

A G E N D A
SPECIAL MEETING OF THE CHRISTIANSBURG TOWN COUNCIL
CHRISTIANSBURG TOWN HALL
3RD FLOOR COUNCIL CHAMBERS
100 EAST MAIN STREET
DECEMBER 7, 2015 – 7:00 P.M.

SPECIAL MEETING

I. CALL TO ORDER.

II. DISCUSSIONS BY MAYOR AND COUNCIL MEMBERS:

1. Closed Meeting:

- a. Request for a Closed Meeting pursuant to Virginia Code Sections 2.2-3711(A)(1) and 2.2-3707(D) for the discussion, consideration, or interviews of prospective candidates for employment, assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body. The Closed Meeting is to discuss a personnel matter.
- b. Reconvene in Open Meeting.
- c. Certification.
- d. Council action on the matter. No action will be taken by Council.

III. ADJOURNMENT

The next regular Town Council meeting will be held at Christiansburg Town Hall on Tuesday, December 8, 2015 at 7:00 P.M.

AGENDA
REGULAR MEETING OF THE CHRISTIANSBURG TOWN COUNCIL
CHRISTIANSBURG TOWN HALL
100 EAST MAIN STREET
DECEMBER 8, 2015 – 7:00 P.M.

PLEDGE OF ALLEGIANCE

PUBLIC HEARING

1. An ordinance amending Chapter 36 “Utilities” of the Christiansburg Town Code in regards to changes related to shifting water, sewer, and garbage billing from bi-monthly billing to monthly billing.
2. A Conditional Use Permit request by Apple Acres Properties, L.L.C. for contractor equipment storage at 1950 Palmer Street, N.W. (tax parcels 436 – ((2)) – 14,15) in the B-3 General Business District.

REGULAR MEETING

- I. CALL TO ORDER BY MAYOR BARBER
- II. CONSENT AGENDA
 1. Council Meeting Minutes of November 24, 2015
- III. RECOGNITIONS
- IV. CITIZENS' HEARINGS
 1. Citizen Comments
- V. STAFF REPORTS
 1. Update on the Public Relations Department by Becky Wilburn, Director of Public Relations.
 2. Fire Chief Billy Hanks to provide a report on the Local Emergency Planning Committees.
- VI. DISCUSSIONS BY MAYOR AND COUNCIL MEMBERS
 1. Report from the Central Business Advisory Committee.
 2. Craig Moore, Planning Commission Chairman, to provide Council with an update and Planning Commission recommendation on the urban agriculture study.
 3. Appointment of Assistant Town Manager Randy Wingfield as zoning administrator.
- VII. COUNCIL REPORTS
- VIII. TOWN MANAGER’S REPORTS
 1. Progress Reports and Announcements

IX. CLOSED MEETING:

1. Request for a Closed Meeting under **(1)** Virginia Code Section 2.2-3711(A)(3), for the discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body. The discussion pertains to property located on Roanoke Street. And, **(2)** Virginia Code Section 2.2-3711(A)(1), for the discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body. The discussion pertains to the replacement of Town Manager Helms upon his retirement.
2. Reconvene in Open Meeting.
3. Certification.
4. Council action on the matters.

X. ADJOURNMENT

The next regular Town Council meeting will be held at Christiansburg Town Hall on Tuesday, December 22, 2015 at 7:00 P.M.

**AN ORDINANCE AMENDING CHAPTER 36 “UTILITIES” OF THE
CHRISTIANSBURG TOWN CODE IN REGARDS TO WATER, SEWER, AND
GARBAGE BILLING**

WHEREAS, the Town of Christiansburg owns and operates water distribution and sewer collection utilities within and without the Town of Christiansburg limits and has recently changed to a radio read water metering system for the majority of the Town water meters; and,

WHEREAS, the Town of Christiansburg owns and operates a garbage collection system within and without the Town of Christiansburg limits and the billing cycle is tied to the water and sewer billing cycle per Sec. 28-43 and Sec. 28-44 of Chapter 28 “Solid Waste” of the Christiansburg Town Code; and,

WHEREAS, the Town of Christiansburg desires to amend its operations for water, sewer, and garbage billing and Council has considered an ordinance for amending *Christiansburg Town Code* in regards to such changes; and,

WHEREAS, notice of the intention of the Town Council to pass said ordinance was published two consecutive weeks (November 25, 2015 and December 2, 2015) in The News Messenger, a newspaper published in and having general circulation in the Town of Christiansburg; and,

WHEREAS, a public hearing of Council of the Town was held December 8, 2015; and,

WHEREAS, Council deems proper so to do,

Be it ordained by the Council of the Town of Christiansburg, Virginia that Sections 36-67 and 36-157 of Chapter 36 “Utilities” of the *Christiansburg Town Code* be amended as follows:

ARTICLE III. CHARGES AND RATES

Sec. 36-67. Sewer service rates.

- (a) Sewer service rates. Sewer service rates shall be as set forth herein or as established in the latest edition of the town water and sewer utilities service fee schedule, which may be amended from time to time by the town council.
- (b) Base rates for all sewage works users.
 - (1) User charge system. All users of the town's sewage works shall be required to pay a user charge to recover the operation and maintenance expenses for the sewage works. The user charge payment shall be based on flow meter readings with a minimum rate for the first 4,000 ~~2,000~~ gallons ~~bimonthly~~ **monthly**, and a flat rate for each additional 1,000 gallons.
 - (2) Debt service and reserve fund. Capital costs shall be recovered based on a minimum rate for the first 4,000 ~~2,000~~ gallons ~~bimonthly~~ **monthly**, and a flat rate for each additional 1,000 gallons.

The method of determining the quantity for ~~bimonthly~~ **monthly** billing shall be through the use of the individual water meter or sewage flow meter. This rate structure shall be subject to review and revision on an annual basis using actual operating and maintenance and debt service cost figures to determine the base rate for the following year.

(c) High strength surcharge.

- (1) All users who discharge a waste which contains more than 250 milligrams per liter of BOD, or more than 300 milligrams per liter of suspended solids, shall pay a surcharge on the amount of BOD and suspended solids that exceed the above amounts.
- (2) Surcharges for high strength shall be based on samples collected and analyzed by the town or from results submitted to the town in accordance with the requirements of an industrial discharger permit. Samples shall be collected on a periodic basis, but not less than once a year.
- (3) High strength wastes will only be accepted when it can be demonstrated that they will not damage the collection or treatment facilities and will not impair the treatment process.
- (4) The ~~bimonthly~~ **monthly** rate for high strength wastes shall be calculated on the basis of the number of pounds of BOD and suspended solids discharged to the sewer in excess of 250 milligrams per liter of BOD, and 300 milligrams per liter of suspended solids.

(Code 1972, § 29-27; Code 1992, § 29-62; Ord. of 6-2-1987, § 29-27; Ord. of 7-2-1996; Ord. of 3-18-1997; Ord. No. 2006-2, 6-6-2006; Ord. No. 2007-2, 5-15-2007; Ord. No. 2008-03, 6-3-2008; Ord. No. 2009-3, 5-19-2009; Ord. No. 2009-6, 8-18-2009)

ARTICLE VI. ADMINISTRATIVE PROCEDURES AND CHARGES

Sec. 36-156. Penalty for nonpayment.

- (a) Penalties for nonpayment shall be as set forth herein or as established in the latest edition of the town water and sewer utilities service fee schedule, which may be amended from time to time by the town council.
- (b) All bills for service, including industrial surcharge and industrial cost recovery, shall be payable ~~bimonthly~~ **monthly** and become due on the first day of the month next succeeding the ~~two months during which the service was furnished~~ **date of Town bill distribution**. A penalty of ten percent shall be added to any bill remaining unpaid after the ~~25th~~ **first day** of the month next succeeding the ~~two months during which the service was furnished~~ **date of Town bill distribution**. When any bill remains unpaid after the tenth day of the second month succeeding the ~~two months~~ **month** during which the service was furnished, such bill shall be delinquent and the service discontinued unless such bill and penalty are paid prior to the commencement of any action by an employee or agent of the town in connection with cutting off or discontinuing such service or after service has been discontinued. The service shall be discontinued ~~or~~ **and** shall not be restored, as the case may be, until all bills, penalty and a service charge have been paid.
- (c) When service for any customer has been discontinued for nonpayment, service shall not be furnished for any applicant in a different name if the service would be for the same family or part of the same family served at the time of discontinuation, until the provisions of subsection (d) of this section have been met.
- (d) If any person applies for service while owing a balance for service previously furnished, regardless of the length of time the same has been owing, service shall not be furnished until all amounts in connection with past services furnished, as provided for in this article, have been paid in full, together with six percent interest compounded annually, which shall be charged on any bill which has been past due for one year or more. If a customer moves from one location to another and desires services at the new location, all amounts owed in connection with service at the old location must be paid in full before service shall be furnished at the new location.

- (e) Penalty fees for late utility payments for customers in good standing with the town who have gone 24 consecutive months with no delinquent payments shall be eligible for a one-time waiver provided the town is presented with a written request. Customers in good standing with the town shall be considered customers who do not have any past due accounts or bills with the town.

(Code 1972, § 29-49; Code 1992, § 29-137; Ord. of 11-17-1998; Ord. No. 2008-1, 3-4-2008; Ord. No. 2009-6, 8-18-2009)

This ordinance shall become effective the first of the month following completion of all utility billing software implementation required to implement monthly billing (to be determined). If any part of this ordinance is deemed unlawful by a court of competent jurisdiction all remaining parts shall be deemed valid.

Upon a call for an aye and nay vote on the foregoing ordinance at a regular meeting of the Council of the Town of Christiansburg, Virginia held _____, 2015, the members of the Council of the Town of Christiansburg, Virginia present throughout all deliberations on the foregoing and voting or abstaining, stood as indicated opposite their names as follows:

	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Mayor D. Michael Barber*				
Samuel M. Bishop				
Cord Hall				
Steve Huppert				
Henry Showalter				
Bradford J. Stipes				
James W. "Jim" Vanhoozier				

*Votes only in the event of a tie vote by Council.

SEAL:

Michele M. Stipes, Town Clerk

D. Michael Barber, Mayor

Town of Christiansburg
Water and Sewer Utilities Service Fee Schedule
Effective June 1, 2015 the first of the month following completion of all utility billing software implementation required to implement monthly billing (to be determined)

Water Rates				
	For Service of 30 or Fewer Days	For Service of 31 or More Days or For Use in Excess of 4,000 Gallons		
	Minimum Rate per Month (0-4,000 gallons)	Minimum Rate per Month (0 – 4,000 <u>2,000</u> gallons)	Rate per 1,000 gallons (4,001- 100,000 <u>2,001 – 50,000</u> gallons)	Rate per 1,000 gallons (100,001 – 6,000,000 <u>50,001 – 3,000,000</u> gallons) ⁽¹⁾
Within Corporate Limits	\$10.50	\$21.00 <u>\$10.50</u> (Bimonthly)	\$5.90 (Bimonthly)	\$3.50 (Bimonthly)
Outside Corporate Limits	\$15.75	\$31.50 <u>\$15.75</u> (Bimonthly)	\$8.85 (Bimonthly)	\$5.25 (Bimonthly)

Water Rate Notes:

- 1) When a customer uses ~~6,000,000~~ 3,000,000 gallons or more per ~~two-month~~ one-month period, in lieu of the foregoing schedule, that customer shall pay for all the water used at a rate equal to 125 percent of that rate charged to the Town of Christiansburg by the NRV Regional Water Authority.
- 2) When more than one building or a multifamily living unit is served on the same premises from the same water meter, the minimum shall be charged for each building or family living unit and the minimum allowance of up to ~~4,000~~ 2,000 gallons will apply to each minimum charge.
- 3) ~~Consumption exceeding 4,000 gallons: Rates are the same as rates for services of 31 days or more.~~

Sewer Service Rates			
	For Service of 30 or Fewer Days	For Service of 31 or More Days or For Use in Excess of 4,000 Gallons	
	Minimum Rate per Month (0-4,000 gallons)	Minimum Rate per Month (0 – 4,000 <u>2,000</u> gallons)	Rate per 1,000 gallons (+4,001 <u>2,001</u> gallons)
Within Corporate Limits	\$15.00	\$30.00 <u>\$15.00</u> (bimonthly)	\$8.50
Outside Corporate Limits	\$22.50	\$45.00 <u>\$22.50</u> (bimonthly)	\$12.75

Town of Christiansburg
Water and Sewer Utilities Service Fee Schedule
Effective June 1, 2015 the first of the month following completion of all utility billing software implementation required to implement monthly billing (to be determined)

- 1) ~~Consumption exceeding 4,000 gallons: Rates are the same as rates for services of 31 days or more.~~

Connection Fees		
	Water	Sewer
Within Corporate Limits	\$3,000.00 ⁽¹⁾	\$3,000.00 + \$5.00/linear ft. ⁽³⁾
Outside Corporate Limits	\$4,500.00 (minimum) ⁽²⁾	\$4,500.00 (minimum) ⁽⁴⁾

Connection Fee Notes:

- 1) The cost of a five-eighths-inch water connection within the corporate limits will be \$3,000.00, if the distance from the water main to the property line is not over 40 feet. Should the distance from the water main to the property line be greater than 40 feet, the property owner must pay the actual cost of service lines in excess of 40 feet. The cost of water connections larger than five-eighths-inch will be \$3,000.00 plus the difference in actual cost of materials between a five-eighths-inch connection and larger connection.
- 2) The cost of all water connections outside the corporate limits will be based on the actual cost of materials and installation plus an administrative charge equal to 20 percent of such actual cost or a minimum fee of \$4,500.00, whichever is greater.
- 3) If the distance from the sewer main to the property line is greater than 40 feet, the property owner must pay for the actual cost of the lateral which is in excess of 40 feet in addition to the regular connection charges set forth above. The charge of \$5.00 per linear foot of the width of the lot frontage of the structure to be connected is not applicable for connections to any interceptor sewer main or to an existing collector sewer main which was installed prior to September 6, 1966, or which is located in a subdivision in which the subdivision developer has installed the sewer main to the property line.
- 4) Sewer connection fees outside the corporate limits of the Town will be made at actual cost of materials and installation plus an administrative charge equal to 20 percent of the actual cost, or a minimum fee of \$4,500.00, whichever is greater.

