

Planning Commission Report

To: City Council

From: Planning Commission

Staff Contacts: Robert G. Odle, Planning Director, 425-556-2417,
rodle@redmond.gov

Lori Peckol, Policy Planning Manager, 425-556-2411,
lpeckol@redmond.gov

Pete Sullivan, Senior Planner, 425-556-2415,
ppsullivan@redmond.gov

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Title and File Number: 2010-2011 Periodic Update of Redmond's Comprehensive Plan
(L100259)

Planning Commission Recommendation: Adopt amendments to the Capital Facilities and Utilities Elements of the Redmond Comprehensive Plan as shown in *Attachments A and B*.

Summary: Key amendments to the Capital Facilities Element are as follows:

- Continue to emphasize Redmond's commitment to infrastructure investment, urban centers and regional planning
- Clarify Redmond's Capital Planning Program as a whole and relationship to Budgeting by Priorities; update to reflect the upcoming capital investment strategic plan
- Specify functional planning objectives and relationship to the Growth Management Act

- Update capital facilities inventory
- Update service standards, in part to reflect adopted functional plans
- Better incorporate Police and Fire Departments
- Clarify maintenance program and role in capital planning
- Strengthen emphasis on role of public-private partnerships in infrastructure investment

Key amendments to the Utilities Element are as follows:

- Emphasize stormwater utility’s multiple roles and objectives, and relation to sustainability principles (urban center development; environmental stewardship)
- Incorporate new and updated stormwater policies to reflect and provide basis for new regulations and incentive programs; contemporary management philosophies; restoration/retrofits; green infrastructure techniques and maintenance objectives
- Emphasize role of energy service (electrical; natural gas; alternative), and how demand management and alternative technologies relate to sustainability principles
- Incorporate new and updated energy policies to respond to state requirements; conservation goals and new technologies
- Update policies regarding solid waste program, including coordination with King County
- Update wellhead protection program goals
- Update policy to emphasize maintaining Redmond’s competitiveness by promoting access to advanced and affordable communications technology
- Identify conceptual alternatives for implementing policy on undergrounding utility distribution lines (UT-15) for single family properties.

Reasons the Proposal should be Adopted:

The recommended amendments should be adopted to:

- Reflect work that has been advanced or completed since the last periodic Comprehensive Plan update in 2004;
- Incorporate Redmond’s principles for sustainability;

- Respond to new state and regional requirements, and emergent technologies;
- Extend the planning horizon for the Comprehensive Plan to 2030;
- Reflect regulatory changes and accomplishments of recent functional plans;
- Emphasize Redmond's commitment to creating two vibrant urban centers and connected neighborhoods
- Incorporate stakeholder feedback; and
- Better organize the elements as a whole.

Recommended Findings of Fact

1. *Public Hearing and Notice*

a. **Public Hearing Date**

The Redmond Planning Commission held a public hearing on the proposed amendments to the Capital Facilities and Utilities Elements on July 20, 2011. Three individuals provided oral testimony. The written comment period was held open until the following study session on July 27, 2011. During that time, interested parties who had already provided written comments requested additional time to provide further written comments. At its July 27 study session the Planning Commission accommodated this request by extending the written comment period another week, to August 3, 2011. Written and oral comments are summarized below and are included as *Attachment C*.

MICROSOFT CORPORATION

Two comment letters were provided by Microsoft. Issues from the first letter are as follows:

- **Public-private partnerships**
Requested an express allowance and encouragement of public-private partnerships to finance and construct capital facilities when appropriate and agreed to by all parties.
- **Utility undergrounding**
Suggested amendments to Policy UT-15 which would limit applicability of development-related utility undergrounding to the project site.

