

CITY OF LYNDEN



HEARINGS EXAMINER TITLE 19 VARIANCE APPROVAL PROCESS

City of Lynden use only:

VAR # 22-03 Staff Initials: _____

Property Owner

Name: Puget Sound Energy

Address: 131 E. Front Street Lynden, WA 98264

Telephone Number: 360-319-6424 E-mail Address: emily.hagin@pse.com

Applicant (Agent, Land Surveyor or Engineer)

Name: Emily Hagin (Puget Sound Energy)

Address: 1110 Kentucky Street Bellingham, WA 98229

Telephone Number: 360-319-3424 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

Variance Request:

Section of the Municipal Code to be varied:

LMC 19.22.04B - Accessory Structure Setbacks

Identify Desired Result: PSE is requesting accessory substation structures be placed within 20 ft. front setback to meet substation design and safety clearances.

Criteria must be attached (19.47.110)

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: 5/20/22

Property owner signature: _____ Date: _____

Property owner printed name: Emily Hagin Date: 5/20/22

RECEIVED

400.00

MAY 20 2022

Planning Department • (360) 354-5532
300 4th Street, Lynden, WA 98264 • www.lyndenwa.org

City of Lynden
Planning Department

CITY OF LYNDEN



CRITICAL AREAS CHECKLIST VARIANCE APPROVAL PROCESS

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.

Applicant's Signature

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 LAWRENCE'S 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.

Hearing Examiner Variance Application Criteria per 19.47.110 -

A. The variance shall not constitute a grant of special privilege inconsistent with the limitation upon uses of other properties in the vicinity and zone in which the property on behalf of which the application is located.

The proposed substation expansion upgrade is located within RM-3 zoning (residential multi-family). Substations are a conditional use within this zoning jurisdiction and it is an existing use. It is not overreaching any of the use limitations permitted within this zoning. PSE owns the adjacent property the substation footprint will expand.

The project serves to benefit the community of Lynden, as it will address a number of aging infrastructure, reliability and future capacity issues. Expansion of the substation footprint will allow PSE to do the necessary upgrades to increase reliability for customers served by the substation and accommodate for future load growth in the area.

B. That such variance is necessary, because of special circumstances relating to the size, shape, topography, location or surroundings of the subject property, to provide it with rights and privileges permitted to other properties in the vicinity and zone in which the subject property is located.

Design clearances, vehicle drive path and safety are the key reasons why structures need to be located within the 20ft front setback for the proposed substation expansion. PSE has identified five areas that influenced design and placement of equipment within the 20ft front setback.

Area 1 (Clearance) – PSE is required to maintain clearances between the fence and the nearest energized equipment (in this case the energized bus on the standalone structure). Therefore, the structures near Area 1 cannot shift further north. This limitation affects the amount of driving and working space PSE will have below in Area 2 and Area 3.

Area 2 (Clearance) – In order to remove the breaker near Area 2, workspace and work clearances must be maintained. There are three factors affecting the location of the Capacitor Banks:

- Swinging Entrance Gate to the West
- MPAC to the East
- Breaker to the North

The proposed capacitor banks location closer to the solid fence has the least effect on the three factors listed above. In addition, the capacitor bank is approximately 8ft tall and will not be visible from the street.

Area 3 (Drive Path) – Approximately 20ft has been dedicated to ensure a drive path between the surrounding structures. Moving the control house outside of the 20ft setback would eliminate the drive path near Area 3 needed for routine operations and maintenance as well as emergency repair.

Area 4 (Drive Path) – Approximately 17ft has been dedicated to ensure a drive path between the surrounding structures. Moving the Metalclad Switchgear outside of the 20ft setback will completely

block access to the equipment near Area 5 and any equipment in the northern direction of Area 5. Access to Area 5 is critical for regular operations and maintenance as well as emergency repair.

Area 5 (Safety) – Metalclad switchgear must be located at least 25ft away from each transformer. Transformers are oil-filled equipment. Moving the Metalclad Switchgear outside of the 20ft front setback will in turn encroach on the desired 25ft buffer and increase the risk of potential fires.

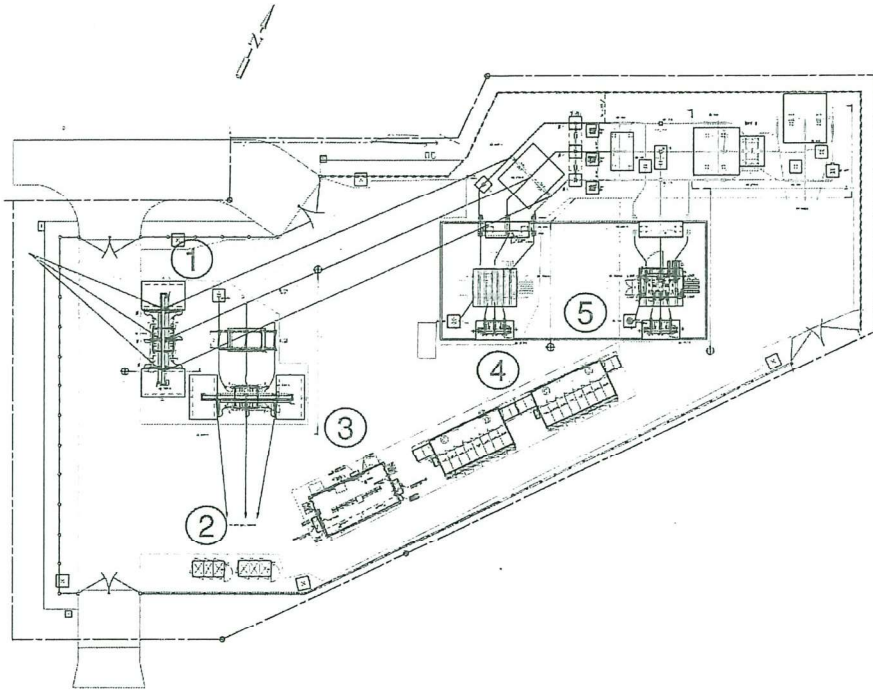


Figure 1: Identified Substation Areas that need to meet electrical space and design criteria.

C. That the granting of such a variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity and zone in which the subject property is located.

The proposed substation expansion upgrade will not be injurious to the property or improvements in the vicinity and zone. The upgrades actually reduce the risk of being injurious by replacing end of life equipment to increase safety and reliability to the surrounding vicinity. The site will be secured with fencing and landscaping to keep it isolated from the public and only accessible to authorized substation personnel.