

**Christiansburg Planning Commission
Minutes of December 14, 2015**

Present: Matthew J. Beasley
Ann Carter
Harry Collins
David Franusich
Hil Johnson
Craig Moore, Chairperson
T.L. Newell
Virginia Peeples
Joe Powers
Jennifer D. Sowers, Vice-Chairperson
Sara Morgan, Acting Secretary^{Non-Voting}

Absent: Steve Huppert

Staff/Visitors: Nichole Hair, Planning Director
Will Drake, staff
Gary Fain, 3543 Country Meadows Drive

Chairperson Moore called the meeting to order at 7:01 p.m. in the Christiansburg Town Hall at 100 E. Main Street, Christiansburg, Virginia.

Public Comment.

Chairperson Moore stated during the December 8, 2015 Town Council public hearing for his Conditional Use Permit request, Gary Fain, 3543 Country Meadows Drive, presented a video. Chairperson Moore stated this video would be additional information for Planning Commission to take into consideration. Chairperson Moore suggested the video be presented during Planning Commission's discussion of the Conditional Use Permit and not during the public comment section of the meeting. There were no objections.

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

Approval of meeting minutes for November 30, 2015.

Chairperson Moore introduced the discussion. Vice-Chairperson Sowers made a motion to approve the November 30, 2015 Planning Commission meeting minutes. Commissioner Peeples seconded the motion, which passed 8-0. Commissioners Johnson and Carter abstained, as they were not present for the last meeting.

Discussion by Planning Commission regarding 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 Planning Commission public hearing was held on November 16, 2015.

Mr. Fain stated he has a court date on January 8, 2016 with his tenant who is renting the front half of the property. Mr. Fain stated he offered the tenant a modified lease that would allow him to tow vehicles in violation. Mr. Fain added the tenant declined the modified lease. Mr. Fain provided a chart that documented the violation history with his tenant on the front half of the property.

Ms. Morgan stated staff inspected the property before tonight's meeting. Ms. Morgan added there were five inoperable vehicles on the property, which is below the threshold for a junkyard.

Mr. Fain stated the dump trucks operated by his tenant with the paving business are 11 feet high. Mr. Fain stated it would require a 12-foot fence to screen the vehicles. Mr. Fain added the tenant needs to be able to pull through the lot because the vehicles are large and that a fence would be prohibitive.

Mr. Fain stated he assembled a video to illustrate the visibility of the dump trucks from North Franklin Street. Mr. Fain presented his video, which included views of the property from North Franklin Street, facing perpendicular to the direction of travel. The video included the northbound and southbound vantage points. Mr. Fain stated the northbound view is pretty well blocked. Mr. Fain stated the trucks are more visible from the southbound view, but the view is brief. Mr. Fain added the northbound view is totally obscure and the southbound view lasts for a couple of seconds. Mr. Fain stated the top of the truck is barely visible.

Mr. Fain stated the lot is not large enough to add a gated fence and maintain the pull-through access that the trucks require. Mr. Fain added he reviewed the proposed conditions with the tenant and the tenant indicated they would not rent the property with a gated fence. Mr. Fain stated the proposed use has a low risk. Mr. Fain stated the tenant has been on the property for a year and he has not received any complaints and he is not aware that the Town has received complaints. Mr. Fain added the Town can revoke the Conditional Use Permit if there are problems. Mr. Fain stated contractor equipment storage is not the long term use for this property. Mr. Fain noted he received frequent inquiries on the property for retail space before 2008. Mr. Fain added the long term use for the whole area surrounding and including the property will likely be a different use.

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Mr. Fain stated the proposed use of contractor equipment storage fits the current building very well. Mr. Fain stated he could add some vegetation to screen the view from North Franklin Street for the two seconds the equipment is visible. Commissioner Powers asked Mr. Fain if the tenant of the proposed use was only renting the back half of the property. Mr. Fain stated that was correct.

