

Christiansburg Planning Commission
Minutes of April 2, 2018

Present: Ashley Briggs
Catherine Clifton
Harry Collins
Mark Curtis
Jessica Davis
Hil Johnson, Vice-Chairperson
Jeananne Kries
Ann Sandbrook
Jennifer D. Sowers, Chairperson
Andrew Warren, Secretary Non-Voting

Absent: Craig Moore

Staff/Visitors: Will Drake, staff
Jared Crews, staff
Theresa Fontana, Town Attorney
Mark Sisson, Chief of Police
John Casali, 385 Emerald Boulevard
Doug Meredith, LMW Engineering Architecture

Work Session

The Planning Commission met at 6:00 p.m. in the Christiansburg Town Hall at 100 E. Main Street, Christiansburg, Virginia for a work session pertaining to the amendment of the Town's noise ordinance.

John Casali, Professor of Noise and Acoustics at Virginia Tech, presented a PowerPoint with suggested changes to the draft ordinance as well as sound samples to demonstrate different levels of noise. Mr. Casali suggested decibel levels allowed by the Town should be similar to or lower than those in Montgomery County.

The Commission discussed resting ambience levels in the Town's various zoning districts and how those levels could be affected by proximity to the Interstate or other heavy traffic. The Commission discussed the Conditional Use Permit process and how conditions may be used to mitigate impacts to properties receiving noise.

The Commission discussed the appropriate usage of the 'plainly audible' test as well as the need for both A weighted and C weighted decibel measurements. The Commissioners discussed the advantage of civil penalties in place of criminal penalties and discussed the amendment of noise restriction hours on weekends.

Regular Meeting

Chairperson Sowers called the meeting to order at 7:02 p.m. in the Christiansburg Town Hall at 100 E. Main Street, Christiansburg, Virginia.

Public Comment

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

Approval of Planning Commission Minutes for March 19, 2018 Meeting

Chairperson Sowers introduced the discussion. Commissioner Sandbrook made a motion to approve the March 19, 2018 Planning Commission meeting minutes. Commissioner Clifton seconded the motion, which passed 9-0.

Public Hearing on a Conditional Use Permit request by Roger Woody for an approximately 2.412 acre portion of tax map no. 528-A-83 located at 1145 Roanoke Street to construct seven (7) single-family dwellings in the B-3, General Business zoning district. The property is designated as Residential on the Future Land Use Map of the 2013 Christiansburg Comprehensive Plan.

Chairperson Sowers introduced the public hearing.

Mr. Warren stated the applicant was requesting to construct seven single-family dwellings on the property, which runs along Roanoke Street. Mr. Warren explained the property extends from Barkwood Street, SE and noted a new street called Heartwood Drive, SE would be installed and extend from Barkwood Street, SE. Mr. Warren noted the new street would run between 205 and 215 Barkwood Street, SE to the new development.

Mr. Warren stated residential uses are allowed in the B-3 District with a Conditional Use Permit with the use being regulated by R-3 district standards. Mr. Warren noted the lots would be at least 10,000 square feet in area. Mr. Warren stated the residential lots on Barkwood Street, SE and Thorn Circle, SE were zoned R-1, but the applicant would be allowed more flexibility in setbacks if the property followed R-3 standards. Mr. Warren stated the property could be limited to single-family dwellings through the conditions of the Conditional Use Permit.

Mr. Warren stated the remaining area on the lot that was not residentially developed for residential uses would still be zoned B-3 and would remain available for business uses. Mr. Warren explained a property within the residential development would need to meet B-3 standards for a commercial use to be established. Mr. Warren noted the Conditional Use Permit could be used to limit the establishment of commercial use within the residential development.

Mr. Warren stated the property is within one of the deeper commercially zoned areas in Town but is inconsistent with the R-1 districts adjacent to it.

Doug Meredith, LMW Engineering Architecture, stated the homes proposed for the development are similar in size and layout to the existing homes on Barkwood Street, SE and Thorn Circle, SE.

Mr. Warren noted no major traffic impacts from the development are anticipated and no traffic study would be required at this time. Mr. Warren stated the Town Engineering Department raised no concern with the location of the new road.

With no further comment, Chairperson Sowers closed the public hearing.

Discussion/Action on an ordinance to amend Chapter 24, "Nuisances," Article II. – Regulation of Noise, of the Christiansburg Town Code for the purpose of regulating loud or intrusive sounds or vibrations, modifying the exemptions to the ordinance, and providing for civil penalties in place of criminal penalties in the Town of Christiansburg.

Chairperson Sowers introduced the discussion.

