

**RESOLUTION TO APPROVE SP202300017  
WALNUT CREEK SUBSTATION**

**WHEREAS**, upon consideration of the staff report prepared for SP202300017 – Walnut Creek Substation, the recommendation of the Planning Commission and the information presented at the public hearing, any comments received, and all of the relevant factors in Albemarle County Code § 18-10.2.2(6) and § 18-33.8(A), the Albemarle County Board of Supervisors hereby finds that the proposed special use would:

- 1. not be a substantial detriment to adjacent parcels;
- 2. not change the character of the adjacent parcels and the nearby area;
- 3. be in harmony with the purpose and intent of the Zoning Ordinance, with the uses permitted by right in the Rural Areas (RA) district, with the applicable provisions of Albemarle County Code § 18-5, and with the public health, safety, and general welfare (including equity); and
- 4. be consistent with the Comprehensive Plan.

**NOW, THEREFORE, BE IT RESOLVED** that the Albemarle County Board of Supervisors hereby approves SP202300017 – Walnut Creek Substation, subject to conditions attached hereto.

\* \* \*

I, Claudette K. Borgersen, do hereby certify that the foregoing writing is a true, correct copy of a Resolution duly adopted by the Board of Supervisors of Albemarle County, Virginia, by a vote of \_\_\_\_\_ to \_\_\_\_\_, as recorded below, at a regular meeting held on \_\_\_\_\_.

\_\_\_\_\_  
Clerk, Board of County Supervisors

	<u>Aye</u>	<u>Nay</u>
Mr. Andrews	_____	_____
Mr. Gallaway	_____	_____
Ms. LaPisto-Kirtley	_____	_____
Ms. Mallek	_____	_____
Ms. McKeel	_____	_____
Mr. Pruitt	_____	_____

### **SP202300017 – Walnut Creek Substation Conditions**

1. Development of the use must be in general accord (as determined by the Director of Community Development, or the Director's designee) with the Concept Plan entitled "Site Exhibit - Walnut Creek Substation," prepared by Dewberry and submitted as Attachment A3. To be in general accord with the Plan, development must reflect:

- a. Location of the substation and related infrastructure, and
- b. Limits of disturbance and wooded areas to remain

Land disturbance (including but not limited to: grading, excavation, filling of land, the felling of trees, and removal of stumps) must remain within the Limits of Disturbance (LOD) on the Concept Plan (Site Exhibits).

Minor modifications to the Concept Plan that do not conflict with the essential elements listed above may be approved by the Zoning Administrator and Director of Planning to ensure compliance with applicable federal, state, and local laws.

2. The owner must submit a sound study (or other documentation satisfactory to the Director of Planning) to demonstrate compliance with the applicable Zoning Ordinance decibel standard(s) prior to the issuance of a building permit, commencement of construction, or both.
3. The use must comply with *Albemarle County Code* § 18-4.18 (Noise), and must not exceed 60 dBA during the daytime and 55 dBA at nighttime.
4. The use must comply with *Albemarle County Code* § 18-4.17 (Outdoor lighting).
5. Prior to the issuance of a building permit, commencement of construction, or both, the owner must have completed a revised landscaping plan, approved by the Director of Community Development, that both (a) reflects the new enumerated conditions on the site, (b) adequately protects neighbors from disturbance, and (c) complies with *Albemarle County Code* § 18-32.7.9.7 (Screening).