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## CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 3778

AN ORDINANCE relating to design and performance standards for public utilities; adding definitions of local utility system, regional utility system, utility facility and utility system; and amending Bellevue City Code (Land Use Code) 20.20.650, 20.50.032, 20.50.044 and 20.50.050.

WHEREAS, it is desirable to establish standards for various types of utility facilities and systems; and

WHEREAS, adequate review standards can reduce the need for an extensive review process, and

WHEREAS, the City of Bellevue has complied with the State Environmental Policy Act, and the City's Environmental Procedures Ordinance; now, therefore

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. Bellevue City Code (Land Use Code) 20.20.650 is amended to read as follows:

20.20.650 Public Utilities: Design and Performance Standards.

A. Utility Facility Site Standards:

1. Architectural Form and Character: A building which houses all or a majority of a utility facility must be compatible with the architectural form of surrounding buildings. This requirement is not applicable to a utility facility where significant elements of the facility are not housed in a building or to isolated minor elements such as pad mounted transformers, telephone pedestals and metering stations.
2. Screening and Fence Requirements:
  - a. A utility facility must be sight screened as specified for that use in Paragraph 20.20.520.F.2 or as required for the applicable Land Use District. Alternatively, the provisions of Paragraphs 20.20.520.J may be used.

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- b. If the Director of Design and Development and the Public Works Director or Storm and Surface Water Utility Director, as applicable, determine that the utility facility is potentially dangerous to human life, an 8' fence may be required.
3. Required Setback:
    - a. Any structure, facility or fence must conform to the setback requirement for structures in the Land Use District in which the structure, facility or fence is located, except as specified in Paragraph A.3.b. of this Section.
    - b. The minimum side setback for a structure, facility or fence in an R Land Use District is 20'.

B. Regional Utility System Standards:

In addition to compliance with the decision criteria of Section 20.30B.140 or 20.30C.155, a Regional Utility System must --

1. Minimize adverse impacts on the properties through which the system passes through the location, design and construction techniques used and by providing restoration sufficient to eliminate or minimize long term impacts to property and surrounding land uses, and
2. Utilize the best available technology, and
3. Be necessary for the effective functioning of the utility. It must also be demonstrated that no practical alternative to the proposal with less severe impacts exists.

C. Exempt Activity:

The following activities are exempt from the requirements of Paragraphs A or B of this Section:

1. Minor modifications, maintenance, repair, or replacement of elements of an existing utility facility or system which is otherwise subject to the requirements of Paragraphs A or B of this Section.
2. Emergency installation or operation, but not exceeding 30 calendar days, of a utility facility or system, which is otherwise subject to the requirements of Paragraphs A or B of this Section. Any required permit or standard must be obtained or met as soon as possible thereafter.

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Section 2. Bellevue City Code (Land Use Code) 20.50.032 is amended by the addition of a new definition which reads as follows:

LOCAL UTILITY SYSTEM. A utility system other than a Regional Utility System (20.50.044).

Section 3. Bellevue City Code (Land Use Code) 20.50.044 is amended by the addition of a new definition which reads as follows:

REGIONAL UTILITY SYSTEM. An electrical distribution line of at least 115 kV, or any other element of a utility system which serves a geographic area greater than the City of Bellevue and its service areas as identified by a Master Plan adopted by the City of Bellevue. Examples of a regional utility system include a METRO interceptor line and BPA transmission line. Any system which does not meet this definition is a Local Utility System (20.50.032).

Section 4. Bellevue City Code (Land Use Code) 20.50.050 is amended by the addition of new definitions which read as follows:

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.

UTILITY SYSTEM. Physically dispersed elements through which a public utility supplies service including, but not limited to, poles and towers with crossarms, braces, guys and anchors; transmission and distribution lines; pad mounted switches, switches and above-ground transformers; underground transformers and microwave transformers; pipes; mains; interceptors; cables and underground conduits.

Section 5. This ordinance shall be published in accordance with law

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and shall take effect and be in force on June 25, 1987.

PASSED by the City Council this 26<sup>th</sup> day of May, 1987,  
and signed in authentication of its passage this 26<sup>th</sup> day  
of May, 1987.

(SEAL)

  
Cary E. Bozeman, Mayor

Approved as to form:

Richard L. Andrews, City Attorney

  
Richard L. Andrews, City Attorney

Attest:

  
Marie K. O'Connell, City Clerk

Published May 30, 1987