COUNTY OF ALBEMARLE PLANNING
STAFF REPORT SUMMARY

Proposal: SP202200004 Scottsville Substation Expansion Project	**Staff:** Scott Clark, Senior Planner II
Planning Commission Public Hearing: October 11, 2022	**Board of Supervisors Hearing:** TBA
Owner: Appalachian Electric Power Company	**Applicant:** Appalachian Electric Power Company
Acreage: 7.92 acres	**Special Use Permit/Zoning Map Amendment for:** Energy and communications transmission facilities under Section 10.2.2(6) of the Zoning Ordinance, on two parcels of land totaling approximately 7.92 acres. No dwelling units proposed.
TMPs: 13000-00-00-041A0, 13000-00-00-041C1 **Location:** 454 James River Rd	**Zoning/by-right use:** RA Rural Area, which allows agricultural, forestal, and fishery uses; residential density (0.5 unit/acre in development lots)
Magisterial District: Scottsville	**Conditions:** Yes **EC:** No
School Districts: Scottsville Elementary – Walton Middle – Monticello High School	
Proposal: Amend SP-79-44 to upgrade electrical-transmission substation equipment and expand the substation site to accommodate entrance upgrades and stormwater-management facilities.	**Requested # of Dwelling Units:** n/a
DA: **RA: X**	**Comp. Plan Designation:** RA Rural Area, which allows agricultural, forestal, and fishery uses; residential density (0.5 unit/acre in development lots)
Character of Property: Parcel 41A is an existing electric substation with some vegetated screening. Parcel 41C1 is a former residential lot.	**Use of Surrounding Properties:** Nearby properties include
Factors Favorable: The proposed upgrade meets the utility's need for upgrading electricity distribution without creating significant new impacts on the Rural Area.	**Factors Unfavorable:** Staff has identified no unfavorable factors for this proposal.
RECOMMENDATIONS: Staff recommends approval of SP202200004 with one condition.	

STAFF CONTACT: Scott Clark, Senior Planner II
PLANNING COMMISSION: October 11, 2022
BOARD OF SUPERVISORS: TBA

PETITION

PROJECT: SP202200004 Scottsville Substation Expansion Project
MAGISTERIAL DISTRICT(S): Scottsville
TAX MAP/PARCEL(S): 13000-00-00-041A0, 13000-00-00-041C1
LOCATION: 454 James River Road
PROPOSAL: Amend SP-79-44 to upgrade electrical-transmission substation equipment and expand the substation site to accommodate entrance upgrades and stormwater-management facilities.
PETITION: Energy and communications transmission facilities under Section 10.2.2(6) of the Zoning Ordinance, on two parcels of land totaling approximately 7.92 acres. No dwelling units proposed.
ZONING: RA Rural Area, which allows agricultural, forestal, and fishery uses; residential density (0.5 unit/acre in development lots)
ENTRANCE CORRIDOR: No
OVERLAY DISTRICT(S): Steep Slopes Overlay
COMPREHENSIVE PLAN: Rural Area – preserve and protect agricultural, forestal, open space, and natural, historic and scenic resources; residential (0.5 unit/ acre in development lots).

CHARACTER OF SURROUNDING AREA

The surrounding area includes large farms and residential development along the public roads. The town of Scottsville lies approximately 0.8 miles to the northeast and east.

PLANNING AND ZONING HISTORY

SP197900044: This special use permit, approved by the Board of Supervisors on August 16, 1979, brought the existing substation into compliance with the ordinance requiring special use permits for transmission facilities. The substation has existed on the site for approximately 80 years.

DETAILS OF THE PROPOSAL

The utility has purchased a new parcel (TMP 130-41C1) to expand the substation site northward from the original site of the substation (TMP 130-41A) – see Attachment 1 for an overview of the site. The substation needs to be upgraded to accommodate planned voltage increases for the electrical transmission lines that supply it. The additional parcel provides space for a new entrance and stormwater facilities. The area of the original substation parcel was not sufficient to provide the area needed for stormwater treatment under recent Virginia regulations.

The substation facilities and entrance currently occupy approximately 1.2 acres. The applicant estimates that the total area of disturbance for the proposed expansion (including area for substation equipment, stormwater facilities, and new screening vegetation) would be 5.2 acres. Please see Attachment 3 for the proposed conceptual plan for the site.

COMMUNITY MEETING

A virtual community meeting for this proposal was held on April 19, 2022. One attendee raised a question about the impacts of construction traffic. The applicant responded that the construction

period would last approximately a year, and that the construction process would attempt to minimize disruption to traffic. A second question related to noise produced by current and future equipment. The applicant stated that the replacement transformers and other equipment would be significantly quieter than the existing equipment.

