

**Christiansburg Planning Commission
Minutes of November 24, 2014**

Present: Matthew J. Beasley
Ann Carter
Harry Collins
David Franusich
Steve Huppert
Jennifer D. Sowers
Joe Powers, Vice-Chairperson
Craig Moore, Chairperson
Nichole Hair, Secretary ^{Non-Voting}

Absent: None

Staff/Visitors: Missy Martin, staff
Sara Morgan, staff
Kevin Conner, Gay and Neel
Thom Rutledge, SHAH Development
Mike Harris, New River Baseball, Inc.
Several others

Chairperson Moore called the meeting to order at 7:00 p.m. in the Christiansburg Town Hall at 100 E. Main Street, Christiansburg, Virginia, following the pledge of allegiance, to discuss the following items:

Chairperson Moore proposed an amendment to the Planning Commission Agenda to strike the Public Hearing and discussion and action for a Conditional Use Permit request by Peggy A. Beasley for a flea market with an exception to paved parking at 275 Starlight Drive (tax parcel 529 – ((A)) – 13) in the B-3 General Business District.

Commissioner Carter made the motion to strike the two items from the agenda. Commissioner Beasley seconded the motion, which passed 8-0.

Public Comment.

Chairperson Moore opened the floor for public comment. There were no public comments. Chairperson Moore closed the floor for public comment.

Approval of meeting minutes for November 10, 2014.

Chairperson Moore introduced the discussion. Commissioner Collins made a motion to approve the Planning Commission meeting minutes. Commissioner Carter seconded the motion, which passed 5-0. Commissioner Sowers, Commissioner Beasley and Commissioner Franusich abstained due to being absent.

Planning Commission public hearing on Councils' intention to adopt an ordinance amending Chapter 42 "Zoning" of the Christiansburg Town Code in regards to provisions for private recreational facilities in the I-2 General Industrial District with a Conditional Use Permit.

Chairperson Moore asked for staff to discuss the ordinance amendment. Ms. Hair stated the amendment to the Zoning Ordinance is to allow recreational facilities in the I-2 General Industrial District with a Conditional Use Permit. Ms. Hair added this was also done in the I-1 Limited Industrial District previously. A CUP was then approved for the Reed's Lumber property.

Chairperson Moore asked for public comment in regards to the ordinance amendment. Mr. Mike Harris, 530 Capital Way, stated he was the President of the New River Baseball, Inc. and described how the program has currently outgrown its current facilities and would like to expand to include boy's baseball and girls' softball. Mr. Harris added he does not want to take away from the Christiansburg Recreation Center and wants the kids to be involved in local programs in their community. Mr. Harris stated he made a presentation to Town Council approximately 3 weeks earlier and had a positive response.

Mr. Harris discussed leasing the building and possibly purchasing the property in the future. This is an abandoned building and Mr. Harris feels the property is perfect for the program. Mr. Harris has over 12 teams interested in the program and New River Baseball, Inc. would like to add cages and other practice items for the kids.

Chairperson Moore thanked Mr. Harris and asked for any further comments from the public. With no further comments, the public hearing was closed.

Contingent on the above item, Public Hearing for a Conditional Use Permit request by Mike Harris (agent for property owner Raymond Myers) for a private recreational facility at 375 Bell Road (tax parcel 499 – ((A)) – 1F) in the I-2 General Industrial District.

Chairperson Moore made a correction stating the item should include that it is a Public Hearing for a Conditional Use Permit. Chairperson Moore asked the applicant to address the Planning Commission.

Mr. Harris described how the property is abandoned and the prior use of the property was the old Pepsi Plant. He also described the plans for the building for the baseball program.

Chairperson Moore asked for further comments. No further comments were made.

Discussion and action by Planning Commission on a Conditional Use Permit request by SHAH Development, LLC for residential use at 2765 Roanoke Street (tax parcel 501 – ((1)) – 26A) in the B-3 General District. The Planning Commission public hearing was held on November 10, 2014

Chairperson Moore opened the discussion. Mr. Thom Rutledge asked to address the Commission. Mr. Rutledge submitted revised concept drawings. Mr. Rutledge also apologized to the Commissioners about the previous Public Hearing meeting because he addressed the citizens directly and not the Planning Commission.

Mr. Rutledge would like to address comments from the Public Hearing meeting. Mr. Rutledge stated Commissioner Carter and Commissioner Powers wanted to see more parking even though the plan does meet the intent of the ordinance. After looking at the plan 4 additional spaces were added for overflow parking.

Mr. Rutledge discussed the concerns over landscaping and buffers brought up by neighbors on Patricia Lane and the Planning Commission. He explained the changes made to the concept plan, which addresses the concerns. Mr. Rutledge also discussed the landscaping plan, which includes bio retention areas and a buffer of trees and shrubs between the residents on Patricia Lane.

Mr. Rutledge stated Commissioner Powers had concerns about fencing along Roanoke Street. He added after further research, due to utilities within the area, he does not feel a vegetative buffer can work. The wooden fence is the best option for maintenance of the utilities.

Chairperson Moore asked if the Commissioners had any questions.

