

CITY OF BELLEVUE
BELLEVUE PLANNING COMMISSION
MEETING MINUTES

October 22, 2014
6:30 p.m.

Bellevue City Hall
City Council Conference Room 1E-113

COMMISSIONERS PRESENT: Commissioners Carlson, Hamlin, Hilhorst, Tebelius, deVadoss, Walter

COMMISSIONERS ABSENT: Chair Laing

COUNCIL LIAISON: Councilmember Stokes

STAFF PRESENT: Paul Inghram, Nicholas Matz, Department of Planning and Community Development; Pam Maloney, Department of Utilities

GUEST SPEAKERS: None

RECORDING SECRETARY: Gerry Lindsay

1. CALL TO ORDER

The meeting was called to order at 6:35 p.m. by ~~Chair Laing~~ Vice Chair Hilhorst who presided.

2. ROLL CALL

Upon the call of the roll, all Commissioners were present with the exception of Chair Laing, who was excused.

3. PUBLIC COMMENT

Mr. Norm Hanson, 3851 136th Avenue NE, addressed the issue of non city-managed utilities. Calling attention to policy UT-39, he noted that currently the city requires undergrounding of all new electrical distribution and communication lines if they exceed one-half inch in diameter. Temporary installations above ground are permitted. Along 140th Avenue NE there are up to four communication trunk lines that measure a half inch or larger that are above ground. One line has never been utilized; it is curled up and has been that way for four years. The Land Use Code relative to undergrounding communication lines has what amounts to a loophole. It allows that undergrounding is not required where the provider can claim a hardship, and that loophole has been used repeatedly over the last ten years. In some cases electrical lines have been undergrounded by the communication lines have not. The proposed change to the policy will not help in that situation at all. There are transmission lines running through the Bridle Trails area, but the feeder lines and the distribution lines have all been undergrounded. Bridle Trails residents have for many years tried to find a pathway to undergrounding all overhead utilities because the trees there wreak havoc with them when storms come along. Other jurisdictions have imposed a surcharge on all ratepayers as a way to generate funds to underground utilities, and to improve the overall reliability of the system. The language of the existing UT-39 should be retained, and the loophole in the Land Use Code should be removed.

Mr. Andy Swain, 10885 NE 4th Street, municipal liaison manager for Puget Sound Energy, said since 2005 he has worked with Bellevue staff on a range of matters, including comprehensive planning, project coordination, review and permitting, service, quality and reliability, energy efficiency, and local regulations. He thanked the Commission for the work it is doing to update the Comprehensive Plan and said Puget Sound Energy understands how important the work is. Puget Sound Energy appreciates having a good working relationship with the city which helps to ensure that Bellevue residences and businesses receive safe, dependable and efficient natural gas and electric service. The company coordinates with the city annually on a number of projects aimed at helping the city achieve its vision for community growth and development. During the past year the Ardmore substation project was completed in the northeast section of Bellevue. The Lake Hills to Phantom Lake transmission line project is currently under permitting review with the city. The Energize Eastside project is being discussed with residents of Bellevue, Redmond, Newcastle and Renton, and a project route selection for the important transmission system improvement will be unveiled in late 2014 or early in 2015. All of the projects are part of the long-term plans of Puget Sound Energy and have been reflected in the city's Comprehensive Plan since the early 1990s.

Mr. Steve O'Donnell, president of the Somerset Community Association, a member of the Puget Sound Energy Energize Eastside CAC, and a co-founder of the Coalition of Eastside Neighborhoods for Sensible Energy, agreed with the comments made by Mr. Hanson with regard to policy UT-39 and the need to address the loophole in the Land Use Code. He pointed out that Bellevue was recently rated as the number two most livable city in the nation, but the vision for the city does not include an unsightly major high-power transmission line running through the middle. The East Main station area planning CAC has been charged with making recommendations that consider both current and future neighborhood character. Councilmembers hold up neighborhood character as critical to their campaigns; it is also a major criteria for the Commission and the vision for Bellevue. With regard to policy UT-46, supporting alternative energy, the language should include some specifics with regard to the alternative energy sources. Multijurisdictional coordination is referenced in policy UT-48 and with respect to the Energize Eastside project Bellevue should be coordinating with Renton, Newcastle, Redmond and Kirkland. The Energize Eastside project must be sized right to meet the growth needs of the city. Nationwide, statewide and countywide energy use is flat or trending down. Population growth and energy use has been decoupled; over the last three years energy use has dropped by 12 percent even in the face of one billion new devices being put into use. The city's easements and rights-of-way should not be overused and overstretched in creating systems that will not be needed. Residential areas should be avoided completely when it comes to making route selections.

Commissioner Tebelius commented that even if the Commission were fully in agreement, there is no way to express that opinion in the Comprehensive Plan. Mr. O'Donnell pointed out that policy UT-72 speaks to working with Puget Sound Energy to assure compatibility with new and expanded facilities. Expanding on that language would be a good idea. Many counties in the state have PUDs. Puget Sound Energy is owned by a hedge fund out of Australia with Canadian pension fund money. They are racing the investment clock, and the technology clock for grid storage and distributed generation.