Commissioner Carter stated there are residential units adjacent to the property. Commissioner Fransich added there is a mobile home on the property, located directly behind the area where the dump trucks park. Commissioner Powers asked if the dump trucks park in front of the mobile home located on the property. Mr. Fain stated that was correct. Mr. Fain added the building is too large to market to a single tenant. Mr. Fain stated the tenant with the contractor equipment occupies the rear half of the building and parks the dump trucks in the rear half of the parking lot. Mr. Fain added the trucks face North Franklin Street and the tenant pulls through onto Palmer Street to exit the property.

Chairperson Moore asked if the tenant with the dump trucks drives across the other tenant's section of the property to exit. Mr. Fain stated the driveway to exit onto Palmer Street is a shared driveway. Mr. Fain stated he has had occasional problems with the front tenant blocking the driveway and encroaching onto the paving tenant's space.

Commissioner Beasley stated the mobile home on the property is very close to the dump trucks. Commissioner Beasley asked if there had been any complaints from this unit. Mr. Fain stated he had not received a complaint. Mr. Fain added the resident of the mobile home had complained about the front tenant, but he has not had a complaint about the dump trucks.

Commissioner Fransich asked if the building north of the property is residential. Mr. Fain stated it is a residential unit that he rents out.

Vice-Chairperson Sowers asked if all the surrounding units are rentals. Mr. Fain stated the residents own their mobile homes and rent the lots.

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Commissioner Powers stated the property is zoned B-3 General Business. Commissioner Powers asked what type of landscaping would be required if the property was not zoned B-3 General Business and Mr. Fain were requesting a rezoning to B-3 General Business. Ms. Morgan stated a site plan with interior parking landscaping and 20% greenspace would be required.

Commissioner Newell asked if the paving tenant utilizes the building. Mr. Fain stated the tenant uses the back half of the building to store smaller equipment including tools and pavers. Commissioner Newell stated the tenant exits the property by pulling out onto Palmer Street and then turning onto North Franklin Street. Commissioner Newell added to enter the property, the paving tenant has to come around the neighborhood and down Farmview Road. Mr. Fain stated the tenant comes down the private street, Hollybrook Drive, and is very respectful to the residents. Mr. Fain added the tenants have been good neighbors.

Mr. Fain stated the paving tenant used to park the equipment in various parking lots around town. Mr. Fain added the tenant cannot find a place to rent. Mr. Fain stated this is a service that is needed in the community but the tenants cannot find an accommodating property. Mr. Fain added he would not be pursuing the Conditional Use Permit if the tenant had another option.

Commissioner Powers asked if the paving tenant had a Christiansburg business license. Ms. Hair stated she was not aware of the tenant having a business license.

Commissioner Collins asked if the paving tenant would rent the front half the property if it became available. Mr. Fain said it was possible but he did not know. Ms. Morgan presented a series of pictures showing the view of the property from numerous vantage points. Ms. Morgan presented a picture taken from Hollybrook Drive, demonstrating the trucks shielded by the trees. Ms. Morgan presented a picture taken on Palmer Street, heading towards Sheetz, in which the trucks were not visible.

Chairperson Moore clarified the trucks were not visible when the picture was taken. Chairperson Moore added the Conditional Use Permit would apply to the entire property and the visibility of dump trucks in the future could be subject to change if the trucks were located on the front half of the property.

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Ms. Morgan presented a picture taken from the Sheetz parking lot showing that the trucks were not visible. Chairperson Moore clarified the trucks were not visible when the picture was taken. Chairperson Moore added the Conditional Use Permit would apply to the entire property and the visibility of dump trucks in the future could be subject to change if the trucks were located on the front half of the property. Commissioner Powers stated the Conditional Use Permit would cover the entire property unless Planning Commission added a condition limiting contractor equipment storage to the back half of the property.

Ms. Morgan presented a picture taken from the stop sign on Palmer Street, after exiting Sheetz. Ms. Morgan stated on that day the trees were shielding the view of the trucks.