Commissioner Franusich asked if the applicant had submitted plans showing the typical elevation of the proposed townhomes. Mr. Rutledge replied no because some neighbors could not agree on the color of the vinyl. Mr. Rutledge recommended to the residents to drive by a current development in Cambria Crossing that will mirror this future development.

Commissioner Powers asked if the landscaping will be similar to the other side on Patricia Lane. Mr. Rutledge replied yes but it will take a while for the landscaping to grow. Mr. Powers also asked if the bio retention will be graded to come out toward Patricia Lane because of the slope of the property. Mr. Rutledge described how the current bio retention will be utilized so the units in the rear of the property can be routed to that existing bio retention area. A similar plan will also be used for the front of the property onto Roanoke Street.

Mr. Kevin Conner added because of the grade, the bio retention will be used before the underground retention is used. Commissioner Powers stated the bio retention would eventually drain to the corner of Roanoke Street and Patricia Lane and added a discussion was made about Engineering looking at this. Ms. Hair responded Engineering will look at it during the site plan process.

Discussion and action by Planning Commission on a Conditional Use Permit request by SHAH Development, LLC for residential use at 2765 Roanoke Street (tax parcel 501 – ((1)) – 26A) in the B-3 General District. The Planning Commission public hearing was held on November 10, 2014 (continued).

Commissioner Powers added he appreciated Mr. Rutledge looking at the berm and after looking himself he agreed with the decision. Commissioner Powers also asked how close the fence will be to the sidewalk. Commissioner Powers recommended the fence be setback from the sidewalk. Mr. Rutledge agreed and said a grass strip will be left between the fence and sidewalk so all the sidewalk can be utilized. Mr. Rutledge added the boarded side of the fence will face Roanoke Street and not the townhouse side.

Commissioner Collins verified the sidewalks do run from the entry way. Mr. Rutledge replied yes, all the way up to Patricia Lane to accommodate current residents and for possible future development. Commissioner Sowers asked if there will be walkways in front of all units on both sides. Mr. Rutledge replied yes, there will be private sidewalks the HOA will be responsible to maintain.

Commissioner Powers added the use of the property is appropriate for a transition between the designated commercial and residential areas on Roanoke per the Comprehensive Plan's Future Land Use Map.

Commissioner Carter would like to thank the applicant for finding additional parking spaces.

Chairperson Moore reviewed the parking concerns of the public hearing, even though the developer did meet the intent of the ordinance. He also added the new plan will help with those concerns and help meet the intent of the neighborhood.

Chairperson Moore asked for any further questions for the applicant.

Chairperson Moore read over conditions which are:

1. The development shall be in general conformity with the presented "Proposed Site Layout Patricia Lane Townhomes C.U.P. Concept Plan "dated August 29, 2014 with an amendment to add a revised plan date of November 14, 2014.
2. The development shall comply with all applicable stormwater regulations.

Chairperson Moore asked the Planning Commission if conditions need to be added. Commissioner Powers added he would like to see a buffer between the fence and sidewalk. Ms. Hair replied the site plan process will review this and also staff recommends the fences not be placed up to the property lines for maintenance.

Commissioner Collins made a motion to recommend Town Council approve the Conditional Use Permit request with the drafted conditions, as amended. Commissioner Sowers seconded the motion, which passed 8-0.

Discussion and action by Planning Commission on Council's intention to adopt an ordinance amending Chapter 42 "Zoning" of the Christiansburg Town Code in regards to provisions for private recreational facilities in the I-2 General Industrial District with a Conditional Use Permit.

Chairperson Moore opened the discussion.

Commissioner Carter asked if the Town had a definition of what a recreation facility means. Ms. Hair responded she does not have a definition with her but with this being a Conditional Use Permit request the Commission could make conditions on the use.

Commissioner Powers asked if all the uses would be inside the building only. Ms. Hair replied correct. Mr. Powers added he was glad the property will remain zoned industrial for future potential development because the Town has limited industrial property.

Commissioner Franusich asked if this has been allowed before in Town. Ms. Hair replied yes that Reed Lumber Company went through the same process previously for a Code amendment in the I-1 District with a Conditional Use Permit request for a recreational facility.

Commissioner Carter asked if the type of sports should be included in the conditions. Commissioner Sowers added the last request they also added timing conditions. Chairperson Moore replied these conditions are a good point and can be added in during the next section of the meeting; this discussion is for the ordinance amendment only.

Ms. Hair stated Town Council has made a request for Planning Commission to make the request tonight so hopefully this can be approved at their next meeting. The applicant wants to use the facility as soon as possible.

Commissioner Beasley made a motion to recommend Town Council approve the amendment of the Zoning Ordinance. Commissioner Collins seconded the motion, which passed 8-0.

Discussion and action by Planning Commission on a Conditional Use Permit request by Mike Harris (agent for property owner Raymond Myers) for a private recreational facility at 375 Bell Road (tax parcel 499 – ((A)) – 1F) in the I-2 General Industrial District.

Chairperson Moore read the drafted conditions.

1. This permit is valid for baseball programs only.
2. Hours of operation shall be limited to between 9:00 a.m. and 9:00 p.m.
3. There shall be no excessive noise between 11:00 p.m. and 7:00 a.m.
4. This permit is subject to inspections and approval of the facilities and equipment by the Fire Marshall, Building Official, and Rescue Squad Captain. The Town of Christiansburg requires that the applicants use and maintain the facilities and equipment in accordance with equipment manufacturer's guidelines.