4. APPROVAL OF AGENDA

A motion to approve the agenda was made by Commissioner Hamlin. The motion was seconded

by Commissioner deVadoss and it carried unanimously.

5. COMMUNICATIONS FROM CITY COUNCIL, COMMUNITY COUNCILS,
BOARDS AND COMMISSIONS

Councilmember Stokes stressed the need to schedule the annual Commission retreat. He proposed setting it for November 12.

6. STAFF REPORTS

Comprehensive Planning Manager Paul Inghram reported that at its October 20 meeting the City Council reviewed the multifamily tax exemption, a tool cities can use to exempt a portion of property tax on multifamily projects that include a certain amount of affordable units. The issue will be back before the Council in ordinance form later in the year.

Mr. Inghram said the East Main station area planning open house is scheduled for October 28. Information will be sought from the public with regard to what the city should do in response to having a light rail station located in the East Main neighborhood.

He reported that the five police chief candidates will attend an event at City Hall on October 23 between 6:00 p.m. and 7:00 p.m.

Commissioner Tebelius observed that the written staff report provided to the Commissioners included the statement that the Transportation Element, Human Services Element and Parks, Recreation and Open Space Element will all be incorporated per the respective commissions' recommendations. She suggested that approach would be inconsistent with the Commission's work to date. All elements should be reviewed by the Commission in light of the entire Comprehensive Plan. Commissioner Hilhorst agreed to discuss the suggestion with Chair Laing and with staff.

7. STUDY SESSION

A. Comprehensive Plan Update: Utilities Element

Mr. Inghram noted the inclusion in the Commission packets information about the Parks, Recreation and Open Space Element and the Human Services Element for review. He asked the Commissioners to review them and identify any items in need of discussion, or to conclude the elements are ready for inclusion in the larger Comprehensive Plan draft for final review.

Senior Planner Nicholas Matz commented that the Commission has been asked to identify and resolve issues that cross multiple areas of the Comprehensive Plan in reviewing the elements and policies brought before the Commission to date. Some of the policies in the Utilities Element do that and relate to the aesthetics of the built and natural environment. There are two sections to the Utilities Element: city-managed utilities and non city-managed utilities. He noted that Utilities Planning Manager Pam Maloney has been working closely with the Environmental Services Commission on the policies; that group has done a lot of the heavy lifting, particularly with regard to the city-managed utilities policies.

Continuing, Mr. Matz said the use of the Utilities Element is framed around four general themes: 1) facilitating the provision of utilities at appropriate service levels; 2) balancing reliable service

with community impacts; 3) processing permits with predictability and fairness; and 4) encouraging new technologies that enhance service, reduce costs or reduce impacts. The element functions as a collection of descriptions of utility plans, it also includes policies to reflect the quality, reliability, safety and regulation of the services provided.

The Commissioners were reminded that they had previously received information from city utilities engineering staff about city utility systems and the desire of the staff and the Environmental Services Commission to incorporate how the utilities department is planning the management of aging infrastructure, respond to growth, and adapt to changing consumer behavior. The Environmental Services Commission reviewed the utility policies in light of the NPDES requirements.

Commissioner Tebelius observed that the chapter goals are complex and somewhat difficult to read. Mr. Matz explained that they are deliberately worded because of the way in which they work in context with each other. He said it was not his intention by shortening them in the narrative that the policies should be shortened.

Mr. Inghram added that there has not been a lot of focus given to the existing goal statements. He agreed they could be reviewed, particularly with regard to how they relate to the goals for the other elements.

Mr. Matz acknowledged receipt of an email communication from David Plummer who has been fully engaged in reviewing the Utilities Element. His concerns have been around cost-effective analysis and implementation. His email included specific comments with regard to policy language. Cost-effectiveness is often difficult to define and include in policy language, but for the most part many of his suggestions involve things the city already does. His comments also refer to the education policies the Environmental Services Commission is emphatic about; Mr. Plummer would prefer an approach that involves informing people rather than educating them. Staff have had good conversations with Mr. Plummer about the issue of asset management and life cycle costing. He would prefer to see a level of detail that is not appropriate for policy documents but which are certainly appropriate in functional plans that come into play at the implementation stage.

Mr. Inghram added that line 11, a proposed new policy, was added largely in response to issues raised by Mr. Plummer during the process, though Mr. Plummer would prefer to see the language be far more specific.

Turning to line 2, policy UT-2, Mr. Matz said utilities staff and the Environmental Services Commission was clear about the need to incorporate in policy the term "sustainable" in order to reflect the utility's broader evolving mission that is captured in the system plans. Sustainability is a metric that is occurring in different ways in different places. In the case of utilities, it is a necessary component of changing consumer behavior that the city needs to be able to react to in updating its functional plans.

Answering a question asked by Commissioner deVadoss, Ms. Maloney said sustainability is a function of the long-term holistic perspectives associated with the purchase, installation and management of assets and facilities. The term includes the notions of environmental, social and economic costs overall.

With regard to 3, policy UT-1, Commissioner deVadoss proposed replacing "environmentally

sensitive" with "sustainable."

