

CITY OF LYNDEN



CONDITIONAL USE PERMIT APPLICATION

City of Lynden use only:
 CUP # 2201 Staff Initials: _____

Property Owner

Name: Puget Sound Energy
 Address: 131 E. Front Street Lynden, WA 98264
 Telephone Number: _____ E-mail Address: _____

Applicant (Agent, Land Surveyor or Engineer)

Name: Emily Hagin
 Address: 1110 Kentucky Street Bellingham, WA 98229
 Telephone Number: 360-319-6424 E-mail Address: emily.hagin@pse.com

Who is the primary contact for this project? This person will receive all official correspondence for the project. Property owner Applicant

Property Information

Project Location (street address / block range): 131 E. Front Street Lynden, WA 98264
 Legal Description (attach if necessary): see attached legal description
 Assessor's Parcel Number: 4003204443980000 Zoning Designation: RM-3
 Property Dimensions: _____ X _____ Parcel Square Footage: 34,105 sq. ft.
 Applicable Sub-Area: _____ Building/Structure Size: _____
 Height of Structure: not to exceed 35 ft. Addition Size: _____

Please describe request in detail: **CUP Criteria must be attached**

Puget Sound Energy requests the City of Lynden to approve a conditional use permit to expand and upgrade the existing Lynden substation to address aging infrastructure, increase reliability, and address future capacity issues.

 By signing this application, I certify that all the information submitted is true and correct. I also understand that no final approval will be issued until all final review costs are paid in full.

Submitted by: Emily E. Hagin Date: 4/22/22
 Property owner signature: Emily E. Hagin Date: 4/22/22
 Property owner printed name: Emily E. Hagin Date: 4/22/22

400.00 ✓

CITY OF LYNDEN

CONDITIONAL USE PERMIT CRITERIA WORKSHEET



A Conditional Use Permit (CUP) will be granted only if the proposed use complies with the standards and criteria listed below. The applicant shall bear the burden of proof in all CUP proceedings.

Please describe the proposed use. Relevant information may include hours of operation, parking requirements, anticipated traffic to the site, and how the site will be developed and used. Attach additional information and plans as needed.

The substation is secured and only accessed by authorized PSE substation operation crews. Site will be accessed on a monthly basis for routine site inspections or for emergency repairs. Current traffic patterns will not change with the proposed substation expansion and upgrades.

Respond to each of the criteria below with the specifics of the proposed use in mind. (*per LMC 19.49*) Identify nearby streets and the uses surrounding the site.

1. The proposed use in the proposed location will not be detrimental to surrounding uses legally existing or permitted outright within the zoning district.

The proposed use is an expansion of an existing substation and substations are an approved conditional use under Zoning RM-3. PSE is proposing the expansion upgrade to address aging infrastructure, increase reliability, and future capacity issues.

2. The proposed use, together with proposed mitigation, will not be detrimental to public health or safety and will be compatible with the surrounding area and land uses with respect to the following:

- a. Traffic and pedestrian circulation;

There will be temporary traffic and pedestrian impacts during construction. Street and sidewalk closures will likely be needed during construction for delivery and installation of new equipment. Post construction vehicle access will typically be limited to monthly substation inspection site visits.

- b. Noise, smoke, fumes, glare or odors generated by the proposed use;

Some noise will be generated from the transformer within the substation, but will be reduced by the fencing and vegetation screening. Lighting will be directed towards the substation to reduce glare on neighboring properties.

- c. Building and site design; and

Due to the odd shape of the property, the proposed expansion to the substation requires a variance for structure setbacks. PSE is applying for a BOA and development variance. The structures otherwise comply with zoning height requirements. The tallest structures in the substation will be 35 ft. tall.

- d. The physical characteristics of the subject property.

The property is long and somewhat narrow with very little topographic change. The existing site is developed with an existing substation that is proposed to be expanded to the west.

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CONDITIONAL USE PERMIT CRITERIA WORKSHEET CONTINUED



3. The proposed use is supported by adequate public facilities and services unless conditions can be established to mitigate adverse impacts to those facilities or services.

The substation does not require domestic water or sewer services. A water service may be utilized for landscape irrigation. The substation will be secure from the public and only authorized personnel will be allowed within fence boundaries.

4. The traffic generated by the proposed use will not cause the traffic circulation system in the vicinity to deteriorate below the adopted level of service.

The expansion of the substation will not increase traffic to the surrounding vicinity. There will be no change in overall traffic patterns post construction and will revert back to monthly site inspections by a substation operator.

