



ALBEMARLE COUNTY PLANNING
STAFF REPORT SUMMARY

Project Name: SP201800014 Cash's Corner Transmission Line	Staff: Scott Clark, Senior Planner
Planning Commission Public Hearing: January 15, 2019	Board of Supervisors Hearing: TBA
Owner(s): Central Virginia Electric Cooperative holds the right-of-way over the parcels listed below	Applicant(s): Central Virginia Electric Cooperative
Acreage: Approximately 32.7 acres of right-of-way across multiple parcels	Special Use Permit for: 10.2.2(6), Water, sewer, energy, communications distribution facilities (reference 5.1.12)
TMP: 05000000004100; 050000000041A0; 050000000041B0; 050000000041B1; 050000000041C0; 050000000041D0; 05000000004500; 050000000045B0; 051000000014A0; 051000000014D0; 051000000016A0; 05100000001700; 051000000028A0; 06600000004300; 06600000004500; 06600000004800; 06700000000100; 06700000000200 LOCATION: From the Albemarle County – Louisa County boundary at a point 0.34 miles north of the intersection of Virginia Route 22 and Whitlock Road (Route 616) to an existing substation located 0.5 miles north of the intersection of Virginia Route 231 and Lindsay Road (Route 615), along an existing utility easement.	By-right use: RA Rural Area - agricultural, forestal, and fishery uses; residential density (0.5 unit/acre in development lots)
Magisterial District: Rivanna	Proffers/Conditions: Yes
Requested # of Dwelling Units/Lots: n/a	DA - x RA - Yes
Proposal: Replace existing 46kV electrical transmission line with pole heights of 55 to 70 feet with new 115kV electrical transmission line with pole heights of 65 to 90 feet along an existing utility easement approximately 2.7 miles long.	Comp. Plan Designation: 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 Property: The existing right-of-way crosses a variety of agricultural and residential properties.	Use of Surrounding Properties: The area is primarily agricultural, with residential development along the roads.
Factors Favorable: 1. The utility-line upgrade would increase electrical-service reliability without increasing physical impacts or widening the existing utility corridor.	Factors Unfavorable: None found.
Recommendation: Staff recommends approval with conditions.	

STAFF CONTACT:
PLANNING COMMISSION:
BOARD OF SUPERVISORS:

Scott Clark, Senior Planner
January 15, 2019
TBD

PETITION:

PROJECT: SP201800014 Cash's Corner Transmission Line

MAGISTERIAL DISTRICT: Rivanna

TAX MAP/PARCEL(S): 05000000004100; 050000000041A0; 050000000041B0; 050000000041B1;
050000000041C0; 050000000041D0; 05000000004500; 050000000045B0; 051000000014A0; 051000000014D0;
051000000016A0; 05100000001700; 051000000028A0; 06600000004300; 06600000004500; 06600000004800;
06700000000100; 06700000000200

LOCATION: From the Albemarle County – Louisa County boundary at a point 0.34 miles north of the intersection of Virginia Route 22 and Whitlock Road (Route 616) to an existing substation located 0.5 miles north of the intersection of Virginia Route 231 and Lindsay Road (Route 615), along an existing utility easement.

PROPOSAL: Replace existing 46kV electrical transmission line with pole heights of 55 to 70 feet with new 115kV electrical transmission line with pole heights of 65 to 90 feet along an existing utility easement approximately 2.7 miles long.

PETITION: Energy and communications transmission facilities under Section 10.2.2(6) of the zoning ordinance on 18 parcels totaling 897.35 acres. No dwelling units proposed.

ZONING: RA Rural Area - agricultural, forestal, and fishery uses; residential density (0.5 unit/acre in development lots)

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 THE AREA:

The area is primarily rural agricultural and forest land, with some residential development. The two westernmost parcels crossed by the existing power-line right-of-way (TMP 50-45 and 50-45B; 0.6 miles of the utility line) are within the Southwest Mountains Rural Historic District.

PLANNING AND ZONING HISTORY:

None.

DETAILS OF THE PROPOSAL:

The existing 46kV electrical line from Cash's Corner to the Zion substation in Fluvanna County is the last line remaining at that voltage after a long period of upgrades carried out by the applicants on a loop connecting multiple substations. Except for this section, the lines have been upgraded to 115kV, which requires taller poles for greater ground clearance and increased separation between individual lines for safety while operating at the higher voltage. The current proposal would replace the 55- to 70-foot existing monopoles within the existing 100-foot right-of-way from the Cash's Corner substation to the Albemarle boundary with approximately 65- to 90-foot monopoles. The new monopoles would be steel structures and would be installed within several feet of the locations of the existing poles. Brown weathering steel would be used to reduce visibility.

