



DATE: November 21, 2007

TO: Chair Robertson
Bellevue Planning Commission

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SUBJECT: Utilities Element for Electrical Facilities Comprehensive Plan Amendment (CPA) (05-114985 AC) and Land Use Code Amendment (LUCA) (07-132926 AC) December 12, 2007 Public Hearing

I. PROPOSAL

This city-initiated Comprehensive Plan Amendment (CPA) proposes:

Utilities Element map and policy amendments: Add four new policies (UT.72-UT.75) under Non City-Managed Utilities - Additional Electrical Facilities; amend and add text under Non City-Managed Utilities – Electrical Service, Natural Gas Service; amend Figure UT.5 to create a new Figure UT.5 – Existing Electrical Facilities and a new Figure UT.5A – New or Expanded Electrical Facilities; amend Figure UT.7 to reflect current locations of PSE Gas Mains serving Bellevue, specifically in the Downtown.

Amendments to the Land Use Code: Amend E, L, and U Definitions at LUC 20.50.018 and .032 to amend the definition of Electrical Utility Facility, Local Utility System, and Utility Facility; amend LUC 20.20.650 Public Utilities – Design and Performance Standards; amend LUC 20.20.520(F)(2)(a) Landscape development; amend LUC 20.10.440 Land Use Charts; and create a new section LUC 20.20.255 Electrical Utility Facilities.

See Attachments 1, 2, 3, and 4.

II. STAFF RECOMMENDATION

This proposal satisfies the Decision Criteria for a Comprehensive Plan Amendment and for amendments to the Land Use Code (see Sections III and IV, respectively) and **staff recommends approval of the Comprehensive Plan Amendment and of the amendments to the Land Use Code to:**

- amend the policies, text, and maps of the Utilities Element of the Comprehensive Plan,

and amend the text of the Land Use Code, both for the siting and/or expansion of electrical utility facilities, to adopt and implement the direction of the City Council as contained in Resolution No. 7107 adopted December 6, 2004.

With the direction established in Resolution No. 7107 the City Council sought to balance two equally important objectives:

- Protection of residential neighborhoods from incompatible electrical facilities; and
- The needs of Puget Sound Energy (PSE) to provide sufficient electrical energy to service the growing demand of Downtown Bellevue and other commercial areas

The Utilities Element policies establish a new framework to clarify the roles and expectations for the city, PSE, and community, when siting electrical facilities. The process of siting such facilities remains a balancing act between neighborhood impacts and the need for adequate and reliable power.

The maps and policies:

- Recognize PSE's primary responsibility in implementing its electrical service system.
- Identify those new and expanded electrical facilities proposed in sensitive locations.
- Introduce a requirement for alternative siting analyses for these sensitive facilities.
- Support the development of regulations that address specific site mitigation.

The policies require an analysis of alternative potential sites, for those facilities deemed sensitive to neighborhood character. In addition, the policies address the need for appropriate site mitigation (e.g. technology, facility design, screening, landscaping) to minimize visual impacts and help make facilities compatible with their neighborhood context.

The policies also continue to maintain and strengthen a focus on meeting community needs for system reliability. A parallel effort underway through the City's utility franchise is undertaking additional work with PSE to explore future opportunities for improving electrical system reliability.

III. DECISION CRITERIA - CPA

The Decision Criteria for a Comprehensive Plan Amendment are set forth in the Land Use Code, Section 20.30I.150. Based on the criteria, Department of Planning and Community Development staff has concluded that the proposed amendment merits **approval**. This conclusion is based on the following analysis:

A. There exists obvious technical error in the pertinent Comprehensive Plan provision, or

Not applicable to this proposal.

B1. The proposed amendment is consistent with the Comprehensive Plan and other goals and policies of the city, the Countywide Planning Policies (CPP), the Growth Management Act and other applicable law; and

The proposed amendment is consistent with the Comprehensive Plan and other goals and policies in these planning documents for urban growth development.

Comprehensive Plan

The Utilities Element **Overview** section notes that:

"The Utilities Element contains policies and maps that guide the siting of utility facilities in the city. The main purpose of this element is to ensure that Bellevue will have utility capacity to adequately serve the Land Use Plan. Policies also address the quality, reliability, safety and regulation of the services provided. Other policies address environmental impacts, facilities location and construction, economics, and aesthetics in design and landscaping."

In general, existing policies that are relevant to electrical facilities address issues of jurisdictional coordination, aesthetic and ROW compatibility, soliciting early community input, energy conservation, and the state of research on electro-magnetic fields.

For non city-managed utilities, policy defers to the serving utility the implementation [timing] sequence of utility plan components. For the planning, siting, and construction of electrical facilities, systems, lines, and substations, the Utilities Element currently requires that the electrical utility strike a reasonable balance between potential health effects and the cost and impacts of mitigating those effects by taking reasonable cost-effective steps.

Implementing the new policies and maps is consistent with **Utilities Element Goal 3:**

"To facilitate the provision of reliable utility service in a way that balances the public's concerns about safety and health impacts of utility infrastructures, consumers' interest in paying no more than a fair and reasonable price for the utility's product, Bellevue's natural environment and the impacts that utility infrastructures may have on it, and the community's desire that utility projects be aesthetically compatible with surrounding land uses."

The Comprehensive Plan amendment process provides an opportunity to conduct broad, citywide review of the planned facilities. This does not pre-approve individual facilities. However, it can provide a context to facilitate their review. The Comprehensive Plan can be a record of the overall planned expansion and the fundamental elements of where facilities should be located and how they should be designed.

Growth Management Act

In its current form, the proposal is consistent with GMA Planning Goals of Urban Growth, Reduce sprawl, Economic development, Permits, Open space and recreation,

Environment, Citizen participation and coordination, Public facilities and services, and Shoreline Management.

The proposal is inapplicable to Transportation, Housing, Property Rights, Natural Resource Industries, and Historic Preservation.