Sewer Main Extension Fee
\$5.00 per linear foot of the frontage of the property owner's lot or lots which will be served by the extension

Town of Christiansburg
Water and Sewer Utilities Service Fee Schedule
Effective June 1, 2015 the first of the month following completion of all utility billing software implementation required to implement monthly billing (to be determined)

Sewer Main Extension Fee Note: This cost will be in addition to the regular connection fee and will be paid at the time of connection. The Town Council may require that one-third of the estimated total cost based on \$5.00 per linear foot of main be paid by the property owners prior to the extension being started. Such extension will be made only with the Council's approval after cost estimates and the need for the extension have been determined.

Miscellaneous Fees and Deposits	
Water Turn On Fee for All Connections	\$10.00 Fee
Water Restore	\$25.00 Fee
Domestic Service for Homeowners	\$50.00 Deposit
Domestic Service for Lessees or Tenants	\$50.00 Deposit
Industrial, Commercial and Business Services, Including Apartment Houses	A deposit in an amount equal to the average bimonthly bill, but in no case less than \$50.00.
Customer Whose Bill for Service Becomes Delinquent Twice or More in Succession	A deposit in an amount which when added to the original deposit shall equal the amount of the average bimonthly bill, but in all cases such additional service deposit shall be not less than an amount which when added to the original service deposit will equal \$50.00.
<u>For Bills Unpaid on the 25th First of the First Month After Service Following the Date of Bill Distribution</u>	10% penalty will be added
<u>For Bills Unpaid on the 10th of the Second Month After Service Following the Date of Bill Distribution</u>	Service will be discontinued until all bills, penalty, and a \$25.00 service charge have been paid
BOD High Strength Surcharge	\$0.30 per Pound
Suspended Solids High Strength Surcharge	\$0.30 per Pound



TOWN OF CHRISTIANSBURG

100 East Main Street

Christiansburg, VA 24073

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

Conditional Use Permit Application

Landowner: Gary Fair Apple Area Prop LLC Agent: _____

Address: 3543 Country Meadow dr Address: _____
C'burg, VA 24073

Phone: 540-320-1400 Phone: _____

I am requesting a Conditional Use Permit to allow 35 7-0, Contractor equipment storage

on my property that is zoning classification B-3 under Chapter 42: Zoning of the Christiansburg Town Code.

My property is located at 1950 PALMER^{st NW}, Christiansburg, VA 24073

Tax Parcel(s): 436-(2)-14,15

Scanned to Sara
10-30-15

Fee: 750 algm
10-30-15

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): Gary Fair Date: 10-15-15

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



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 & WADDELL, 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: Monday, November 16, 2015 at 7:00 p.m.

Town Council Public Hearing Date: Tuesday, December 8, 2015 at 7:00 p.m.

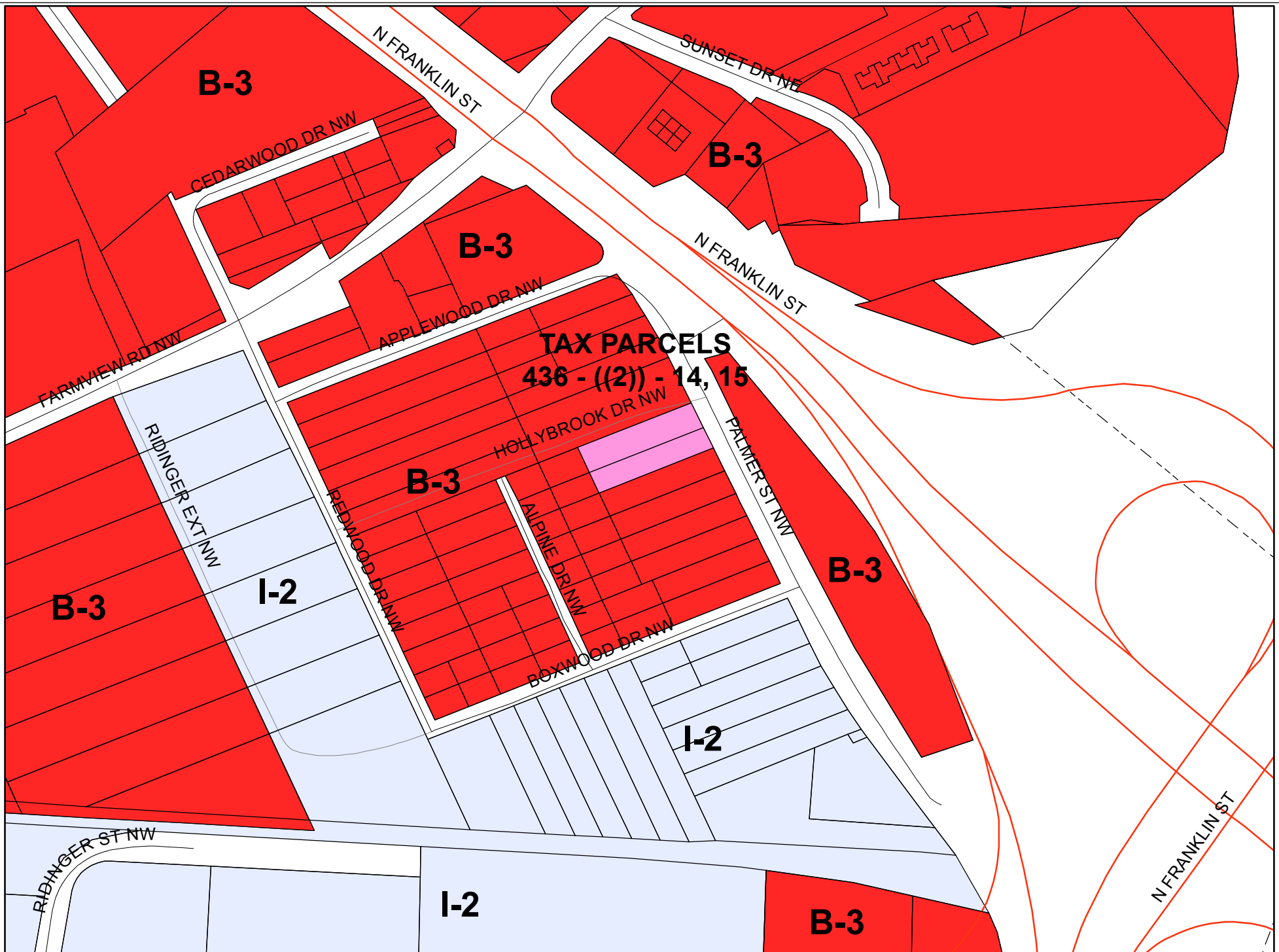
Application Type: Conditional Use Permit

Applicant: Gary Fain, agent for Apple Acres Properties, L.L.C.

Location: 1950 Palmer Street, N.W.

The Town of Christiansburg has received a Conditional Use Permit request by Apple Acres Properties, L.L.C. for contractor equipment storage at 1950 Palmer Street, N.W. (tax parcels 436 – ((2)) – 14,15) in the B-3 General Business District.