Commissioner Walter suggested that some things are context specific where someone with a specific background will read something into a word differently from the average person. She said to her "sustainable" means long lasting, not environmentally sensitive. Commissioner Hamlin allowed that while the two terms can be used interchangeably, adding "sustainable" to the policy would only create confusion.

There was agreement not to change policy UT-1.

Mr. Matz noted that line 4 introduces a new policy encouraging public/private partnerships that will take advantage of the city's fiber optic network in order to facilitate service delivery and competition.

Commissioner deVadoss asked if it would be better to have the policy read "Encourage innovation" rather than referencing public/private partnerships. Mr. Matz proposed leaving in the reference to public/private partnerships but rewording the policy language to incorporate an innovation focus. Mr. Inghram said at the heart of the policy is the fact that the city is open to working with private companies in utilizing the city's infrastructure.

Mr. Matz explained that line 5 involves a new policy that establishes support for new and emerging technologies that will benefit city-managed utilities.

Commissioner Tebelius asked if the policy was needed given that the city would do that anyway.

Commissioner Carlson commented that the policy language proposed by Mr. Plummer uses fewer words to more simply say more. Mr. Matz said Mr. Plummer's focus is on cost-effectiveness, something that does not work when looking at new and emerging technologies. By default the city uses a cost-effective approach, but without permission to engage, the ability to say why new and emerging technologies are being investigated does not exist.

Commissioner Hilhorst asked if by using Mr. Plummer's verbiage that the city would be limiting when it comes to exploring new and emerging technologies that look to be very expensive. Ms. Maloney said that is the concern she has with Mr. Plummer's suggestion. Utilities defaults to cost-effective approaches, but the process of investigating new approaches must occur before cost effectiveness can be determined. For instance, several years ago utilities began exploring the use of smart meters at a time when the cost was prohibitive; the costs are falling, however, and the time to recommend their installation and use will come. She voiced support for the last part of Mr. Plummer's proposed language, except that "and improve utility services" should read "and technologies that would improve utility services."

Commissioner Hamlin said he preferred the staff-proposed language over that of Mr. Plummer.

Mr. Matz proposed melding the two into a policy reading "Support new and emerging information and telecommunications technologies that would benefit city utility users and technologies that would improve utility service and efficient water and energy use."

Commissioner Walter called for retaining the word "viable" and the other Commissioners concurred.

There was agreement to make no changes to the policies referenced by lines 6, 7 and 8. Mr. Matz stressed that the three existing policies work together to stress that system capacity will not determine land use.

Mr. Matz noted that line 9, policy UT-6, is an existing policy that focuses on the joint use of public facilities, the most common example of which is using detention areas for passive recreation. The proposed language change is focused on reflecting current practice. No changes were made to the draft wording.

Mr. Matz said lines 10 and 11 involve new policies that get to the desire of the Environmental Services Commission and utilities staff to have the necessary tools to address asset management. The language of lines 10 and 11 are predicated on best practices relative to the risk management component and general asset management. In the opinion of the staff, the proposal of Mr. Plummer relative to line 11 seeks to add things not appropriate at the policy language level relative to implementing detail.

There was agreement to delete "business/social" from the proposed language of the new policy in line 10.

Answering a question asked by Commissioner Tebelius, Ms. Maloney stressed the need to take lines 10 and 11 together. If the focus is placed entirely on cost, the result will be higher risk. While cost-effectiveness is an important component of asset management, risk balancing is equally important.

Commissioner Hilhorst proposed moving the line 10 and 11 policies closer to the top.

Commissioner Walter raised the issue of including projected service levels along with maintaining desired service levels in the line 11 policy. Ms. Maloney said the city establishes target service levels, such as how long the average customer should be without water service over the course of a year. Even with growth, every attempt is made to hold those targets constant, which of course requires investing in infrastructure.

Commissioner deVadoss suggested the line 10 and 11 policies could be made a part of line 2 policy UT-2. Mr. Matz said he would be reluctant to merging the policies but would be willing to place them to follow each other. There was agreement to do that.

Mr. Matz said the new policy in line 12 addresses a specific function of the city utility department, namely the need to educate the providers, consumers and the community about the benefit of emerging technologies. The idea is to link the conservation efforts and the existing technology relationship in the Comprehensive Plan to the emerging technologies issue.

There was agreement to change "the benefits" to read "the costs and benefits."

Answering a question asked by Commissioner Carlson, Mr. Matz said "educate" is a more active term than "inform." Ms. Maloney added that when the Council makes the decision to move to smart meters, simply informing the public could involve putting a flyer in the utility billing, whereas educating the public would involve holding workshops and actively working to make sure the public will know what to expect.

Commissioner Carlson asked where the dividing line is between "educate" and "lobby." Mr.

Matz said lobbying involves advocating for a particular approach and would by definition be done before the Council makes a decision about funding that approach. Once the Council acts, utilities would have on their plate educating the public about the new approach. There will never be any lobbying or advocating ahead of the Council adopting the financial means by which a particular approach will be taken.