The city's responsibility under the GMA is to work with utility providers to plan for the system capacity to adequately serve the Comprehensive Plan. The GMA contains specific direction for utilities elements, noting in RCW 36.70A.070(4) that "...each comprehensive plan shall include a plan, scheme, or design for each of the following:

- A utilities element consisting of the general location, proposed location, and capacity of all existing and proposed utilities, including, but not limited to, electrical lines, telecommunication lines, and natural gas lines."

Bellevue currently implements this GMA requirement by including a map of Electric Transmission Facilities at Figure UT.5 in the Utilities Element. This figure is a schematic representation of the existing and planned facilities in the [PSE] Greater Bellevue Area System Plan. A map is key to creating a physical understanding of the application of policies to influence both system-wide and individual project siting and expansion decisions.

Countywide Planning Policies

Countywide Planning Policies for King County are organized by topics in nine separate chapters. The framework policies in each chapter are implemented through local plans and regulations. Evidence of the consistency of the proposal with the framework policies is as follows:

- I. **Critical Areas** *The proposal will not affect the implementation of regulations dealing with critical areas.*
- II. **Land Use Pattern** *The proposal is consistent with the implementation of the desired urban land use pattern. It focuses on improving the compatibility of new and expanding electrical facilities with the City's land use planning, while recognizing the need for electrical system expansion to meet the demands of land use growth.*
- III. **Transportation** *The proposal will not affect the implementation of regional transportation systems.*
- IV. **Community Character and Open Space** *The proposal will improve the City's ability to maintain community character, particularly in residential areas, when addressing the need for electrical utility system expansion.*
- V. **Affordable Housing** *Not applicable to this proposal.*

VI. Contiguous and Orderly Development and Provision of Urban Services to Such Development *The proposal is consistent with the city's obligations to work with utility providers to plan for the system capacity to adequately serve the Comprehensive Plan.*

VII. Siting Public Capital Facilities of a Countywide or Statewide Nature. *The proposal does not affect processes for the siting of such facilities. The city regulates these facilities as a defined class of Regional Utility Systems.*

VIII. Economic Development *Not applicable to this proposal.*

IX. Regional Finance and Governance *Not applicable to this proposal.*

B2. The proposed amendment addresses the interests and changed needs of the entire city as identified in its long-range planning and policy documents; and

The amendment addresses the interests and changed needs of the entire city.

The Utilities Element policies establish a new framework to clarify the roles and expectations for each of the city, Puget Sound Energy, and community, when siting electrical facilities. The process of siting such facilities remains a balancing act between minimizing neighborhood impacts and addressing the need for adequate and reliable power.

In initiating this amendment through Resolution No. 7107, the City Council recognized the changed needs of the City in balancing neighborhoods' interest in minimizing the impacts of facility siting and expansion, as well as the need to provide for an adequate and reliable electrical system. The Council Resolution was in response to concerns that arose about the existing electrical facilities planned for expansion, as well as new facilities not yet sited.

The focus of these concerns was largely on the visual and aesthetic impacts of electrical facilities, especially existing facilities planned for expansion in residential areas, and new facilities with the potential to be located in residential areas. The proposal here sets the city's framework for review within its GMA obligations, identifies facilities that may be sensitive to residentially-zoned areas, and consistently regulates those facilities identified as sensitive through alternative siting analysis and performance standards.

City mapping and analysis of the PSE system plan, providing early identification of facilities that may be sensitive to residential impacts, will provide an improved framework for the review of individual projects. The map can be updated to better identify the system role and potential visual impact of a facility. The mapping will also serve to increase the level of community understanding about the system-based provision of electrical facilities.

B3. The proposed amendment addresses significantly changed conditions since the last time the pertinent Comprehensive Plan map or text was amended. See LUC 20.50.046 [below] for the definition of “significantly changed conditions;” and

Significantly changed conditions are defined as: Demonstrating evidence of change such as unanticipated consequences of an adopted policy, or changed conditions on the subject property or its surrounding area, or changes related to the pertinent Plan map or text; where such change has implications of a magnitude that need to be addressed for the Comprehensive Plan to function as an integrated whole. *This definition applies only to Part 20.30I Amendment and Review of the Comprehensive Plan (LUC 20.50.046).*

The proposed amendments address significantly changed conditions since the last time the electrical facilities sections of the Utilities Element were addressed in 1993. Specifically the proposed amendments address changes related to the pertinent Plan map or text; where such change has implications of a magnitude that need to be addressed for the Comprehensive Plan to function as an integrated whole.

In 1993 the Utilities Element amendments were primarily of two issues: compliance for the Element under GMA obligations to ensure that Bellevue would have utility capacity to adequately serve the Land Use Plan, and creation of a policy framework to anticipate impacts of the evolving state of the science of electrical and magnetic fields (EMF).

The current amendment focuses on a matter that was not addressed in 1993, the issue of residential neighborhood compatibility with new and expanding electrical facilities. As the serving utility continues to implement its system plan with site-specific proposals, the city has discovered that existing mapping and electrical utility sections policy do not give adequate guidance for how the Comprehensive Plan should balance neighborhood impacts with the need for adequate and reliable power.

The proposed amendments are necessary to ensure that the Plan functions as a whole; i.e., that issues of land use, community character, and utility planning are addressed in a comprehensive manner.

Relevant to the issue of changed conditions, the City also explored the current state of research on electric and magnetic fields (EMF), consistent with existing **Policy UT-70**: “Review periodically the state of scientific research on EMF and make changes to policies if the situation warrants.” A separate study (now part of the environmental record) was conducted by an independent expert. The EMF report concluded that existing policy was adequate to address the potential for impacts related to EMF as the science and technology has evolved, and no new policies in this area are thus proposed. The entire report and its conclusions are part of the environmental record and SEPA threshold decision for this CPA.

Finally, new gas mains have been built to serve the Downtown, and these mains must be shown on a revised **Figure UT.7 – Natural Gas Mains**.

B4. If a site-specific proposed amendment, the subject property is suitable for development in general conformance with adjacent land use and the surrounding development pattern, and with zoning standards under the potential zoning classifications; and

Not applicable. This CPA concerns amendment of the Utilities Element, one of the General Elements of the Comprehensive Plan with City-wide applicability.