5. The proposed use complies with the performance standards, parking requirements, height, setback and lot coverage requirements, landscaping standards and other provisions of the Lynden Municipal Code.

The proposed substation expansion complies with most standards and other provisions of the LMC. PSE will install appropriate vegetation screening around the perimeter of substation or architectural wall where there is no room for vegetation per LMC. Structures meet conditional use height requirements and no vehicles are proposed to be parked or stored on site. PSE is applying for variances for the 20 ft front setback for accessory structures (LMC 19.22.040B), fence height (LMC 19.63.088) and 3 ft. sidewalk setback (LMC 19.63.088).

6. There are adequate buffering devices, as specified in the landscape standards, or other topographic characteristics, to protect the adjacent properties from adverse impacts of the proposed use.

PSE will plant appropriate vegetation screening to obscure substation structures, noise, and glare from neighboring landowners. The North and East corner of the property will have a 9-foot non-conductive safety fence for additional screening and safety for adjacent properties. PSE plans to extend the 8 foot concrete panel fencing along E Front Street with a 10 foot high concrete panel fencing to match the existing style.

7. The proposed use will not destroy or substantially damage any natural, scenic or historic feature of major importance.

The project is not located near any natural, scenic or historic features of major importance. PSE purchased 125 E. Front Street as part of the expansion upgrade. PSE did conduct an Intensive Survey of the home per SEPA requirements before demolition of the home.

8. The proposed use is generally consistent with the purposes and objectives of the city comprehensive plan and applicable sub-area plan.

The proposed use is an expansion of an existing substation and substations are an approved conditional use under Zoning RM-3.

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CRITICAL AREAS CHECKLIST

Section: 20 Township: T40N Range: R03E Parcel Number: 4003204443980000

Site Address: 131 E. Front Street Lynden, WA 98264

Proposed Uses: Upgrade and expand existing PSE Lynden Substation.

Please answer the following questions concerning Critical Area indicators *located on or within 200-feet of the project area:*

- a. Are you aware of any environmental documentation that has been prepared related to critical areas that includes the subject area? (If yes, please attach a list of document titles).
 Yes No Unknown
- b. Are there any surface waters (including year-round and seasonal streams, lakes, ponds, swamps)?
 Yes No Unknown
- c. Is there vegetation that is associated with wetlands?
 Yes No Unknown
- d. Have any wetlands been identified?
 Yes No Unknown
- e. Are there areas where the ground is consistently inundated or saturated with water?
 Yes No Unknown
- f. Are there any State or Federally listed sensitive, endangered, or threatened species and habitats?
 Yes No Unknown
- g. Are there slopes of 15% or greater?
 Yes No Unknown
- h. Is the project located within a Flood Hazard Zone?
 Yes No Unknown
- i. Do you know of any landslide hazard areas?
 Yes No Unknown

I grant permission to the field inspector to enter the building site to determine the presence or absence of critical areas.

I understand that if the information on this form is later determined to be incorrect, the project or activity may be subject to conditions or denial as necessary to meet the requirements of Chapter 16.16 of the Lynden Critical Areas Ordinance.

Emily E. Haggin
Applicant's Signature

4/18/2022
Date

LEGAL DESCRIPTION OF PROPERTY (includes Gap area and 6 PSE parcels)

THAT PORTION OF THE SOUTH HALF OF THE NORTHEAST QUARTER OF SECTION 20, TOWNSHIP 40 NORTH, RANGE 3 EAST W.M., DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF BLOCK 1 HAWLEY AND LAWRENCES ADDITION TO LYNDEN AS FILED IN VOLUME 1 OF PLATS, PAGE 46, RECORDS OF WHATCOM COUNTY, WASHINGTON;

THENCE SOUTH 66°34'31" WEST ALONG THE NORTHWESTERLY RIGHT OF WAY MARGIN OF FRONT STREET A DISTANCE OF 70.00 FEET;

THENCE NORTH 22°22'34" WEST A DISTANCE OF 140.00 FEET TO THE SOUTHEASTERLY MARGIN OF AN UNNAMED ALLEY BETWEEN FRONT AND GROVER STREETS;

THENCE NORTH 66°34'31" EAST ALONG SAID SOUTHWESTERLY MARGIN A DISTANCE OF 70.00 FEET TO THE NORTHWESTERLY CORNER OF A PARCEL AS DESCRIBED IN STATUTORY WARRANTY DEED RECORDED UNDER AUDITORS FILE NO. 1529480, RECORDS OF SAID COUNTY;