Commissioner Walter said informing involves telling people what the city is doing whereas educating involves telling people what the city is doing and why. She suggested that educating the public will reduce the number of calls to and criticisms of the city and would save everyone a lot of time.

There was agreement to have the line 12 policy read "Inform and educate utility providers, consumers and the community about the costs and benefits of emerging technologies."

Mr. Matz explained that line 13 proposes a new policy to address something both the utilities operating staff and the Environmental Services Commission concluded is lacking. One of the goals of the update is to create a closer nexus between the policy direction of the Comprehensive Plan and the functional plans that implement the policies. The proposed policy also makes reference to Bellevue Solid Waste planning because of the expectation to at some point in the future go beyond the current mechanism for the transfer and disposal of solid waste.

Commissioner Hamlin commented that the second sentence of the proposed policy reads like an explanation of the first sentence and as such would better serve the policy if made part of a narrative. The Commissioners agreed to make that change.

Commissioner deVadoss said the 20-year horizon referenced in the policy seems very long. Ms. Maloney said in the world of planning piped utilities, 20 years is not very long at all. Most of the assets built have much longer lifespans. Mr. Inghram added that the state's population projections reach out 20 years and they are broken down by subarea level within the city. While the forecasts are not always completely accurate, they do offer guidance for planning.

Mr. Matz said the new policy outlined in line 14 seeks to ensure that low-impact development techniques for stormwater management are considered in infrastructure projects.

No changes were made to the proposed language.

Mr. Matz reminded the Commissioners that the Annexation Element is being dissolved but pointed out that there are policies in it that still need to be used. The policies in lines 15, 16, and 17 fall into that category. All three are directly related to people understanding how the city will extend utility service, which makes it appropriate to include them in the Utilities Element. No changes were made to policies AN-3, AN-6 or AN-8.

Mr. Matz noted that the policies in the intergovernmental relations and coordination section address the city's dealings with other entities that provide city-managed services. The proposal relative to line 19, policy UT-7, is to recognize that by definition service areas are consistent with local plans, which they are.

Commissioner Tebelius commented that the title intergovernmental relations and coordination is less than clear. Mr. Inghram agreed to work on a new title for the section along the lines of relations and coordination between local governments.

There was agreement to delete policy UT-8 as proposed by line 20. Since the existing policy was adopted, the practice has been codified so the policy is no longer needed.

There was agreement to make no changes to policies policy UT-9 and policy UT-10, lines 21 and 22.

With regard to line 23, Mr. Matz said the new policy is needed because the Comprehensive Plan is currently silent about interagency coordination for emergency preparedness. The practice is addressed on a broad scale, but not on the level of local and regional utility partners. No changes were made to the proposed language.

Mr. Matz noted that lines 25 and 26, policies UT-11 and UT-12, exist in the current Comprehensive Plan and that staff were proposing no changes.

Commissioner Walter commented that recently there was a problem in the state of Texas having to do with waste and ebola. The underlying issue is huge. Many jurisdictions do not allow such wastes to be burned. Mr. Matz said hazardous waste and moderate-risk waste are defined terms by the King County Department of Public Health.

Commissioner Carlson pointed out that hospitals call in private companies to handle wastes of that sort. Hospitals certainly do not call the local city to deal with it. Mr. Matz said the policies recognize how waste is managed with regard to the particular classes of waste.

Commissioner Hilhorst commented that since Bellevue is now part of a global society, consideration should be given to better and more clearly addressing medical hazards in the Comprehensive Plan. Mr. Matz agreed to find out from existing providers how they handle those wastes.

Councilmember Stokes pointed out that the language of the two policies is primarily focused on household waste. He agreed the time might be right to address the broader issue, however.

No changes were made to policies UT-11 through UT-15, lines 25 through 30.

With regard to line 31, policy UT-16, Commissioner Carlson proposed eliminating the words "sensitivity to." Commissioner Walter proposed replacing "environmental conditions" with "the environment." The other Commissioners agreed to make both revisions.

With regard to line 33, policy UT-17, Commissioner Tebelius suggested that the current policy language is better than the proposed, which adds limitations to the city's contract renewal negotiations. She said she would delete everything after the word "system" in the first sentence, but could agree to retaining just the first sentence.

Councilmember Stokes agreed that the first sentence is a good policy statement, whereas the second sentence is focused more on implementation.

There was agreement to strike the second sentence.

Commissioner Walter asked what is meant by "unobtrusive components." Ms. Maloney said it could refer to the aesthetics of overhead powerlines or dumpsters. Mr. Matz said he would seek

a different word that captures the intent. Commissioner Carlson suggested "discreet."

There was agreement not to make any changes to line 34, policy UT-18, and to delete line 35, policy UT-19 as proposed.

Mr. Matz explained that line 37, a new policy, is intended to serve as an umbrella policy directing the city to develop a wastewater system that is consistent with the utility mission for assuring public health and safety and protecting the environment. The policy is intended to tell the public why the city does what it does.

Mr. Matz said the recommendation of Mr. Plummer was to provide a reliable and cost-effective system.

Commissioner Hilhorst said she did not see value in including a reference to a cost-effective system.