B5. The proposed amendment demonstrates a public benefit and enhances the public health, safety and welfare of the city.

The proposed amendment demonstrates a public benefit, and enhance the public health, safety and welfare of the city and its residents. It provides Comprehensive Plan policy guidance and leads to development regulations that create improved predictability in expanding existing facilities and developing new facilities that meet the City's needs for electrical system reliability, while better addressing issues of neighborhood compatibility.

IV. DECISION CRITERIA - LUCA

The Planning Commission may recommend and the City Council may approve or approve with modifications an amendment to the text of the Land Use Code pursuant to Part 20.30J LUC. Based on the criteria contained in Part 20.30J LUC, the Department of Planning and Community Development concluded that the proposed amendment merits **approval**. This conclusion is based on the following analysis:

A. The amendment is in accord with the Comprehensive Plan.

The proposed amendments are intended to improve the quality of the land use code by ensuring consistency with the Comprehensive Plan and Growth Management Act. In addition to the proposed Comprehensive Plan policies described above, the land use code amendments, as well, serve to further the following policies:

Policy CP-2. Consider the interests of the entire community and the goals and policies of this Plan before making land use decisions. Proponents of change in land use should demonstrate that the proposed change responds to the interests and changing needs of the entire city, balanced with the interests of the neighborhoods most directly impacted by the project.

Policy LU-9. Maintain compatible use and design with the surrounding built environment when considering new development or redevelopment within an already developed area.

Policy LU-19. Maintain stability and improve the vitality of residential neighborhoods through adherence to, and enforcement of, the city's land use regulations.

Policy LU-22. Protect residential areas from the impacts of non-residential uses of a scale not appropriate to the neighborhood.

Policy HO-9. Explore opportunities to implement alternative neighborhood design concepts. Involve residents and other stakeholders in this process.

Policy EN-88. Ensure that excessive noise does not impair the permitted land use activities in residential, commercial, and industrial land use districts.

B. The amendment bears a substantial relationship to the public health, safety or welfare.

The City's development regulations, contained in the Land Use Code, are designed to further the public health, safety and welfare, as identified by the City Council through its legislative process. Specifically, the proposed amendments serve to protect the public health, safety and welfare of the City and its citizenry by ensuring impacts associated with new or expanding Electrical Utility Facilities are mitigated to the extent authorized by state and local law.

C. The amendment is not contrary to the best interest of the citizens and property owners of the City of Bellevue.

The public interest is generally identified in the Comprehensive Plan and the development regulations that implement it. As described above, the proposed amendments ensure impacts associated with new or expanding Electrical Utility Facilities are mitigated to the fullest extent authorized by state and local law. The impact of the proposed amendments, therefore will improve Land Use Code with respect to regulation of Electrical Utility Facilities. Because of the potential impacts to neighborhoods resulting from new or expanding Electrical Utility Facilities, the public interest is advanced through this proposal.

V. STATE ENVIRONMENTAL POLICY ACT

The Environmental Coordinator for the City of Bellevue has determined that this proposal will not result in any probable, significant adverse environmental impacts. A final threshold determination of non-significance (DNS) was issued on November 19, 2007.

VI. PUBLIC NOTICE AND COMMENT

Notice of the CPA Application was published in the Weekly Permit Bulletin and in the Seattle Times on February 22, 2007. Notice of the LUCA Application was published in the Weekly Permit Bulletin and in the Seattle Times on November 1, 2007. The Bellevue City Council initiated this CPA on December 6, 2004. The amendment proposal was presented to the Planning Commission during study sessions on February 28, May 9, June 20, and July 25, 2007. Notice of the Public Hearing before the Planning Commission was published in the Weekly Permit Bulletin and in the Seattle Times on November 19, 2007.

Public comment on this CPA began as early as March 2005 with concerns identifying the topics that the proposal would address. Working with PSE, the city spent the first part of 2006 on developing base information including revised growth projections and the first iterations of a site assessment matrix. The first of two community open houses was held in April 2007, where comments focused on reliability issues (the major December 2006 windstorm and resulting multi-day power outage was fresh on everyone's mind). Comments also raised concern that PSE's System Plan itself had not kept up with changes in siting technology. Some advocated for the city to take a more direct approach to electrical system planning and essentially prescribe acceptable and unacceptable facility locations. The resulting proposed amendments seek to address the community concerns raised about facility siting while working within the GMA and utility planning framework. At the second community open house in October 2007 comment received concentrated on the proposed amendments and how they addressed community concerns, but do not go far enough in addressing PSE's System Plan itself. At that time, the reliability analysis had been separated into a parallel study track under a separate project.

Pursuant to the requirements of the Growth Management Act, state agencies must be given 60 days to review and comment on proposed amendments to the Comprehensive Plan. A list of the 2007 amendments to the Bellevue Comprehensive Plan was provided to state agencies on November 19, 2007 for review.

Please note: copies of all written comments have been provided in a separate notebook.

V. NEXT STEPS

We request you conduct and close the public hearing, discuss the proposal, ask questions of staff, and make a recommendation.

VI. ATTACHMENTS

1. Electrical Facilities Utilities Element text amendments, including new policies and amendments to existing non-policy text
2. Electrical Facilities Utilities Element map amendments, including two new maps at Figure UT.5 and UT.5a
3. Natural Gas Facilities Utilities Element at Figure UT.7
4. Electrical utility facility amendments to the Land Use Code

Utilities Element

GOALS:

1. **To facilitate the development and maintenance of all utilities at the appropriate levels of service to accommodate the City of Bellevue's projected growth.**
2. **To facilitate the provision of reliable utility service in a way that balances the public's concerns about safety and health impacts of utility infrastructures, consumers' interest in paying no more than a fair and reasonable price for the utility's product, Bellevue's natural environment and the impacts that utility infrastructures may have on it, and the community's desire that utility projects be aesthetically compatible with surrounding land uses.**
3. **To process permits and approvals for utility facilities in a fair and timely manner and in accord with development regulations which encourage predictability.**
4. **To encourage new technology that improves utility services while balancing health and safety, economic, aesthetics, and environmental factors.**

OVERVIEW

The Utilities Element contains policies and maps that guide the siting of utility facilities in the city. The main purpose of this element is to ensure that Bellevue will have utility capacity to adequately serve the Land Use Plan. Policies also address the quality, reliability, safety and regulation of the

services provided. Other policies address environmental impacts, facilities location and construction, economics, and aesthetics in design and landscaping.