ANALYSIS OF THE SPECIAL USE PERMIT REQUEST

This special use permit, and all special use permits, are evaluated for compliance with the provisions of Chapter 18, Section 33.40b of the Code of Albemarle. Each provision of that section is addressed below. The provisions of the ordinance are in bold font and underlined.

No substantial detriment. **The proposed special use will not be a substantial detriment to adjacent lots.**

As there is no change of use, the proposed expansion would not create new impacts on the surrounding lots. The new parcel would contain passive elements such as stormwater facilities and an entrance that would not create noise impacts.

Residents of adjacent lots could encounter brief traffic delays as equipment enters or leaves the site during the period of construction (approximately one year), but generally the access would remain available.

Character of the nearby area is unchanged. **Whether the character of the adjacent parcels and the nearby area will be changed by the proposed special use.**

The substation is a longstanding component of the local landscape, and a small expansion of the existing facility will not change the character of the area.

Harmony. **Whether the proposed special use will be in harmony with the purpose and intent of this chapter,**

Section 1.4(D) of the Zoning Ordinance states that one of the purposes of the Ordinance is to:

> *"Facilitate providing adequate police and fire protection, disaster evacuation, civil defense, transportation, water, sewerage, flood protection, schools, parks, forests, playgrounds, recreational facilities, airports and other public requirements;"*

The existing substation provides electrical distribution to uses throughout the surrounding area, and would continue to do so with limited impacts after the proposed upgrade.

Harmony. **…with the uses permitted by right in the district**

Public utilities are in harmony with and supportive of agricultural and residential uses in the district.

***Harmony.* …with the regulations provided in section 5 as applicable,**

5.1.12 PUBLIC UTILITY STRUCTURES/USES
a. The proposed use at the location selected will not endanger the health and safety of workers and/or residents in the community and will not impair or prove detrimental to neighboring properties or the development of same;

The proposal upgrades an existing utility facility used by the surrounding area. Upgrading equipment and increasing the footprint within the 7.92-acre site will not significantly change the surrounding areas.

b. Public utility buildings and structures in any residential zone shall, wherever practical, have the exterior appearance of residential buildings and shall have landscaping, screen planting and/or fencing, whenever these are deemed necessary by the commission;

In addition, trespass fencing and other safety measures may be required as deemed necessary to reasonably protect the public welfare;

In cases of earth-disturbing activity, immediate erosion control and reseeding shall be required to the satisfaction of the zoning administrator;

The site is fenced, and the substation equipment will continue to be fenced after the expansion of the substation footprint. The facility will be required to meet state stormwater management requirements.

c. Such structures as towers, transmission lines, transformers, etc., which are abandoned, damaged or otherwise in a state of disrepair, which in the opinion of the zoning administrator pose a hazard to the public safety, shall be repaired/removed to the satisfaction of the zoning administrator within a reasonable time prescribed by the zoning administrator;

Older equipment will be removed as part of the replacement process.

d. In approval of a public utility use, the commission shall be mindful of the desirability of use by more than one utility company of such features as utility easements and river crossings, particularly in areas of historic, visual or scenic value, and it shall, insofar as practical, condition such approvals so as to minimize the proliferation of such easements or crossings, as described by the comprehensive plan.

No new uses are proposed – only the upgrading of equipment within the existing substation.

***Harmony*. …and with the public health, safety and general welfare.**

Upgrading equipment within the substation does not introduce new safety issues. The proposed change of the entrance location will increase road safety on James River Road by increasing site distance for equipment entering and leaving the site.

***Consistency with the Comprehensive Plan.* The use will be consistent with the Comprehensive Plan.**

The Rural Area chapter of the Comprehensive Plan includes goals for protecting agricultural and forestal economies, as well as natural resources. Impacts of the proposed upgrade would be limited to the existing 1-acre utility property, and would not prevent agricultural use of the surrounding areas.

Staff feels that the proposal does not conflict with the Comprehensive Plan.

SUMMARY

Staff has identified the following factors favorable to this proposal:

1. The proposed upgrade meets the utility's need for upgrading electricity distribution without creating significant new impacts on the Rural Area.

Staff has identified no unfavorable factors for this proposal.

RECOMMENDED ACTION for SP

Based on the findings contained in this staff report, staff recommends approval of SP202200004 Scottsville Substation Expansion Project with the following condition:

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 conceptual plan entitled "138 kV Proposed Station Expansion Landscape Plan," prepared by American Electric Power, and last revised 8-10-22. To be in general accord with the plan, development must reflect the location of the substation, related infrastructure, new screening vegetation, and vegetated areas to remain (shaded gray on the plan) as shown on the plan. Minor modifications to the plan that do not conflict with that essential element may be made to ensure compliance with the Zoning Ordinance.

ATTACHMENTS

1. Location Map
2. Application Narrative
3. Conceptual Plan