Commissioner Walter proposed adding the word "viable" instead of cost-effective. Ms. Malone pointed out that the issue of cost-effectiveness is addressed by the asset management approach used by the city.

There was consensus not to make any changes to the proposed policy language.

There was agreement to accept the change proposed to line 38, policy UT-20.

With regard to line 39, policy UT-31, Mr. Matz said the policy allows existing septic systems to continue to be used and addresses when they need to be swapped out. He stressed that King County Public Health determines the requirements for connection, not the city. The city provides the service, but the county decides when the service is needed. The policy language only clarifies what the city already does.

Commissioner Carlson proposed replacing "utilize" with "use."

The Commissioners were informed that the changes to line 41, policy UT-23, were recommended by the Environmental Services Commission to improve clarity, to be consistent with the mission statement, and to address low-impact development and watershed-scale stormwater planning.

Commissioner Tebelius said she hoped the policy would not put the city in a position of not having enough money to do what the state says must be done. Ms. Maloney said the policy reflects the existing stormwater mission statement.

Commissioner Walter asked why "hydrologic balance" was proposed to be removed from the policy. Ms. Maloney said the very technical term means different things to hydrologic engineers than it does to the general public. The staff and the Environmental Services Commission also concluded that it did not add value to the policy.

Commissioner Hamlin commented that since the policy is the language of the mission statement, it should not be changed. There was agreement not to make any changes to policy UT-23.

Mr. Matz explained that line 42, policy UT-22, takes an existing policy and breaks it into two

pieces, and seeks terminology consistency. There was agreement to accept the proposed changes.

Mr. Matz said line 43 includes a new policy specific to the design of stormwater management facilities being appropriate to the neighborhood in which they are situated. Mr. Plummer proposed including the term "cost-effective."

Commissioner Carlson said he understood Mr. Plummer's call for including the notion of cost-effective given that the things referenced are things that can spiral out of control absent a built-in sense of cost-effectiveness. Councilmember Stokes pointed out that the point made earlier was that the cost factor concept is embedded in the lead-off paragraph. The city seeks to be cost-effective in everything it does and adding the phrase to every policy will only serve to water it down.

There was agreement not to change the policy.

With regard to line 44, policy UT-24, Mr. Matz said the Environmental Services Commission has proposed deletion of the policy given that surface water quality is now broadly protected by regulations, obviating the need for the policy. There was agreement to delete the policy.

Before leaving the meeting, Councilmember Stokes informed the Commission that the Council has acted on the Horizon View ordinance. He said Councilmember Robinson made a point of complimenting the Commission on the fine work it did in handling the issue.

Mr. Matz allowed that line 45, policy UT-25, takes a fairly simple policy and broadening it to include low-impact development, pollution protection, aquatic habitat and public engagement, and coordination with schools.

Commissioner Tebelius objected to the ~~overall~~ policy UT-45. She said the Comprehensive Plan should not encourage coordination with the schools. The schools have much on their plates and it is not the city's job to be educating the students. Educating the public on water quality issues is okay, but the policy should not be so specific, and public engagement is not related to education. Mr. Matz suggested that the Mercer Slough Environmental Center is a shining example of what the policy calls for. The center is run in cooperation with the Pacific Science Center and local schools. Commissioner Tebelius agreed but pointed out that no policy language was needed to make the center a reality.

Ms. Maloney said the proposed policy language comes directly from the Environmental Services Commission. They were concerned, particularly during the economic downturn, that things like the Mercer Slough Environmental Center are the first to go when budgets get cut. Commissioner Tebelius suggested that fact will not change with or without the policy given the Council's right to determine how limited funds are to be spent.

Commissioner Carlson agreed that the policy could be construed as mission creep. He said the policy as proposed would provide a green light for advocacy. The existing policy is much better.

Mr. Matz asked why the city should not want to do what the policy calls for. Commissioner Carlson responded that the language might be tempting for activist-inclined staffers to use their designation as city officials to lobby and advocate. Mr. Matz suggestion that that would be an inappropriate use of policy; there is a clear distinction between education and advocacy.

Commissioner Hilhorst commented that the proposed language calls for outreach efforts. Ms. Maloney clarified that the language specific to educating about low-impact development is aligned with the NPDES permit; that is where that piece came from.

Commissioner Hamlin offered his support for the proposed policy language, though he said he could support deleting the second sentence.

Commissioner Carlson proposed revising the language of the current policy to read "Educate the ratepayers on water quality issues." Ms. Maloney pointed out that there are many who work or shop in Bellevue but do not live in the city and as such are not ratepayers. Outreach efforts are generally focused on everyone who consumes the utility.

The majority of the Commissioners preferred retaining the language of the current policy.

Mr. Matz noted that line 46 is a proposed new policy and is needed to connect low-impact development practices with how the city manages stormwater. No changes were made to the proposed language.

Mr. Matz informed the Commissioners that line 48, policy UT-26, is crafted around the mission statement for water utility. He said the proposal included retaining the discussion paragraph from the existing policy in the narrative section of the Utilities Element.