Non City-Managed Utilities

Authority

The Washington Utilities and Transportation Commission (WUTC) has the authority from longstanding state law to regulate the services and define the costs that a utility can recover, to ensure that the utility acts prudently and responsibly.

With the adoption of the 1990 Growth Management Act (GMA), current law now suggests that both the WUTC and Bellevue have jurisdiction over the activities of electric, gas, and telephone utilities within Bellevue's city limits.

The City of Bellevue has the authority to regulate land use and, under GMA, the requirement to consider the location of existing and proposed utilities and potential utility corridors in land use planning. The city must also plan for the adequate provision of utilities consistent with the goals and objectives of its Comprehensive Plan, taking into consideration the public service obligation of the utility involved.

The City of Bellevue is entitled to reasonable compensation for use of its rights-of-way, and leases of city owned property, structures and conduits.

The Telecommunications Act of 1996 established new responsibilities for the Federal Communications Commission (FCC) in licensing of personal wireless communication service providers. The licenses allow the right to use a block or blocks of the Radio Frequency Spectrum to provide wireless communication services.

Section 704(a)(7) of the Act recognizes the authority of state and local governments over decisions regarding siting of personal wireless communication service facilities, subject to certain limitations.

Electrical Service

While it is critically important to meet growing demand for electrical service and further develop the reliability of Bellevue's electrical system, it is also important to ensure that new and expanding electrical facilities are sensitive to neighborhood character. Figure UT.5a identifies those planned facilities that have the potential to create significant incompatibilities with Bellevue neighborhoods. This figure resulted from an analysis of planned facility locations and manner of expansion anticipated by PSE's system plan. Such factors as proximity to residential neighborhoods, visual access, and expansion within or beyond an existing facility border were considered in identifying potential incompatibilities. The early screening identifies a list of facilities that will require special siting scrutiny. This is

intended to increase transparency of the siting process for PSE and the public, while also ensuring the utility's ability to meet system needs.

Puget Sound Energy (PSE) builds, operates, and maintains the electrical utility system serving the City of Bellevue. PSE is ~~an private~~, investor-owned utility with the responsibility for providing service to over ~~750,000~~ 1,024,000 electric customers in a nine county service area. ~~The system serving Bellevue is part of a larger service area called the "Greater Bellevue Area" which is roughly the an-area between Lake Washington and Lake Sammamish. The area-Greater Bellevue Area includes the entire cities of Bellevue, Beaux Arts, Medina, Hunts Point, Yarrow Point, and Clyde Hill,-~~ ~~This area also includes portions of Kirkland and Redmond and small portions of unincorporated King County.~~

PSE imports electrical energy from generation sources in Canada, on the Columbia River, and from other generation sites inside and outside of PSE's service territory.

~~Based on population and employment forecasts for the next 20-30 years as of 1993, PSE estimates that there will be a peak winter load of approximately 680 MVA (Mega or million volts amperes) in the Greater Bellevue Area. In comparison, the winter peak load in 1993 is 475 MVA. New facilities, including transmission lines and substations, may have to be constructed to meet this demand.~~

PSE's goals are to meet future customer needs for electrical service, enhance system reliability, and maintain safe facilities. As of the end of 2006, PSE served more than 57,200 electric customers within the City of Bellevue. During the winter of 2005-2006, peak electrical load (demand) in the Greater Bellevue Area was 500 MVA (Megavolt-amperes). Based on population, employment and development forecasts for the next twenty to thirty years as of 2006, PSE estimates that peak winter loads in the Greater Bellevue Area will be approximately 625 MVA in 2020 and 700 MVA in 2030. Actual load growth could vary from projections due to economic cycles, land use zoning changes and other drivers. While PSE's existing infrastructure is well positioned to meet City needs, several new system facilities including transmission lines and substations will need to be constructed to meet the projected increased demand for electrical service.

Natural Gas Service

Puget Sound Energy (PSE) builds, operates, and maintains the natural gas distribution system facilities serving the City of Bellevue. PSE is an investor-owned utility serving nearly 650,761 more than 703,000 natural gas customers in five western Washington counties including King, Snohomish, Pierce, Thurston, and Lewis counties in a six county service area. There are approximately 30,697 As of the end of 2006, PSE served more than 31,100 natural gas customers within the City of Bellevue.

~~Natural gas is delivered to a regional distribution network via an interstate pipeline system. Northwest Pipeline Corporation owns and operates the regional network that~~

supplies gas to the states of Washington, Oregon, and Idaho. The pipeline serving Bellevue consists of two pipelines running north and south, in an area east of Lake Sammamish. The Pacific Northwest receives natural gas from widely disparate regions of the United States and Canada. Natural gas is transported throughout the states of Washington, Oregon and Idaho via a network of interstate transmission pipelines owned and operated by Northwest Pipeline Corporation. PSE takes delivery of natural gas from Northwest Pipeline east of Lake Sammamish and distributes the gas to customers via PSE's distribution system. The distribution system serving Bellevue consists of both high pressure and intermediate pressure mains.

~~Based on available population projections for the next 20 years as of 1993, PSE does not foresee a need for major new distribution facilities in Bellevue in the next 20 years.~~

PSE's goals are to meet future customer needs for gas service, enhance system performance, and maintain safe facilities. As of 2006, PSE's natural gas distribution system has sufficient capacity to serve existing demand for gas service in Bellevue. However, system capacity enhancements will be required in next few years to provide service to new development within the Bellevue Downtown area. Additional high pressure mains will need to be extended into the downtown area and additional intermediate pressure mains will be needed to serve specific developments. Thereafter, the need for additional system improvements will be driven by future development.

