We are in King County and currently in a modified phase 1, so the public hearing must therefore be delayed to a future meeting. The commissioners are reviewing the 5G ordinances again for familiarity in preparation of that public hearing. Planning Commission meetings will continue remotely until later phases allow for more people to gather face-to-face.

Chairperson Tegeler inquired about the recent specific ordinance revisions made by Ms. Keiffer as prepared for the Town. Deputy Clerk Kulp differentiated between the edits made for the recent FCC ruling and those made previously. She confirmed there is no action needed by the Planning Commission at this time, and clean copies of these ordinances will be made available for the public hearing.

Commissioner Laws asked if Ms. Keiffer would be attending the public hearing and what happens when questions arise during that hearing that we cannot answer. Deputy Clerk Kulp noted Ms. Keiffer would not be attending the public hearing, but that we can continue the hearing to a later date if needed to get any technical questions answered and this was found to be acceptable. Commissioner Miller noted the Town takes on a certain amount of risk and there are no precedents here on this 5G issue.

### **NEW BUSINESS: Short-term rentals, e.g. Airbnb**

Commissioner Moloney recommended this topic be tabled to a future meeting when the 5G Public Hearing has been completed, to allow for more resident input and focus in a later phase; there were no objections.

**Adjourn:** Chairperson Tegeler moved to adjourn the meeting. Commissioner Laws seconded. Meeting adjourned at 7:36pm. Vote: 4 For, 0 Against. Motion carried.

**Next Meeting:** The next Planning Commission meeting will be held in just 3 weeks' time on a special date of July 9, 2020 to accommodate a quorum and will be held remotely again with posted agenda instructions as before for the public to call in if interested.

Respectfully submitted,  
Angela Kulp, Deputy Clerk