Commissioner Tebelius asked why the phrase "environmentally responsible manner" is needed. Ms. Maloney said the phrase is pulled from the mission statement and refers to taking responsible actions relative to protecting the environment.

Commissioner Carlson proposed using the word "affordable" in place of "cost-effective." Commissioner Hamlin stressed that the proposed policy is in fact an adopted mission statement and suggested the Commission should not seek to change it. Commissioner deVadoss concurred.

There was agreement not to change the proposed language.

Mr. Matz explained that the revision to line 49, policy UT-27, is intended to recognize that there are also state drinking water quality standards in addition to federal standards. No changes were made to the policy.

There was agreement to make no change to line 50, policy UT-28.

Turning to line 51, policy UT-29, Mr. Matz explained that the proposal clarifies the existing policy and makes reference to what the city already does. He also noted that the discussion paragraph would be folded into the narrative. There was agreement to accept the proposal.

Mr. Matz said line 52, policy UT-30, clarifies a text reference to the functional plan in terms of when well-water users are allowed access to the city's water system. The proposed policy language reflects current practice. No changes were made to the proposed policy language.

There was agreement not to make any changes to Line 53, policy UT-31.

Moving into the general non city-managed utilities section, Mr. Matz noted that lines 55 and 56 highlight new policies. He explained that mandate under the Growth Management Act is for the city to ensure non city-managed utilities will provide the services needed sufficient for the city's growth. Non city-managed utilities are primarily electricity, natural gas, and telecommunications. Members of the community have weighed in through the various outreach efforts and have indicated a desire to continue coordinating with utility providers to make sure their systems and their intent behind providing services are aligned with what the Comprehensive Plan and the growth forecasts call for.

There was agreement to accept the language of line 55.

Commissioner deVadoss suggested the language of line 56 could be simplified to read "Support new and emerging technologies...." Commissioner Hamlin agreed and suggested that change would broaden the policy to cover more than just information and telecommunications technologies. There was agreement to make the change.

There was agreement to make no changes to lines 57 and 58, policies UT-32 and UT-33.

Mr. Matz said the recommended change to line 59, policy UT-34, is aimed at broadening the scope beyond just trenching activities.

Commissioner Hamlin cautioned against using the phrase "such as." Mr. Inghram said the phrase is generally avoided. However, the desire was not to drop the reference to trenching altogether and it was deemed appropriate to use "such as" in the policy.

Commissioner Carlson proposed replacing "such as" with "including." There was agreement to make that revision.

Mr. Matz said the new policies in lines 60 through 62 reference telecommunications. He said it was clear as a result of the various outreach efforts that the business and residential communities in the city are very interested in deploying telecommunications policies in light of the fact that things change very rapidly. The three policies are aimed at advancing the city's objective of increasing internet access competitively, understanding why that is necessary as an economic development issue, and giving guidance to the permitting process to balance the deployment of new technology with protecting neighborhood character.

Mr. Matz pointed out that Mr. Plummer had called for adding in "cost-effective" to the line 60 policy.

Answering a question asked by Commissioner Tebelius, Mr. Inghram said the policies are intended to encourage competition among providers. He stated, however, that the city has only limited control over the private companies providing the services.

Commissioner deVadoss noted that Bellevue recently was highlighted as being the most connected city in the state. He asked if something aspirational can be done in that context along the lines of maintaining a leadership role. Mr. Matz said that absolutely could be done.

Commissioner Hilhorst asked if the reference to "protecting neighborhood character" in the line 62 policy is explicit to keeping towers out of residential neighborhoods. Mr. Inghram allowed that it is. He noted that the flip side would be to give carte blanche access that would result in

new satellite dishes, towers, wires and utility boxes everywhere. The community wants access to technology choices, but not at any cost. Mr. Matz added that by focusing on the permitting process component allows for engaging in a level of public review or engagement focused on finding tailored solutions.

Mr. Matz explained that line 63, policy UT-35, is focused on the city's policy intent to coordinate undergrounding efforts, both for electrical and telecommunications facilities. The proposed language change is aimed at making the policy direction stronger and more assertive.

Mr. Inghram said the policy and others in the section are about getting lines underground as opportunities arise. It is very costly to put existing overhead lines underground and the policies are focused on identifying opportunities and directing the city to take advantage of them.

Mr. Matz said in the case of telecommunications providers, a requirement to underground can represent a market disadvantage, especially where the competitors did not have to. The intent of the policies is to get everyone dealing with the issue and looking for the opportunities. The city can leverage the process by facilitating it through the permitting process and through the process of building and rebuilding streets.

No changes were made to policy UT-35 or to policy UT-36.

Mr. Matz noted that line 65, policy UT-37, also represents a rewrite of an existing policy to be more assertive when it comes to taking advantage of major capital projects.

Commissioner Walter asked why the reference to scheduling was pulled from the existing policy. Mr. Matz said scheduling of projects is built into the seven-year Capital Investment Program (CIP). Mr. Inghram said the proposed policy language could include specific reference to the schedules for projects within the CIP. There was agreement to make that revision.

There was agreement not to make any changes to line 66, policy UT-38.