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

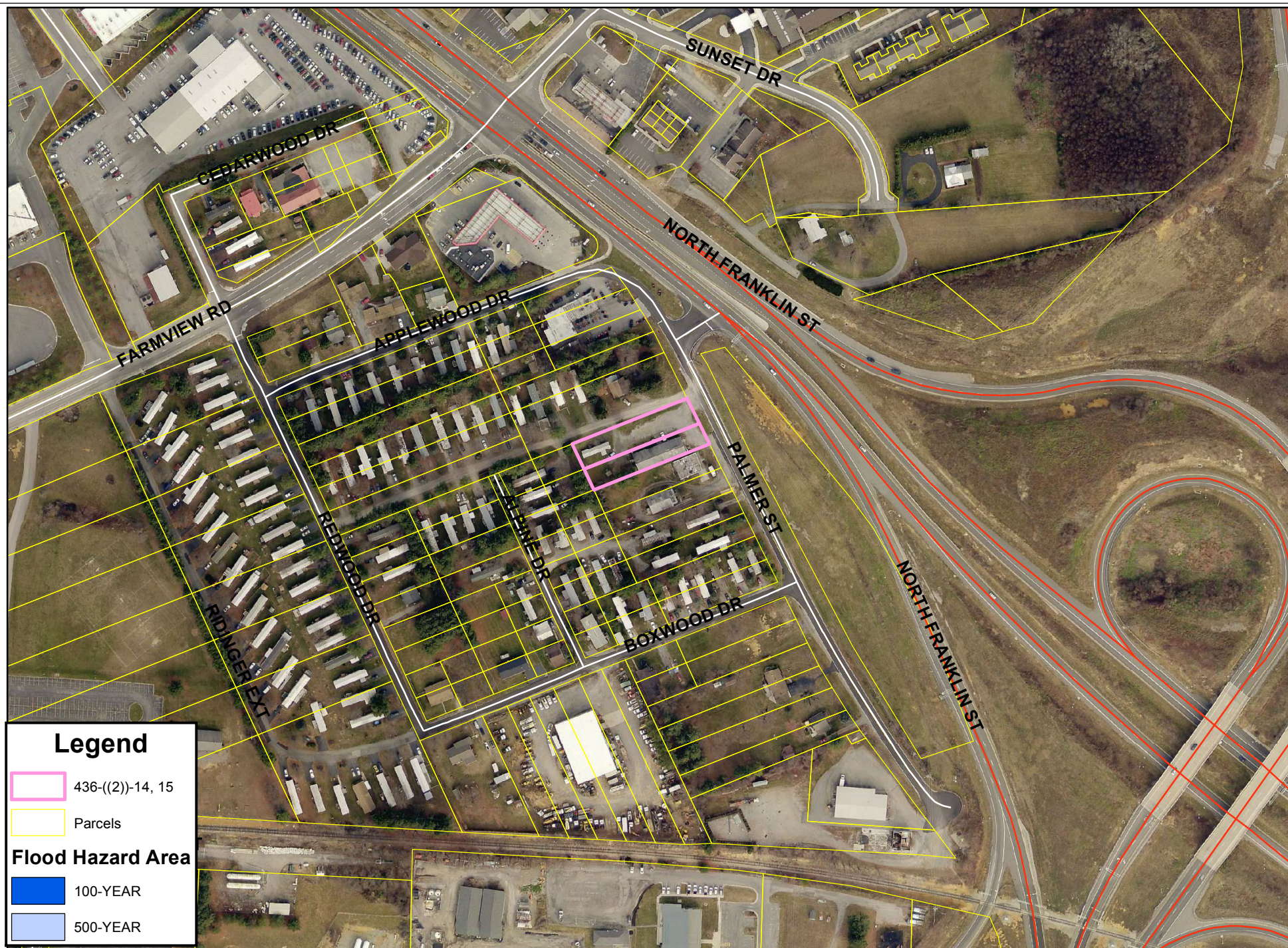


CUP REQUEST: 1950 Palmer Street NW

PC: NOVEMBER 16, 2015

TC: DECEMBER 8, 2015





CUP REQUEST: 1950 Palmer Street NW

PC: NOVEMBER 16, 2015

TC: DECEMBER 8, 2015

<u>Tax Map #</u>	<u>Owner(s)</u>		<u>Address</u>	<u>City, State, Zip Code</u>
436- 2 21	SHEETZ JOSEPH M & PATRICIA A	C/O SHEETZ #320	5700 SIXTH AVE	ALTOONA PA 16602
436- A 43	LOCKHART SHIRLEY LIFE EST	ETAL	1955 SUNSET DR	CHRISTIANSBURG VA 24073
436- 2 35C	AKERS JOSEPH CLEVELAND	AKERS SHIRLEY H	35 FARMVIEW RD NW	CHRISTIANSBURG VA 24073
436- 2 18A,19A,2*	VIERS LIVING TRUST ETAL	C/O JIMMY W & VIRGINIA S VIERS TRS	1475 TURNBERRY LN	RINER VA 24149
436- 2 38A	AKERS JOSEPH C	AKERS SHIRLEY H	35 FARMVIEW RD NW	CHRISTIANSBURG VA 24073
436- 2 18A,19A,2*	VIERS LIVING TRUST ETAL	C/O JIMMY W & VIRGINIA S VIERS TRS	1475 TURNBERRY LN	RINER VA 24149
436- 2 18,19,20,*	APPLE ACRES PROPERTIES LLC		3543 COUNTRY MEADOW DR	CHRISTIANSBURG VA 24073
436- 2 18A,19A,2*	VIERS LIVING TRUST ETAL	C/O JIMMY W & VIRGINIA S VIERS TRS	1475 TURNBERRY LN	RINER VA 24149
436- 2 37,38	CRABTREE JAMES A	CRABTREE PHYLLIS J	95 APPLEWOOD DR	CHRISTIANSBURG VA 24073
436- 2 18,19,20,*	APPLE ACRES PROPERTIES LLC		3543 COUNTRY MEADOW DR	CHRISTIANSBURG VA 24073
436- 2 18,19,20,*	APPLE ACRES PROPERTIES LLC		3543 COUNTRY MEADOW DR	CHRISTIANSBURG VA 24073
436- 2 16,17,42,*	APPLE ACRES PROPERTIES LLC		3543 COUNTRY MEADOW DR	CHRISTIANSBURG VA 24073
466- 1 60-63,436*	CONNER KIRBY LYLE	CONNER MYRA JO	335 PERRY ST	CHRISTIANSBURG VA 24073
436- 2 18,19,20,*	APPLE ACRES PROPERTIES LLC		3543 COUNTRY MEADOW DR	CHRISTIANSBURG VA 24073
436- A 25C	VIRGINIA	HIGHWAY DEPT		
436- 2 18,19,20,*	APPLE ACRES PROPERTIES LLC		3543 COUNTRY MEADOW DR	CHRISTIANSBURG VA 24073
436- 2 16,17,42,*	APPLE ACRES PROPERTIES LLC		3543 COUNTRY MEADOW DR	CHRISTIANSBURG VA 24073
436- 2 41	APPLE ACRES PROPERTIES LLC		3543 COUNTRY MEADOW DR	CHRISTIANSBURG VA 24073
436- 2 16,17,42,*	APPLE ACRES PROPERTIES LLC		3543 COUNTRY MEADOW DR	CHRISTIANSBURG VA 24073
466- 1 60-63,436*	CONNER KIRBY LYLE	CONNER MYRA JO	335 PERRY ST	CHRISTIANSBURG VA 24073
436- 2 14,15	APPLE ACRES PROPERTIES LLC		3543 COUNTRY MEADOW DR	CHRISTIANSBURG VA 24073
436- 2 16,17,42,*	APPLE ACRES PROPERTIES LLC		3543 COUNTRY MEADOW DR	CHRISTIANSBURG VA 24073
436- 2 14,15	APPLE ACRES PROPERTIES LLC		3543 COUNTRY MEADOW DR	CHRISTIANSBURG VA 24073
436- 2 16,17,42,*	APPLE ACRES PROPERTIES LLC		3543 COUNTRY MEADOW DR	CHRISTIANSBURG VA 24073
466- 1 10A,11A,4*	APPLE ACRES PROPERTIES LLC		3543 COUNTRY MEADOW DR	CHRISTIANSBURG VA 24073
436- 2 13	POFF J C & SHARON B	POFF SHARON B	680 CHURCH ST	CHRISTIANSBURG VA 24073
466- 1 60-63,436*	CONNER KIRBY LYLE	CONNER MYRA JO	335 PERRY ST	CHRISTIANSBURG VA 24073
466- 1 10A,11A,4*	APPLE ACRES PROPERTIES LLC		3543 COUNTRY MEADOW DR	CHRISTIANSBURG VA 24073
436- 2 12	POFF J C & SHARON	POFF SHARON	680 CHURCH ST	CHRISTIANSBURG VA 24073
466- 1 10A,11A,4*	APPLE ACRES PROPERTIES LLC		3543 COUNTRY MEADOW DR	CHRISTIANSBURG VA 24073
436- 2 45A,46A	APPLE ACRES PROPERTIES LLC		3543 COUNTRY MEADOW DR	CHRISTIANSBURG VA 24073
466- 1 10A,11A,4*	APPLE ACRES PROPERTIES LLC		3543 COUNTRY MEADOW DR	CHRISTIANSBURG VA 24073
466- 1 10A,11A,4*	APPLE ACRES PROPERTIES LLC		3543 COUNTRY MEADOW DR	CHRISTIANSBURG VA 24073
436- 2 10,11	APPLE ACRES PROPERTIES LLC		3543 COUNTRY MEADOW DR	CHRISTIANSBURG VA 24073
466- 1 60-63,436*	CONNER KIRBY LYLE	CONNER MYRA JO	335 PERRY ST	CHRISTIANSBURG VA 24073
436- 2 45A,46A	APPLE ACRES PROPERTIES LLC		3543 COUNTRY MEADOW DR	CHRISTIANSBURG VA 24073
466- 1 10A,11A,4*	APPLE ACRES PROPERTIES LLC		3543 COUNTRY MEADOW DR	CHRISTIANSBURG VA 24073
436- 2 45,46	APPLE ACRES PROPERTIES LLC		3543 COUNTRY MEADOW DR	CHRISTIANSBURG VA 24073
436- 2 10,11	APPLE ACRES PROPERTIES LLC		3543 COUNTRY MEADOW DR	CHRISTIANSBURG VA 24073
466- 1 10A,11A,4*	APPLE ACRES PROPERTIES LLC		3543 COUNTRY MEADOW DR	CHRISTIANSBURG VA 24073
466- 1 47A,48A	APPLE ACRES PROPERTIES LLC		3543 COUNTRY MEADOW DR	CHRISTIANSBURG VA 24073
466- 1 10A,11A,4*	APPLE ACRES PROPERTIES LLC		3543 COUNTRY MEADOW DR	CHRISTIANSBURG VA 24073
436- 2 45,46	APPLE ACRES PROPERTIES LLC		3543 COUNTRY MEADOW DR	CHRISTIANSBURG VA 24073
466- 1 8,9	APPLE ACRES PROPERTIES LLC		3543 COUNTRY MEADOW DR	CHRISTIANSBURG VA 24073
466- 1 10A,11A,4*	APPLE ACRES PROPERTIES LLC		3543 COUNTRY MEADOW DR	CHRISTIANSBURG VA 24073
466- 1 60-63,436*	CONNER KIRBY LYLE	CONNER MYRA JO	335 PERRY ST	CHRISTIANSBURG VA 24073
466- 1 47A,48A	APPLE ACRES PROPERTIES LLC		3543 COUNTRY MEADOW DR	CHRISTIANSBURG VA 24073
466- 1 10A,11A,4*	APPLE ACRES PROPERTIES LLC		3543 COUNTRY MEADOW DR	CHRISTIANSBURG VA 24073
466- 1 47,48	APPLE ACRES PROPERTIES LLC		3543 COUNTRY MEADOW DR	CHRISTIANSBURG VA 24073
466- 1 8,9	APPLE ACRES PROPERTIES LLC		3543 COUNTRY MEADOW DR	CHRISTIANSBURG VA 24073
466- 1 10A,11A,4*	APPLE ACRES PROPERTIES LLC		3543 COUNTRY MEADOW DR	CHRISTIANSBURG VA 24073
466- 1 49C,50C,5*	APPLE ACRES PROPERTIES LLC		3543 COUNTRY MEADOW DR	CHRISTIANSBURG VA 24073
466- 1 10A,11A,4*	APPLE ACRES PROPERTIES LLC		3543 COUNTRY MEADOW DR	CHRISTIANSBURG VA 24073
466- 1 47,48	APPLE ACRES PROPERTIES LLC		3543 COUNTRY MEADOW DR	CHRISTIANSBURG VA 24073
466- 1 8A,9A	APPLE ACRES PROPERTIES LLC		3543 COUNTRY MEADOW DR	CHRISTIANSBURG VA 24073
466- 1 49A,50A,5*	ASHWORTH DONALD RAY		125 BOXWOOD DR	CHRISTIANSBURG VA 24073
466- 1 60-63,436*	CONNER KIRBY LYLE	CONNER MYRA JO	335 PERRY ST	CHRISTIANSBURG VA 24073
466- 1 49C,50C,5*	APPLE ACRES PROPERTIES LLC		3543 COUNTRY MEADOW DR	CHRISTIANSBURG VA 24073
466- 1 6,7	DRAUGHN C L	DRAUGHN PHYLLIS E	520 MERRIMAC RD	BLACKSBURG VA 24060

<u>Tax Map #</u>	<u>Owner(s)</u>		<u>Address</u>	<u>City, State, Zip Code</u>
466- 1 51B,52B	APPLE ACRES PROPERTIES LLC		3543 COUNTRY MEADOW DR	CHRISTIANSBURG VA 24073
466- 1 49-52	OWENS BETTY MAE		P O BOX 2282	CHRISTIANSBURG VA 24068
466- 1 8A,9A	APPLE ACRES PROPERTIES LLC		3543 COUNTRY MEADOW DR	CHRISTIANSBURG VA 24073
466- 1 49A,50A,5*	ASHWORTH DONALD RAY		125 BOXWOOD DR	CHRISTIANSBURG VA 24073
466- 1 49C,50C,5*	APPLE ACRES PROPERTIES LLC		3543 COUNTRY MEADOW DR	CHRISTIANSBURG VA 24073
466- 1 51B,52B	APPLE ACRES PROPERTIES LLC		3543 COUNTRY MEADOW DR	CHRISTIANSBURG VA 24073
466- 1 49A,50A,5*	ASHWORTH DONALD RAY		125 BOXWOOD DR	CHRISTIANSBURG VA 24073
466- 1 60-63,436*	CONNER KIRBY LYLE	CONNER MYRA JO	335 PERRY ST	CHRISTIANSBURG VA 24073
466- 1 49C,50C,5*	APPLE ACRES PROPERTIES LLC		3543 COUNTRY MEADOW DR	CHRISTIANSBURG VA 24073
466- 1 6A,7A	DRAUGHN C L	DRAUGHN PHYLLIS E	520 MERRIMAC RD	BLACKSBURG VA 24060
466- 1 49A,50A,5*	ASHWORTH DONALD RAY		125 BOXWOOD DR	CHRISTIANSBURG VA 24073
466- 1 53-58	DRAUGHN C L	DRAUGHN PHYLLIS I	520 MERRIMAC RD	BLACKSBURG VA 24060
466- 1 53-58	DRAUGHN C L	DRAUGHN PHYLLIS I	520 MERRIMAC RD	BLACKSBURG VA 24060
466- 1 53-58	DRAUGHN C L	DRAUGHN PHYLLIS I	520 MERRIMAC RD	BLACKSBURG VA 24060
466- 1 53-58	DRAUGHN C L	DRAUGHN PHYLLIS I	520 MERRIMAC RD	BLACKSBURG VA 24060

**Christiansburg Planning Commission
Minutes of October 19, 2015**

Present: Matthew J. Beasley
Ann Carter
Harry Collins
David Franusich
Hil Johnson
Craig Moore, Chairperson
T.L. Newell
Virginia Peebles
Joe Powers
Nichole Hair, Secretary ^{Non-Voting}

Absent: Steve Huppert
Jennifer D. Sowers, Vice-Chairperson

Staff/Visitors: Sara Morgan, staff
Will Drake, staff
Cindy Wells-Disney, Montgomery County Planning Commission
Tawanna Blassingame, 465 Cherokee Drive

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

Public Comment.

Chairperson Moore opened the floor for public comment. With no comments, Chairperson Moore closed the floor for public comment.

Approval of meeting minutes for September 14, 2015.

Chairperson Moore introduced the discussion. Commissioner Beasley made a motion to approve the September 14, 2015 Planning Commission meeting minutes. Commissioner Carter seconded the motion. Chairperson Moore opened the floor for discussion. Commissioner Collins noted on page 5 of the meeting minutes, the parking garages should be \$10,000-12,000 per space instead of \$10,000-12,000 overall. Commissioner Beasley made a motion to approve the Planning Commission meeting minutes as amended. Commissioner Collins seconded the motion, which passed 8-0. Commissioner Johnson abstained, as he was not present for the meeting.

Discussion by Planning Commission regarding urban chickens.

Chairperson Moore asked staff to explain the interest in urban chickens.

Discussion by Planning Commission regarding urban chickens (continued).

Ms. Hair noted that staff has had issues with citizens bringing chickens and rooster into residential areas.

Staff has been handling those complaints and having those animals removed. There have been a few requests from private property owners to allow chickens in residential areas. One property owner asked Town Council to revisit this idea. Town Council has directed Planning Commission and staff to revisit the urban chicken topic. Ms. Hair turned it over to Planner, Will Drake, who gathered research regarding surrounding localities allowing urban chickens.

Will Drake detailed the document provided to the Planning Commission including the benefits, concerns, and best practices of allowing urban chickens.

Benefits

- Sustainable source of chicken eggs.

Concerns

- Noise/odor from improperly maintained chicken coops.
- Coops may attract rodents (e.g., rats and mice) or other animals, including common carriers of rabies (e.g., raccoons, skunks, groundhogs, foxes, dogs, and cats).
- Chickens can carry several infectious diseases, including Salmonella, Histoplasmosis, avian influenza (bird flu), E. coli, and Campylobacter. Improper handling of chickens, eggs and bedding/waste – especially among children – can lead to illness and the spread of disease.
- Improper disposal of chicken waste, carcasses, or their slaughter can produce unsanitary conditions.

Best Practices

- Limit the number of chickens (six is a common limit) a resident may possess. Comments from the Montgomery County Health Department indicated that six chickens can easily meet the needs of a family.
- Do not allow residents to keep roosters (males). Roosters are prone to make loud noise throughout the day. Hens (females) do not need a rooster to produce eggs.
- Do not allow chickens to roam free (free-range).
- Require chickens be kept in a fully-enclosed pen and/or coop. The pen and coop should be of sufficient construction to deter animals that may be attracted to the birds and the eggs. The coop should have a roof to keep the living space dry and be well ventilated.
- Require that exterior feed be kept in sealable containers that are insect and rodent-proof.

Discussion by Planning Commission regarding urban chickens (continued).

- Promote safe handling/disposal of the birds, eggs and waste, especially among children. Chicken waste should be composted on-site or deposited at the appropriate solid waste facility. It should not be placed into trash containers for street pick-up.
- If necessary, implement a fee-based inspection/permit program to ensure compliance.

Mr. Drake detailed the localities in the surrounding area that allow urban chickens. The zoning requirements included allowance of urban chickens, bird limit, setbacks, minimum lot size, enclosure (pen and coop), sanitation standards, and administration. Some localities have an annual permit/inspection process which is detailed in Mr. Drake's research. The appendix includes the code sections that were referenced for his research. There is a lot of repetition within the zoning code in regards to the sanitation standards. Vinton's ordinance was used as a model by Salem, Roanoke County, and Narrows.

When Mr. Drake contacted the localities, he specifically asked how their urban chicken program was going. Salem mentioned a single complaint that dealt with chicken odor or noise. If localities have had trouble, they have seen an issue with dogs trying to get into the pens. Most of the complaints are for roosters which are against the code.

Participation is noted on the second page of the document. Salem has 21 permits while the other localities have had single digit participants. Roanoke County had 15 permits in the first year but have since only had three permits. Overall the localities have had a small number of participants.

Commissioner Collins asked about the number of complaints. Mr. Drake indicated that the complaints were in the single digits. Salem had one related to noise while Roanoke County had two-three complaints where dogs were involved.

Commissioner Carter noted there are few complaints and few participants. Commissioner Powers noted Salem had the most participants. Mr. Drake reiterated, Roanoke County had 15 permits in the first year but have since only had three permits.

Commissioner Johnson thanked Mr. Drake for his research. Commissioner Johnson went on to note the closer localities (i.e. Blacksburg, Radford, Dublin and Montgomery County) do not have urban chicken ordinances. Mr. Drake added Roanoke County is now allowing more chickens with a sliding scale. Mr. Drake stated if a property has over an acre of land, 12 chickens are allowed. Commissioner Power stated the majority of Montgomery County is zoned Agriculture; therefore there is not a need for an urban chicken ordinance.

Discussion by Planning Commission regarding urban chickens (continued).

Commissioner Collins asked about the Town of Christiansburg's Agriculture zoned properties. Ms. Hair stated any Agriculture properties are allowed to have chickens by right but not roosters.

Commissioner Powers referenced Salem stating the pen sizes to be too small. Mr. Drake confirmed the pen size gets into the welfare of the bird. From Mr. Drake's research of articles from the Virginia Extension office, two square feet per bird is an acceptable size.

Commissioner Johnson asked if Mr. Drake knew of any localities expanding the ordinance to include more than chickens. Mr. Drake stated he discussed this with many planning staff members and this was the initial but there are few citizens interested in keeping chickens.

Commissioner Powers noted covenants may restrict newer subdivisions.

Commissioner Carter noted the average life expectancy of a chicken is ten years and they lay only two-three years. Commissioner Carter stated this is a lot of work if only allowed a few chickens.