Non City-Managed Utilities - Additional Electrical Facilities Policies

POLICY UT-68. Encourage the public to conserve electrical energy through public education.

POLICY UT-69. Encourage city and utility involvement with regional or statewide agencies when and if they are developing policies regarding exposure to electric and magnetic fields (EMF) or other utility issues.

POLICY UT-70. Review periodically, the state of scientific research on EMF and make changes to policies if the situation warrants.

POLICY UT-71. Require in the planning, siting, and construction of all electrical facilities, systems, lines, and substations that the electrical utility strike a reasonable balance between potential health effects and the cost and impacts of mitigating those effects by taking reasonable cost-effective steps.

POLICY UT-72. Work with Puget Sound Energy to implement the electrical service system serving Bellevue in such a manner that new and expanded transmission and substation facilities are compatible and consistent with the land use pattern established in the Comprehensive Plan.

Discussion: Where feasible, electrical facilities should be sited within the area requiring additional service. Electrical facilities primarily serving commercial and mixed use areas should be located in commercial and mixed use areas, and not in areas that are primarily residential. Further, the siting and design of these facilities should incorporate measures to mitigate the visual impact on nearby residential areas. These considerations must be balanced with the community's need to have an adequate and reliable power supply.

POLICY UT-73. Require siting analysis through the development review process for new facilities, and expanded facilities at sensitive sites, including a consideration of alternative sites.

Discussion: Sensitive facility sites are those new facilities and existing facilities proposed to be expanded where located in or in close proximity to residentially-zoned districts such that there is potential for visual impacts absent appropriate siting and mitigation. The city will update Figure UT.5a to the extent needed to stay current with changes in PSE's system planning.

POLICY UT-74. Avoid, minimize and mitigate the impacts of new or expanded electrical facilities through the use of land use regulations and performance standards that address siting considerations, architectural design, site screening, landscaping, maintenance, available technologies, and other appropriate measures.

POLICY UT-75. Work with and encourage Puget Sound Energy to plan, site, build and maintain an electrical system that meets the needs of existing and future development, and provides highly reliable service for Bellevue customers.

Discussion: Providing highly reliable service is a reasonable and critical expectation for the service provider, given the importance of reliable and uninterrupted electrical service for public safety and health, as well as convenience. Highly reliable service means there are few and infrequent outages, and when an unavoidable outage occurs it is of short duration and customers are frequently updated as to when power is likely to be restored. A highly reliable system will be designed, operated and maintained to keep pace with evolving technologies and operating standards as they advance over time.

Additional Resources

- City of Bellevue Comprehensive Drainage Plan 1994
- City of Bellevue Comprehensive Wastewater Plan 2002
- City of Bellevue Water Comprehensive Plan 1998
- King County Solid Waste Management Plans
- Puget Sound Energy, Bellevue, Washington
- Local cable and broadband service providers
- Local wireless telecommunications service providers
- City of Bellevue: mapped wireless telecommunication facility sites with issued permits