- **Retrofitting existing development with current stormwater controls**
Proposed policy modifications to clarify applicability in urban centers and conditions for when green infrastructure techniques need to be implemented.
- **Green infrastructure evaluation and relation to urban center development objectives**
Indicated that minimizing impervious surface area is contrary to urban center development objectives; and, implementation of green infrastructure site planning techniques should be limited to economically-feasible scenarios
- **Coordination with energy service providers**
Expressed concern that the Comprehensive Plan does not address how the City of Redmond and Puget Sound Energy will collaborate to achieve goals or to work in partnership on power reliability, delivery or future innovations.
- **Breadth of new policies associated with energy efficiency**
Expressed concern that new policies (“New 15-21”), though laudable, are overly broad and need clarification as they could result in impractical or economically infeasible regulations.

Issues from Microsoft’s second letter are as follows:

- **Breadth of new policies associated with energy efficiency**
As follow-up to the initial comment on this topic, expressed concern that various proposed energy efficiency policies contained implementation challenges without further specificity on intent, implementation flexibilities and alternatives. Instead, Comprehensive Plan policies should articulate goals and outcomes that recognize cost/benefits and economic and environmental paybacks. The author indicated that ultimately we can agree on outcomes if there is flexibility on how to attain them.

CAIRNCROSS & HEMPELMANN

Representing Redmond industries and the group Redmond Industries for a Clean Environment (RICE), Mr. Randall Olsen, attorney with Cairncross & Hempelmann, provided oral comment and two written comments. The oral comment and first written comment were presented as companion items, and are summarized as follows:

- **Retrofitting existing development with current stormwater controls**
Interprets proposed changes to narrative and policies in the stormwater section as exacting mitigation on private property owners without cause. Requests refinements to clarify City's intent.

The second written comment is summarized as follows:

- **Retrofitting existing development with current stormwater controls**
As follow-up to the initial comment on this topic, the second comment indicated that staff proposed refinements in response to initial public comment on this issue were satisfactory. However a statement in the issue matrix [Item #9; staff response from 7/27/11] that refers to property owners in violation of pollution control regulations meeting current standards caused additional concern, as it implied mandated upgrades beyond that which would be needed to comply with pollution control.

WILLIAMS KASTNER

Representing Calwest Industrial Holdings, LLC, Mr. Alan Wallace, attorney with Williams Kastner, provided oral comment and a companion written comment, summarized below.

- **Retrofitting existing development with current stormwater controls**
This comment reinforced a similar one made by Cairncross & Hempelmann. The issue is whether proposed changes to narrative and policies in the stormwater section would mandate upgrades to private stormwater systems outside of the development process.

SAMMAMISH ROWING ASSOCIATION

Marcy Chartier, Executive Director of Sammamish Rowing Association provided oral comments on behalf of her organization as summarized below.

- **Utility undergrounding**
The Association objects to a condition placed on an already-approved development project that required undergrounding of distribution lines along the property's frontage adjacent West Lake Sammamish Pkwy.

According to Ms. Chartier the City already has plans to perform undergrounding work as part of future road widening, and therefore finds the requirement unfair in light of the relatively high costs of performing the work. The Association does not oppose undergrounding of utilities as a policy matter, but encourages the City to explore cost-sharing arrangements to prevent minor development projects like the Association's from incurring high costs.

ROBERT GUNTHER

Mr. Gunther has been involved in various residential development projects over the last several years. He provided two written comments. The second comment reinforced the first; both are summarized below.

- **Utility undergrounding**

Mr. Gunther objects to the undergrounding requirement associated with his development project due to high costs associated with burying fiber optic cable. According to Mr. Gunther the cable company is not providing a reasonable menu of alternatives, and therefore the City should exercise flexibility in how the requirements is implemented. His recommendation is to exempt minor short plats from undergrounding requirements.

b. Notice

The public hearing was published in the Seattle Times. Public notices were posted in City Hall, at the Redmond Library and on the City's web site. Notice was also provided by including the hearing in Planning Commission agendas and extended agendas mailed to various members of the public and various agencies. The quarterly newsletter for the Comprehensive Plan update also included information about the hearing.

Recommended Conclusions

1. Key Issues Discussed by the Planning Commission

Attachment D includes a summary of the Planning Commission's discussion issues and staff responses related to proposed changes to the Capital Facilities and Utilities Elements. Key issues concerning the Capital Facilities Element are summarized below.