Commissioner Powers asked Mr. Drake to detail the application for Salem. Mr. Drake noted many localities do not monitor the chickens and enforcement is complaint driven. Mr. Drake noted when applying for the urban chicken permit a sketch required would be required to show the location of the chicken coop on the property. Mr. Drake stated the planning staff would verify the setbacks are met. Commissioner Powers discussed the renewal process and fee.

Commissioner Newell wondered if citizens still have chickens and chose not to renew in Roanoke County. Commissioner Newell would like to know the number of dogs properly registered in Montgomery County.

Commissioner Collins discussed the health concerns associated with chickens. Commissioner Collins spoke to the respiratory issues discussed by Mr. Coggins. Commissioner Collins stated it is not in his best interest to vote in favor of urban chickens. Commissioner Collins added while respiratory issues can be caused by birds flying overhead, those birds are not in one concentrated area. Commissioner Franusich noted many of those diseases can be mitigated through proper care of the chickens and coop. Commissioner Carter noted the planning departments are only monitoring the participants on a complaint basis. Commissioner Powers stated the health impacts can be mitigated through setback requirements. Commissioner Collins stated wind could spread the diseases. Commissioner Powers stated the same could happen with gardens. Commissioner Franusich stated one would have to be actively involved in the chicken operation to be exposed to the diseases. Commissioner Collins stated he does not want to take that risk.

Discussion by Planning Commission regarding urban chickens (continued).

Commissioner Newell stated she thinks there is an allure with urban agriculture. Commissioner Newell stated she would like to add more benefits to the list such as chickens are known for eating fleas and ticks and can be an educational asset for children. Commissioner Newell added she would not take urban chickens on due to medical concerns within her family but she knows where to get the free range eggs. Commissioner Collins added that there is an issue with flies associated with chickens. Commissioner Newell stated she does not think chicken would create more of a nuisance than dogs.

Chairperson Moore stated the Planning Commission could address dogs another time; right now the issue is chickens. Commissioner Franusich noted dogs were brought up for comparison sake. Chairperson Moore would like to stay focused on the pros and cons of the urban chickens.

Commissioner Powers recalled the previous draft ordinance for urban chickens had a split vote from Planning Commission and Town Council voted the draft ordinance down.

Commissioner Johnson asked how big of an issue is the urban chickens. Ms. Hair provided a history of violations and citizen discussions from staff's perspective. Ms. Hair added most of the violators remove the chickens but staff did have to pursue court in one instance. Ms. Hair stated she has been informed citizens who have asked to be updated with any discussions regarding urban chickens.

Commissioner Newell inquired about the number of residents requesting urban chickens in Town. Ms. Hair noted there were only a few. Ms. Hair added the original study took around 9 months to complete.

Commissioner Carter stated she attended the Town Council meeting where the gentleman asked Town Council to revisit urban chickens. Commissioner Carter noted there was not an outcry from the community but from a single man. Commissioner Carter stated she believes the research done four years ago by the Planning Commission went in depth and there was a lot of work that went in the draft ordinance. Commissioner Carter added it would not be beneficial to the Planning Commission's time to redo the draft ordinance.

Ms. Hair reviewed the ordinance that was denied by Town Council. Commissioner Franusich asked if there were any lot size restrictions in the denied ordinance. Commissioner Powers stated the Planning Commission chose to regulate through setbacks rather than lot size. Commissioner Newell asked if any language was included regarding covenants or home owners associations. Ms. Hair stated that language was not included as the Town does not regulate covenants.

Discussion by Planning Commission regarding urban chickens (continued).

Commissioner Carter noted the Health Department may help us. Ms. Hair added it is her understanding any help would require compensation and she does not what that fee would be. Ms. Hair stated she felt staff would perform the inspections.

Commissioner Powers stated he supports having a fee associated with the permit as it shows the seriousness of the applicant. Ms. Hair stated she would like to see an annual renewal with fee.

Commissioner Franusich noted Salem's program seems to be successful. Mr. Drake stated Salem has a minimum and maximum coop size.

Chairperson Moore provided an overview of the recent discussion, noting the Planning Commission would like to see a renewable application and fee. Commissioners Powers and Franusich would also like to see a coop size regulation.

Chairperson Moore and Commissioner Franusich would like educational information regarding chickens to be included in the application process.

Commissioner Collins asked Mr. Drake if Blacksburg provided a reason for not adopting an urban chicken ordinance. Mr. Drake did not contact Blacksburg and only contacted localities that had urban chicken ordinances. Commissioner Powers asked Ms. Wells-Disney where the Montgomery County Planning Commission stood on urban chickens. Ms. Wells-Disney stated their Planning Commission is still researching urban chickens.

Chairperson Moore noted that the Vinton ordinance states "no cat or dog that kills a chicken, would not be considered a vicious animal." He would like to include hen and chicks.

Commissioner Powers stated Ms. Hair would be able to deny a permit if the sketch and permit does not look like a lot of thought has gone into it. Ms. Hair confirmed this would be within her powers as the Zoning Administrator.

Chairperson Moore brought up the idea of a portable coop. Ms. Hair would be willing to work with applicants who would like to have a portable coop while still meeting the requirements of the ordinance. Commissioner Carter expressed concern with regulating coops that are moving all over the yard. Ms. Hair stated she would receive a complaint from neighbors if the coop is no longer meeting the requirements.

Commissioner Collins discussed the aesthetics of the coop and its relation to property values. Ms. Hair stated the Town cannot regulate the aesthetics. Ms. Hair stated she also receives complaints about metal storage buildings and carports; however those structures serve a need.

Discussion by Planning Commission regarding urban chickens (continued).

Commissioner Powers noted that some Home Owners Associations regulate this. Commissioner Johnson stated some of the nicer subdivisions have a limit on the number of structures a property can have and this might regulate the chicken coops.

Ms. Hair asked the Planning Commission if they would like to keep the regulations regarding the beehives in the proposed ordinance. Commissioner Powers stated the original intent was to include the beehives so they were not left to interpretation. Chairperson Moore stated adequate shelter was addressed by another locality's ordinance and he would like to see this addressed in the proposed ordinance. Commissioner Carter stated she would like the proposed ordinance to require covered coops so the chickens do not become free roaming. Commissioner Carter added she would like "adequate" to be defined. Commissioner Powers stated these regulations would aid staff in approving permits and inspecting the properties.

Commissioner Franusich asked if the slaughter of chickens is addressed in the draft ordinance. Ms. Hair replied the slaughter of chickens is addressed.

Commissioner Powers stated the Planning Commission can go further in depth in issues much easier than Town Council can and this has been noted by Commissioner Huppert many times in the past.

Chairperson Moore explained any concern from a citizen is important to the Planning Commission. Ms. Hair stated a public hearing would be held if Town Council wished to pursue the ordinance. Chairperson Moore thanked citizens attending the meeting.

Ms. Hair stated a 2015 draft ordinance will be created with a draft application. Ms. Hair stated the Planning Commission will review the documents and make a recommendation to Town Council. Ms. Hair stated the Town Council will make the decision to hold public hearings.

Chairperson Moore closed the discussion.

Other Business.

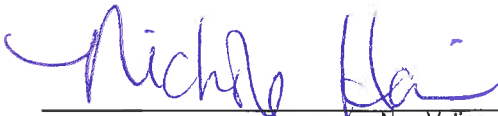
Mr. Collins expressed concerns over the length of the median at N. Franklin St and Patrick's Way. Ms. Hair indicated the Town has applied for funding to improve that intersection.

There will not be a Development Subcommittee meeting this month. The UDA consultant will present for the Planning Commission meeting on November 2nd. Commissioner Collins thanked the Planning Department for their work on obtaining the UDA Grant.

There being no more business, Chairperson Moore adjourned the meeting at 8:01 p.m.



Craig Moore, Chairperson



Nichole Hair, Secretary Non-Voting

**Christiansburg Planning Commission
Minutes of November 2, 2015**

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

Absent: David Franusich
Steve Huppert
T.L. Newell
Virginia Peebles

Staff/Visitors: Sara Morgan, staff
Will Drake, staff
Gary Hanson, 300 East Main Street.
Glenn and Karen Smith, 305 East Main Street.
Cindy Wells-Disney, Montgomery County Planning Commission

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

Public Comment.

Chairperson Moore opened the floor for public comment. With no comments, Chairperson Moore closed the floor for public comment.

Approval of meeting minutes for October 19, 2015.

Chairperson Moore introduced the discussion. Commissioner Collins made a motion to approve the October 19, 2015 Planning Commission meeting minutes. Commissioner Beasley seconded the motion, which passed 6-0. Commissioner Sowers abstained, as she was not present for the last meeting.

Review of conditional use permit for a bed and breakfast at 305 E. Main Street. The conditional use permit was approved by Town Council on October 14, 2014.

Chairperson Moore stated that this was Planning Commission's one-year review of the conditional use permit.

Review of conditional use permit for a bed and breakfast at 305 E. Main Street. The conditional use permit was approved by Town Council on October 14, 2014 – (continued)

Ms. Hair noted the applicants were in attendance. Ms. Hair added that the applicants have not fully completed their site plan and therefore the property is not currently in operation as a bed and breakfast. Ms. Smith stated they plan to open in the next three to four months. Ms. Smith added the renovations were more extensive than anticipated. Ms. Smith stated they currently have a single bedroom available for rent. Commissioner Collins commended the applicants on their hard work.

Commissioner Powers asked Ms. Hair if the applicants' actions and renovations to date are substantial enough to put the conditional use permit into effect. Ms. Hair stated that the conditional use permit is in effect, based on the applicant's actions. Chairperson Moore reiterated for the record that this is an on-going operation. Chairperson Moore asked Ms. Hair if there were any other issues. Ms. Hair stated that the Smith's are advertising the single room they have available through Airbnb (web-based listing service). Ms. Hair stated their property is zoned R-3 Multi-Family Residential, which allows for two unrelated persons to stay in the home. Ms. Hair stated they are in compliance with Zoning.

Mr. Hanson, 300 East Main Street, stated that there are three bed and breakfast establishments located along a block of East Main Street. Mr. Hanson added the residents in this neighborhood want to ensure that all of the conditions set forth in the conditional use permits are met before the establishments are open for business. Chairperson Moore encouraged Mr. Hanson to bring those issues before Planning Commission during the public comment section of the meeting. Chairperson Moore reiterated Planning Commission's interest in hearing concerns or issues from residents. Ms. Hair advised Mr. Hanson the Town office and the Planning Department specifically are always available to respond to complaints or concerns from residents.

Ms. Smith asked if parking was prohibited on the street. Ms. Hair responded that the applicants are allowed to park on the street, but one of the conditions presented in their site plan requires them to provide on-site parking so that guests of their bed and breakfast do not park on the street.

Commissioner Powers inquired about the parking restrictions on East Main Street. Ms. Hair stated that the intent of the Smith's Conditional Use Permit was to prevent the guests of the bed and breakfast from parking on the street. Ms. Hair stated this is why the site plan detailing added parking was included with the Conditional Use Permit. Ms. Hair stated the site plan details four additional spaces added to the property through the use of pervious pavers.

Review of conditional use permit for a bed and breakfast at 305 E. Main Street. The conditional use permit was approved by Town Council on October 14, 2014 – (continued)

Commissioner Powers inquired about the number of unrelated guests that are allowed to stay with a resident under Town Code. Ms. Hair stated that R-1 Single Family Residential allows for one unrelated person per unit and the other zoning districts allow for two unrelated persons per unit. Chairperson Moore noted that renting out a room, as the Smith's are currently doing, to no more than two unrelated persons is allowed under their property's R-3 Multi-Family Residential zoning. Chairperson Moore stated these current actions are not part of the bed and breakfast use, and so the parking restrictions put in place through the Conditional Use Permit do not apply. Chairperson Moore encouraged the Smith's to be conscious and aware of their Conditional Use Permit and the parking concerns raised by neighbors.

Ms. Hair asked about next steps for future review. Chairperson Moore suggested that the Conditional Use Permit be reviewed again in one year. Commissioner Sowers agreed that this would give the Smith's time to open and begin operating the bed and breakfast. With no objections, Chairperson Moore stated the conditional use permit will be reviewed a year from now and reminded the Smith's to remain aware of the conditions outlined in their permit.

Chairperson Moore stated Planning Commission is interested in hearing any issues that neighbors are having. Chairperson Moore added Town staff performs monthly checks on Conditional Use Permits, but there may be issues they are not aware of. Chairperson Moore stated active involvement from affected residents is appreciated.

Discussion by Planning Commission regarding urban chickens.

Chairperson Moore reviewed the documents assembled by staff relating to urban chickens. This included the ordinance comparison report from neighboring localities, a draft ordinance, and a draft zoning permit. Chairperson Moore noted the ordinance and permit were updated to include the items requested by Planning Commission at the previous meeting.

Commissioner Collins stated that Council wants to vote on this issue. Ms. Hair added that Town Council wants a formal recommendation from Planning Commission for next steps. Chairperson Moore stated that Town Council wants to move forward on this issue. Commissioner Powers suggested Planning Commission make a recommendation on the proposed draft ordinance and zoning permit and give Town Council the opportunity to set a public hearing.

Ms. Hair reminded Planning Commission that the proposed zoning ordinance and proposed zoning permit were amended by staff to reflect the changes Planning Commission requested at the last meeting.

Discussion by Planning Commission regarding urban chickens – (continued).

Chairperson Moore inquired about the permit fee being placed within the ordinance. Ms. Hair stated it was necessary to place the fee in the ordinance, since fees are set by Town Council. Ms. Hair added this fee is a recommendation.

Chairperson Moore suggested the Planning Commission wait until they have more commissioners present before voting on the recommendation.

Commissioner Johnson inquired about the relationship between the zoning ordinance and the zoning permit. Ms. Hair stated that Town Council wants to consider this use for all residential districts. Ms. Hair added the change in the zoning code would allow residents in the R-1, R-1A, R-2 and R-3 residential zoning districts to keep chickens, provided they meet the conditions set forth. Ms. Hair stated residents would be required to obtain an annual, renewable permit. Ms. Hair added the permit will give staff the ability to review the proposed use and ensure residents are in compliance.

Chairperson Moore stated that a Conditional Use Permit had been considered when Planning Commission addressed this topic in 2011, but Planning Commission determined the fee would have been cost prohibitive. Chairperson Moore stated the zoning permit is more reasonable, while still allowing for the appropriate amount of oversight.