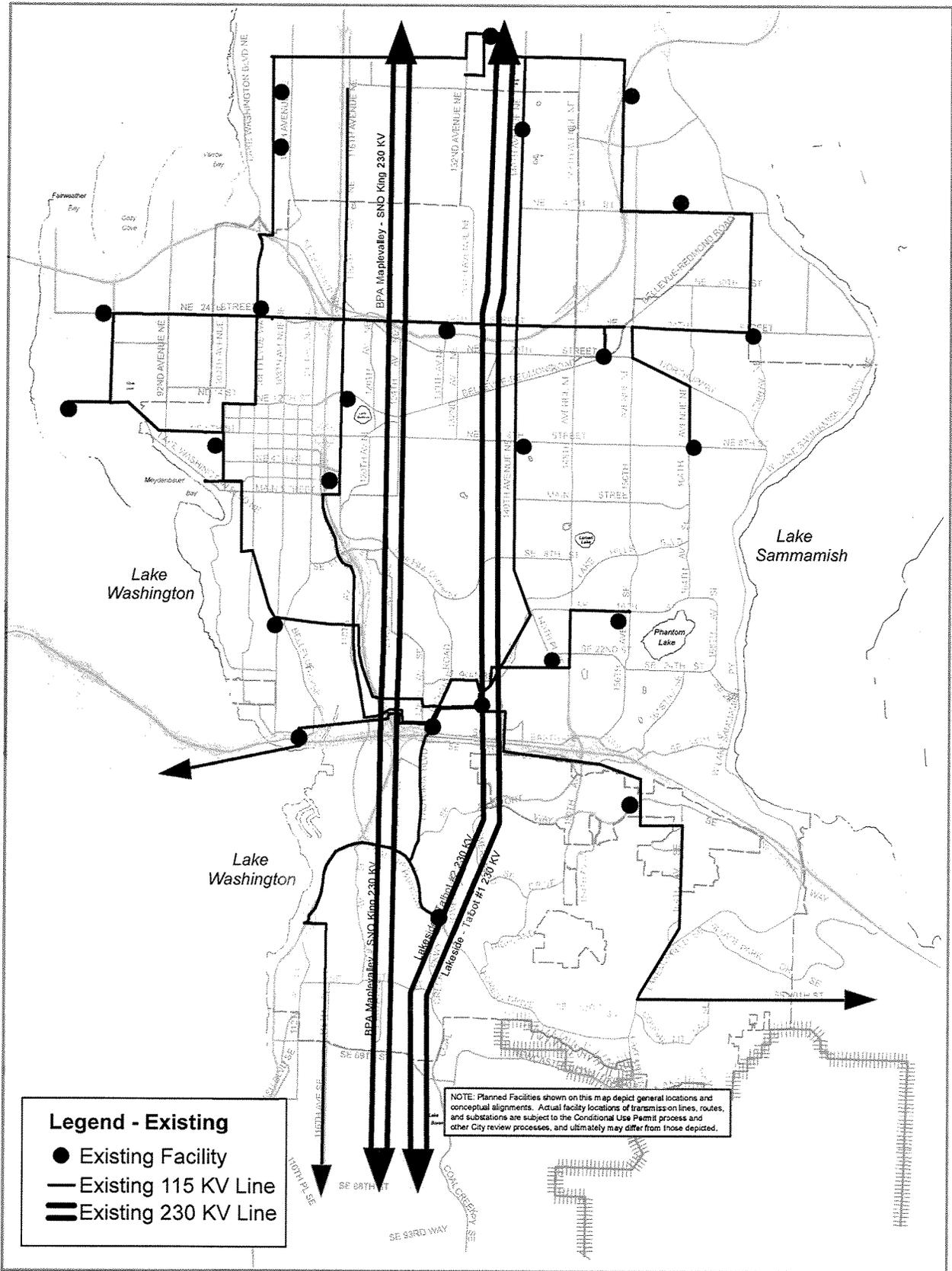


FIGURE UT.5
Existing Electrical Facilities



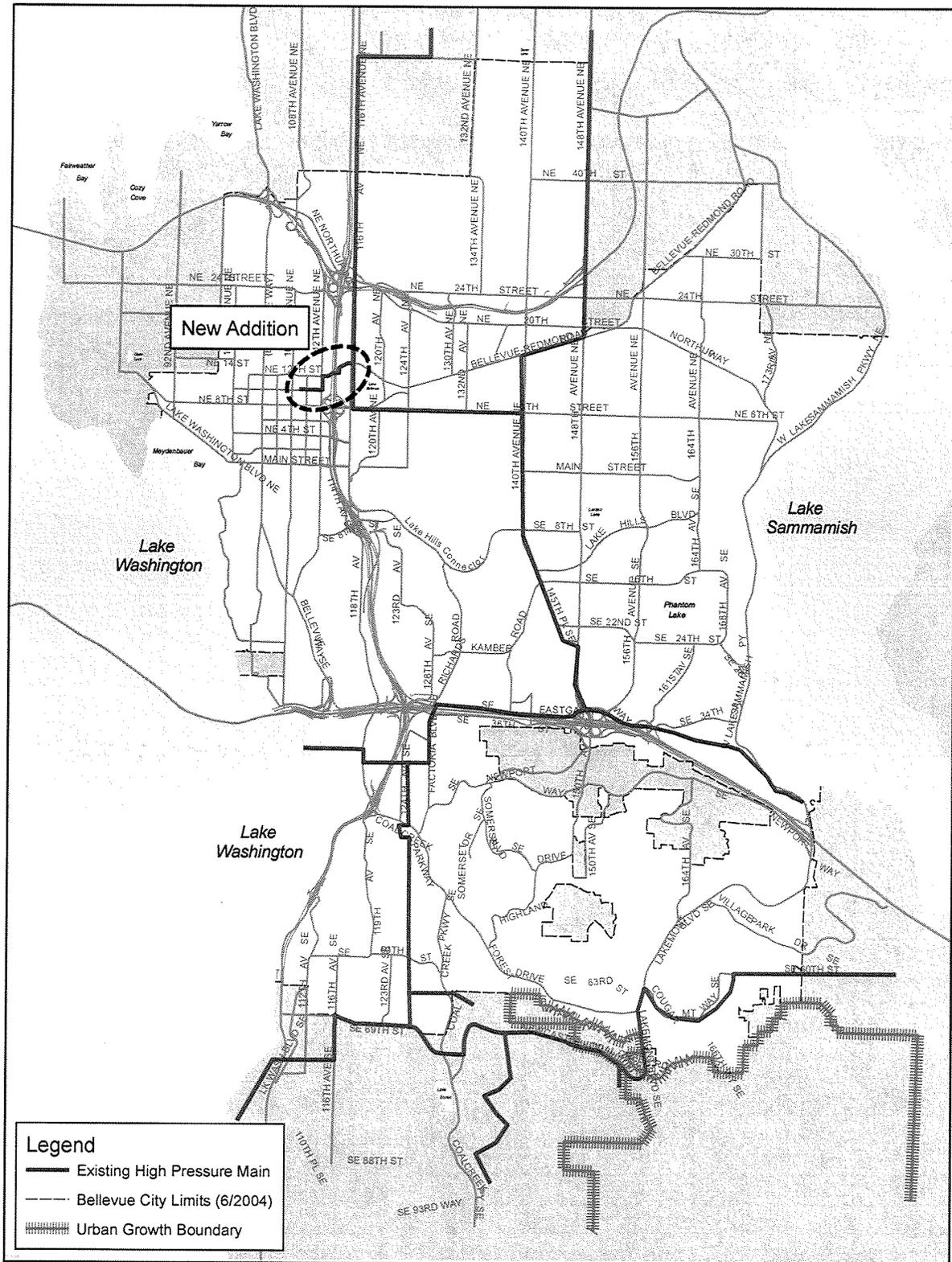


FIGURE UT.7
PSE Natural Gas Mains



**Draft Land Use Code Amendments
Electrical Utility Facilities**

20.50.018 E Definitions.

~~Electrical Distribution Substation~~Electrical Utility Facility. An assembly of equipment design to receive energy from a high voltage distribution supply system to convert it to a form suitable for local distribution and to distribute the energy to feeders through switching equipment designed to protect the service from the effect of faults. ~~—New or expanding (beyond an existing fence line) distribution substations, transmission stations, transmission switching stations, or transmission lines that are built, installed, or established for a specific purpose, including:~~ (a) Distribution Substations – A facility, at which electric power is taken from a transmission line, reduced in voltage and sent out through distribution circuits and lines to serve customers in a local area; (b) Transmission Stations – A facility for which transmission system voltage is decreased or increased. Transmission stations generally reduce transmission system voltage and connect to lower voltage transmission lines used to move electric power to distribution substations; (c) Transmission Switching Station – A facility at which multiple transmission lines interconnect. Switching stations provide the ability to change the configuration of the transmission system as operational needs may require; and (d) Transmission Line – An electrical line of at least 115kV that distributes electrical power to and from transmission switching and transmission stations to and from distribution substations, and which link generators to such stations.

20.50.032 L Definitions

Local Utility System. A utility system other than a Regional Utility System, LUC 20.50.044 ~~or~~ —Electrical Utility Facility, LUC 20.50.018.