➤ **Maintenance**

The Commission wanted the Capital Facilities Element to better recognize the cost of maintenance activities. Additional edits to the element were made to accommodate this direction, including a portion of the introductory vision statement that refers to anticipating facility maintenance costs as part of the City's operating budget.

➤ **Emergency Management**

The Commission asked how emergency management coincided with the Capital Facilities Element. While Emergency Management does relate to both the Capital Facilities and Utilities Elements, the specific activities of Emergency Management involved operations, as opposed to capital investments. For this reason, the two City documents that speak more directly to emergency management planning and operations, the *City of Redmond Hazard Mitigation Plan (Updated 2009)*, and the *All-Hazards Comprehensive Emergency Management Plan (Updated 2009)*, are not included in the Capital Planning References section of the Capital Facilities Element.

➤ **Service Standards**

The Commission asked that description of the Transportation service standard presented in the Capital Facilities Element include a target threshold, so that its description is more consistent with the section as a whole. Additional language was included, describing the mobility-based transportation service target.

➤ **Public-Private Partnerships**

Per public comment, the Commission supported greater encouragement of public-private partnerships. This was accommodated through additional narrative in Capital Facilities Element Part D: *Redmond's Revenue Sources*, including revisions to policy CF-15.

➤ **School District Facility Planning**

Per discussions with Lake Washington School District, the Commission endorsed staff's recommended amendment to Policy CF-17, which addresses school district facility planning and coordination with the City of Redmond's long-term goals. The proposed amendment is to delete bullet #5, which calls for a strategy for achieving consistency between the land use vision and the school district facility plan beyond six years.

The Lake Washington School District *Six Year Capital Facility Plan, 2011-2016* (Adopted by School District Board May 16, 2011) generally complies with CF-17. However, in reviewing that policy, staff found the 5th bullet to be unclear and duplicative, and that its removal would not negatively impact the policy as a whole.

Key issues concerning the Utilities Element are summarized below.

➤ **Utility Undergrounding**

As part of its review of the Utilities Element staff provided a memo to the Planning Commission requesting review and recommendation of the Technical Committee's recommended alternative to implementing policies UT-14 and UT-15, which require undergrounding of new and existing utility distribution lines as private developments and capital projects occur.

Initially, the preferred staff recommendation was to adopt a fund-based, corridor approach where single family property owners contribute a pre-determined amount toward funding a future City project that undergrounds frontage utilities along an entire corridor, as opposed to the current incremental effort that undergrounds spans one parcel at a time.

After further internal review and consultation with the City Attorney the Technical Committee revised its recommendation to maintain incremental undergrounding of utility distribution lines, but increase allowed exemptions and routinely review short plats through the Technical Committee. Under this approach, new single family homes and alterations to single family homes would only be required to bury service lines on site and to the utility pole. The last page of the Final Issues Matrix (*Attachment D*) shows how various development types would be impacted by the recommended concept.

The Planning Commission supported the Technical Committee's revised recommendation. The Commission encourages consideration of the following, for purposes of drafting future Zoning Code language:

- Provide further guidance for consideration of exemptions for short plats
- Explain the Technical Committee review process
- Provide a more complete listing of the specific land use types affected by potential Zoning Code changes, as opposed to citing general categories
- Consider cost impacts to the City over long term

➤ **Stormwater Retrofitting**

As noted above, the Commission received public comments expressing concern that initial staff-recommended changes to narrative and policies in the *Stormwater and Surface Water Management* section of the Utilities Element could be interpreted as exacting mitigation on private property owners without cause. In response to public comment, staff noted that the intent of narrative and policies associated with public comment was not to suggest that the City may mandate stormwater system upgrades to private property owners without cause. The City does intend for future private and public development to meet current stormwater standards, including evaluation of green infrastructure techniques with implementation as appropriate.