Mr. Fain stated that none of the pictures were taken from North Franklin Street. Mr. Fain added the concern expressed by Planning Commission related to the view from North Franklin Street. Ms. Morgan stated pictures from North Franklin Street will be presented.

Ms. Morgan presented a series of pictures from North Franklin Street southbound. Ms. Morgan explained the trucks become more visible as a vehicle approaches the property.

Chairperson Moore asked if screening is required in the industrial districts. Ms. Morgan stated contractor equipment storage is allowed by-right in the industrial districts and screening is required.

Commissioner Fransich stated after watching the video and viewing the pictures he is less concerned with the screening from North Franklin Street, but very concerned with how close the equipment is to the residential uses. Commissioner Fransich added there is a lot of impact to the residential units located directly next to the equipment.

Commissioner Beasley stated he was concerned with the dump trucks driving down the residential roads. Commissioner Beasley added the paving tenants may drive carefully, but the presence of children is a concern.

Ms. Morgan stated Ms. Conner, the owner of the mobile homes along the back portion of Redwood Drive had called her and expressed concern with the trucks driving on Redwood Drive.

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Commissioner Newell expressed concern that the Conditional Use Permit would go with the property and not the tenant.

Commissioner Johnson inquired where the other paving companies park that service Christiansburg. Ms. Carter stated she believes the other companies are located in Montgomery County. Commissioner Carter stated the Town would be aware if this equipment was parked illegally around Christiansburg.

Chairperson Moore stated that the Conditional Use Permit is tied to the property, not the tenant. Chairperson Moore added the surrounding properties are owned by the same entity, but Planning Commission should consider how this proposed use may affect these properties in the future. Chairperson Moore stated the issue of screening had been brought forth. Chairperson Moore added a Conditional Use Permit generally includes all the requirements of what would be required in the by-right district.

Commissioner Powers stated the large monetary investment in screening may prohibit the property from transitioning to a commercial use in the future. Commissioner Franusich stated if the equipment is too large to be screened than this is probably not the appropriate use for this property. Commissioner Carter stated the large screening may not be appropriate to a future tenant.

Commissioner Johnson asked if the property might eventually transition to residential use. Ms. Morgan stated the Future Land Use Map designates the property for mixed use. Commissioner Powers stated the future land use designation is mixed use with buffer, residential and business. Commissioner Powers noted the area currently has a mix of residential and business uses.

Commissioner Beasley stated he was concerned where the tenant would relocate if the Conditional Use Permit was denied.

Commissioner Collins asked if the tenant had a business license. Ms. Hair stated she did not believe the tenant had a business license. Ms. Hair stated the tenant was operating out of his mother's home prior to renting the property in question. Ms. Hair added the tenant was in violation of the zoning ordinance by keeping the equipment at his mother's residence and the Town had received complaints. Ms. Hair clarified the applicant attempted to apply for a business license after locating to Mr. Fain's property and this triggered the Conditional Use Permit process. Ms. Hair added the tenant would be eligible for a business license with an approved location.

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Commissioner Collins stated he would prefer to see well-kept dump trucks in the front of the property over the current use as automobile storage. Commissioner Collins stated the screening may not be necessary. Commissioner Carter noted paving is not done year-round. Chairperson Moore stated the dump trucks are kept in good condition, but that may not always be the case. Chairperson Moore added the Planning Commission cannot stipulate how the trucks look or are kept up. Ms. Morgan stated fencing also helps reduce the potential for vandalism to the equipment.

Commissioner Collins asked if there were similar properties in Christiansburg that are not screened. Ms. Hair stated she was not aware of any. Ms. Hair stated all of the properties with contractor lots that she has dealt with have screening. Chairperson Moore stated screening has been an important condition of this type of Conditional Use Permit in the past. Ms. Hair added screening in the industrial districts must be a fence. Chairperson Moore asked if the language of "screening" needed to be clarified. Commissioner Beasley stated based on the use, the type of screening needs to be specific. Ms. Hair stated she suggested several types of fencing to Mr. Fain but he did not agree with those suggestions.

