



## Planning Commission

### Chairperson

Hil Johnson

### Vice-Chairperson

Jeananne Knees

### Non-Voting Secretary/

### Planning Director

Will Drake

### Other Members

Thomas Bernard

Ashley Briggs

Felix Clarke

Mark Curtis

Jessica Davis

Johana Hicks

Ann Sandbrook

Jennifer Sowers

### Town Manager

Randy Wingfield

### Town Attorney

Sands Anderson P.C.

### *Planning Commission's Next Meeting:*

*Monday, October 19,*

*2020 at 7:00 p.m.*

# Town of Christiansburg Planning Commission Monday, September 28, 2020 Agenda

## ***REGULAR MEETING***

Planning Commission will meet in the Christiansburg Town Hall located at 100 E. Main Street on **Monday, September 28, 2020 at 7:00 p.m.** for the purpose of allowing the full Commission to review the following:

- 1) Pledge of Allegiance.
- 2) Public comments – 5 minute limit per citizen.
- 3) Approval of Planning Commission Minutes for September 14, 2020.
- 4) Public hearing for a Rezoning request by Gay and Neel, Inc., on behalf of Golden Triangle Development LLC (applicant), for an approximately 9.56 acre property owned by the Lina C Devore Estate, C/O Kenneth Devore Jr., Exec., located east of the terminus of Simmons Road, N.E. (tax map no. 499-1-5A, 6, 7, 8, 9) and at 390 Teel Street, N.E. (500-5BK2-46, 47, 48, 49). The request is to rezone the property from A, Agricultural and R-2, Two-Family Residential to R-3, Multi-Family Residential with proffers. The property is designated as Residential on the Future Land Use Map of the 2013 Christiansburg Comprehensive Plan.
- 5) Public Hearing for a Conditional Use Permit request – contingent on the preceding item - by Gay and Neel, Inc, on behalf of Golden Triangle Development LLC (applicant), for a planned housing development to consist of single-family homes at a density of development not to exceed 6.37 units per acre for property owned by the Lina C Devore Estate, C/O Kenneth Devore Jr., Exec. located east of the terminus of Simmons Road, N.E. (tax map no. 499-1-5A, 6, 7, 8, 9) and at 390 Teel Street, N.E. (500-5BK2-46, 47, 48, 49) in the R-3, Multi-Family Residential District. The property is designated as Residential on the Future Land Use Map of the 2013 Christiansburg Comprehensive Plan.
- 6) Discussion on potential Planning Commission mentorship.
- 7) Discussion on potential adoption of Planning Commission policy on virtual meeting attendance.
- 8) Other Business.

Town Hall will be open and available to receive public comment in-person at the time of this meeting. Additionally, the Public shall have access to the meeting through live streaming as set forth below, and may submit comments by any of the following additional means:

- Online at [www.christiansburg.org/pcpublichearings](http://www.christiansburg.org/pcpublichearings).
- By e-mail to [info@christiansburg.org](mailto:info@christiansburg.org).
- By voicemail at (540) 382-6128 ext. 1109.
- By mail to Town Hall, 100 E. Main Street, Christiansburg, VA 24073 ATTN: Planning Commission (please allow adequate mailing time).
- By using the Town Hall drop box and labeling your comments for ATTN: Planning Commission.

The meeting will be streamed live on the Town of Christiansburg's YouTube channel at [www.christiansburg.org/youtube](http://www.christiansburg.org/youtube) and will remain on the Town's YouTube page once the meeting concludes.

A copy of the applications are available for review at the following link: [www.christiansburg.org/pcpublichearings](http://www.christiansburg.org/pcpublichearings). A copy of the applications, the Town's Zoning Map, Zoning Ordinance, and Future Land Use Map may be viewed in the Planning Department Office, 100 E. Main Street, Christiansburg, VA 24073 during normal office hours of 8:00 a.m. – 5:00 p.m. Monday through Friday. Contact Will Drake, Planning Director, by phone at (540) 382-6120 ext. 1117 or by email at [wdrake@christiansburg.org](mailto:wdrake@christiansburg.org) with any questions or if you require reasonable accommodations

**Christiansburg Planning Commission  
Minutes of September 14, 2020**

Present: Thomas Bernard  
Ashley Briggs  
Felix Clarke Jr.  
Hil Johnson, Chairperson  
Ann Sandbrook  
Jennifer D. Sowers  
Will Drake, Secretary <sup>Non-Voting</sup>

Absent: Mark Curtis  
Jessica Davis  
Johana Hicks  
Jeananne Kries, Vice – Chairperson

Staff/Visitors: Jude Cochran, staff  
Jared Crews, staff  
Colin Huff, 450 Tower Rd.  
Tullio O'Reilly, 1860 Radford Rd.

Chairperson Johnson 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 Johnson opened the floor for public comment. With no comments, Vice-Chairperson Johnson closed the floor for public comment.