Vice-Chairperson Johnson stated the Commission had discussed amending the levels of sound allowance in agricultural, residential, and mixed use zoning districts in the Town. Vice-Chairperson Johnson stated the levels currently proposed are higher than the national average for sound allowance and are high compared to the resting ambience level, or standard level of noise, of residential areas within the Town. The Commission agreed the ordinance should be amended to match Montgomery County's sound allowance levels of 57 decibels during the day and 52 decibels at night in the agricultural, residential, and mixed use zoning districts.

Commissioner Knies suggested changing the language of Section 24-32 "Definitions" to reflect gender neutral pronouns when defining 'Chief.' The Commission agreed to the proposed change.

Mr. Warren stated Commissioner Moore suggested amending the definition of 'Emergency and public safety work' to read "public and private entities" rather than "public and private service companies." The Commission agreed to the proposed change.

Commissioner Briggs suggested changing the language of Section 24-33 "Noises prohibited" to read "sounds that are heard outdoors" rather than "outdoor sounds" under 24-33.1(ii). The Commission agreed to the proposed change.

Vice-Chairperson Johnson noted the latest draft of the ordinance provided a definition for C-weighted decibels (dBc) and introduced levels for noise measurement and enforcement based on dBc.

Commissioner Sandbrook asked whether the amended time of noise restriction on weekends would apply to construction and landscaping noises. Theresa Fontana, Town Attorney, explained the restrictions and exemptions for construction and landscaping activities would remain unchanged and those activities were exempt between 7:00 a.m. and 10:00 p.m.

Mr. Warren stated the following changes had been proposed:

- “Noises prohibited” would be amended to reflect a daytime sound allowance of 57dBA and nighttime sound allowance of 52 dBA in Agricultural, Residential, and Mixed use zoning districts.
- The definition of “Chief” would use gender neutral pronouns.
- The definition of “Emergency and public safety work public” would read “public and private entities” rather than “public and private service companies.”
- “Outdoor sounds” under “Noises prohibited” would be amended to “sounds heard outdoors.”

Commissioner Sandbrook made a motion to recommend Town Council approve the ordinance with the changes proposed, Commissioner Curtis seconded the motion, which passed 9-0.

With no further comment, Chairperson Sowers closed the discussion.

Discussion/Action on an ordinance to amend Chapter 42, “Zoning,” of the Christiansburg Town Code to permit a loudspeaker/sound amplification/outdoor sound system to be used in excess of Chapter 24 “Nuisances” Article II. – Regulation of Noise, by Conditional Use Permit in the Agricultural (A), Mixed Use: Residential – Limited Business (MU-1), Mixed Use: Residential – Limited Industrial (MU-2), Limited Business (B-1), Central Business (B-2), General Business (B-3), Limited Industrial (I-1), and General Industrial (I-2) zoning district).

Chairperson Sowers introduced the discussion.

Mr. Warren explained a Conditional Use Permit could allow a business to exceed the allowable sound levels outlined in Chapter 24 of the Town Code. Mr. Warren stated individuals or businesses could apply for a Conditional Use Permit if they intended to exceed the noise ordinance allowances on a regular basis and conditions would be placed by the Planning Commission to mitigate any identified impacts to surrounding properties. Mr. Warren explained relevant conditions might address the hours of operation, days of the week an activity could occur, and decibel levels allowed.

Mr. Warren noted one-time events held on public property would be covered by special event permits.

Commissioner Knies made a motion to recommend Town Council approve the amendment to Chapter 42, "Zoning" as drafted. Vice-Chairperson Johnson seconded the motion, which passed 9-0.

With no further comment, Chairperson Sowers closed the discussion.

Other business.

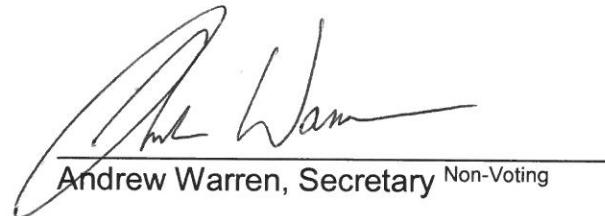
Chairperson Sowers opened the discussion.

Mr. Warren announced the Commissioners would soon receive an invitation for the April 19, 2018 Regional Planning Commissioners training event. Mr. Warren stated the training will feature a mock Planning Commission meeting moderated by Dr. Michael Chandler.

With no other business, Chairperson Sowers adjourned the meeting at 7:34 p.m.



Jennifer D. Sowers, Chairperson



Andrew Warren, Secretary Non-Voting