With regard to line 67, policy UT-39, Mr. Matz explained that there has been an evolving discussion between the Utilities Element and the connectivity teams around separating telecommunication facilities from electrical distribution. The purpose of policy UT-39 is to ultimately achieve undergrounding of electrical distribution lines. While there must be recognition of the fact that the city does not have a financial structure that allows for mandating undergrounding, the policy clearly states the city's desired outcome. Telecommunications is pulled from the policy but added back into the new policy at line 71.

Commissioner deVadoss asked what the rationale is for separating telecommunication facilities from electrical facilities if the city's goal in both cases is the same. Mr. Inghram said the problem is that under the current policy any new electrical or communication line would have to go underground. Any company wanting to install a new fiber optic cable would be required to put it underground even though all other cables may be strung up on poles. The proposed policy change allows for putting new wires on an existing aerial system, but if any of the lines are ultimately put underground, they all must be undergrounded.

Commissioner deVadoss noted that as proposed the policy says where there is existing legacy infrastructure, more legacy infrastructure will be allowed. That does not seem to be a constructive principle. Mr. Inghram said that has certainly been a concern for many and that is

in fact where the original policy language comes from. What the city is hearing, however, is that a new fiber optic company will not underground lines if there are existing lines up in the air for economic reasons. The existing policy, therefore, means new facilities simply will not be built, reducing competition, and the legacy systems will remain in place.

Commissioner Carlson asked if there has been a discussion at the Council level about eventually phasing out all legacy infrastructure. Mr. Inghram said there are two aspects. Where new development occurs, undergrounding is required. Where there are new street projects, there is an evaluation conducted to determine if undergrounding can be done as part of the work. The new policy states that when undergrounding of an existing line is done, all existing overhead lines must be undergrounded. Other policies in the section advocate for funding mechanisms and require the removal of equipment that become abandoned. There is not, however, currently any policy direction to sunset legacy systems.

Commissioner Tebelius noted that the undergrounding of facilities was contemplated as part of the West Lake Sammamish Parkway project but the cost was deemed to be prohibitive. Mr. Matz said the city wants to recognize that situations like that one do exist.

Mr. Inghram suggested the Commissioners should read several of the policies together and return to discussing them before making changes to them. He reiterated that policy UT-39 is a change in policy, and that the current policy language has been shown to be a hindrance toward allowing new telecommunication facilities.

Mr. Matz explained that the new policy in line 68 addresses determining at the time street projects are implemented whether or not undergrounding of distribution facilities should be required, and if so, how the work should be paid for. The new policy in line 69 links the issue of constraints with advocating for state legislation that helps address the need for funding.

With regard to line 69, Commissioner Tebelius said she had no issue with the city seeking funds from the state, but said she did not believe the direction should be included in the Comprehensive Plan. She proposed eliminating the policy. Commissioner Hamlin expressed the same view.

Mr. Matz noted that Mr. Plummer was calling for the inclusion of "cost-effective" in both new policies.

Mr. Inghram said it is very difficult for the city to go to adjacent property owners to find the money to underground facilities, just as it is difficult for the city to pony up several million dollars to underground facilities. While the desire is there to see systems undergrounded, there appear to be a lot of rules in place that keeps the city from simply requiring the utility to do it. He allowed that while the intent of the policy is clear, the wording may not be. Clearly it will require involvement on the part of non city agencies to prevail. The policy goes well beyond simply seeking grant money and incorporates the notion of identifying different ways to enable funding.

Commissioner Hamlin said that clarification was helpful but suggested the wording of the proposed policy is not quite right. The real intent is on seeking opportunities to mitigate impacts by undergrounding, including advocating for change at the legislative level.

Commissioner Tebelius stated that there are many changes needed to regulations at the

legislative level. However, the Comprehensive Plan should not be the vehicle to use. It would be appropriate for the Commission to recommend that the Council consider advocating for change.

The staff agreed to revise the language and bring it back for consideration.

Returning to the new policy in line 68, Commissioner Hamlin said he liked what the language is trying to say but not the way it is drafted. Mr. Matz allowed that the language was reverse engineered from existing code requirements. The intent is to be directive about the means required at the time opportunities occur.

Answering a question asked by Commissioner Hilhorst, Mr. Matz said there is a statute that allows cities to use an LID to underground facilities, and it is slightly different from the city's general LID authority to pay for projects. Even so, the formation of an LID requires a vote of those who will be benefited.

Commissioner Hamlin and Commissioner Hilhorst proposed wording the policy to read, "When implementing street projects, determine whether the relocation of distribution facilities underground is required. If so, determine the manner of payment: tariff schedule, capital improvement program, or the formation of a local improvement district." There was agreement to do so.

With respect to line 70, Mr. Matz said the idea is to reinforce the intent of the Utilities Element with the urban design policies.

A motion to extend the meeting to 9:45 p.m. was made by Commissioner Carlson. The motion was seconded by Commissioner Hamlin and it carried unanimously.

Mr. Matz explained that the new policy in line 71 is related to policy UT-39 and the separation of electrical and telecommunications facilities. The policy is focused on directing the undergrounding of telecommunications facilities.