**Approval of Planning Commission Minutes for the August 31, 2020 Meeting**

Commissioner Sowers made a motion to approve the August 31, 2020 Planning Commission meeting minutes. Commissioner Bernard seconded the motion, which passed 6-0.

Public Hearing for a Conditional Use Permit request by Colin Huff (applicant) for a towing service at property owned by L&R Burch Properties LLC located at 3295 North Franklin Street (tax map no. 406-A-13E) in the I-2, General Industrial District. The property is designated as Business/Commercial on the Future Land Use Map of the 2013 Christiansburg Comprehensive Plan.

Chairperson Johnson opened the discussion.

Colin Huff, 450 Tower Rd, requested a Conditional Use Permit for a towing service to serve the state, county, and local police. Mr. Huff stated the lot will be designed to Town requirements and will be fenced to store vehicles.

Chairperson Johnson asked if fencing already exists on the property. Mr. Huff stated the property is not fenced at this time, but he intends to fence the property once fencing requirements are provided.

Tullio O'Reilly, 1860 Radford Rd, Pastor of Administration at 3325 N. Franklin St., stated the church supports the request, but noted two issues regarding the property. The access easement is unregulated regarding speed and there is no maintenance agreement between the properties who use the easement. Chairperson Johnson questioned who owned the right-of-way easement. Mr. O'Reilly stated the ownerships are shared with the adjacent properties. Commissioner Bernard questioned if the Town plows the right-of-way. Mr. O'Reilly stated historically they have not.

Chairperson Johnson noted the property is secluded and hidden from view and supported the addition of a fence and noted the suggested use seemed appropriate with adjacent properties.

Commissioner Sowers requested prior conditions for similar towing services in Town. The Commission reviewed the previous conditions most recently approved for a towing use.

1. The property shall be limited to storage of no more than ten inoperable vehicles.
2. All towed vehicles are to be screened from adjoining properties and rights-of-way.
3. All vehicles are to be kept on-premises and not within any public right-of-way or adjacent property. Any towed vehicles are to remain on-premises no longer than six months excluding extenuating circumstances supported by documentation showing intent and progress to remove a vehicle from the property.
4. The property shall be maintained in a clean, sanitary, and slightly manner.
5. All waste petroleum products and/or chemicals shall be disposed of properly and are not to accumulate upon the premises. Provisions shall be made for the capture of leaking petroleum products and/or chemicals.
6. All parts, including faulty parts, tires, etc. are to be kept inside the garage or a fully enclosed building (including a roof) until disposal.
7. This permit is subject to review in one year.

Mr. Drake noted speed and maintenance would need to be checked to see if such conditions could be placed on the permit. Commissioner Sowers noted the maintenance issue does not necessarily conflict with the conditional use request.

The Commission supported Town staff looking into the Town's role in the shared access easement.

Chairperson Johnson asked if the applicant was okay with the suggested conditions. Mr. Huff stated they were acceptable.

The Commission discussed the maintenance issue and agreed it was a separate issue from the conditional use request. Mr. O'Reilly stated he didn't intend to delay the conditional use permit, but just wanted to use this opportunity to bring it to the Town's attention.

Commissioner Sandbrook inquired about fencing conditions or code requirements for towing services. Mr. Drake noted the gravel lot would need to be fenced six feet tall per Town regulations, but additional requirements would be up to the Planning Commission. Commissioner Sowers questioned existing tree shielding. Mr. Huff stated existing trees do screen the property adequately. Mr. O'Reilly noted the existing tree screening is very dense.

Commissioner Bernard motioned to recommend approval of the conditional use request with the conditions as drafted. Commissioner Sowers seconded the motion, which passed 6-0.

Staff agreed to follow up regarding any information related to the Town's access and maintenance.

#### Other Business

Chairperson Johnson opened the discussion.

Mr. Drake noted the potential Planning Commission mentorship suggested by Commissioner Knies will be on the agenda for the September 28 meeting.

Mr. Drake noted the topic of Commissioners participating in meetings virtually can be placed on the agenda for the next meeting.

Commission Briggs noted the upcoming ribbon cutting ceremony for the Depot Park trail and bridge.

Mr. Drake requested Commissioners notify staff of absences ahead of meetings.

With no further business, Chairperson Johnson adjourned the meeting at 7:41 p.m.



## Planning Department Staff Report

TO: Planning Commission  
DATE: September 25, 2020  
  
APPLICATION: Rezoning [RZN\_2020\_05] and Conditional Use Permit [CUP-2020-07]  
LOCATION: East of the terminus of Simmons Road NE (tax map no. 499-1-5A, 6, 7, 8, 9) and at 390 Teel Street NE (500-5BK2-46, 47, 48, 49)  
PROPERTY OWNER: The Lina C Devore Estate, C/O Kenneth Devore Jr., Exec.  
PROPOSAL: Rezone from A and R-2 to R-3 with proffers and Conditional Use Permit for Planned Housing Development

### Request

The Town of Christiansburg has received two related requests by Gay and Neel, Inc., on behalf of Golden Triangle Development LLC, for an approximately 9.56 acre property (tax map no. 435 – 499-1-5A, 6, 7, 8, 9 and tax map no. 500-5BK2-46, 47, 48, 49) located east of the terminus of Simmons Road NE and at 390 Teel Street NE.