Discussion and action by Planning Commission on a Conditional Use Permit request by Mike Harris (agent for property owner Raymond Myers) for a private recreational facility at 375 Bell Road (tax parcel 499 – ((A)) – 1F) in the I-2 General Industrial District – (continued).

5. This permit shall be valid for the applicants only and is nontransferable.
 6. Parking for the operation shall be limited to the existing parking area immediately in front of the building on the property.
 7. This permit shall be subject to review by the Planning Commission in one year.
- Chairperson Moore read the drafted conditions.

Ms. Hair stated she would amend condition one to include softball. Chairperson Moore clarified item number one will include baseball and softball programs only.

Commissioner Powers asked if the applicant would like to add additional sports because this would be a good time, instead of having to come back at a later date. Mr. Harris stated he may add basketball goals, sports fitness workouts and hold corn hole tournaments the facility but will not compete with the Recreation Center. Commissioner Collins asked how number one condition can be worded. Ms. Hair replied the condition can say all recreation activities with the Towns Planning Director approval because the previous Planning Director, Randy Wingfield, worked closely with Reeds Lumber Company on the same issue.

Chairperson Moore clarified the change to number one to read this permit is valid for primarily baseball and softball but other recreational activities are permitted. Commissioner Franusich asked if number one can just be stricken from the conditions. Ms. Hair stated the condition can read this permit is valid for indoor recreational activities only.

Chairperson Moore stated on previous conditions the approval can be tied to the applicant. Mr. Harris replied she can add in the applicants association to number five.

Mr. Harris asked if the conditions will prohibit the kids from going outside to throw on a pretty day. Chairperson Moore responded yes it would. Mr. Harris would like to request outdoor use for the hot summer months. Commissioner Collins requested to strike the indoor use only. Commissioner Powers added the noise with the outdoor sports may be an issue for the residential neighbors. Chairperson Moore stated this is an industrial use area and it could be noisy all hours of the day. Mr. Powers inquired if a limit could be placed for the outdoor use to the adjacent residential unit. Mr. Moore stated the Commission is proposing on the north side of the property to add a 30 feet buffer from that property line.

Chairperson Moore stated this is a great opportunity for the youth. Commissioner Collins added he appreciated the applicants creating this program and need to be commended.

Discussion and action by Planning Commission on a Conditional Use Permit request by Mike Harris (agent for property owner Raymond Myers) for a private recreational facility at 375 Bell Road (tax parcel 499 – ((A)) – 1F) in the I-2 General Industrial District (continued).

Commissioner Beasley asked if number two can be conditioned to change the time from 8 a.m. to 9 p.m. because starting at 9 a.m. seems too late. Mr. Harris asked if number two can be conditioned to say outdoor time only. Chairperson Moore stated with the area is zoned Industrial, it could have noise 24 hours. Commissioner Collins asked if number 2 can be stricken all together. Ms. Hair replied the condition can be changed to limit outdoor activity only during 9 a.m. and 9 p.m. Chairperson Moore asked Ms. Hair about the conditions of time added to Reed Lumber Companies Conditional Use Permit. She replied there are numerous residential properties adjoining the property so that was the concern. Chairperson Moore would like to make the condition 8 a.m. to 9 p.m. Commissioner Collins verified no time limit on indoor use. Ms. Hair replied correct and it would follow the current noise ordinance in Town.

Ms. Hair read the amended conditions.

1. This permit is valid for recreational activities only.
2. The outdoor activities shall be limited to 8:00 a.m. and 9:00 p.m.
3. There shall be no excessive noise between 11:00 p.m. and 7:00 a.m.
4. This permit is subject to inspections and approval of the facilities and equipment by the Fire Marshall, Building Official, and Rescue Squad Captain. The Town of Christiansburg requires that the applicants use and maintain the facilities and equipment in accordance with equipment manufacturer's guidelines.
5. This permit shall be valid for New River Baseball Inc. only and is nontransferable.
6. Parking for the operation shall be limited to the existing parking area immediately in front of the building on the property.
7. This permit shall be subject to review by the Planning Commission in one year.
8. All outdoor recreational outdoor activities are to remain 30 feet from the existing residential units.

Chairperson Moore asked for any further questions. Commissioner Collins asked if the applicant will be installing signage. Mr. Harris replied yes temporary signage will be installed but not permanent. Ms. Hair stated the signs would be approved by the Planning Department.

Commissioner Beasley made a motion Town Council approve the request with the amended conditions. Commissioner Collins seconded the motion, which passed 8-0.

Commissioner Huppert added that Town Council heard from Mr. Harris approximately three weeks earlier and they were very approving of the program.

Other Business.

Ms. Hair added the Development Subcommittee meeting will be held on December 10, 2014

Ms. Hair gave an update on the Neighborhood Plan meeting held on November 20, 2014. She added only two citizens attended the meeting and for the next meeting it will be a broader event held at the Recreation Center. The Town Public Relations will work on a Newsletter to add to the January water bills.