THENCE NORTH 22°27'21" WEST ALONG THE WESTERLY LINE OF A PORTION OF A VACATED ALLEY AS DESCRIBED IN CITY OF LYNDEN VACATION ORDINANCE NO. 1102, A DISTANCE OF 20.00 FEET;

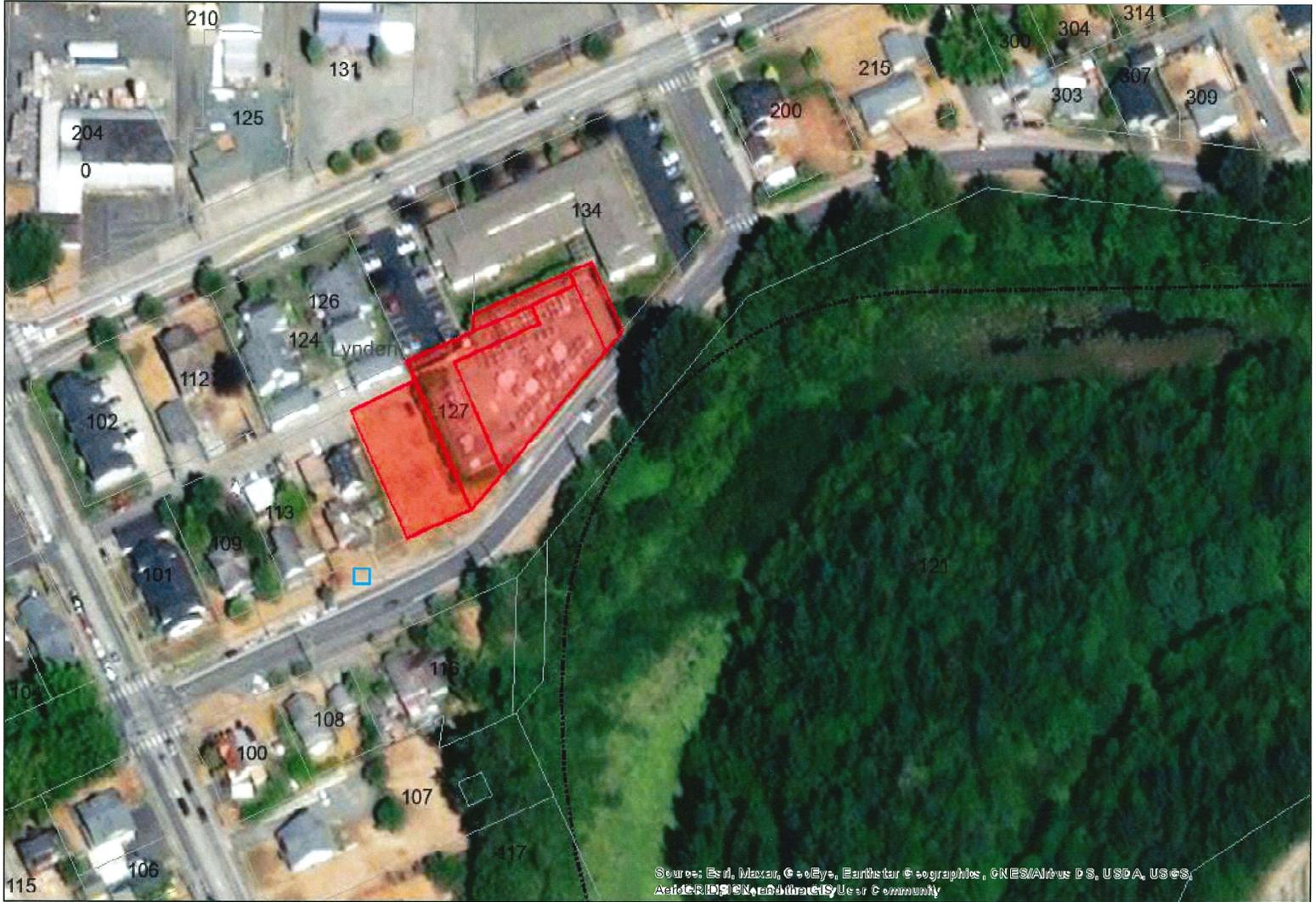
THENCE NORTH 66°34'31" EAST ALONG THE NORTHERLY LINE OF SAID VACATED ALLEY A DISTANCE OF 72.49 FEET TO THE WEST LINE OF SAID BLOCK 1;

THENCE NORTH 01°39'49" EAST ALONG SAID WEST LINE OF BLOCK 1, A DISTANCE OF 22.08 FEET;