1. A request to rezone the property from A, Agricultural and R-2, Two-Family Residential to R-3, Multi-Family Residential with proffers.
2. Contingent on the first request, a Conditional Use Permit request for a planned housing development in the R-3, Multi-Family District.

The development as proposed would feature 61 single-family homes. The applicant has submitted the following proffer with the rezoning request for the Town's consideration:

1. The owner/developer shall propose and construct only single-family detached residential homes within the subject property.

The proposed Planned Housing Development deviates from the requirements of the base zoning districts in regard to density, lot area, lot width, setbacks, and sidewalk requirements. Table 1 summarizes the minimum development standards proposed by the applicant compared to minimum development standards for detached, single-family dwellings in the A, Agricultural, R-2, Two-Family and R-3, Multi-Family Residential zoning districts.

*Table 1*

	A, Agricultural	R-2, Two-Family Residential	R-3, Multi-Family Residential	Proposed Planned Housing Development
Density (units per acre)	2	4.356	4.356	6.37
Lot Area	21,780 sq. ft.	10,000 sq. ft.	10,000 sq. ft.	4,000 sq. ft.
Lot Width	150'	80'	80'	40' (35' on cul-de-sacs)
Lot Depth	<i>not specified</i>	<i>not specified</i>	<i>not specified</i>	100'
Front Setback	35'	30'	30'	20'
Rear Setback	50'	25'	20'	20'
Side Setback	25'	10'	10'	5'
Greenspace Requirements	<i>not specified</i>	20% front yard greenspace	20% front yard greenspace	<i>not specified</i>
Sidewalk and Curb/Gutter Requirements	<i>not specified</i>	Required on both sides of new streets	Required on both sides of new streets	Proposed along one side of new street

Additional features of the proposed Planned Housing Development include requirements that each lot be provided with a minimum three-foot wide walkway to the home and a street tree as well as a requirement that all homes be constructed of brick, vinyl, hardie board, and/or rock. The applicant has also proposed a designated greenspace area, which includes a stormwater management facility on the 0.78 acre portion of the property adjoining Teel Street NE (see attached concept plan).

The Planned Housing Development request is described in detail by the attached application package.

#### **Traffic**

The applicant has provided information from the 10th Edition of the Institute for Transportation Engineers (ITE) Trip Generation Manual regarding anticipated trip generation from the development. According to the Trip Generation Manual, detached single-family units ordinarily generate an average of 9.44 trips per weekday per unit, with an average of 0.74 trips per unit in peak morning traffic and 0.99 trips per unit in peak evening traffic (see attached trip generation information for additional information). Based on the average, a 61-unit development would result in approximately 576 additional daily vehicular trips on local roads. The development would connect to Roanoke Street via Simmons Road NE.

#### **Infrastructure**

The development would be required to be served by town water and sewer utilities. Sewer in this area is served by the Teel Street sewer pump station. The Public Works Department has indicated the current condition of the Teel Street sewer pump station does not have capacity for additional flow. The Engineering Department is not aware of water capacity issues.

### **Background**

A portion of the property is located within the 500-Year Flood Hazard Area. The 500-Year Flood Hazard Area is non-regulatory. The property is not located within a Historic District or Urban Development Area. The property is designated as Residential on the Future Land Use Map of the 2013 Christiansburg Comprehensive Plan.

The adjoining properties are zoned A, Agricultural, R-2, Two-Family Residential, and I-2, General Industrial within the Town of Christiansburg. Additionally, adjoining properties outside of Town limits are zoned A-1, Agriculture by Montgomery County. The adjoining properties contain residential and industrial uses, including Hubbell Lighting, Inc.

### **Public Hearing Dates**

The Planning Commission Public Hearing is scheduled for Monday, September 28, 2020 and the Town Council Public Hearing is scheduled for Tuesday, October 27, 2020.

#### List of attachments included with staff report:

1. Rezoning Application
2. Proffer Statement
3. Conditional Use Permit Application
4. ITE Trip Generation Information
5. Concept Plan
6. Planned Housing Development Regulations
7. Aerial map
8. Zoning map
9. Adjoining properties table



## TOWN OF CHRISTIANSBURG

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

### Rezoning Application

Landowner: Lina DeVore Estate Applicant: Gay and Neel, Inc.  
Address: C/o Kenneth DeVore Address: 1260 Radford Street  
4541 Lakeland Rd  
Dublin, VA 24084 Christiansburg, VA 24073  
Phone: \_\_\_\_\_ Phone: (540) 381-6011

I am requesting a rezoning of my property from zoning classification A and R2 to zoning classification R-3 under Chapter 42: Zoning of the Christiansburg Town Code.