Ms. Hair would like to thank the Planning Commissioners for approval of amending the flea market request. A joint meeting will be held on December 9, 2014 at the Aquatic Center and Ms. Hair would like the Commissioners to attend to have a quorum. Commissioner Collins asked how the meeting will work being joint. Ms. Hair responded the Planning Commission will listen during the Public Hearing and make a recommendation at their next meeting held on Monday, December 15, 2014.

Ms. Hair reminded the Commissioners their disclosure forms are due on December 15, 2014. The Commissioners can either bring them to the December 9th meeting to give to the Town Clerk or she will take them.

Commissioner Huppert added the Town Council is meeting at the Aquatic Center to tour the facility and if the Commissioners would like to attend the tour to be there by 5:45. Commissioner Beasley verified the meeting time with Ms. Hair.

Chairperson Moore asked the Commissioners to let Ms. Hair know if they cannot attend the meeting to make sure of a quorum.

Mr. Kevin Conner added they are waiting on Federal authorization to advertise for the next portion of the downtown construction.

Chairperson Moore asked Ms. Hair about the officers and bylaws for the next meeting. Ms. Hair replied the next meeting on December 15, 2014 they will discuss the officers, subcommittees and the bylaws.

Commissioner Huppert stated that Mayor Barber is very interested in starting up a farmers market in the spring and also how several people from the community. Commissioner Huppert added the Town Council appreciates the hard work the Planning Commission does.

There being no more business, Chairperson Moore adjourned the meeting at 7:50 p.m.

Craig Moore, Chairperson

Nichole Hair, Secretary Non-Voting



ESTABLISHED
NOVEMBER 10, 1792

INCORPORATED
JANUARY 7, 1833

MAYOR
D. MICHAEL BARBER

COUNCIL MEMBERS
SAMUEL M. BISHOP
R. CORD HALL
STEVE HUPPERT
HENRY SHOWALTER
BRADFORD J. "BRAD" STIPES
JAMES W. "JIM" VANHOOZIER

TOWN MANAGER
BARRY D. HELMS

**DIRECTOR OF
FINANCE/TOWN TREASURER**
VALERIE L. TWEEDIE

CLERK OF COUNCIL
MICHELE M. STIPES

TOWN ATTORNEY
GUYNN, MEMMER &
DILLON, P.C.

Town of Christiansburg, Virginia 24073

100 East Main Street ~ Telephone 540-382-6128 ~ Fax 540-382-7338

Town of Christiansburg Planning Staff Report

Planning Commission Public Hearing Date: Tuesday, December 9, 2014 at 7:00 p.m.

Town Council Public Hearing Date: Tuesday, December 9, 2014 at 7:00 p.m.

Application Type: Conditional Use Permit

Applicant: Peggy A. Beasley

Location: 275 Starlight Drive (tax parcels 529 – ((A)) – 13)

The Town of Christiansburg has received a Conditional Use Permit request by Peggy A. Beasley for a flea market with an exception to paved parking at 275 Starlight Drive (tax parcel 529 – ((A)) – 13) in the B-3 General Business District.

The property does not lie within the 100-Year and 500-Year Flood Hazard Areas. The property is not located within the Historic District. The adjoining properties are zoned B-3 General Business District. The adjoining properties contain residences.



TOWN OF CHRISTIANSBURG

100 East Main Street

Christiansburg, VA 24073

Phone (540) 382-6120 Fax (540) 381-7238

Conditional Use Permit Application

Landowner: Peggy A. Beasley Agent: _____

Address: 365 Starlight Dr Address: _____
Christiansburg VA 24073

Phone: 540 230 7326 Phone: _____

I am requesting a Conditional Use Permit to allow a flea market and
waiver to parking requirements
 on my property that is zoning classification B-3 under Chapter 42: Zoning of the
 Christiansburg Town Code. 275

My property is located at 305 Starlight Dr Christiansburg VA
24073
 Tax Parcel(s): 529-((A))-13

Fee: \$750.00 dgm
 10-23-14

I certify that the information supplied on this application and any attachments is accurate and true to the best of my knowledge. I understand that Conditions may be placed on my property in regards to the above mentioned use/activity. I also understand that the Conditional Use Permit may be revoked and/or additional Conditional Use Permits required should questions regarding conformity arise.