In addition, staff noted that narrative in the opening of the stormwater section is intended in part to point out that much of Redmond was developed long before adoption of current stormwater regulations, and the resultant extent of impervious surfaces without contemporary stormwater controls is significant. Appropriately reconciling this condition is a major step the City can take toward meeting its environmental goals. Retrofitting developed areas via City capital projects – which can improve the management of stormwater on both public and private property – and ensuring that property owners in violation of pollution control regulations are brought into compliance are two ways to further this effort. Staff proposed additional changes to narrative on page 13 and Policy New 4, in response to public comment. Staff followed up with individuals who provided the public testimony to confirm that the changes addressed their concerns. The Planning Commission was satisfied with this outcome.

New Energy Policies

As noted in Part 1 above, the Commission received public testimony expressing concern over the breadth of new policies associated with energy efficiency (Policies “New 15- 21, page 33). The Planning Commission and staff were interested in knowing if public comments were related to specific portions of the policies, or rather to implementation. Additional public comment was received, expressing concern over the implementation of the policies, as opposed to specific language.

Because the policies do not specify mandates, or preclude specific development activities, the Planning Commission was not compelled to make further changes. The Commission expressed interest in inviting further coordination with the public at the implementation stage, such as Zoning Code development or development of specific climate change provisions such as those that may be associated with a climate action plan.

➤ **Energy Audits**

The Commission expressed concerns regarding policy NEW 19 in staff-recommended amendments to the Energy Efficiency portion of the Utilities Element (page 33). The concern was that the policy as initially proposed mandated energy audits at time of building transfer of ownership. Commissioners felt this was more of a market function. Staff re-drafted the policy to clarify purpose, and cited energy audits as one of several options for improving building performance and protecting potential buyers, which the Commission found satisfactory.

➤ **Advanced Communications Technology**

In its review of the Parks, Art, Recreation, Culture and Conservation Element (PARCC), which occurred concurrently with the Capital Facilities and Utilities Elements, the Commission asked questions about provision of Wi-Fi in Redmond's parks, and other locations. Parks' staff addressed that question as it relates to future park development and operations.

In addition, staff advised the Planning Commission that existing policy UT-78 (proposed policy re-numbered to UT-81) in the Telecommunications section of the Utilities Element already recognized the importance of Wi-Fi access, and that staff-proposed changes to this policy speak to maintaining Redmond's competitiveness by promoting access to "advanced and affordable communications technology," which is intended to support Wi-Fi and the current and future infrastructure associated with it. Commissioners proposed no further changes; rather, they enthusiastically supported the proposed policy and offered several viewpoints for Council consideration, including:

- City should support, but not become a direct provider of Wi-Fi for the benefits of residents, business, and visitors.
- City could consider managing Wi-Fi service like a utility, on a wholesale basis, where the City is a service facilitator or enabler.
- Wi-Fi and internet access is not merely a luxury; it serves a public purpose.
- Promoting Wi-Fi access supports economic development goals, and presents the City as progressive and responsive to contemporary needs.
- Increased availability of Wi-Fi ensures all citizens have access to what is becoming a basic human service, regardless of income level or housing type.

2. Recommended Conclusions of the Technical Committee

The recommended conclusions in the Technical Committee Report (*Attachment E*) should be adopted as conclusions.

3. Planning Commission Recommendation

The Planning Commission adopted a motion to recommend approval of amendments to the Capital Facilities and Utilities Elements of the Comprehensive Plan by a vote of 6-0 at its August 10, 2011 meeting. The Planning Commission approved their report to City Council on August 24, 2011.

List of Attachments

Attachment A: Recommended Amendments to Capital Facilities Element

Attachment B: Recommended Amendments to Utilities Element

Attachment C: Public Comment Testimony

Attachment D: Planning Commission Final Issues Matrix

Attachment E: Technical Committee Report with Exhibits

Robert G. Odle, Planning Director _____
Date

Thomas T. Hinman, Planning Commission Chairperson _____
Date

Approved for Council Agenda _____
John Marchione, Mayor _____
Date