My property is located at 390 Teel Street and undeveloped parcels north of 255 Simmons Rd

Tax Parcel(s) : 499-1-5A, 6, 7, 8, 9; 500-5BK2-46, 47, 48, 49

I understand that proffers may be made in conjunction with the request. Proffers are voluntary offers by the property owner(s) regarding the request which must be made in writing prior to the Public Hearing. Proffers are legally binding. Any proffer(s) should be attached on a separate sheet of paper and signed and dated by the property owner(s) with the statement: "I (we) hereby proffer that the development of the subject property of this application shall be in strict accordance with the conditions set forth in this submission."

Fee: \$1,000

I certify that the information supplied on this application and any attachments is accurate and true to the best of my knowledge.

Signature of Landowner(s):

Kenneth / Lina DeVore Date: 9/2/2020

Date: \_\_\_\_\_

Date: \_\_\_\_\_

This request was approved/disapproved by a vote of the Christiansburg Town Council on \_\_\_\_\_.

Town Manager

Date

\*Please complete attached sheet

Please complete the following section:

Per Section 42-11(A) of the Christiansburg Town Code:

*Rezoning application submissions shall include a traffic impact statement whenever a proposed zoning map amendment substantially affects transportation on town streets through traffic generation of either:*

- (1) 100 vehicles trips per peak hour by residential development;
- (2) 250 vehicles trips per peak hour by non-residential development; or
- (3) 2,500 vehicle trips per day by non-residential development.

*The data and analysis contained in the traffic impact statement shall comply with Virginia Department of Transportation Traffic Impact Analysis Regulations 24 VAC 30-155-60 and all applicable town ordinances.*

**A traffic impact analysis  is  is not required for the proposed project:**

1.  Yes or  No, the proposed residential development generates 63 vph which is greater than the requirement of 100 vehicles per hour, or
2.  Yes or  No, the proposed non-residential project generates \_\_\_\_\_ vph which is greater than the requirement of 250 vehicles per hour
3.  Yes or  No, the proposed non-residential project generates or \_\_\_\_\_ vpd which is greater than the requirement of 2,500 vehicles per day.
4.  Yes or  No, a new TIS study is not required because a previously submitted TIS is still applicable for the project site. (Note: the appropriate documentation must be attached)

**\*Trip generation shall be measured based on the current edition of the Institute for Transportation Engineers (ITE) Trip Generation Manual**

Simmons/Teel Property Rezoning  
Proffer Statement

*August 28, 2020*

Proffer Statement for a requested rezoning application for a 9.56 acre portion of Tax Parcel 499-1-5A, 6, 7, 8; 500-5BK2-46, 47, 48, 49 located on 390 Teel Street and undeveloped parcels north of 255 Simmons Rd.

Pursuant to Town of Christiansburg Code Section 42-12(b), the owner hereby voluntarily proffers that this property will be developed in accordance with the following conditions if and only if, approval of the proposed rezoning is granted. These proffers will be included in all future transactions of the property to all owners, their successors and assigns.

We hereby proffer the development of the subject property of this application in strict accordance with the conditions set forth in this submission.

1. The owner/developer shall propose and construct only single-family detached residential homes within the subject property.

Owner

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State of \_\_\_\_\_

County of \_\_\_\_\_

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_

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Notary Public (Seal)

My commission expires \_\_\_\_\_



## TOWN OF CHRISTIANSBURG

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

### Conditional Use Permit Application

Landowner: Lina Devore Estate  
C/o Kenneth Devore

Applicant: Gay and Neel, Inc.

Address: 4541 Lakeland Rd  
Dublin, VA 24084

Address: 1260 Radford Street  
Christiansburg, VA 24073

Phone: ( )

Phone: (540) 381-6011

I am requesting a Conditional Use Permit to allow A single family residential development.

#### Planned Housing Development

on my property that is zoning classification R3 under Chapter 42: Zoning of the Christiansburg Town Code.

My property is located at 390 Teel Street and undeveloped parcels north of 255 Simmons Rd

Tax Parcel(s): 499-1-5A, 6, 7, 8; 500-5BK2-46, 47, 48, 49

Fee: \$1,000

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): Gay and Neel, Inc.

Date: 9/2/2020

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

\*Please complete attached sheet

Please complete the following section:

Per Section 42-8(e) and 42-8(f) of the Christiansburg Town Code:

*Conditional use permit application submissions shall include a traffic impact statement whenever a proposed conditional use permit substantially affects transportation on town streets through traffic generation of either:*

- (1) 100 vehicles trips per peak hour by residential development;
- (2) 250 vehicles trips per peak hour by non-residential development; or
- (3) 2,500 vehicle trips per day by non-residential development.