COMMUNITY MEETING:

The applicants held a community meeting at the Gordonsville Public Library on October 4, 2018. Several members of the community attended. Attendees were interested in the design of the upgrade, but no major concerns were stated.

ANALYSIS OF THE SPECIAL USE PERMIT REQUEST

Section 33.40(B) of the Zoning Ordinance states that, in acting on a special use permit, the Board shall consider the following factors, provided that the Board is not required to make specific findings in support of its action:

No substantial detriment. Whether the proposed special use will be a substantial detriment to adjacent parcels.

The replacement of monopoles with taller monopoles in approximately the same location is not expected to cause a substantial detriment. Construction impacts will be limited and temporary, as the monopoles are the only structures needed.

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

A utility corridor with monopoles and power lines already exists in this area. New monopoles in the same corridor are not expected to change the character of the area.

Three parcels along the right-of-way are under conservation easements. Parcel 50-45 is under an ACE program easement co-held by the County and the Virginia Outdoors Foundation. Parcels 50-45B and 66-43 are under easements held by the Virginia Outdoors Foundation. However, the utility right-of-way predates those conservation easements, and the utility has the right to maintain and upgrade its facilities within that right-of-way.

Two parcels along the right-of-way (50-45B and 50-41A) are enrolled in the Blue Run Agricultural-Forestal District. Given the fact that the utility right-of-way predates that district, and that the replacement of existing poles on those parcels is not expected to reduce access to land for agricultural purposes or impact agricultural resources, staff does not anticipate any impacts to the District. Staff consulted with the Chairman of the Agricultural-Forestal Districts Committee, who agreed that the impacts on the District of a pole-replacement project were not significant.

The transmission line currently crosses two parcels (50-45 and 50-45B) within the Southwest Mountains National Register Rural Historic District, near the southeastern boundary of the district. Although the increase in height of the poles and lines will potentially increase visibility, the short distance that the line travels within the district and the location at the district boundary help limit impacts. The overall integrity of the historic district is not expected to be negatively impacted.

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 applicants have stated that completion of the upgrade to 115kV on this loop of substations will “improve the reliability of the electric system infrastructure from the Cash’s Corner substation to Keswick in Albemarle County, along with other CVEC members from Zion to Hadensville.” The application states that reliability for more than 6,500 electrical-utility accounts in Albemarle and adjacent jurisdictions would be improved by completion of this upgrade process.

...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.

...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 proposed replacement poles are in the location of long-standing transmission facilities. No new use is proposed.

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 reseedling shall be required to the satisfaction of the zoning administrator;

These measures are not necessary, as no buildings or structures other than the replacement monopoles are proposed. Earth-disturbing activity will be minimal, as only pole bases will be required.

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;

The existing poles will be removed as part of the replacement process. Any future removals or repairs could be ensured through enforcement of this ordinance requirement.

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 crossings are proposed, and the new facilities would effectively use the existing corridor. The only new easement that is proposed is a 0.1-acre section directly adjacent to the Cash's Corner substation, and this would only be used for overhead lines, and not for ground structures.

...and with the public health, safety and general welfare.

Replacement of existing power lines in the same corridor does not introduce new safety issues. Provision of upgraded power-transmission lines can increase general welfare by ensuring more consistent service during periods of high demand.

Consistency with the Comprehensive Plan. Whether the proposed special use will be consistent with the Comprehensive Plan.

The Land Use Plan includes a goal to "Strongly support and effectively implement the County's growth management priorities in the planning and provision of transportation infrastructure, public facilities and public utilities." While this goal would be an important factor for new facilities, the current proposal is an upgrade of

existing facilities to meet needs within and beyond the County. 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 utility-line upgrade would increase electrical-service reliability without increasing physical impacts or widening the existing utility corridor.

Staff has identified no unfavorable factors for this proposal:

RECOMMENDED ACTION:

Based on the findings contained in this staff report, staff recommends approval of SP201800014 Cash's Corner Transmission Line with the following condition.

1. Supporting structures for the electrical transmission lines shall remain within the existing right-of-way easement.

Motions:

- A. Should the Planning Commission choose to recommend approval of this special use permit:

I move to recommend approval of SP 2018-00014 Cash's Corner Transmission Line with the condition outlined in the staff report.

- B. Should the Planning Commission choose to recommend denial of this special use permit:

I move to recommend denial of SP 2018-00014 Cash's Corner Transmission Line. (*Planning Commission needs to give a reason for denial*)

ATTACHMENTS

Attachment A – [Map](#)

Attachment B – [Application Packet](#)