Chairperson Moore inquired about Ms. Hair's authority to address issues of non-compliance. Ms. Hair stated chicken keeping would be handled no differently than any other zoning violation. Ms. Hair stated this would include the standard notification process for a zoning violation and a thirty-day window for the resident to come into compliance. Ms. Hair stated if non-compliance persisted after thirty days, the zoning ordinance would allow for the birds to be removed. Ms. Hair stated staff would be willing to work with residents if more time was needed to relocate the birds and ensure their well-being.

Chairperson Moore commented that he would like the permit to include a reference to the non-compliance procedures of the zoning code. Chairperson Moore stated it would be ideal for residents to be aware of the actions the Town may take if chickens are not kept in compliance with the zoning ordinance.

Commissioner Powers stated that a zoning permit, in general, is very common practice. Ms. Hair agreed. Ms. Hair stated a zoning permit for chickens would be new subject material, but the permit process itself would not be new to staff.

Chairperson Moore asked if there would be value in a higher fee for the initial permit to account for the additional time staff will spend with the applicant to ensure compliance. Ms. Hair indicated that while a new permit may require more staff time, she views this as part of staff's duty to serve the public.

Discussion by Planning Commission regarding urban chickens – (continued).

Commissioner Collins asked Ms. Hair if she was concerned with the amount of time staff will have to dedicate to the permitting process. Commissioner Sowers stated her belief that participation was going to be very limited. Ms. Hair agreed and stated that the proposed setback requirements will limit the number of residents who can locate a coop on their property.

Ms. Hair indicated that staff will make some minor revisions based on the discussion tonight and will share the updated draft zoning ordinance and zoning permit with Planning Commission by the next meeting, even if this is not discussed again until the November 30, 2015 meeting.

Chairperson Moore stated that during the November 30, 2015 meeting, Planning Commission will vote on a recommendation of moving this forward to Town Council. Ms. Hair responded that if this is Planning Commission's wish, they may vote on a recommendation that Town Council hold a public hearing with this proposed draft ordinance. Chairperson Moore would present the recommendation to Town Council. Ms. Hair stated that she will confer with the Mayor about scheduling and a public hearing would likely take place in December.

Other Business.

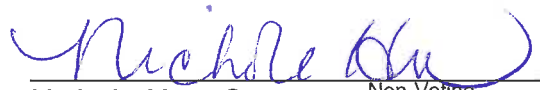
Ms. Hair provided the Commissioners with information packets she acquired during a recent training course. The packets contained information on parliamentary procedures, the Virginia Freedom of Information Act, the Virginia Conflict of Interests Act, and the Virginia Public Records Act.

Ms. Hair informed Planning Commission that she has recommended a joint meeting between the Comprehensive Plan Subcommittee and the Development Subcommittee during the week of December 7-11. This will give the two groups an opportunity to discuss their work with respect to the UDAs. Commissioner Powers suggested that the UDA's are broader and will encompass areas beyond downtown and Cambria. Ms. Hair agreed and stated there is still a great deal of overlap between the subcommittees' on-going projects and the UDA project. Ms. Hair affirmed the necessity to have the overall UDA discussion brought before Planning Commission. Ms. Hair reminded Planning Commission that the UDA consultants will present their progress at the Planning Commission meeting on November 16th.

There being no more business, Chairperson Moore adjourned the meeting at 7:39 p.m.



Craig Moore, Chairperson



Nichole Hair, Secretary Non-Voting

**Christiansburg Planning Commission
Minutes of November 16, 2015**

Present: Matthew J. Beasley
Ann Carter
Harry Collins
David Franusich
Hil Johnson
Craig Moore, Chairperson
T.L. Newell
Virginia Peeples
Joe Powers
Nichole Hair, Secretary ^{Non-Voting}

Absent: Steve Huppert
Jennifer D. Sowers, Vice-Chairperson

Staff/Visitors: Sara Morgan, staff
Will Drake, staff
Cord Hall, Christiansburg Town Council
Henry Showalter, Christiansburg Town Council
Gary Fain, 3543 Country Meadows Drive
J.C. Poff, 680 Church Street
Jason Poff, 606 East Main Street
Steve Velarde, 1265 Flint Drive
Jim Viers, 1475 Turnberry Lane, Riner VA

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

Public Comment.

Chairperson Moore opened the floor for public comment. Steve Velarde, 1265 Flint Drive, expressed his gratitude that urban chickens were up for consideration and inquired about the status of the deliberations. Ms. Hair stated Planning Commission will make a recommendation to Town Council on whether or not to move forward with the proposed ordinance and zoning permit during the November 30th meeting. Ms. Hair added it will be Town Council's decision to set public hearings. Mr. Velarde shared several statistics from the Centers for Disease Control and Prevention (CDC) to demonstrate the relative low risk of salmonella outbreaks from poultry. Mr. Velarde stated the safety risk from chickens is low, compared to many other allowed, everyday practices. Chairperson Moore clarified there was a previous vote on this topic several years ago. Chairperson Moore noted the November 30th vote on this matter will be whether or not Planning Commission recommends Town Council moves forward on this issue.

Public Comment - (continued).

With no further comments Chairperson Moore closed the floor for public comment.

Approval of meeting minutes for November 2, 2015.

Chairperson Moore introduced the discussion. Commissioner Beasley made a motion to approve the November 2, 2015 Planning Commission meeting minutes. Commissioner Collins seconded the motion, which passed 6-0. Commissioners Franusich, Newell, and Peeples abstained, as they were not present for the last meeting.

Planning Commission public hearing on a Conditional Use Permit request by Apple Acres Properties, L.L.C. for contractor equipment storage at 1950 Palmer Street, N.W. (tax parcels 436 - ((2)) - 14,15) in the B-3 General Business District.

Gary Fain, the applicant and property owner, introduced his application for the Conditional Use Permit. Mr. Fain stated the building on the property was originally built to store and distribute trees for a Christmas tree farm. Mr. Fain added the building has large doors and ample space but access to the property is not conducive to high-traffic, retail-type uses. Mr. Fain stated he is seeking a Conditional Use Permit because the access limitations of the property and the size of the building make it well-suited for contractor equipment storage. Mr. Fain stated his current tenant is a paving contractor and he stores dump trucks and paving equipment in the building and on the lot. Mr. Fain added the tenant works off-site most days and there is no customer traffic.

Jim Viers, 1475 Turnberry Lane, Riner VA, introduced himself as an adjacent property owner. Mr. Viers stated he owns the building next door, which currently houses Go Race. Mr. Viers stated he is interested in preserving a business environment. Mr. Viers requested there be some shielding or a fence to screen vehicles parked on the applicant's property. Mr. Viers indicated he would like to see most of the vehicles parked inside the building. Mr. Viers reiterated his clients are interested in preserving a business-like environment.

J.C. Poff, 680 Church Street, introduced himself as an adjoining property owner. Mr. Poff stated the current tenants of the parcel in question keep their equipment well-maintained. Mr. Poff added the equipment is washed and clean. Mr. Poff stated he has never had a problem with the current tenants and he hopes they can stay.

Chairperson Moore closed the public hearing.

Chairperson Moore stated Planning Commission will discuss this Conditional Use Permit at the November 30th meeting.

Presentation by Sachin Kalbag, Michael Baker International, regarding UDA study.

Mr. Kalbag stated he was present to update Planning Commission on the progress with the UDA study. Mr. Kalbag stated the consultants are currently refining the conceptual boundaries of the UDAs and he expects the project will likely conclude in mid-March.

The Urban Development Area Technical Grant Program is offered through the Virginia Office of Intermodal Planning & Investment. This technical assistance is for the adoption of Urban Development Areas. Urban Development Areas are designated by a locality in their comprehensive plan for higher density development that incorporates the principles of Traditional Neighborhood Development. The grant is an opportunity for Christiansburg to develop a vision for future growth. The UDAs are designated areas appropriate for higher density development due to proximity to transportation facilities, availability of water and sewer, or proximity to a developed area. Boundaries of UDAs must be shown on land use maps of the Comprehensive Plan. The concentration of future development should be where public infrastructure can be provided with the greatest fiscal efficiency.

Mr. Kalbag stated during the team's visit in mid-September they met with administrative and department staff and various stakeholders and presented to Planning Commission. Mr. Kalbag added since the last visit the team has reviewed the Town's zoning ordinance and comprehensive plan to analyze how the UDA program can support and build upon the Town's vision for future growth.

Mr. Kalbag summarized the analytical process his team will perform to finalize the UDA boundaries. Mr. Kalbag noted the first step included a review of the comprehensive plan, current zoning, and future land use. The team will then review all parcels in the proposed UDAs to evaluate their development potential. Mr. Kalbag added the last step will include speaking with stakeholders.

Mr. Kalbag stated the final deliverables of the study will include a map of the UDA boundaries and proposed text amendments to the comprehensive plan. Mr. Kalbag noted this process is intended to support Christiansburg's overall development vision. Mr. Kalbag added the UDAs can help market Christiansburg for future investment.

Mr. Kalbag presented the preliminary boundaries of the three UDAs. The three UDAs are known as *Mall Area*, *Cambria*, and *Downtown*.

Mr. Kalbag summarized the difference between developed, undevelopable, and developable parcels, as they are labeled on the preliminary UDA maps. Mr. Kalbag explained developed parcels have existing structures with significant market value and are unlikely candidates for future development.

Presentation by Sachin Kalbag, Michael Baker International, regarding UDA study - (continued).

Mr. Kalbag explained undevelopable parcels include right-of-way, civic and non-profit uses, parks, schools, and other uses that are not suitable for future development. Mr. Kalbag explained developable parcels are vacant or underutilized. These are the areas with the greatest capacity for future development.

Commissioner Collins asked for clarification about the process for simplifying the UDA boundaries. Mr. Kalbag stated the preliminary UDA boundaries were drawn largely with respect to the current zoning and are demarcated along commercial uses. Mr. Kalbag explained after receiving feedback and conducting a parcel analysis, the team will further refine these boundaries.

Mr. Kalbag presented the preliminary future growth analysis. Based on the projected population increase and the projected increase of supporting commercial space, one of the next steps for the consultants will be to see how much of the projected growth can be accommodated in the proposed UDAs.

Mr. Kalbag discussed next steps for the study. Mr. Kalbag stated once the UDA boundaries are finalized, the team will determine how much developable acreage is available in the UDAs. The team will calculate the projected growth that can be accommodated in the UDAs. Mr. Kalbag clarified each UDA features different characteristics and serves a different need. As part of this study, the consultants will provide examples of the appropriate type of residential and commercial structures that would fit into each of the UDAs. Mr. Kalbag stated the team will also evaluate the current development ordinances to verify that they will allow the type and density of development needed for the UDAs. Mr. Kalbag added the team will also draft design guidelines for the traditional neighborhood design elements required by the UDA program.

Commissioner Collins commended Ms. Hair and Ms. Morgan on their work to secure the UDA grant.

Commissioner Collins asked Mr. Kalbag to provide suggestions for next steps. Mr. Kalbag responded he believes the three UDAs represent different markets and each offers a different type of urban form. Mr. Kalbag noted each UDA presents a different opportunity. Mr. Kalbag added the UDA boundaries should not be too wide. Mr. Kalbag explained the UDA should be focused in order to be effectively promoted. Mr. Kalbag added even though the Mall Area UDA is large, it can capture a wide range of housing and commercial services. Commissioner Powers suggested Planning Commission review each UDA to provide comments.

Presentation by Sachin Kalbag, Michael Baker International, regarding UDA study - (continued).

Commissioner Franusich asked Mr. Kalbag if transportation boundaries were taken into consideration when drafting the UDA boundaries. Commissioner Franusich commented on the wall created by the Cambria Street/Franklin Street intersection. Commissioner Franusich stated that while the length of Franklin Street in the Mall Area UDA is a business corridor, the area south of Cambria Street has a different feel than the area north of Cambria Street. Mr. Kalbag agreed and noted the proposed development forms in the northern portion of the Mall Area UDA will be different from the proposed development forms in the southern portion of the Mall Area UDA.

Commissioner Powers noted the section of North Franklin Street within the Mall Area UDA already suffers from traffic problems. Commissioner Powers asked how a UDA could help address the traffic problem instead of bringing in more traffic and compounding the existing issue. Mr. Kalbag discussed the different impacts between residential and commercial uses. Ms. Hair added having designated UDAs will strengthen the Town's HB-2 application and hopefully provide more opportunities for road improvements. Commissioner Powers commented residential uses may attract complimentary commercial uses that are more pedestrian-oriented. Mr. Kalbag agreed and noted commercial uses are all different. Mr. Kalbag stated traffic impacts can be limited with thoughtful design and appropriate mixing of uses.

Jason Poff, 606 East Main Street asked if the study will consider exterior market forces. Mr. Poff asked if the study will consider development patterns in Blacksburg. Mr. Kalbag stated the study will not look at competing markets. Mr. Kalbag added once the UDA boundaries are established, the next steps for Christiansburg may include a detailed market-analysis.

Commissioner Powers noted the Corning plant has a large amount of vacant space that serves as a valuable buffer. Commissioner Powers stated Corning is a valuable employer and an important part of the Town's tax base. Commissioner Powers reiterated the need to preserve the buffer around the Corning plant. Mr. Kalbag noted the area around the Corning plant would be undevelopable, even if it falls within the Mall UDA.

Commissioner Powers noted the Marketplace shopping center is underdeveloped.

Commissioner Collins asked Mr. Kalbag to consider commercial development options for the areas surrounding the two Interstate 81 access points.

Presentation by Sachin Kalbag, Michael Baker International, regarding UDA study - (continued).

Mr. Poff inquired about stakeholder input for the UDA study. Ms. Hair stated public meetings will be held after the boundaries are solidified. Mr. Poff discussed Cambria's legacy as a mixed-used community and stated his desire to see more mixed-use return to the area. Mr. Poff stated he would like to see Town Council support greater mixed-use in the Cambria area.

Mr. Poff inquired about passenger rail access. Mr. Poff stated the Cambria UDA would be the likely location for rail service in Christiansburg. Ms. Hair stated Christiansburg is one of the candidates for passenger rail service in the area. Ms. Hair added adopting UDAs may increase Christiansburg's ability to attract passenger rail service.