*The data and analysis contained in the traffic impact statement shall comply with Virginia Department of Transportation Traffic Impact Analysis Regulations 24 VAC 30-155-60 and all applicable town ordinances.*

**A traffic impact analysis  is  is not required for the proposed project:**

1.  Yes or  No, the proposed residential development generates 63 vph which is greater than the requirement of 100 vehicles per hour, or
2.  Yes or  No, the proposed non-residential project generates \_\_\_\_\_ vph which is greater than the requirement of 250 vehicles per hour
3.  Yes or  No, the proposed non-residential project generates or \_\_\_\_\_ vpd which is greater than the requirement of 2,500 vehicles per day.
4.  Yes or  No, a new TIS study is not required because a previously submitted TIS is still applicable for the project site. (Note: the appropriate documentation must be attached)

**\*Trip generation shall be measured based on the current edition of the Institute for Transportation Engineers (ITE) Trip Generation Manual**

## Single-Family Detached Housing (210)

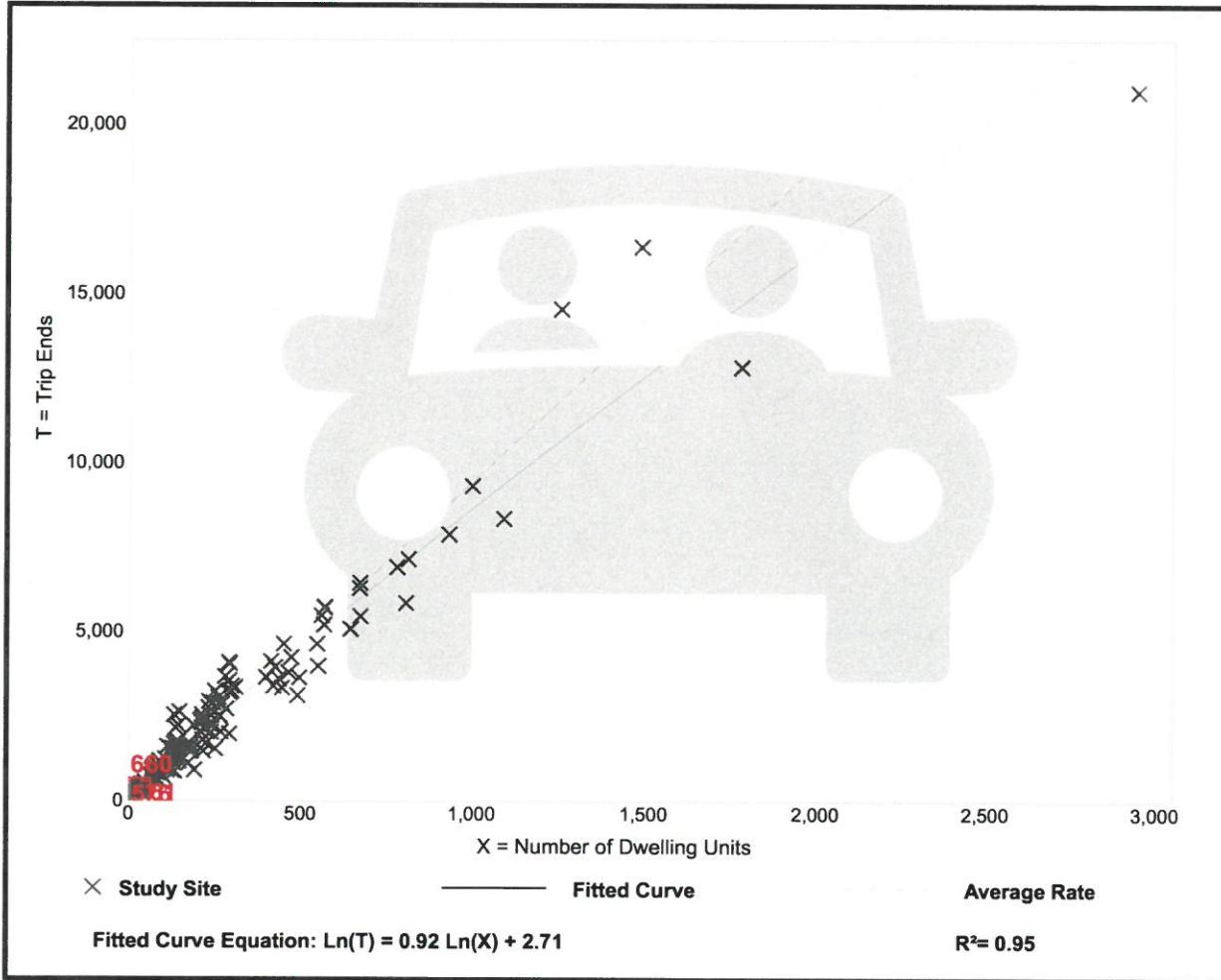
Vehicle Trip Ends vs: Dwelling Units  
On a: Weekday