Commissioner Carter stated the available space on the property would make it difficult to install screening. Vice-Chairperson Sowers and Commissioner Beasley noted the issue with locating screening next to the mobile home on the property. Commissioner Newell stated the mobile home residents own their home but rent the land. Commissioner Newell added this form of tenancy would make it difficult for the residents to move if they were unhappy with the conditions on the property. Commissioner Newell added there are not a lot of properties that allow for mobile homes to be brought in.

Mr. Fain stated the mobile home within the property is owned by the resident and they rent the space from him. Commissioner Newell noted during the Town Council public hearing the applicant had stated that fencing would result in the property being unsuitable for the dump trucks. Commissioner Powers stated the entire perimeter of the property would need to be fenced. Commissioner Beasley noted this would also fence in the mobile home on the property. Chairperson Moore suggested an opening on the side of the property to allow the resident access to the property.

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Commissioner Powers stated that Planning Commission had asked Mr. Fain to work with staff to devise a proposal for screening during the last Planning Commission meeting. Commissioner Powers stated the applicant has indicated it is not feasible to screen the property. Commissioner Peeples stated the Planning Commission has required screening for previous Conditional Use Permits. Commissioner Peeples added the Planning Commission needs to be consistent with the screening requirements.

Commissioner Newell stated a lot of staff time is required for proactive enforcement when the screening condition allows for the applicant to install a screening material of their choice. Commissioner Johnson suggested Leyland cypress trees would be preferable to a 12-foot fence. Commissioner Johnson asked if the trees would eventually hinder access to the property. Mr. Fain stated trees could be planted along the front of Palmer Street, facing North Franklin Street.

Chairperson Moore asked how much time Planning Commission could give Mr. Fain to propose a specific screening provision. Ms. Hair stated it would delay Town Council, although Town Council could act without a recommendation from Planning Commission. Commissioner Peeples asked how specific the screening requirement should be worded. Commissioner Peeples asked if the trucks would be fully screened from view. Ms. Hair stated the condition was worded in a general nature when it was presented during the Town Council public hearing because Mr. Fain had indicated that he did not believe screening needed to be added. Chairperson Moore asked if there was any desire to reword the screening provision. Commissioner Collins suggested adding trees to the front of the property along Palmer Street.

Commissioner Fransich stated he is concerned that the Conditional Use Permit is not tied to the current tenant and the close proximity of the use to the residential units. Commissioner Newell added vegetative screening would take time to grow.

Commissioner Newell made a motion to deny the Conditional Use Permit as presented. Commissioner Carter seconded the motion.

Commissioner Newell stated she was concerned with the proximity to residential units, the fact that the property is not located in an industrial district, and that the Conditional Use Permit is not tied to the current tenant. Commissioner Powers stated the Comprehensive Plan identifies this area for business and residential uses and not as an industrial area. Commissioner Fransich stated the proposed use does not match the Comprehensive Plan. The motion passed 9-1, with Commissioner Collins voting against the motion.

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Chairperson Moore advised Mr. Fain the Planning Commission will recommend that Town Council deny the Conditional Use Permit request. Chairperson Moore added the Town Council may review the meeting minutes of this discussion. Chairperson Moore stated the public hearing portion has concluded, but Town Council may have additional questions for Mr. Fain. Chairperson Moore stated a detailed screening plan may have been an important condition for some Commissioners. Chairperson Moore stated this is Planning Commission's recommendation but Town Council will make its own decision. Ms. Hair stated if Town Council were to deny the Conditional Use Permit Mr. Fain would have to apply for a new Conditional Use Permit if he wanted to modify his request and try again.

Other Business.

Ms. Morgan stated Chairperson Moore presented Planning Commission's recommendation regarding the urban agriculture draft ordinance and zoning permit at the Town Council meeting on December 8, 2015. Ms. Morgan added Town Council has decided to move ahead with the public hearing process. Ms. Morgan stated the Planning Commission public hearing is scheduled for December 28, 2015 and advertisements for the public hearing have been sent out.