Commissioner Powers asked Mr. Kalbag to explain the difference between the terms 'mixed use' and 'traditional neighborhood design. Mr. Kalbag clarified the terms are the same. Mr. Kalbag explained he uses the term traditional neighborhood design because this term is used by the Virginia UDA guidelines. Mr. Kalbag stated traditional neighborhood design and mixed use look the same. Mr. Kalbag explained traditional neighborhood design includes structures that come to the property line with doors that open out on to the street. Mr. Kalbag added pedestrian-oriented design, featuring wide sidewalks, lampposts, and trees are common features of this design style. Commissioner Powers stated these structures achieve mixed-use by having commercial uses on the first floor and residential uses on the upper floors.

Mr. Poff stated it might be appropriate in Cambria to have vertical or horizontal mixed use. Mr. Kalbag stated his team will provide examples of appropriate mixed-use designs for Cambria. Mr. Kalbag noted parking will be a challenge in Cambria and they will likely need to develop shared parking strategies. Mr. Poff added mixed used development in the Cambria UDA would open up greater development options for the community.

Commissioner Newell inquired about the Corning, Truman-Wilson, and Chandler Concrete parcels being incongruent with traditional neighborhood design. Mr. Kalbag clarified the Truman-Wilson and Chandler Concrete parcels will be excluded from the Mall Area UDA boundary. The Corning parcel may fall within the UDA boundary, but it is considered non-developable. Commissioners Newell and Powers stated the developable acreage will decrease by removing these parcels, but noted additional developable lands may be added when the consultants evaluate the underutilized parcels.

Chairperson Moore suggested moving on to the Cambria UDA.

Presentation by Sachin Kalbag, Michael Baker International, regarding UDA study - (continued).

Commissioner Newell noted the topography in the southern portion of the Cambria UDA is very steep.

Commissioner Newell stated Norfolk Southern owns the land surrounding the train depot and the intersection of Depot Street and the railway. Commissioner Newell stated Christiansburg is constrained due to its lack of ownership of these parcels. Commissioner Newell added this area is the heart of district and needs to be included, but the lack of ownership presents a complex challenge.

Commissioner Powers commented each UDA has its own character. Commissioner Powers added development in Cambria may have a much different scale than the Mall UDA.

Chairperson Moore suggested moving on to the Downtown District

Commissioner Collins asked if parking issues in the downtown district can be addressed. Mr. Kalbag noted the downtown district has ample surface parking with very deep blocks. Mr. Kalbag added that parking will be internalized within the blocks as the district is developed.

Commissioner Powers stated he was glad the old middle school site was included within the Downtown UDA. Mr. Poff inquired about the redevelopment potential for the old middle school site. Ms. Hair stated the parcel is owned by Montgomery County. Commissioner Powers noted the old middle school site has great potential for residential use.

Commissioner Powers inquired about the amount of growth that is projected to go into the UDAs. Mr. Kalbag clarified the figures represent targeted growth. Mr. Kalbag noted the purpose of the UDAs is to designate areas where growth can be steered. Commissioner Powers noted the Assistant Town Manager, Mr. Wingfield, had prepared an inventory of subdivisions that have been approved but not yet developed. Commissioner Powers stated these future subdivisions will likely have a significant impact on future growth accommodations.

Commissioner Newell inquired about generating a list of properties within the UDAs that are exempt from town real estate taxes.

Commissioner Powers noted Christiansburg recently amended the multi-family ordinance to allow up to 20 dwelling units per acre with a conditional use permit in a planned housing development. Commissioner Powers noted the ordinance change is applicable to any R-3 or B-3 zoning district. Commissioner Powers added the density increase may be more appropriate if its application were limited to the UDAs.

Presentation by Sachin Kalbag, Michael Baker International, regarding UDA study - (continued).

Commissioner Powers asked Mr. Kalbag to consider this change when the consultants are working on the proposed code amendments.

Commissioner Powers inquired about next steps for the UDA study. Ms. Hair stated she will continue to share the UDA work with the Development Subcommittee and the Comprehensive Plan Subcommittee. Ms. Hair added there will be an opportunity in the future to bring citizen stakeholders into the process.

Councilman Hall inquired about staff reviewing the UDA study. Ms. Hair stated all department heads have been invited to review the study. Ms. Hair added many of the local engineering firms were invited to the initial UDA meeting.

Councilman Hall noted the point made by Commissioner Powers that there are a number of developments in the Mall Area UDA that have been approved but not yet constructed. Councilman Hall stated these approved developments will have a substantial effect on the amount of developable acreage in the Mall Area UDA.

Chairperson Moore closed the discussion.

Other Business.


Ms. Hair noted copies of the draft ordinance and draft zoning permit for urban agriculture were available for Planning Commission to review

Ms. Hair confirmed the joint meeting between the Comprehensive Plan Subcommittee and Development Subcommittee is scheduled for December 16th at 8:30 a.m.

There being no more business, Chairperson Moore adjourned the meeting at 8:06 p.m.



Craig Moore, Chairperson



Nichole Hair, Secretary Non-Voting

**CHRISTIANSBURG TOWN COUNCIL
CHRISTIANSBURG, MONTGOMERY CO., VA.
REGULAR MEETING MINUTES
NOVEMBER 24, 2015 – 7:00 P.M.**

A REGULAR MEETING OF THE CHRISTIANSBURG TOWN COUNCIL, MONTGOMERY COUNTY, CHRISTIANSBURG, VA. WAS HELD AT CHRISTIANSBURG TOWN HALL, 100 EAST MAIN STREET, CHRISTIANSBURG, VA, ON NOVEMBER 24, 2015 AT 7:00 P.M.

COUNCIL MEMBERS PRESENT: Mayor D. Michael Barber; Samuel M. Bishop; Steve Huppert; Henry D. Showalter; Bradford J. Stipes; James W. Vanhoozier. ABSENT: Vice-Mayor R. Cord Hall.

ADMINISTRATION PRESENT: Town Manager Barry Helms; Clerk of Council Michele Stipes; Town Attorney Jim Guynn; Planning Director Nichole Hair; Director of Engineering and Special Projects Wayne Nelson; Aquatics Director Terry Caldwell; Farmers' Market Manager Sarah Belcher.

PLEDGE OF ALLEGIANCE

REGULAR MEETING

I. CALL TO ORDER BY MAYOR BARBER.

Councilman Vanhoozier made a motion to amend the agenda to move the Closed Meeting until after the Town Manager's Reports, seconded by Councilman Bishop. Council was polled on the motion as follows: Bishop – Aye; Huppert – Aye; Showalter – Aye; Stipes – Aye; Vanhoozier – Aye.

II. CONSENT AGENDA:

1. Council Meeting Minutes of November 10, 2015
2. Monthly Bills
3. Resolution honoring Virginia Tech football coach, Frank Beamer.

Councilman Vanhoozier made a motion to approve the consent agenda, seconded by Councilman Bishop. Council voted on the motion as follows: Bishop – Aye; Huppert – Aye; Showalter – Aye; Stipes – Aye; Vanhoozier – Aye.

III. RECOGNITIONS:

1. Town Manager Helms introduced to Council the new Town Planner, Will Drake. Mr. Drake began working for the Town approximately two months ago, and is finishing up a teaching position at Virginia Tech. Mr. Drake said he was from Charlottesville, but came to Virginia Tech in 2004 as a student, to earn his undergraduate degree and his master's degree. Also, Town Manager Helms reported that Planning Director Nichole Hair has accepted a position in Pulaski as Deputy Manager. Her last day with the town will be December 18, 2015. Mayor Barber and Council welcomed Mr. Drake, and congratulated Ms. Hair while expressing regret at losing her as an employee.

IV. CITIZEN'S HEARING:

1. CITIZEN COMMENTS:
 - a. No comments.

V. STAFF REPORTS:

1. Wayne Nelson, Director of Engineering and Special Projects, to update council on transportation projects. The purpose of the presentation was to provide Council with a project funding request review that provides support for the VDOT resolutions that will be presented to Council for consideration later in the meeting. Wayne Nelson provided Council with an overview of VDOT transportation funding received through two separate programs: Transportation Alternative Program, and Revenue Sharing Program. He explained the details and requirements of each program, along with the prioritized projects that would be funded through each program. A copy of Mr. Nelson's report is attached herewith, along with the resolutions for Virginia Department of Transportation that will be voted on by Council under section VI of tonight's meeting. The resolutions are a requirement of the grant applications, and the status of the applications will be made known in January. Councilman Showalter asked if there were plans to extend sidewalks to the aquatic center property. Town Manager Helms said that the Town is working

to bring a multi-use trail to the aquatic center, and Mr. Nelson stated that pedestrian/bike access to the aquatic center continues to be a priority of the Engineering Department, and of the Bikeway/Walkway Committee.

VI. DISCUSSIONS BY MAYOR AND COUNCIL MEMBERS:

1. Resolutions for Virginia Department of Transportation. The resolutions were provided to Council in the agenda packet, and were voted on separately as follows:
 - a. Resolution Supporting Application for Allocations from the Virginia Department of Transportation for Revenue Sharing Projects. Councilman Stipes made a motion to approve the resolution, seconded by Councilman Vanhoozier. Council was polled on the motion as follows: Bishop – Aye; Huppert – Aye; Showalter – Aye; Stipes – Aye; Vanhoozier – Aye.
 - b. Resolution Supporting the Huckleberry Trail Extension. Councilman Stipes made a motion to approve the resolution, seconded by Councilman Huppert. Council was polled on the motion as follows: Bishop – Aye; Huppert – Aye; Showalter – Aye; Stipes – Aye; Vanhoozier – Aye. Wayne Nelson, Director of Engineering and Special Projects, noted that the RFP for this project is expected to be sent out on November 30.
 - c. Resolution in Support of Downtown Enhancement. Councilman Vanhoozier made a motion to approve the resolution, seconded by Councilman Bishop. Council was polled on the motion as follows: Bishop – Aye; Huppert – Aye; Showalter – Aye; Stipes – Aye; Vanhoozier – Aye.
2. Councilman Stipes and Councilman Vanhoozier – Street Committee Report/Recommendation on:
 - a. Boundary Line Relocation Plat for SKE, LLC; Betty Stuart Goldsmith Halberstadt; and Halberstadt Family Limited Partnership; containing three lots; located on Quin W. Stuart Blvd., N.W. Councilman Stipes explained that this request is a result of the Town's rezoning of the ten-acres of Halberstadt property located behind the New River Valley Mall. The request is to reduce three lots to two lots, and Councilman Stipes reported that the plat is in compliance with the subdivision ordinance, and he made a motion to approve the plat as presented. Councilman Vanhoozier seconded the motion and Council voted as follows: Bishop – Aye; Huppert – Aye; Showalter – Aye; Stipes – Aye; Vanhoozier – Aye.
 - b. Plat Showing Subdivision of Tax Parcel 501 – ((1)) – 26A for Patricia Lane Townhomes; creating 12 lots; located on Patricia Lane, S.E. This request was withdrawn by the applicant and will be presented to Council at a later date.

VIII. COUNCIL REPORTS

1. Councilman Showalter reminded Council to submit grant needs from council committees to Mr. Helms. He will then consolidate them and send them to Kevin Byrd of the NRV Regional Commission, who will be assisting the Town with grant writing needs.
2. Councilman Huppert commended Town employees on the downtown Christmas decorations, and he asked Town Manager Helms to pass along his comments to those involved with the decorating.
3. Councilman Vanhoozier reported that the Stormwater Stakeholder Committee continues to work on generating a fee recommendation for Council consideration, and expects Council to be able to review the recommendation in a work session within the next month or so.
4. Mayor Barber commented on a Roanoke Times article about Virginia's Click It or Ticket campaign to encourage vehicle safety belt compliance. He reported that Christiansburg was mentioned as having the highest safety belt compliance rating of 96%, and commended the Police Department for its continued emphasis on safety belt compliance. He then reported that Public Works employees are in the process of decorating the tree in the downtown square for Christmas. In years past the tree was decorated by NRV Cares as part of a fundraising campaign, but beginning this year, the tree decoration will become part of the Town's Christmas celebration the evening of the Christmas parade, with a special tree lighting ceremony. Tourism funding will support the tree decorating project. Several staff members and Erlene Barber worked together to bring this new tradition to Christiansburg. Mayor Barber asked Council to consider walking as a representative group in the parade. A special Farmer's Market has been scheduled for 4 – 9 p.m. the day of the Christmas parade, and Sarah Belcher, Farmer's Market Manager, reported that forty-one vendor applications have been received, with more expected.

IX. TOWN MANAGER'S REPORTS:

1. PROGRESS REPORTS AND ANNOUNCEMENTS:

- a. A work session to discuss a stormwater fee recommendation by the Stormwater Stakeholder Committee was scheduled for December 17, 2015 at 6:00 P.M.

- b. Town Attorney Theresa Fontana is working on a sign ordinance amendment modeled after the state ordinance, and will provide a copy for Council consideration within the next month or so. This action is in response to Council's concerns regarding temporary signs.
- c. A request has been received from a town employee who was recently granted leave without pay for surgery. The individual will need additional surgery and has requested an additional forty hours of leave without pay, for recovery. Town Manager Helms expressed his support for the request. A temporary employee is currently handling the employee's position, and is also assigned to other duties. Councilman Vanhoozier made a motion to approve the request, seconded by Councilman Huppert. Council was polled on the motion as follows: Bishop – Aye; Huppert – Aye; Showalter – Aye; Stipes – Aye; Vanhoozier – Aye.
- d. Council was provided with a copy of the revamped Christiansburg information booklet that is given to new residents to town.
- e. The Town has received a request from Northwest Hardware that its water and sewer connection fees be waived. There are connections on the business' property, but it wants to move the connection to a different location for practical reasons, and it would use a house-sized meter, rather than a business-sized one. The cost of the connection fees could be up to \$6,000. The business is going in on Roanoke Street, near Wades Supermarket, and is investing \$1.6 mil in real estate, with first year's taxes totaling approximately \$2,600. Council discussed the request and decided it would support splitting the water and sewer connection fees 50/50 with the company. Councilman Vanhoozier made a motion to approve splitting the water and sewer connection fees 50/50, with a maximum of up to \$3,000, with Northwest Hardware. Councilman Bishop seconded the motion, and Council was polled as follows: Bishop – Aye; Huppert – Aye; Showalter – Aye; Stipes – Aye; Vanhoozier – Aye.