Setting/Location: General Urban/Suburban  
Number of Studies: 159  
Avg. Num. of Dwelling Units: 264  
Directional Distribution: 50% entering, 50% exiting

### Vehicle Trip Generation per Dwelling Unit

Average Rate	Range of Rates	Standard Deviation
9.44	4.81 - 19.39	2.10

### Data Plot and Equation



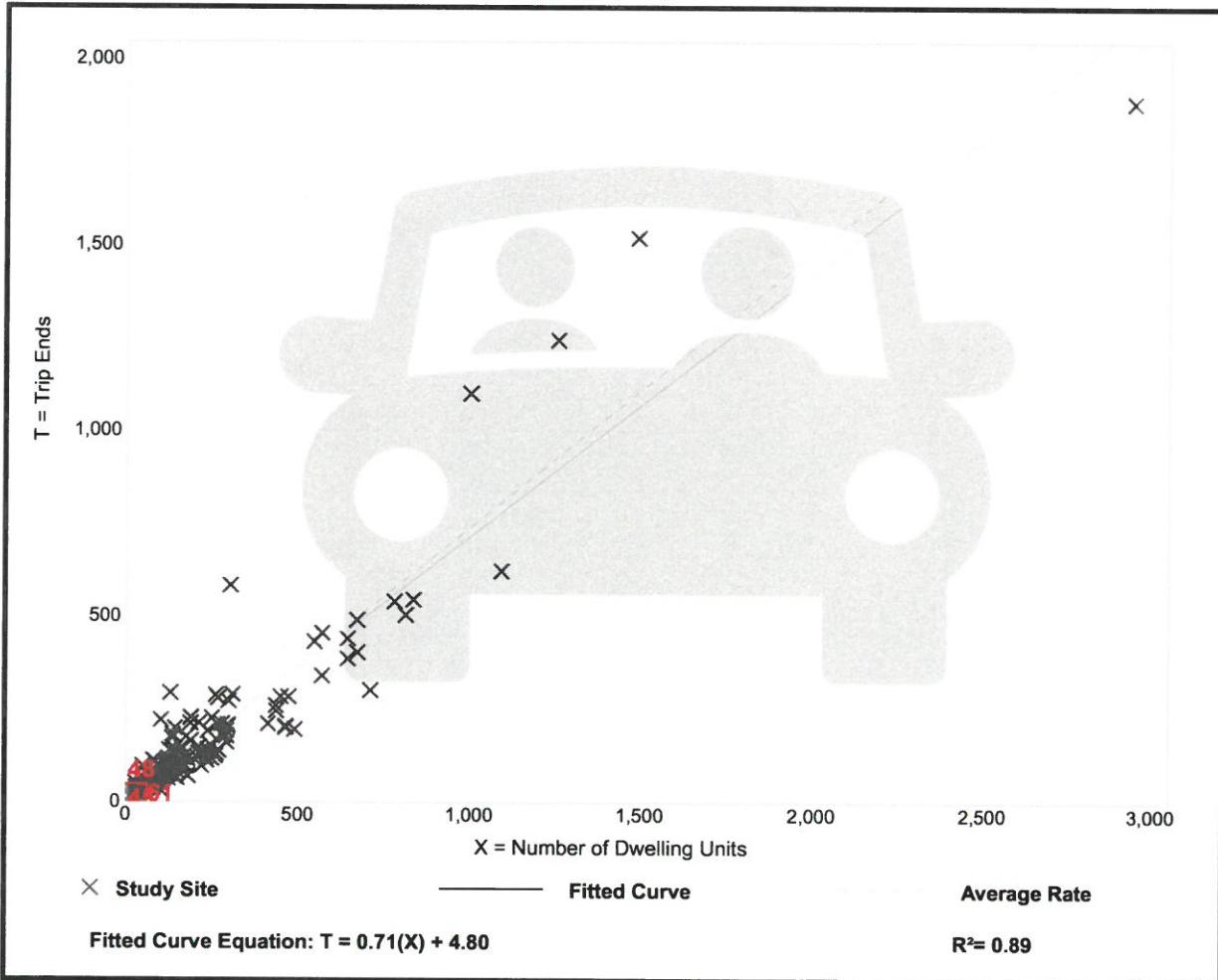
## Single-Family Detached Housing (210)

**Vehicle Trip Ends vs:** Dwelling Units  
**On a:** Weekday,  
**Peak Hour of Adjacent Street Traffic,**  
**One Hour Between 7 and 9 a.m.**  
**Setting/Location:** General Urban/Suburban  
Number of Studies: 173  
Avg. Num. of Dwelling Units: 219  
Directional Distribution: 25% entering, 75% exiting