Signature of Landowner(s): _____ Date: _____

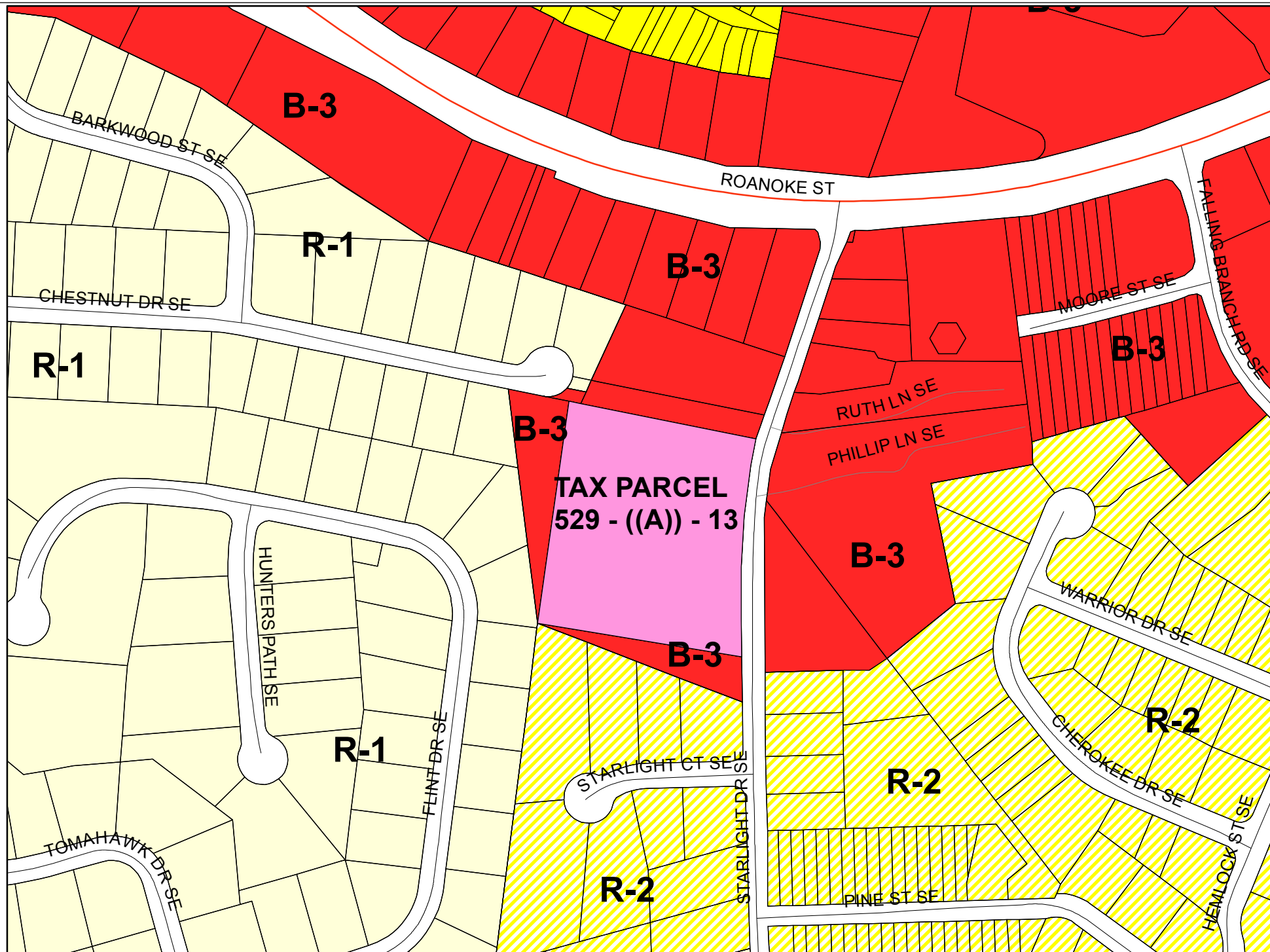
_____ Date: _____

_____ Date: _____

This request was approved / disapproved by a vote of the Christiansburg Town Council on _____
 Any Conditions attached shall be considered requirements of the above request.

Town Manager _____

Date _____



CUP REQUEST: 275 Starlight Drive

PC: DECEMBER 9, 2014

TC: DECEMBER 9, 2014



CUP REQUEST: 275 Starlight Drive

PC: DECEMBER 9, 2014

TC: DECEMBER 9, 2014

CUP: 275 Starlight Drive

<u>TAX_MAP_ID</u>	<u>OWNER1</u>	<u>OWNER2</u>	<u>MAIL_ADD1</u>	<u>MAIL_ADD2</u>
529- 24 6	WRIGHT DANA P	WRIGHT SUK M	1390 CHESTNUT DR	CHRISTIANSBURG VA 24073
529- 24 7,7A	PEDROTTI JEROMY	PEDROTTI LALENA	1400 CHESTNUT DR	CHRISTIANSBURG VA 24073
529- 24 7,7A	PEDROTTI JEROMY	PEDROTTI LALENA	1400 CHESTNUT DR	CHRISTIANSBURG VA 24073
529- A 11A	CRAFT REAL ESTATE	HOLDINGS LLC	P O BOX 330	CHRISTIANSBURG VA 24068
529- 24 8	WHITLOCK DAVID C	WHITLOCK CARRIE B	1395 CHESTNUT DR	CHRISTIANSBURG VA 24073
529- A 13A	BEASLEY R W		36512 STARLIGHT DR	CHRISTIANSBURG VA 24073
529- A 12	BEASLEY PEGGY A		365 STARLIGHT DR	CHRISTIANSBURG VA 24073
529- A 13	BEASLEY PEGGY A		365 STARLIGHT DR	CHRISTIANSBURG VA 24073
529- A 41	STARLIGHT MHP LLC		185 TUNNEL CIR	CHRISTIANSBURG VA 24073
529- 25 2	AARON TEDDY E	AARON TERESA A	1280 FLINT DR	CHRISTIANSBURG VA 24073
529- A 15	CUPP FRANK A JR	CUPP GREGORY S	P O BOX 2574	CHRISTIANSBURG VA 24068
529- 25 1	CONNELLY H BRANCH	CONNELLY MELISSA E	1270 FLINT DR	CHRISTIANSBURG VA 24073
529- 10 4	DENNIS J KIERNAN LIVING TRUST	C/O DENNIS KIERNAN TRUSTEE	1380 STARLIGHT CT	CHRISTIANSBURG VA 24073
529- A 14	BEASLEY PEGGY A		365 STARLIGHT DR	CHRISTIANSBURG VA 24073
529- 10 3	HARRIS RONALD O	HARRIS LINDA S	1360 STARLIGHT CT SE	CHRISTIANSBURG VA 24073
529- 10 2	CHANDLER GARY LYNN	CHANDLER JASON EDWARD	1340 STARLIGHT CT	CHRISTIANSBURG VA 24073
529- A 16,17	STUMP C JEFFREY	STUMP TERESA W	302 ROANOKE ST	CHRISTIANSBURG VA 24073
529- 10 1	WOOLWINE RANDOLPH S	WOOLWINE VELVA MARIE	395 STARLIGHT DR	CHRISTIANSBURG VA 24073