VII. CLOSED MEETING:

- a. Councilman Vanhoozier made a motion to enter in a Closed Meeting under (1) Virginia Code Section 2.2-3711(A)(7), for consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body; and consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel. For the purposes of this subdivision, "probable litigation" means litigation that has been specifically threatened or on which the public body or its legal counsel has a reasonable basis to believe will be commenced by or against a known party. Nothing in this subdivision shall be construed to permit the closure of a meeting merely because an attorney representing the public body is in attendance or is consulted on a matter. The Closed Meeting pertains to Backcountry.com. And (2) Virginia Code Section 2.2-3711(A)(1), for the discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body. The Closed Meeting is being held for discussion of the annual employee evaluation of the Town Manager. Councilman Bishop seconded the motion and Council was polled as follows: Bishop – Aye; Huppert – Aye; Showalter – Aye; Stipes – Aye; Vanhoozier – Aye.
- b. Reconvene in Open Meeting.
- c. Certification. Councilman Vanhoozier moved to certify that the Town Council of the Town of Christiansburg, meeting in Closed Meeting, to the best of each member's knowledge, discussed only the matters lawfully exempt from open meeting requirements by Virginia Law and only such matters as are identified in the Resolution to enter into Closed Meeting, seconded by Councilman Bishop. Council voted on the motion as follows: Bishop – Aye; Huppert – Aye; Showalter – Aye; Stipes – Aye; Vanhoozier – Aye.
- d. Council action on the matters. Councilman Stipes made a motion to authorize Town Manager Helms to sign the letter dated November 24, 2015, as presented, and as recommended by Town Attorney Jim Guynn. Councilman Vanhoozier seconded the motion and Council was polled as follows: Bishop – Aye; Huppert – Aye; Showalter – Aye; Stipes – Aye; Vanhoozier – Aye.

X. ADJOURNMENT:

There being no further business to bring before Council, Mayor Barber adjourned the meeting at 8:47 P.M.

Michele M. Stipes, Clerk of Council

D. Michael Barber, Mayor

MEMORANDUM

TO: Mayor Barber
Members of Town Council

FROM: Craig Moore, Chairperson
Planning Commission

DATE: December 8, 2015

RE: Urban Agriculture – keeping of chickens

Based on the request from Town Council, the Planning Commission has studied the topic of urban agriculture, specifically focusing on the keeping of chickens within residential districts. Attached is a draft ordinance and applicable zoning permit for the keeping of chickens and beehives. The Planning Commission is comfortable with these items and would support holding public hearings if Town Council desires to do so. Of the Planning Commissioner members in attendance at the November 30, 2015 Planning Commission meeting, Commissioners Beasley, Franusich, Newell, Peeples, Powers and myself voted in support of these items. Commissioner Collins voted to not support the motion due to concerns regarding health and safety.

**AN ORDINANCE AMENDING CHAPTER 42 “ZONING” OF THE
CHRISTIANSBURG TOWN CODE IN REGARDS TO PROVISIONS
FOR URBAN AGRICULTURE INCLUDING THE KEEPING OF
CHICKEN HENS, CHICKS, AND BEEHIVE STANDS AND AMENDING
CHAPTER 8 “ANIMALS” REGARDING VICIOUS AND WILD ANIMALS**

WHEREAS, notice of the Planning Commission public hearing regarding the intention of the Town Council to pass said ordinance was published two consecutive weeks (_____, 2015 and _____, 2015) in The News Messenger, a newspaper published in and having general circulation in the Town of Christiansburg; and,

WHEREAS, notice of the intention of the Town Council to pass said ordinance was published two consecutive weeks (_____, 2015 and _____, 2015) in The News Messenger, a newspaper published in and having general circulation in the Town of Christiansburg; and,

WHEREAS, a public hearing of the Planning Commission of the Town was held _____, 2015 and resulted in a recommendation by the Planning Commission that the following proposed ordinance revisions be adopted; and,

WHEREAS, a public hearing of Council of the Town was held _____, 2015; and,

WHEREAS, Council deems proper so to do,

Be it ordained by the Council of the Town of Christiansburg, Virginia that Chapter 42 “Zoning” of the *Christiansburg Town Code* be amended by the addition of Sections 42-68(16), 42-93(16), 42-128(18), 42-155(26), and Sec. 42-663 Urban agriculture; permit required to Article XXII. Miscellaneous Provisions as follows:

ARTICLE III. RURAL RESIDENTIAL DISTRICT R-1A

Sec. 42-68. Permitted uses.

(16) Urban agriculture in accordance with Section 42-663.

ARTICLE IV. SINGLE-FAMILY RESIDENTIAL DISTRICT R-1

Sec. 42-93. Permitted uses.

(16) Urban agriculture in accordance with Section 42-663.

ARTICLE V. TWO-FAMILY RESIDENTIAL DISTRICT R-2

Sec. 42-128. Permitted uses.

(18) Urban agriculture in accordance with Section 42-663.

ARTICLE VI. MULTIPLE-FAMILY RESIDENTIAL DISTRICT R-3

Sec. 42-155. Permitted uses.

(26) Urban agriculture in accordance with Section 42-663.

ARTICLE XXII. MISCELLANEOUS PROVISIONS

Sec. 42-663. Urban agriculture; zoning permit required.

The Town of Christiansburg may allow the keeping of no more than a total of six chicken hens or chicks and no more than two beehive stands in association with one single family residence, per parcel in Town as an allowed by right urban agriculture use with an approved urban agriculture zoning permit. The urban agriculture zoning permit shall be valid only for the keeping of no more than six chicken hens or chicks and no more than two beehive stands. Pens and beehive stands shall have setbacks of 15 feet from all property lines and 50 feet from dwellings on adjacent properties and no closer to the street right-of-way than the primary dwelling. Such permits shall be valid for chicken hens, chicks, and bees only and shall not be valid for the keeping of roosters, ducks, geese, quail, turkeys, ostriches, peacocks, or any other nondomesticated pet.

All approved urban agriculture uses are required to contain the hens and/or chicks and not allow them to roam at large. Chickens shall be kept in a fully enclosed, secure area not to exceed a total of 128 square feet, hereinafter known as a pen. Pens shall include a coop (enclosed structure) containing a minimum of two square foot per hen and an open run area containing a minimum of eight square feet per hen. The materials used for pens shall be uniform and kept in good condition in order to protect the safety of the chickens. Pens may be portable and shall meet setbacks at all times. All approved urban agriculture uses shall maintain the premises in a clean and sanitary manner and are required to present measures for food storage and containment and disposal of waste prior to approval and shall maintain compliance with all presented measures. The operation of an urban agriculture use shall not include the slaughtering or butchering of chicken hens or chicks.

All approved urban agriculture uses are subject to inspection by the Zoning Administrator or designee for compliance. All applicants for urban agriculture are responsible for obtaining permission of the property owner and approval of urban agriculture zoning permits does not constitute waiver of any restrictive covenants.

Applicants for an urban agriculture zoning permit shall submit the following for review and approval of the Zoning Administrator:

- 1) Site drawing showing the size and location of all proposed structures and use areas, the setback distances from street rights-of-way, property lines and nearby dwellings, and any provisions for screening;
- 2) Management plan addressing protection from predators, use of feeding and bedding materials, management and disposal of wastes, and other factors deemed relevant for the protection of the public health.

The Town Manager or Zoning Administrator shall have authority to approve urban agriculture zoning permits and may revoke such permits for noncompliance. A permit shall be valid for one year and require a \$25.00 fee. The permit is renewable on an annual basis, with the appropriate fee. Should the Town Manager or Zoning Administrator have questions regarding compliance with an urban agriculture zoning permit, the Town Manager or Zoning Administrator may seek an advisory opinion or recommendation from the Planning Commission regarding compliance with the permit. The keeping of a garden for the production of fruit or vegetables shall not require an urban agriculture zoning permit and shall be allowed by right in all Zoning Districts.

Be it further ordained by the Council of the Town of Christiansburg, Virginia that Section 8-1 of Chapter 8 "Animals" of the Christiansburg Town Code be amended as follows:

ARTICLE I. IN GENERAL

Sec. 8-1. Vicious and wild animals.

It shall be unlawful for any person in the town to keep any vicious animal, or any wild or nondomestic animal, unless such vicious or wild nondomestic animal is confined. **No dog or cat that kills a chicken or chick will, for that reason alone, be considered a vicious animal.**

This ordinance shall become effective upon adoption. If any part of this ordinance is deemed unlawful by a court of competent jurisdiction all remaining parts shall be deemed valid. Ordinances or parts of any ordinances of the Town whose provisions are in conflict herewith are hereby repealed.

Upon a call for an aye and nay vote on the foregoing ordinance at a regular meeting of the Council of the Town of Christiansburg, Virginia held _____, 2015, the members of the Council of the Town of Christiansburg, Virginia present throughout all deliberations on the foregoing and voting or abstaining, stood as indicated opposite their names as follows:

Aye

Nay

Abstain

Absent

Mayor D. Michael Barber*

Samuel M. Bishop

Cord Hall

Steve Huppert

Henry Showalter

Bradford J. Stipes

James W. "Jim" Vanhoozier

*Votes only in the event of a tie vote by Council.

SEAL:

Ord. 2015-__

Michele M. Stipes, Town Clerk

D. Michael Barber, Mayor

DRAFT



TOWN OF CHRISTIANSBURG

100 East Main Street
Christiansburg, VA 24073
Phone (540) 382-6120 Fax (540) 381-7238

Permit No.: _____

Application for Urban Agriculture Zoning Permit

NOTE:

All applications must be accompanied by:

1. A sketch of the property (and adjoining properties, if necessary) showing:
 - a. A fully enclosed, secure area (pen) not to exceed a total of 128 square feet.
 - b. Location, dimensions, and materials of the pen and coop. An enclosed coop with minimum of two square foot per hen and an open run area containing a minimum of eight square feet per hen is required. It should be noted if the pen and/or coop are portable.
 - c. Setbacks: 15 feet from all property lines and 50 feet from dwellings on adjacent properties and no closer to the street right-of-way than the primary dwelling.
2. Management plan addressing protection from predators, use of feeding and bedding materials, management and disposal of wastes, and other factors deemed relevant for the protection of the public health.
3. Annual fee of \$25.00.

Applicant Name: _____ Phone: _____

Property Owner (if different from applicant): _____ Email: _____

Site Address: _____

Property owner's address (if different): _____

Tax Map #: _____ Parcel Number: _____ Zoning District: _____

For Chickens:

Number of chicken hens or chicks: _____ (no more than 6 total)

Dimensions of pen: _____ ft. x _____ ft. Area _____ (sq. ft.) Weight _____ lbs. Material _____

Dimensions of coop: _____ ft. x _____ ft. Area _____ (sq. ft.) Weight _____ lbs. Material _____ Portable _____

Total Height above grade: _____ ft.

For Beehive Stands:

Number of beehive stands: _____ (no more than 2)

Dimensions of beehive stands: _____ ft. x _____ ft. Area _____ (sq. ft.) Weight _____ lbs. Material _____

Supports: Number _____ Size _____ Material _____

Total Height above grade: _____ ft.

The undersigned applicant hereby applies for Urban Agriculture Zoning Permit as stated above and/or within supplemental attachments and certifies that he/she is duly authorized by the owner(s) to make such application. Applicant further certifies that all relevant Building, Zoning, and Outdoor Advertising restrictions and regulations of the Town of Christiansburg and Commonwealth of Virginia pertaining to this application have or will be met. It shall be the responsibility of the applicant to notify the Zoning Administrator in advance of anticipated work to make or cause to be made any necessary inspections. Applicant shall be responsible for locating any and all underground utilities or structures, easements, and rights-of-way. Applicant certifies that the use shall comply with all private deed restrictions and/or covenants. All submitted materials shall be in compliance with regulations of the Virginia Statewide Uniform Building Code, the Christiansburg Town Code, and the Virginia Department of Transportation. By causing this permit to be issued applicant assumes all responsibility and liability

for insuring that the enclosure and all supporting structures are constructed/installed in compliance with all applicable regulations. Omission or misrepresentation of relevant facts or materials by the applicant shall constitute a falsified permit application and shall be cause for revocation of any permits and/or approvals. Should any of the above information be incorrect or change, the applicant will notify the Town of Christiansburg immediately. Enclosures shall not be within 10 feet of the nearest overhead electrical wires. Enclosures as noted herein refer to the enclosure, supporting structures, footers, etc.. Applicant refers to the person(s) making application or persons representing the property owner(s) or the property owner(s) themselves. **The coop, pen and chickens shall not be located on the property until final approval has been given. Miss Utility shall be contacted at (800) 552-7001 at least 48 hours prior to any underground work. This permit is invalid unless construction and operation is begun within 180 days of approval.**

Violations shall be handled in accordance with Section 42-14 of the Christiansburg Town Code:

Sec. 42-14. Penalties for violations of chapter.

(a) Any person, whether as principal, agent, employed or otherwise, violating, or causing or permitting the violation of, any of the provisions of this chapter shall be guilty of a misdemeanor and, upon conviction thereof, may be fined not less than \$10.00 nor more than \$1,000.00. Such person shall be deemed to be guilty of a separate offense for each and every day during which any portion of any violation of this chapter is committed, continued or permitted by such person, and shall be punishable as provided in section 1-11.

Date

Applicant Signature / Acknowledgement of Conditions

FOR OFFICE USE ONLY:

Remarks: _____

Provided: Site Drawing(s): _____ Management Plan: _____

Call for Inspection: yes / no

Expiration Date: _____

This application is approved / disapproved and Permit granted subject to the preceding requirements/conditions.