### Vehicle Trip Generation per Dwelling Unit

Average Rate	Range of Rates	Standard Deviation
0.74	0.33 - 2.27	0.27

### Data Plot and Equation



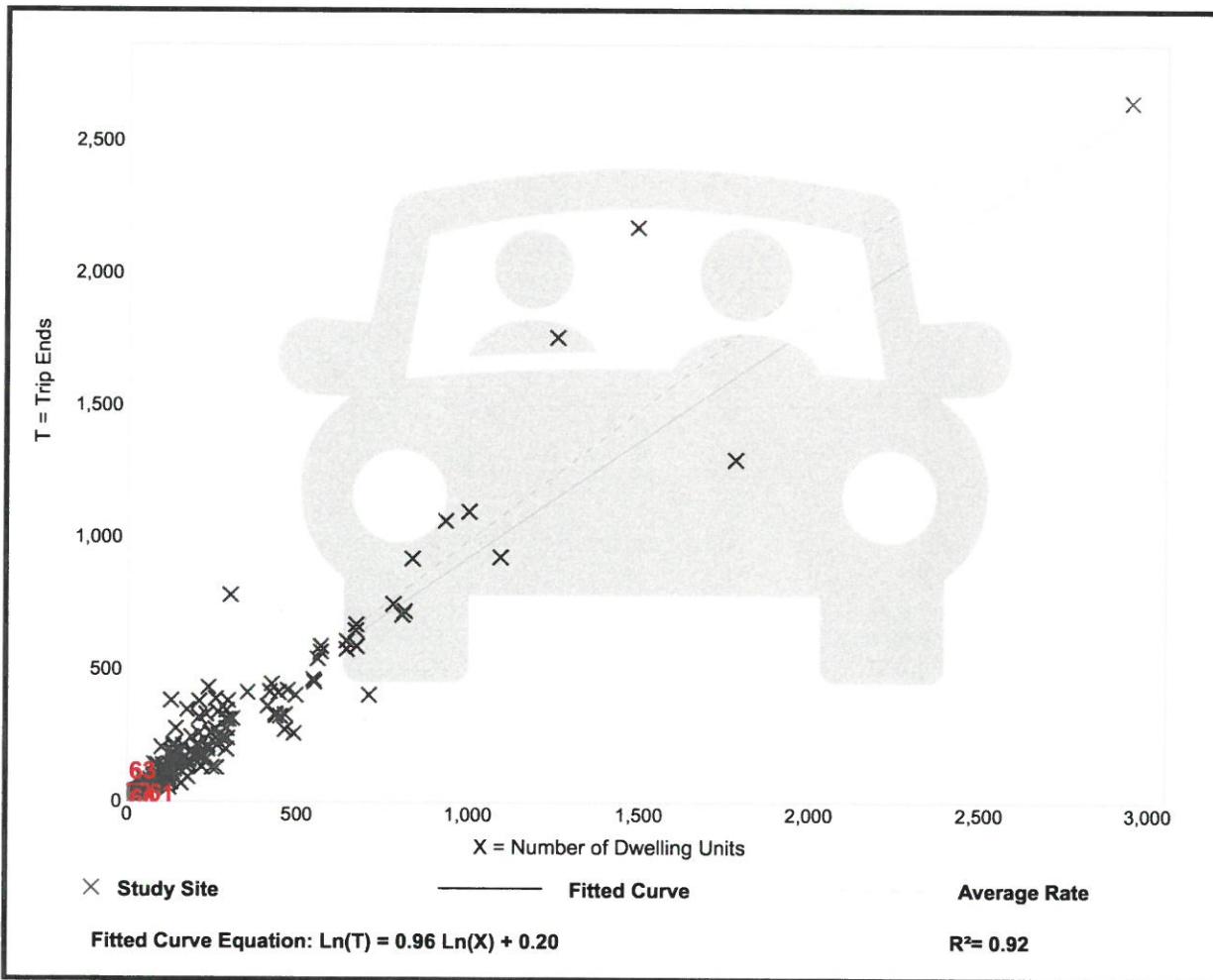
## Single-Family Detached Housing (210)