Resolution of the Town of Christiansburg Planning Commission

Conditional Use Permit Application

WHEREAS the Christiansburg Planning Commission, acting upon a request by Peggy A. Beasley for property located at 275 Starlight Drive (tax parcel 529 – ((A)) – 13) for a flea market in the B-3 General Business District, has found following a duly advertised Public Hearing that the public necessity, convenience, general welfare and good zoning practices (**permit / do not permit**) the issuance of a CUP to Peggy A. Beasley for property located at 275 Starlight Drive (tax parcel 529 – ((A)) – 13) for a flea market in the B-3 General Business District.

THEREFORE be it resolved that the Christiansburg Planning Commission (**recommends / does not recommend**) that the Christiansburg Town Council approve the issuance of the Conditional Use Permit with the following condition(s):

1. The property is to be maintained in a clean, sanitary, and sightly manner.
2. The outside market shall only be allowed to operate from 7:00 a.m. to sundown.
3. All vendors are required to pack out all of their trash, garbage, boxes, unsold items, etc.
4. Dumping of chemicals, oil, sewage, etc. into storm drains or anywhere else on the property is not permitted.
5. No campers or overnight camping.
6. Vendors selling prepared foods shall obtain Town Business Licenses and collect and file Town meals taxes.
7. The flea market organizers and all vendors shall meet all applicable federal, state and local regulations and requirements.
8. This permit shall be valid for Peggy A. Beasley only and is nontransferable.
9. The permit approval shall be subject to review in six months.
10. This permit shall exempt Peggy A. Beasley from installing paved parking spaces. Any future tenant or use shall comply with all parking requirements.

Dated this the _____ day of December 2014.

Craig Moore, Chairperson
Christiansburg Planning Commission

The above Resolution was adopted on motion by _____ seconded by _____ at a meeting of the Planning Commission following the posting of a public hearing notice upon the property and a duly advertised Public Hearing on the above request on November 24, 2014. Upon a call for an aye and nay vote on the foregoing resolution, the Commission members present throughout all deliberations on the

foregoing and voting or abstaining, stood as indicated opposite their names as follows:

MEMBERS

AYES

NAYS

ABSTAIN

ABSENT

Matthew J. Beasley

Ann H. Carter

Harry Collins

David Franusich

Steve Huppert

Craig Moore, Chairperson

Joe Powers, Vice-Chairperson

Jennifer D. Sowers

Craig Moore, Chairperson

Nichole Hair, Secretary ^{Non-voting}

Town of Christiansburg Planning Commission By-Laws

Definitions

“Commission” refers to the Town of Christiansburg Planning Commission.

“Town” refers to the Town of Christiansburg.

“Town Council” refers the Town of Christiansburg Town Council, which is the governing body of the locality.

Authority for Planning Commission

State Authority

The Town of Christiansburg Planning Commission operates under authority of Code of Virginia § 15.2-2210.

Town Authority

The authority for the Town of Christiansburg Planning Commission is found in Article VI. Planning Commission of Chapter 2 “Administration” of the Christiansburg Town Code.

Authority for Creation of By-laws:

According to Code of Virginia § 15.2-2217, the Commission shall adopt rules for the transaction of business and shall keep a record of its transactions which shall be a public record.

Composition/Membership

The Commission shall consist of not fewer than five (5) members nor more than fifteen (15) members, appointed by the Town Council, all of whom shall be residents of the Town, qualified by knowledge and experience to make decisions on questions of community growth and development; provided that at least one-half (1/2) of the members so appointed shall be owners of real property.

One member of the Commission may be a member of the Town Council. The term of this member shall be coextensive with the term of office to which he has been elected, unless the Town Council, at the first regular meeting each year, appoints another to serve as its representative. Members of the Commission shall be appointed for terms of four (4) years each.

Any vacancy in the membership of the Commission shall be filled by appointment by the Town Council and such appointment in the case of an appointed member shall be for the unexpired term.

