



## TOWN OF BEAUX ARTS VILLAGE

### PLANNING COMMISSION

#### MINUTES

January 16, 2020

Laws

**Present:** Chairperson Jeremy Laws, Commissioners Kim Moloney, James McCarthy

**Excused:** Commissioner Steve Tegeler

**Staff:** Deputy Clerk Angela Kulp

Chairperson Laws called the meeting to order at 7:12pm. Deputy Clerk Kulp distributed the draft 2020 Meeting Calendar, and noted we still have a vacancy, which does not yet have a confirmed candidate from the Council. She also reminded commissioners about administrative training, required every 4 years.

**MINUTES:** There was no meeting in December. Chairperson Laws moved to approve the November 21, 2019 minutes as written. Commissioner Moloney seconded. Vote: 3 For, 0 Against. Motion carried.

**COUNCIL UPDATE:** Deputy Clerk Kulp noted that the Council received and reviewed all that had been shared with them before the holidays, and the Council has now completed their drafted ordinances. She explained the Council is returning 5G to the Planning Commission and wants this commission to conduct a public hearing on both drafted ordinances for 5G work. One ordinance is a Master Ordinance, which outlines the parameters for obtaining a franchise and actual deployment of facilities. The second ordinance presents design standards that are meant to preserve the Town's appearance while meeting the limitations created by the FCC's regulations.

Deputy Clerk Kulp noted the Council has urged the Planning Commission to thoroughly review the ordinances and prepare for a Q&A with an invitation to Ms. Eileen Keiffer, prior to scheduling any public hearing at the Planning Commission. Ms. Keiffer is a member of the Madrona Law Group which prepared this code language and is extremely knowledgeable about 5G and has prepared code language for several municipalities besides our own.

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

Deputy Clerk Kulp shared a scientific article recommended by other jurisdictions on the health of 5G, <https://www.howtogeek.com/423720/how-worried-should-you-be-about-the-health-risks-of-5g/>. Commissioners reviewed, noting it concluded for now everything we know about 5G networks tells us that there's no reason to be alarmed for our health. Commissioner Moloney shared her concern for our eagles and wondered if there is any research about 5G pole impacts to them.

The Commissioners dove into their discussions of the 5G drafted ordinances. Commissioner Moloney kept a list of accumulating questions for Ms. Keiffer during the discussion, noting her own concerns with a few examples around any potential FCC contradictions, the need for deterring speculators and recording original conditions, but also approved of the performance bond requirements. Commissioner McCarthy shared concerns about how pathways and road ends may be impacted, with a focus on clarifications, and what's legal and enforceable with the FCC. Commissioner Laws shared his concerns about impacts to flora and fauna and is more interested in a general conversation with Ms. Keiffer than specific questions in determining how best to use these protections at our disposal.

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

Deputy Clerk Kulp explained the Council was again asked to consider regulating short-term rentals. Now that the 5G discussion on those regulations are nearing completion, the Council is asking the Planning Commission to begin fact-finding to consider several questions while the 5G task is completed. She noted most Councilmembers remain neutral on the idea of creating new regulations for short-term rentals; however, they are open to any and all suggestions the Planning Commission may have as a result of this study.

The Commissioners discussed the Council's request and how to best collect information. Commissioners noted bigger cities are now licensing Airbnb for tourism, and some towns are requiring short-term rental licenses. Commissioners noted their concern here for absentee landlords may be addressed simultaneously with research of neighboring cities due to overlap on both issues. Deputy Clerk Kulp suggested also speaking with specific neighbors impacted or involved with short-term rentals. Commissioners agreed research can be on-going while this conversation is tabled until after the 5G public hearing completion for the Council.

**Adjourn:** Commissioner Moloney moved to adjourn the meeting. Commissioner McCarthy seconded. Meeting adjourned at 8:35pm. Vote: 3 For, 0 Against. Motion carried.

**Next Meeting:** The next Planning Commission meeting will be held on a special date of February 13, 2020 at 7:00pm at Commissioner McCarthy's home to accommodate travel schedules and will include a 5G Ordinances Q&A with Ms. Eileen Keiffer.

Respectfully submitted,  
Angela Kulp, Deputy Clerk