Commissioner Powers requested staff to notify the interested citizens through email. Ms. Hair stated there were two residents who had requested to be notified and staff would send them email notification.

Commissioner Powers suggested postponing the joint meeting between the Development and Comprehensive Plan Subcommittees scheduled for Wednesday, December 16th at 8:30 a.m. Planning Commission agreed to add the UDA updates to the agenda of an upcoming Planning Commission meeting.

Chairperson Moore requested the Commissioners to notify himself, Vice-Chairperson Sowers and Ms. Morgan if they cannot attend the December 28th Planning Commission meeting. Chairperson Moore added the Planning Commission will need to ensure it has a quorum for the urban agriculture public hearing.

Commissioner Collins asked Ms. Hair if this was her last Planning Commission meeting. Ms. Hair stated this was her last Planning Commission meeting. Ms. Hair added that December 31, 2015 will be her last day working for Christiansburg.

Other Business - (continued).

Commissioner Collins and the rest of Planning Commission expressed their gratitude to Ms. Hair for her work and service.

Chairperson Moore stated the Planning Commission and staff have provided a lot of information for Town Council to consider for the Conditional Use Permit that was discussed earlier. Chairperson Moore thanked Planning Commission and staff for the way they conducted themselves throughout the process.

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

Craig Moore, Chairperson

Sara Morgan, Acting-Secretary ^{Non-Voting}

**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:

	<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:

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>

2 November 2015



Town of Christiansburg
Planning Commission
100 East Main St.
Christiansburg, VA 24073
Fax: 540-382-7338

Dear Planning Commission:

I live at 12 Montague Street, Christiansburg and would like to address the discussion of allowing chickens in the town.

I moved here from Atlanta, where many jurisdictions allow chickens. I fully support that you vote to allow chickens within the town limits, with a few restrictions:

1. No roosters
2. Hens must be kept on your property

Other than that, they should be allowed. They are quieter than most dogs, help keep bugs down, control weeds in your yard, keep food waste out of the system, and provide organic food for your family.

I hope that you join the growing ranks of urban areas that are forward thinking in their planning requirements.

Sincerely,

Patricia B. Morse
12 Montague St.
Christiansburg, VA 24073
770-846-8567

FACSIMILE COVER SHEET

**DEPARTMENT OF ENGLISH
VIRGINIA TECH**

**323 Shanks Hall
Blacksburg, Virginia 24061-0112
USA**

Telephone: (540) 231-6501

Fax: (540) 231-5692

To:

Town of Christiansburg

Company:

Telephone:

Fax:

810-382-7338

From:

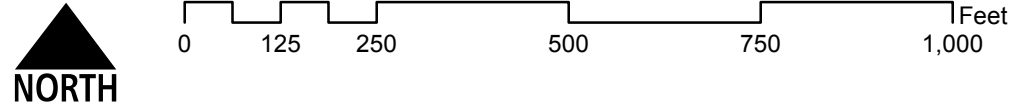
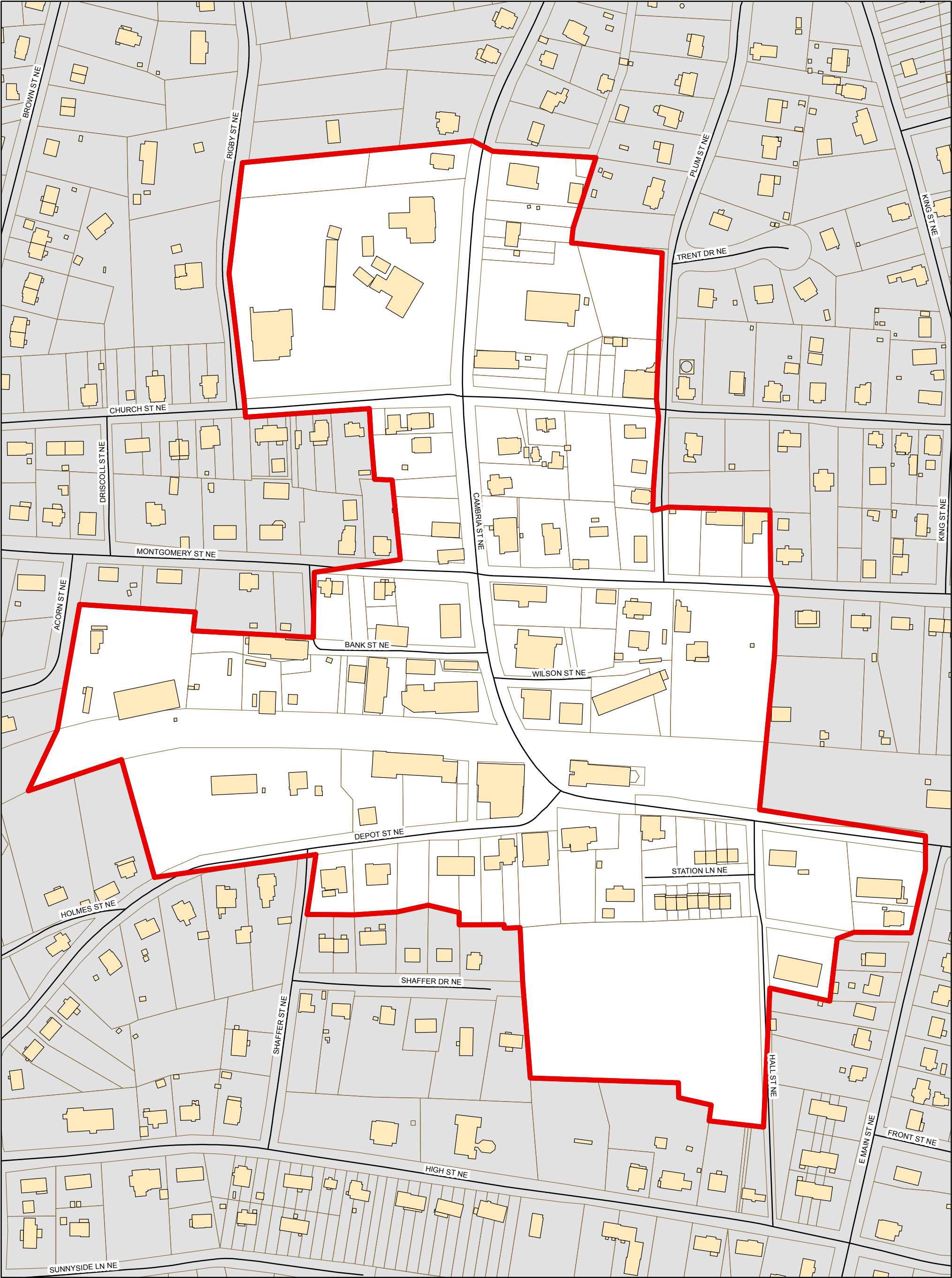
Patty Morse

Date:

Office:

