

CITY OF REDMOND
ORDINANCE NO. 2502

AN ORDINANCE OF THE CITY OF REDMOND, WASHINGTON, ADOPTING THE HEARING EXAMINER'S OCTOBER 19, 2009 RECOMMENDATION TO APPROVE WITH CONDITIONS THE PSE NOVELTY HILL TO COTTAGE BROOK TRANSMISSION LINE CONDITIONAL USE PERMIT (FILE L090302), AND CAO EXCEPTION FOR STREETS AND/OR UTILITIES (L090358) 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 115 kV transmission line within an existing 200-foot-wide utility corridor located at NE Novelty Hill Road and 224th Avenue NE; 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 October 5, 2009, the Hearing Examiner conducted an open record hearing to receive and review the application record and to hear verbal testimony relative to the PSE Novelty

Hill to Cottage Brook Transmission Line proposal (File L090302); and

WHEREAS, on October 19, 2009, the Hearing Examiner conditionally approved the CAO Exception Request (L090358) and recommended approval of the PSE Novelty Hill to Cottage Brook Transmission Line Conditional Use Permit (File L090302) 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 PSE Novelty Hill to Cottage Brook Transmission Line proposal dated October 20, 2009.

Section 2. Approval. The City Council hereby approves the PSE Novelty Hill to Cottage Brook Transmission Line proposal, subject to the conditions of approval identified in the Hearing Examiner's recommendation dated October 19, 2009.

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.

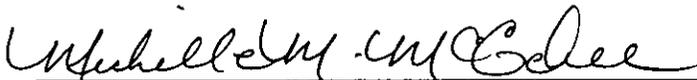
ADOPTED by the Redmond City Council this 17th day of November, 2009.

CITY OF REDMOND



JOHN MARCHIONE, MAYOR

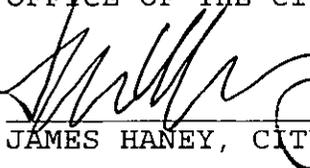
ATTEST:



MICHELLE M. MCGEHEE, CMC, CITY CLERK

(SEAL)

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:



JAMES HANEY, CITY ATTORNEY

FILED WITH THE CITY CLERK: November 10, 2009
PASSED BY THE CITY COUNCIL: November 17, 2009
SIGNED BY THE MAYOR: November 17, 2009
PUBLISHED: November 23, 2009
EFFECTIVE DATE: November 28, 2009
ORDINANCE NO.2502

ADOPTED 6-0: Carson, Cole, Margeson, McCormick, Myers and Vache