20.50.032 U Definitions

Utility Facility. Public utility buildings, telephone exchanges, sewage pumping stations, gas, water and ~~electrical distribution substations,~~ regional storm drainage detention facilities and similar facilities located on a specific site and necessary for the operation of a public utility. Administrative offices and physically dispersed utility systems are not included.

20.20.650 Public Utilities – Design and Performance Standards.

C. Exempt Activity.

The following activities are exempt from the requirements of subsections A and B of this section:

	Terminals, Taxi Headquarters											
4214 422	Motor Vehicle Transportation: Maintenance Garages and Motor Freight Services											
43	Aircraft Transportation: Airports, Fields, Terminals, Heliports, Storage and Maintenance	C 11										
	Accessory Parking (6)	P 3	P 3	P 3	P 3	P 3	P 3	P 3	P 3	P 3	P 3	P 3
46	Auto Parking: Commercial Lots and Garages											
	Park and Ride (5)	C	C	C	C	C	C	C	C	C	C	C
475	Radio and Television Broadcasting Studios											
485	Solid Waste Disposal (19)											
	Highway and Street Right-of-Way	P	P	P	P	P	P	P	P	P	P	P
	Utility Facility	C	C	C	C	C	C	C	C	C	C	C
	Local Utility System	P	P	P	P	P	P	P	P	P	P	P
	Regional Utility System	C	C	C	C	C	C	C	C	C	C	C
	On-Site Hazardous Waste Treatment and Storage Facility (7)											
	Off-Site Hazardous Waste Treatment and Storage Facility (8)											
	Essential Public Facility (20)	C	C	C	C	C	C	C	C	C	C	C
	Wireless Communication Facility (WCF): (without WCF Support Structures)	14, 16, 21										
	Communication, Broadcast and Relay Towers Including WCF Support Structures (Freestanding)	14, 16										
	Satellite Dishes (18)	P	P	P	P	P	P	P	P	P	P	P
	Electrical Utility Facility (22)	<u>A/C</u> <u>22</u>										

Chart 20.10.440

STD LAN D USE COD E REF	Transportation and Utilities – Nonresidential Districts										
	Profession al Office	Offic e	Office/Limi ted Business	Light Indust ry	General Commerc ial	Neighborh ood Business	Communi ty Business	Factor ia Land Use Distric t 1	Factor ia Land Use Distric t 2	Factor ia Land Use Distric t 3	
LAND USE	PO	O	OLB	LI	GC	NB	CB	F1	F2	F3	

	CLASSIFICATION										
4	Transportation, Communications and Utilities										
41	Rail Transportation: Right-of-Way, Yards, Terminals, Maintenance Shops	C	C	C	C	C	C	C	C	C	C
42 429 1	Motor Vehicle Transportation: Bus Terminals, Taxi Headquarters				P	P		P	P		
421 4 422	Motor Vehicle Transportation: Maintenance Garages and Motor Freight Services				P	C					
43	Aircraft Transportation: Airports, Fields, Terminals, Heliports, Storage and Maintenance	C 11	C	C	C	C	C 11	C	C	C	C
	Accessory Parking (6)	P	P	P	P	P	P	P	P	P	P
46	Auto Parking Commercial Lots and Garages			C	C	C		C	C	C	C
	Park and Ride (5)	C	C	C	C	C	C	C	C	C	C
475	Radio and Television Broadcasting Studios	P	P	P	P 10	P 10		P	P	P	P
485	Solid Waste Disposal (19)				C						

Highway and Street Right-of-Way	P	P	P	P	P	P	P	P	P	P	P
Utility Facility	C	C	C	C	C	C	C	C	C	C	C
Local Utility System	P	P	P	P	P	P	P	P	P	P	P
Regional Utility System	C	C	C	C	C	C	C	C	C	C	C
On-Site Hazardous Waste Treatment and Storage Facility (7)			A	A	A	A	A	A	A	A	A
Off-Site Hazardous Waste Treatment and Storage Facility (8)				C							
Essential Public Facility (20)	C	C	C	C	C	C	C	C	C	C	C
Wireless Communication Facility (WCF): (without WCF Support Structures)	14, 16, 21	14, 16, 21	14, 16, 21	14, 16, 21	14, 16, 21	14, 16, 21	14, 16, 21	14, 16, 21	14, 16, 21	14, 16, 21	14, 16, 21
Communication, Broadcast and Relay Towers Including WCF Support Structures (Freestanding)	14, 16	14, 16	14, 16	14, 16	14, 16	14, 16	14, 16	14, 16	14, 16	14, 16	14, 16
Satellite Dishes (18)	P	P	P	P	P	P	P	P	P	P	P
Electrical Utility Facility (22)	<u>A/C</u> <u>22</u>										

Chart 20.10.440

Communication, Broadcast and Relay Towers Including WCF Support Structures (Freestanding)	14, 16	14, 16	14, 16	14, 16	14, 16	14, 16
Satellite Dishes (18)	P	P	P	P	P	P
Electrical Utility Facility (22)	<u>A/C</u> <u>22</u>	<u>A/C</u> ¹ <u>22</u>	<u>A/C</u> <u>22</u>	<u>A/C</u> <u>22</u>	<u>A/C</u> <u>22</u>	<u>A/C</u> <u>22</u>

Notes: Uses in land use districts – Transportation and Utilities

Note (22) For the definition of Electrical Utility Facility, see LUC 20.50.018 and for reference to applicable development regulations relating to Electrical Utility Facilities see LUC 20.20.255. For new or expanding Electrical Utility Facilities proposed on sensitive sites as described by the Utilities Element of the City’s Comprehensive Plan, the applicant shall obtain conditional use approval under Part 20.30B LUC and complete an alternative siting analysis as described in LUC 20.20.255(D). For expansions of Electrical Utility Facilities not proposed for sensitive sites as described by the Utilities Element of the City’s Comprehensive Plan, the applicant shall obtain administrative conditional use under Part 20.30E LUC.

