## CITY OF REDMOND ORDINANCE NO. 2595 (AM)

ORDINANCE OF THE CITY OF AN REDMOND, WASHINGTON, ADOPTING THE HEARING EXAMINER'S MARCH 15, 2011, RECOMMENDATION TO APPROVE WITH CONDITIONS THE ARDMORE SUBSTATION CONDITIONAL USE PERMIT (FILE L100421), AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, Puget Sound Energy herein referred to as applicant, submitted a conditional use permit application to allow construction of a new electrical substation with associated transmission and distribution lines at 2245 NE Bel-Red Road; and

WHEREAS, a conditional use permit is a Type IV permit decision; and

WHEREAS, the Redmond Community Development Guide authorizes the Hearing Examiner to conduct an open record hearing for the conditional use permit and make a recommendation with findings of fact, conclusions of law, and conditions of approval for the conditional use permit to the City Council for consideration; and

WHEREAS, on February 14, 2011, the Hearing Examiner conducted an open record hearing to receive and review the application record and to hear verbal testimony relative to the Conditional Use Permit for the Ardmore Substation proposal (File L100421); and

WHEREAS, on March 15, 2011, the Hearing Examiner recommended approval of the Ardmore Substation Conditional Use Permit (File L100421) subject to conditions.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF REDMOND, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Findings, Conclusions, and Conditions of Approval. After carefully reviewing the record and considering the evidence and arguments in the record and in the Hearing Examiner's recommendation, the City Council hereby adopts the findings, analysis, and conclusions in the Hearing Examiner's recommendation for the Ardmore Substation proposal dated March 15, 2011. In addition, the Council finds that an additional mitigation condition related to noise should be added as proposed by Puget Sound Energy at the Council meeting.

Section 2. Approval. The City Council hereby approves the Ardmore Substation proposal, subject to the conditions of approval identified in the Hearing Examiner's recommendation dated March 15, 2011, and subject to the further condition that any future replacement of substation transformers shall not result in an increase in noise emitted from the substation.

Section 3. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or

constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 4. Effective Date. This ordinance shall take effect five (5) days after passage and publication of an approved summary thereof consisting of the title, or as otherwise provided by law.

ADOPTED by the Redmond City Council this 19th day of April, 2011.

CITY OF REDMOND

MAYOR PRO TEM RICHARD COLE,

ATTEST:

MICHELLE M. MCGEHEE,

(SEAL)

APPROVED AS TO FORM:

OFFICE OF THE CITY ATTORNEY:

JAMES HANEY,/CITY ATTORNEY

FILED WITH THE CITY CLERK:

April 13, 2011 PASSED BY THE CITY COUNCIL: April 19, 2011

SIGNED BY THE MAYOR: April 19, 2011

PUBLISHED: April 25, 2011

April 30, 2011 EFFECTIVE DATE:

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ADOPTED 7-0: Allen, Carson, Cole, Margeson, Myers, Stilin and Vache