With the consent of Town Council or the Commission, the Planning Director, the Zoning Administrator, or similar official (staff member) may serve as Secretary of the Commission as a non-voting member; otherwise, the Secretary shall be selected from the voting membership.

All members of the Commission may be compensated for their services at the discretion of the Town Council.

Any appointed member of the Commission may be removed by the Town Council for neglect of duty or malfeasance in office; provided, that such removal may be made only after a public hearing at which such member shall be given an opportunity to appear and be heard on the charges against him.

According to Code of Virginia § 15.2-2212, a member of the Commission may be removed from office by Town Council without limitation in the event that the member is absent from any three consecutive meetings of the Commission, or is absent from any four meetings of the Commission within any 12-month period.

Powers and Duties

The Commission shall act in accordance with Article VI. Planning Commission of Chapter 2 “Administration” of the Christiansburg Town Code.

In the case of any conflict between these by-laws and Article VI. Planning Commission of Chapter 2 “Administration” of the Christiansburg Town Code, Article VI shall supersede these by-laws.

In the case of any conflict between these by-laws and Code of Virginia, Code of Virginia shall supersede these by-laws.

According to Code Virginia § 15.2-2221 and § 15.2-2223, local planning commission duties shall include:

1. Exercise general supervision of, and make regulations for, the administration of its affairs;
2. Prescribe rules pertaining to its investigations and hearings;
3. Supervise its fiscal affairs and responsibilities, under rules and regulations as prescribed by the Town Council;
4. Keep a complete record of its proceedings; and be responsible for the custody and preservation of its papers and documents;
5. Make recommendations and an annual report to the Council concerning the operation of the Commission and the status of planning within its jurisdiction;
6. Prepare, publish and distribute reports, ordinances and other material relating to its activities;

7. Prepare and submit an annual budget in the manner prescribed by the Town Council;
8. If deemed advisable, establish an advisory committee or committees; and
9. Prepare and recommend a comprehensive plan for the physical development of the territory within its jurisdiction and the Town Council shall adopt a comprehensive plan for the territory under its jurisdiction.

According to Code of Virginia § 15.2-2239, the Commission may, and at the direction of the Town Council shall, prepare and revise annually a capital improvement program based on the comprehensive plan of the Town for a period not to exceed the ensuing five years. The Commission shall submit the program annually to the Town Council, or to the chief administrative officer or other official charged with preparation of the budget for the Town, at such time as it or he/she shall direct. The capital improvement program shall include the Commission's recommendations, and estimates of cost of the facilities, including any road improvement and any transportation improvement the Town chooses to include in its capital improvement plan and as provided for in the comprehensive plan, and the means of financing them, to be undertaken in the ensuing fiscal year and in a period not to exceed the next four years, as the basis of the capital budget for the Town. In the preparation of its capital budget recommendations, the Commission shall consult with the chief administrative officer or other executive head of the Town, the heads of departments and interested citizens and organizations and shall hold such public hearings as it deems necessary.

According to Code of Virginia § 15.2-2253, the Commission on its own initiative may or at the request of the Town Council shall prepare and recommend amendments to the subdivision ordinance. The procedure for amendments shall be the same as for the preparation and recommendation and approval and adoption of the original ordinance; provided that no amendment shall be adopted by the Town Council without a reference of the proposed amendment to the Commission for recommendation, nor until sixty days after such reference, if no recommendation is made by the Commission.

According to Code of Virginia § 15.2-2285, the Commission may, and at the direction of Town Council shall, prepare a proposed zoning ordinance including a map or maps showing the division of the territory into districts and a text setting forth the regulations applying in each district. The Commission shall hold at least one public hearing on a proposed ordinance or any amendment of an ordinance, after notice as required by § 15.2-2204, and may make appropriate changes in the proposed ordinance or amendment as a result of the hearing. Upon the completion of its work, the Commission shall present the proposed ordinance or amendment including the district maps to the governing body together with its recommendations and appropriate explanatory materials.

According to Code of Virginia § 15.2-2286, a zoning ordinance may include, among other things, reasonable regulations and provisions as to the following matters: For the amendment of the regulations or district maps from time to time, or for their repeal. Whenever the public necessity, convenience, general welfare, or good zoning practice requires, Town Council may by ordinance amend, supplement, or change the regulations, district boundaries, or classifications of property. Any such amendment may be initiated (i) by resolution of Town Council; (ii) by motion of the Commission; or (iii) by petition of the owner, contract purchaser with the owner's

written consent, or the owner's agent, of the property which is the subject of the proposed zoning map amendment, addressed to Town Council or the Commission, who shall forward such petition to Town Council; however, the ordinance may provide for the consideration of proposed amendments only at specified intervals of time, and may further provide that substantially the same petition will not be reconsidered within a specific period, not exceeding one year. Any such resolution or motion by Town Council or the Commission proposing the rezoning shall state the above public purposes.

The Commission retains all other duties and powers as set out in the Code of Virginia.

Officers

According to Code of Virginia § 15.2-2217, the Commission shall elect from the appointed members a chairperson and a vice-chairperson, whose terms shall be for one year. If authorized by the Town Council, the Commission may (i) create and fill such other offices as it deems necessary; (ii) appoint such employees and staff as it deems necessary for its work; and (iii) contract with consultants for such services as it requires. The expenditures of the Commission, exclusive of gifts or grants, shall be within the amounts appropriated for such purpose by the Town Council.