20.20.255 Electrical Utility Facilities.

A. Purpose. The purpose of this section is to regulate Electrical Utility Facilities and to minimize impacts of Electrical Utility Facilities on surrounding areas through siting, design, screening, and fencing requirements.

B. Applicability. This section applies to new or expanding Electrical Utility Facilities as defined in LUC 20.50.018.

C. Required Review.

1. Conditional Use Permit. For new or expanding Electrical Utility Facilities located on sensitive sites as referenced in the Utilities Element of the City’s Comprehensive Plan, the applicant shall obtain conditional use approval under Part 20.30B LUC. In addition to the requirements set forth in Part 20.30B LUC and Part 20.25B LUC (if applicable), the applicant shall:

a. Complete the alternative siting analysis as set forth in LUC 20.20.255(D);

b. Hold an informational public meeting prior to the public hearing required by LUC 20.35.137 in addition to the informational public meeting required in LUC 20.35.100 and LUC 20.35.127; and

c. Comply with all applicable decision criteria and design standards.

2. Administrative Conditional Use. For expanding Electrical Utility Facilities not considered sensitive in the Utilities Element of the City's Comprehensive Plan, the applicant shall obtain administrative conditional use under Part 20.30E LUC. In addition to the requirements set forth in Part 20.30E LUC, the applicant shall comply with all decision criteria and design standards set forth in this section, provided the applicant is not required to complete the alternative siting analysis set forth LUC 20.20.255(D).

D. Alternative Siting Analysis. In addition to the requirements set forth in Part 20.30(B) LUC, Part 20.25(B) LUC (if applicable), and the decision criteria and design standards set forth in this section, prior to locating a new or expanding an existing Electrical Utility Facility on a sensitive site as referenced in the Utilities Element of the City's Comprehensive Plan, the applicant shall:

1. Provide information regarding practical or feasible alternative sites considered for the proposed new or expanding Electrical Utility Facility, including information relating to why alternative sites were not selected. Included in this analysis, the applicant shall provide a map depicting the location or proximity of the Electrical Utility Facility with respect to Neighborhood Business Land Use Districts, Residential Land Use Districts, and Transition Areas.

2. Demonstrate that the new or expanding Electrical Utility Facility, if located in a Neighborhood Business Land Use District, Residential Land Use District, and/or Transition Area is or is not a consequence of needs or demands from customers located within said district or area and if not, provide an explanation relating to what, if any, operational need(s) existing relating to said location or expansion;

3. Provide information regarding the range of technologies that were considered during the planning process for a new Electrical Utility Facility or expansion and how the proposed facility would provide reliability to customers served. Included in this analysis, the applicant shall address issues relating to system reliability and describe how the proposed facility includes technology to best mitigate impacts to surrounding properties; and

4. Provide a description of all methods of community outreach or involvement conducted prior to selecting a location for the new or expanding Electrical Utility Facility.

E. Decision Criteria. In addition to the requirements set forth in Part 20.30(B) LUC, Part 20.30(E) LUC, Part 20.25(B) LUC (if applicable), and other applicable provisions of this section, prior to locating or expanding an Electrical Utility Facility, whether located on a sensitive site or not, as referenced in the Utilities Element of the City's Comprehensive Plan, the applicant shall comply with the following development standards:

1. The Electric Utility Facility is consistent with Puget Sound Energy's System Plan;

2. The design, use, and operation of the Electrical Utility Facility complies with applicable guidelines, rules, regulations or statutes adopted by state law, or any agency or jurisdiction with authority;

3. For expansions of Electrical Utility Facilities not located on sensitive sites as referenced in the Utilities Element of the City's Comprehensive Plan, demonstrate that an operational need exists that requires expanding the Electrical Utility Facility;

4. The Electrical Utility Facility minimizes adverse impacts on properties located near the facility, including properties for which transmission lines may pass through; and

5. The Electrical Utility Facility provides mitigation sufficient to eliminate or minimize long-term impacts to surrounding properties, including properties through which the system passes through.

F. Design Standards. In addition to the requirements set forth in Part 20.30(B) LUC, Part 20.30(E) LUC, Part 20.25(B) LUC (if applicable), and other applicable provisions of this section, prior to locating or expanding an Electrical Utility Facility, whether located on a sensitive site or not, as referenced in the Utilities Element of the City's Comprehensive Plan, the applicant shall comply with the following:

1. Site Landscaping. Electrical Utility Facilities shall be sight-screened as specified in LUC 20.20.520(F)(2) or as required for the applicable land use district. Alternatively, the provisions of LUC 20.20.520(J) may be used, provided this subsection does not apply to transmission lines as defined in LUC 20.50.018.

2. Fencing. Electrical Utility Facilities shall be screened by a site-obscuring fence not less than eight-feet in height, provided this subsection does not apply to transmission lines as defined in LUC 20.50.018. This requirement may be modified by the City if the site is not considered sensitive as defined in the Utilities Element of the Comprehensive Plan, is adequately screened by topography, existing vegetation, or if the facility is fully enclosed within a structure. To the maximum extent possible, all Electrical Utility Facility components, excluding transmission lines, shall be screened by either a site-obscuring fence or alternative screening;

3. Required Setback. Electrical Utility Facilities (including required fencing and site landscaping) shall conform to the setback requirement for structures in the land use district; and

4. Height Limitations. For all Electrical Utility Facility components, including transmission lines, the City may approve a request to exceed the height limit for the underlying land use district if the applicant demonstrates that:

a. The requested increase is the minimum necessary for the effective functioning of the Electrical Utility Facility; and

b. Impacts associated with the Electrical Utility Facility have been mitigated to the greatest extent technically feasible.

G. Mitigation Measures. The City may impose conditions relating to the location, development, design, use, or operation of an Electrical Utility Facility to mitigate identified environmental, public safety, or other identifiable impacts. Mitigation measures may include, but are not limited to, natural features that may serve as buffers, or other site design elements such as fencing and site landscaping as provided for in subsection F.

H. Independent Technical Review. The City may require the applicant pay for independent technical review, by a consultant retained by the City, of materials submitted to demonstrate compliance with the provisions of this section.