THENCE NORTH 66°34'31" EAST ALONG A LINE 162 FEET SOUTHEASTERLY OF AND PARALLEL WITH THE CENTERLINE OF GROVER STREET, A DISTANCE OF 125.22 FEET;

THENCE SOUTH 23°25'56" EAST ALONG A LINE 25 FEET EASTERLY OF AND PARALLEL WITH THE WEST LINE OF LOT 3 OF SAID BLOCK 1, A DISTANCE OF 81.41 FEET TO SAID NORTHWESTERLY RIGHT OF WAY MARGIN;

THENCE SOUTH 41°25'46" WEST ALONG SAID NORTHWESTERLY RIGHT OF WAY MARGIN A DISTANCE OF 231.96 FEET TO THE POINT OF BEGINNING.



Source: Esri, Maxar, Earthstar Geographic, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

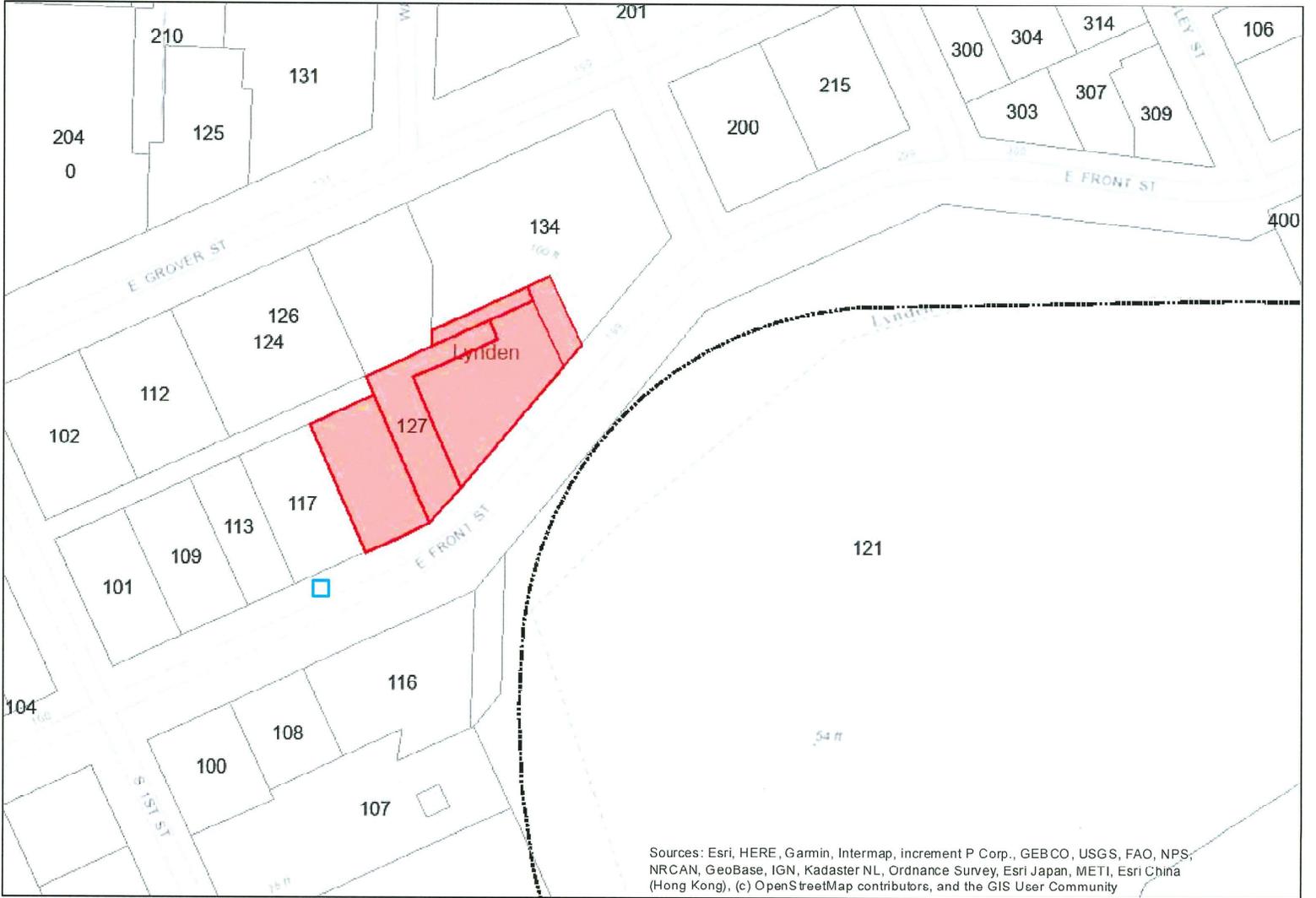


PSE Lynden Substation Area Map



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 NAD_1983_StatePlane_Washington_North_FIPS_4601_R
 Date: 4/25/2022 Reference Scale: 1:0



Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community

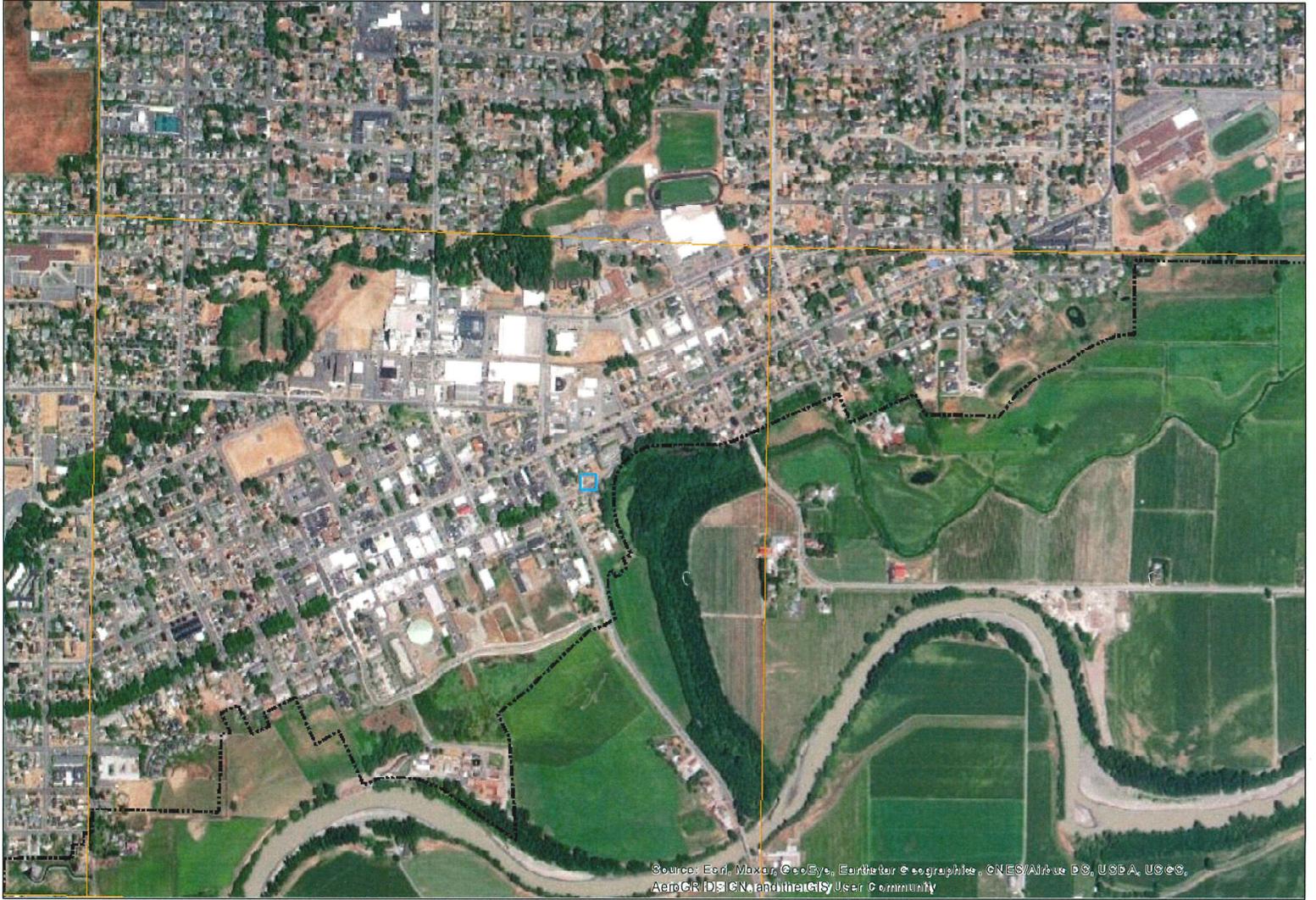


**PSE Lynden Substation
Topographic Map**



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PSE PUGET SOUND ENERGY

**PSE Lynden Substation
Vicinity Map**



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