Elections for officers shall be held at the first regular Commission meeting in December. Nomination of officers from the floor shall be permitted. A candidate receiving a majority vote of the membership present and voting shall be declared elected. The elected Commission member shall take office January 1st and serve for one (1) year.

With the consent of Town Council or the Commission, the Planning Director, the Zoning Administrator, or similar official (staff member) may serve as Secretary of the Commission as a non-voting member; otherwise, the Secretary shall be selected from the voting membership.

Duties of Officers

The Chairperson shall:

1. Preside at all meetings.
2. Appoint committees, special and/or standing, and liaisons.
3. Rule on all procedural questions or shall defer procedural questions to the Secretary. Rulings on all procedural questions may be subject to a reversal by a majority vote of the members present and voting.
4. Be informed immediately of any official communication and report same at the next regular meeting.
5. Represent the Commission before the Town Council and other public bodies except when this responsibility has been delegated to an appropriate official or other Commission member.
6. Carry out other duties as assigned by the Commission.

The Vice-Chairperson shall:

1. Act in the absence or inability of the Chairperson to act.
2. Perform such duties and possess such powers as are conferred upon the Chairperson.
3. Perform such other duties as may from time to time be assigned to him/her by the Chairperson or by the Commission.

The Secretary shall:

1. Maintain a written record of all Commission business.
2. Record attendance at all Commission meetings.
3. Give notice to Commission members and the public of all hearings and meetings.
4. Attend to the correspondence of the Commission.
5. Perform such other duties as may from time to time be assigned to him/her by the Chairperson or by the Commission.
6. Delegate certain duties and responsibilities to available Town staff as appropriate.

Meetings

Regular Meetings

Regular Commission meetings shall be held eight (8) days prior to regularly scheduled Town Council meetings. If the regular meeting date falls on a Town holiday, the meeting will be held the following business day. The Chairperson may reschedule or cancel regular meetings, if deemed necessary. The Commission agenda shall be set by the Chairperson and/or Secretary and shall be published by the Commission Secretary.

All meetings of the Commission shall be open to the public and records of the Commission shall be a public record as required by the Virginia Freedom of Information Act. The Commission may meet in closed sessions only for the purposes stated in that Act.

Regular meetings of the Commission may be continued to a following date if the Chairperson, or Vice-Chairperson (if the Chairperson is unable to act), finds and declares that weather or other conditions are such that it is hazardous for members to attend the meeting. Such finding shall be communicated to the members and by Town agenda notification as promptly as possible. All hearings and other matters previously advertised for such meeting shall be conducted at the continued meeting and no further advertisement is required.

Each regular meeting shall begin with a period of public comment, allowing for five (5) minutes per each citizen. If the Chairperson deems it necessary, the time limit may be extended. Public comment may also be heard throughout the agenda at the discretion of the Chairperson.

Public Hearings

The Commission shall hold such public hearings as are required by law. The purpose, time, and place of such public hearings shall be published according to Code of Virginia §15.2-2204. In addition to those required by law, the Commission may hold public hearings on any matter which it deems to be in the public interest.

Quorum & Voting

A majority of the voting-eligible membership of the Commission shall constitute a quorum. Voting shall not occur without the presence of a quorum. Recommendations and decisions of the Commission shall be deemed as affirmative by the majority vote of those present and voting. Abstentions are not considered voting.

Procedure

The Commission shall conduct business according to Article VI. Planning Commission of Chapter 2 “Administration” of the Christiansburg Town Code and shall utilize Robert’s Rules of Order as guidance in questions of procedure.

Committees

The Commission may establish special and standing committees for advisory, technical, or other purposes as it shall deem necessary for the transaction of its affairs. The Chairperson may appoint special committees for the purposes and under the terms determined by the Commission. Each committee shall include at least one member of the Commission.

Amendments or Suspension of By-laws

These by-laws may be changed by a two-thirds (2/3) vote of the total voting-eligible Commission membership. The Commission may temporarily suspend any of these rules by a two-thirds (2/3) vote of the membership present.

2015

January 2015						
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February 2015						
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March 2015						
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April 2015						
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May 2015						
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31						

June 2015						
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July 2015						
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August 2015						
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September 2015						
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October 2015						
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November 2015						
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December 2015						
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January						
1 & 2: New Years						
16: Lee-Jackson Day						
19: Martin Luther King Day						
February						
16: Presidents' Day						
March						
April						
May						
25: Memorial Day						
June						
July						
04: Independence Day						
August						
September						
07: Labor Day						
October						
November						
11: Veterans Day						
26: Thanksgiving Day						
December						
25: Christmas Day						
Development Standards: 4 th Wed. @ 8:30 a.m. Comp. Plan: same day as PC @ 4 p.m.						



Planning Commission Subcommittees

Development Standards

Joe Powers

Ann Carter

Jennifer Sowers

Town staff – Planning, Engineering and Building Departments

Comprehensive Plan

Joe Powers

Harry Collins

Town staff – Planning and Engineering Departments

Historic Preservation

Ann Carter

Town staff – Planning and Building Departments