Commissioner deVadoss asked how do other cities approach the issue of underground telecommunications. Mr. Inghram said some older cities have a lot of above-ground power poles and they allow new lines to be strung on them without much regulation. Where there are modern developments, utilities are routinely placed underground at the time of development and anything new that comes along must also be undergrounded. In the middle are the cities like Bellevue that have a mix of above-ground and underground facilities. Mr. Matz said for the most part cities try to link the undergrounding of telecommunications facilities to street projects using franchise agreements and rights-of-way. Commissioner deVadoss said it would be helpful to be given data on how cities similar in size to Bellevue handle the issue.

Commissioner Hilhorst observed that line 71 links back to line 67 which the Commission put on hold. She suggested leaving line 71 open for a time as well, allowing time for the Commissioners to give the issue more consideration.

There was agreement in favor of making the proposed change to line 72, policy UT-40; to make no change to line 73, policy UT-41; to make the proposed change to line 74; and to make no changes to lines 75 through 86.

With regard to line 88, policy UT-55, Mr. Matz said the minor wording change is intended to reflect current terminology. There was agreement to make the change.

Mr. Matz explained that the submittal of areawide plans as called for in line 89, policy UT-56, is required by code, and that is why the word "encourage" was changed to "require."

Commissioner Tebelius questioned why the policy is even needed given the code requirement. Mr. Matz answered that the city sometimes has trouble getting permit applicants to submit areawide plans. Commissioner Tebelius said even so earlier on a policy was deleted because the issue was included in the code. Mr. Inghram added that there is oftentimes pushback from applicants and the permitting staff likes to have a policy it can point to. Commissioner Tebelius said her preference would be to focus on making the code requirement clear if it is not already.

There was agreement not to make any changes to lines 90 and 91, policies UT-57 and UT-58.

Mr. Matz explained that the changes to line 92, policy UT-59, were intended to shorten the policy while maintaining its intent, and to avoid redundancy with policies UT-55 and UT-60.

Commissioner Hilhorst said her preference would be to retain the portion proposed to be deleted, except for removing the word "personal." There was agreement to make that revision.

There was agreement to make the proposed changes to lines 93 and 94, policies UT-60 and UT-61.

Answering a question asked by Commissioner Tebelius, Mr. Matz said there is currently no code requirement in place that addresses the issue outlined in line 95, policy UT-62. He said having a policy in the Comprehensive Plan would be the first step to realizing such a code requirement, however.

Commissioner Walter asked if a timeline for removal of abandoned facilities is needed. Mr. Matz agreed it would be useful and suggested adding "the timely" ahead of "removal." There was agreement to do that.

There was agreement to delete lines 96 and 97, policies UT-63 and UT-64, given that both are duplicative of UT-61.

There was consensus to make the change to policy UT-65 as proposed in line 98; to make no change to lines 99 and 100, policies UT-66 and UT-67; to accept the new policy in line 101; and to make no changes to lines 103 and 103, policies UT-68 and UT-69.

With regard to line 105, policy UT-70, Mr. Matz said the city has twice since 2004 reviewed the state of research on electromagnetic fields. The proposed change seeks to broaden the existing policy to include the potential health impacts associated with electrical facilities to assure the relevance of the policy over time.

Commissioner Walter suggested that "review periodically" is vague. She proposed having the policy call for the review of all new accepted scientific research. Mr. Matz said the two reviews conducted by the city were both triggered by a specific issue, and he suggested the city would not make decisions in the absence of the latest information. Mr. Inghram added that the planning staff are not constantly online checking for the latest data regarding electromagnetic radiation.

The literature is reviewed when there is a specific need to do so. He agreed, however, to look for a better word than "periodically."

There was agreement to make no changes to lines 106 through 110, policies UT-70 to UT-75, and to accept the new policy in line 111.

With regard to the new policy in line 112, Mr. Matz explained that the city does exercise oversight of the Seattle City Light and Olympic Pipeline infrastructure, but the current Comprehensive Plan does not include a policy to say so. The city has a franchise agreement with Olympic Pipeline, and should Seattle City Light ever propose upgrading their facilities, the city could regulate them as an electrical utility facility. There was agreement in favor of the new policy.

- 8. OTHER BUSINESS - None
- 9. PUBLIC COMMENT - None

A motion to extend the meeting for five minutes was made by Commissioner Hamlin. The motion was seconded by Commissioner Tebelius and it carried unanimously.


- 10. DRAFT MINUTES REVIEW
 - A. June 25, 2014
 - B. July 9, 2014
 - C. July 30, 2014

A motion to move approval of the minutes to the next Commission meeting was made by Commissioner Tebelius. The motion was seconded by Commissioner Hamlin and it carried unanimously.

- 11. ADJOURN


A motion to adjourn was made by Commissioner Tebelius. The motion was seconded by Commissioner Walter and it carried unanimously.

Commissioner Hilhorst adjourned the meeting at 9:48 p.m.



Paul Inghram
Staff to the Planning Commission

2/25/2015
Date



Aaron Laing
Chair of the Planning Commission

2/25/15
Date

* Approved as corrected January 28, 2015