Date

Town Manager / Zoning Administrator

TO ATTACH: Educational Materials

Additional Information:

The limited keeping of chickens and bee hives may be permitted as an accessory use to in association with one single family residence, per parcel subject to the following conditions:

1. No more than two beehive stands shall be allowed.
2. Chickens are defined herein as domestic female chicken hens. Roosters are prohibited.
3. Chickens shall be kept for the household's personal consumption only. Commercial use such as selling eggs or chickens for meat shall be prohibited.
4. There shall be no slaughtering or processing of chickens.
5. No more than 6 chicken hens or chicks shall be allowed.
6. Adequate shelter, care and control of the chickens are required. Any person permitted to keep chickens shall comply with all the provisions and requirements of the Town and State Code regarding care, shelter, sanitation, health, rodent control, cruelty, neglect, noise, reasonable care and another requirements pertaining to, but not limited to, the adequate care and control of animals in the Town.
7. The owner of the chickens shall take necessary action to reduce the attraction of predators and rodents and the potential infestation of insects and parasites. Chickens found to be infested with insects and parasites that may result in unhealthy conditions may be removed by an animal control officer.
8. Chickens shall not be allowed to roam free. They shall be kept in an enclosed secure area not to exceed a total of 128 square feet hereinafter known as a pen. Pens shall include a coop (enclosed structure) containing a minimum of two square foot per hen and an open run area containing a minimum of eight square feet per hen.
9. The materials used for pens shall be uniform and kept in good condition in order to protect the safety of the chickens.
10. Pens may be portable and shall meet setbacks at all times.
11. Pens and beehive stands shall have setbacks of 15 feet from all property lines and 50 feet from dwellings on adjacent properties and no closer to the street right-of-way than the primary dwelling.
12. All pens shall be located out any drainage areas that could allow fecal matter to enter a storm drainage system or stream.
13. All pens shall be constructed and maintained so as to be impermeable to rodents, wild birds, and predators, including dogs and cats, and to prevent such animals or other pests from being harbored underneath, inside, or within the walls of the enclosure. All pens must be kept dry, well-ventilated, and in sanitary condition at all times, and must be cleaned on a regular basis to prevent offensive odors. All manure not used for composting or fertilizing shall be removed promptly. Odors from chickens, manure, or other chicken-related substances shall not be detectable at the property boundaries.
14. All approved urban agriculture uses shall maintain the premises in a clean and sanitary manner and are required to present measures for food storage and containment and disposal of waste prior to approval and shall maintain compliance with all presented measures.
15. No dog or cat that kills a chicken or chick will, for that reason alone, be considered a vicious animal.

Salmonella awareness

Salmonella bacteria have been isolated from nearly all vertebrates, and Salmonella infections have been associated with animal and human disease. Shedding of Salmonella bacteria in poultry often occurs in the absence of clinical signs, sometimes for extended periods. In some cases, human illness caused by Salmonella has been attributed to the handling of live poultry or the consumption of poultry products. Typical signs of Salmonella infection in humans include fever and diarrhea. Salmonellosis in humans is typically self-limiting, with most people recovering within 1 week. Rarely, severe cases can result in death. Hand washing is an important measure for preventing the transmission of Salmonella from poultry to humans.

Urban chicken flocks might provide eggs for home; therefore, it is important that urban chicken flock owners be familiar with food safety precautions. The Centers for Disease Control provides the following guidelines to prevent foodborne illness from poultry products:

- Poultry should be cooked to an internal temperature of 165°F before consumption. Use a meat thermometer to ensure foods are cooked to a safe temperature.
- Egg shells should be washed and sanitized to remove microorganisms such as Salmonella. Discard eggs that are cracked, broken, or leaking.
- Keep raw foods (meats, poultry, and eggs) separate from cooked foods in the refrigerator.
- Store eggs at 40°F or lower to reduce bacterial growth.
- Wash hands and slaughter/cooking surfaces often.

Retrieved from:

https://www.aphis.usda.gov/animal_health/nahms/poultry/downloads/poultry10/Poultry10_is_Human-chicken.pdf

How do I reduce the risk of a Salmonella infection from live poultry?

DO

- Wash hands thoroughly with soap and water right after touching live poultry or anything in the area where they live and roam. Use hand sanitizer if soap and water are not readily available.
- Adults should supervise hand washing for young children.
- Wash hands after removing soiled clothes and shoes.
- If you collect eggs from the hens, thoroughly cook them, as Salmonella can pass from healthy looking hens into the interior of normal looking eggs.
- Clean any equipment or materials associated with raising or caring for live poultry outside the house, such as cages or feed or water containers.
- If you have free-roaming live poultry, assume where they live and roam is contaminated

DON'T

- Don't let children younger than 5 years of age, older adults, or people with weak immune systems handle or touch chicks, ducklings, or other live poultry.
- Don't eat or drink in the area where the birds live or roam.
- Don't let live poultry inside the house, in bathrooms, or especially in areas where food or drink is prepared, served, or stored, such as kitchens or outdoor patios.
- In recent outbreaks of Salmonella infections linked to contact with live poultry, ill people reported bringing live poultry into their homes.

Retrieved from: <http://www.cdc.gov/Features/SalmonellaPoultry/index.html>

Urban Chickens – Comparison Report

December 2015

Summary

The popularity of raising chickens in urbanized areas for the purpose of personal egg consumption (i.e., *urban chickens*, *backyard chickens*) has grown in recent years. Based on the request from Town Council, the Planning Commission has studied the topic of urban agriculture, specifically focusing on the keeping of chickens within residential districts. Staff prepared a comparison of urban chicken ordinances in neighboring localities. This brief report summarizes some common practices for urban chicken husbandry and compares key ordinance requirements across neighboring localities. Staff also contacted several participating localities and their feedback is summarized below.

Benefits

- Sustainable source of chicken eggs.
- The economic, environmental, and/or personal benefits that may derive from raising a food source.

Concerns

- Noise/odor from improperly maintained chicken coops.
- Coops may attract rodents (e.g., rats and mice) or other animals, including common carriers of rabies (e.g., raccoons, skunks, groundhogs, foxes, dogs, and cats).
- Chickens can carry several infectious diseases, including Salmonella, Histoplasmosis, avian influenza (bird flu), E. coli, and Campylobacter. Improper handling of chickens, eggs and bedding/waste – especially among children – can lead to illness and the spread of disease.
- Improper disposal of chicken waste, carcasses, or their slaughter can produce unsanitary conditions.

Best Practices

- Limit the number of chickens (six is a common limit) a resident may possess. Comments from the Montgomery County Health Department indicated that six chickens can easily meet the needs of a family.
- Do not allow residents to keep roosters (males). Roosters are prone to make loud noise throughout the day. Hens (females) do not need a rooster to produce eggs.
- Do not allow chickens to roam free (free-range).
- Require chickens be kept in a fully-enclosed pen and/or coop. The pen and coop should be of sufficient construction to deter animals that may be attracted to the birds and the eggs. The coop should have a roof to keep the living space dry and be well ventilated.
- Require that exterior feed be kept in sealable containers that are insect and rodent-proof.
- Promote safe handling/disposal of the birds, eggs and waste, especially among children. Chicken waste should be composted on-site or deposited at the appropriate solid waste facility. It should not be placed into trash containers for street pick-up.
- If necessary, implement a fee-based inspection/permit program to ensure compliance.

Feedback from Participating Localities

Staff contacted several participating localities to survey their experience with urban chickens. Feedback was generally positive. Noise/odor complaints were very low to non-existent. Several localities reported incidents of dogs entering the coop and killing chickens. They stressed the importance of sturdy, well-built enclosures. All were satisfied with the specific requirements of their ordinances, although Salem did indicate a desire to increase the minimum pen size for the well-being of the chickens. Along these lines, Salem mentioned that most of the pre-built chicken coops available for purchase in stores like Tractor Supply are too small to meet the minimum size requirements.

- Salem – Chicken ordinance adopted in 2012. Twenty-one permits issued.
- Roanoke City – Chicken ordinance adopted in 1978. No permit required.
- Roanoke County – Chicken ordinance adopted in 2012. 15 permits issued during the first year of the program, but only three active permits presently.
- Vinton – Chicken ordinance adopted in 2011. Four active permits presently.
- Pulaski County – Chicken ordinance adopted in 2014. Three permits issued.
- Narrows – Chicken ordinance adopted in 2014. No citizens have applied for a permit.

Locality Comparison - Summary Table*

Locality	Urban Chickens Allowed?	Bird Limit	Setbacks	Minimum Lot Size	Enclosure (Pen & Coop)	Sanitation Standards	Administration
Floyd County & Town	Yes (no permit required)	Non specified	Non specified	Non specified	Property must be fenced	Non specified	No chicken-specific administration section
Pulaski County (2014)	RR, R and R1 (zoning permit required)	0.5-2 acres: 10 hens 2+ acres: 30 hens (no roosters allowed)	<ul style="list-style-type: none"> Rear yard only Less than 20 chickens: 25 ft. (side & rear) More than 20 chickens: 40 ft. (side & rear) 	One-half (0.5) acre	<ul style="list-style-type: none"> Height maximum: eight (8) ft. Must provide adequate shelter 	<ul style="list-style-type: none"> No outdoor slaughtering of chickens Must dispose of chicken feces in sanitary manner Storage of feed must not attract rodents 	No chicken-specific administration section
Narrows (2014)	As accessory use to single-family dwellings in R1, R2 and R3 district (permit required)	6 hens (no roosters allowed)	<ul style="list-style-type: none"> Rear yard only Accessory structure setbacks apply 20 ft. from adjacent principal structure 	One-quarter (0.25) acre	<ul style="list-style-type: none"> Height maximum: ten (10) ft. Pen: max area of 128 sq. ft. Must include coop with 1.5 sq. ft. per hen and open run with 8 sq. ft. per hen 	<ul style="list-style-type: none"> Must take action to reduce attraction to predators and infestation All feed must be kept in rodent-proof containers A reasonable level of chicken waste composting is encouraged Must be located away from drainage areas that could allow fecal matter to enter storm drain or stream 	<ul style="list-style-type: none"> Annual permit & inspection (\$24) Must submit sketch of pen location and dimensions along with property dimensions and setbacks Inspection & permit issued by Town Manager or designee Provisions enforced by Zoning Administrator
City of Salem (2012)	As accessory use to single-family dwellings (permit required)	6 hens (no roosters allowed)	<ul style="list-style-type: none"> Rear yard only Accessory structure setbacks apply 50 ft. from adjacent principal structure 	One-quarter (0.25) acre	<ul style="list-style-type: none"> Pen: max area of 128 sq. ft. Must include coop with 1.5 sq. ft. per hen and open run with 8 sq. ft. per hen 	<ul style="list-style-type: none"> No slaughtering of chickens. Must be located away from drainage areas that could allow fecal matter to enter storm drain or stream Must take action to reduce attraction to predators and infestation. 	<ul style="list-style-type: none"> Annual permit & inspection (\$25) Must submit sketch of pen location and dimensions along with property dimensions and setbacks Permit issued by Zoning Administrator Inspection conducted by Animal Control
City of Roanoke (1978)	Yes (no permit required)	Less than 20,000 sq. ft.: 10 chickens Greater than 20,000 sq. ft.: 40 chickens	<ul style="list-style-type: none"> 50 ft. from adjacent principal structure 	See 'Bird Limit'	All poultry shall be kept in securely and suitably fenced areas	All feed must be kept in rodent-proof containers	No chicken-specific administration section
Roanoke County (2012)	As accessory use to single-family dwellings (permit required)	<20,000 sq ft: 6 hens 1 acre: 9 hens 1+ acres: 12 hens (no roosters allowed)	<ul style="list-style-type: none"> Enclosure behind front building line 10 ft. (side and rear) 35 ft. from adjacent dwellings 	Non specified	<ul style="list-style-type: none"> Height maximum: ten (10) ft. Pen: max area of 250 sq. ft. Must include pen with 10 sq. ft. per hen and coop with 2 sq. ft. per hen 	<ul style="list-style-type: none"> No outdoor slaughtering of chickens All feed must be kept in rodent/insect/predator-proof containers 	No chicken-specific administration section.
Vinton (2011)	As accessory use to single-family dwellings (permit required)	6 hens (no roosters allowed)	<ul style="list-style-type: none"> Permanent coops: 25 ft. (side and rear) and 50 ft. from adjacent dwelling Portable coops: 20 ft. (side and rear) and 25 ft. from adjacent dwelling 	One (1) acre	<ul style="list-style-type: none"> Enclosure (pen/coop) with 4 sq. ft. per hen 	<ul style="list-style-type: none"> No outdoor slaughtering of chickens Must be located away from drainage areas that could allow fecal matter to enter storm drain or stream All feed must be kept in rodent-proof containers Compost waste or take to waste facility 	<ul style="list-style-type: none"> Annual permit & inspection (\$25) Must submit sketch of pen location and dimensions along with property dimensions and setbacks Permit issued by Zoning Administrator Inspection conducted by Animal Control

*All localities in the New River Valley were reviewed, along with Roanoke County, the Town of Vinton, and the cities of Roanoke and Salem. If a locality is not detailed above, urban chickens are not allowed within residential zoning districts or no information was available at the time of review.

From: Joe Coyle
To: Barry Helms; Valerie Tascio
Cc: Duella Williams
Subject: Reallocation of Revenue Recovery Funds
Date: Wednesday, November 25, 2015 4:31:22 PM
Attachments: image001.png

Barry and Val:

At a recent staff meeting it was discussed that a project with benefit to both Fire and Rescue would be to install flashing yellow warning lights on Depot Street above and below the station.

I think this is an excellent project and is higher priority than current projects in the Revenue Recovery budget for FY16.

I am requesting that we reallocate funds from three projects and create a new project: Public Safety Warning Signals Depot Street" and fund it at \$24,000

Specifically:

Electronic Polling System \$ 5,000.00
Electronic Exterior Sign \$ 6,000.00
Simbulance \$13,000.00

(note – simbulance project was originally \$25,000 but \$12,000 was already reallocated to the new ambulance).

Please let me know if we can proceed or if it would require Council action first.

Thank you

Joe

General Equipment	All equipment Greater than \$5000						
RADIO SYSTEM PHASE I	Install Radio System Back Bone		R	75000	25,000	\$100,000	
ELECTRONIC POLLING SYSTEM	For classes and meetings	N		5000		\$5,000	
VEHICLE LOCATING SYSTEM	ROLLOVER 2014 TO 2015 TO 2016					\$25,200	
INVENTORY SYSTEM	ROLLOVER 2014 TO 2015 TO 2016				14,000	\$14,000	
STATION INFORMATION SYSTEM	ROLLOVER 2014 TO 2015 TO 2016				5,000	\$5,000	
ELECTRONIC EXTERIOR SIGN	ROLLOVER 2014 TO 2015 TO 2016				6,000	\$6,000	
SIMBULANCE	ROLLOVER 2014 TO 2015 TO 2016				13,000	\$13,000	Transferred \$12,000 to Ambulance
A/V SYSTEMS FOR TRAINING ROOMS	ROLLOVER 2014 TO 2015 TO 2016				6,000	\$6,000	
EXTRICATION GEAR	ROLLOVER 2014 TO 2015 TO 2016				80000	\$80,000	
TOTAL GENERAL EQUIPMENT COST						\$254,200	
TOTAL BUDGETED CAPITAL OUTLAY COST						\$676,200	

Joe Coyle, NRP, MEP, NCEE
Rescue Chief
Town of Christiansburg
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C: 540-357-0901