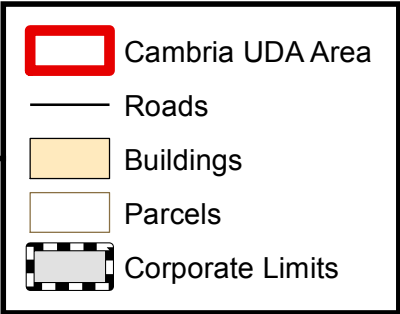
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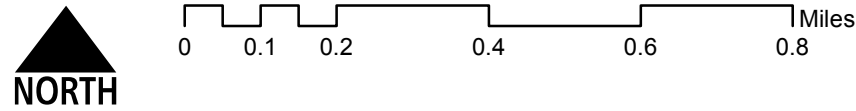
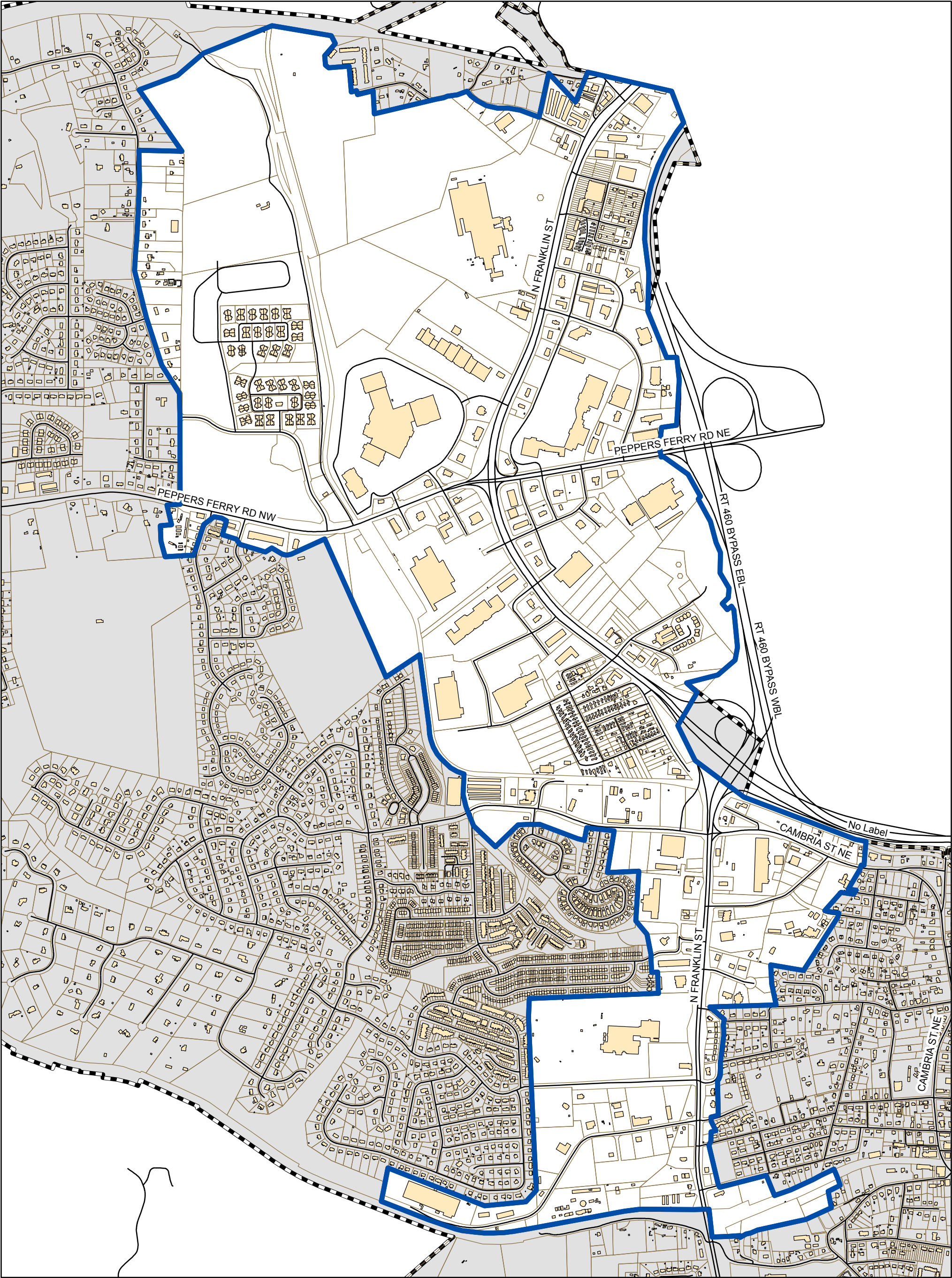
Comments:



Christiansburg, VA - Cambria UDA

Total Parcels: 114
Acres: 39





Christiansburg, VA - Mall Area UDA

Total Parcels: 815
Parcel Acreage: 1,144