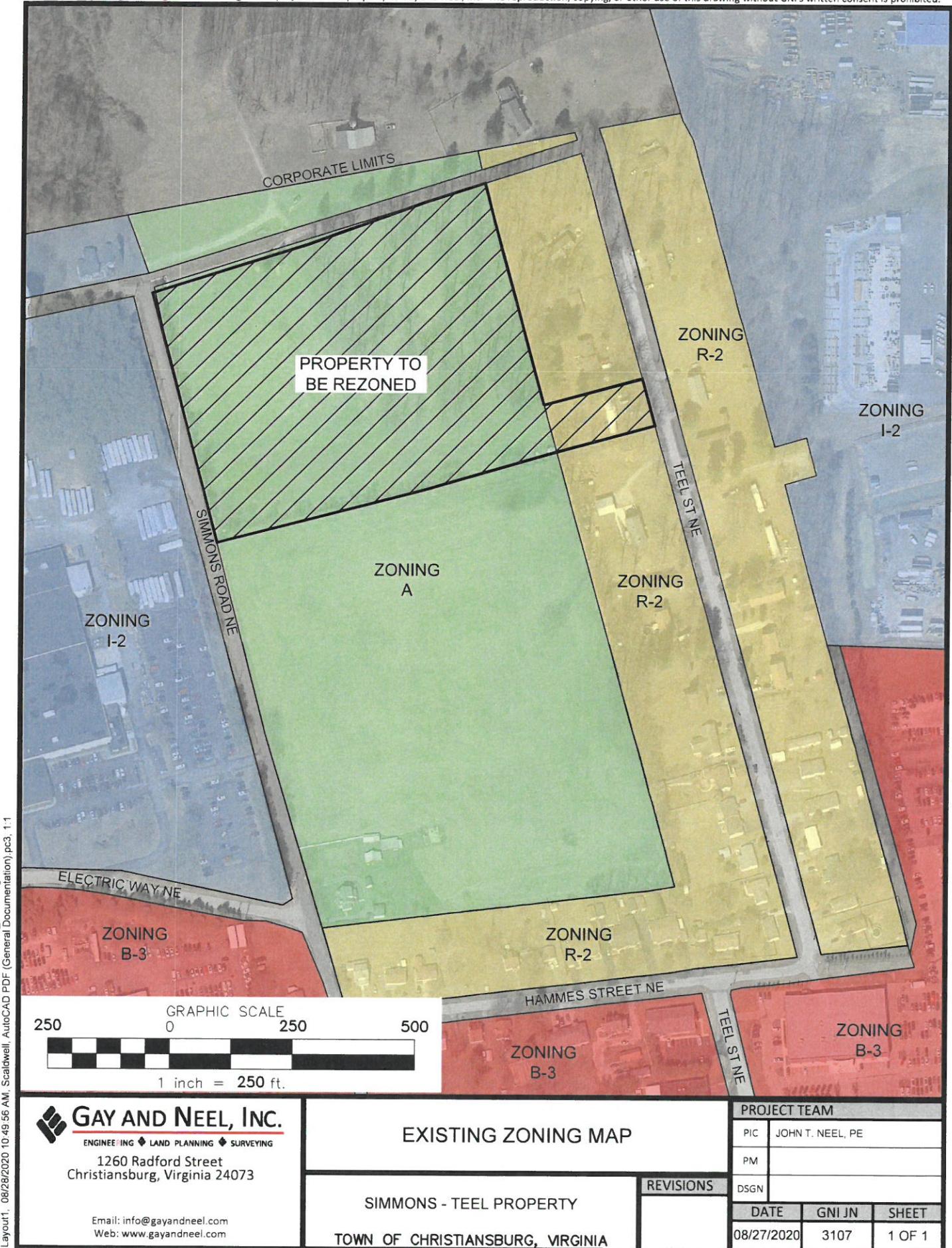
**Vehicle Trip Ends vs:** Dwelling Units  
**On a:** Weekday,  
**Peak Hour of Adjacent Street Traffic,**  
**One Hour Between 4 and 6 p.m.**  
**Setting/Location:** General Urban/Suburban  
**Number of Studies:** 190  
**Avg. Num. of Dwelling Units:** 242  
**Directional Distribution:** 63% entering, 37% exiting

### Vehicle Trip Generation per Dwelling Unit

Average Rate	Range of Rates	Standard Deviation
0.99	0.44 - 2.98	0.31

### Data Plot and Equation

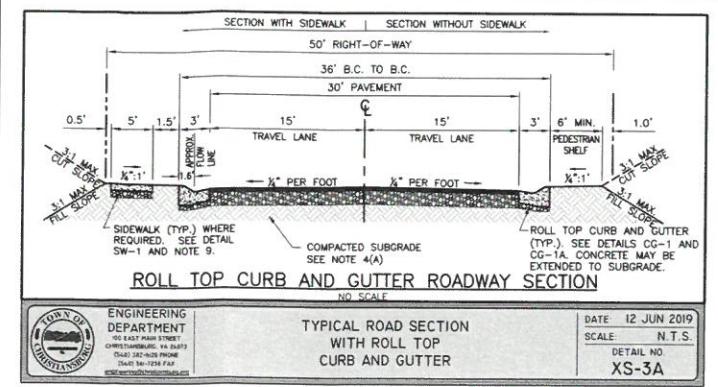




GENERAL NOTES:

1. LANDOWNER: GOLDEN TRIANGLE DEVELOPMENT  
ADDRESS: PO BOX 359  
CHRISTIANSBURG, VA. 24068  
PHONE: (540) 449-5008
2. AGENT: GAY AND NEEL, INC.  
ADDRESS: 1260 RADFORD STREET  
CHRISTIANSBURG, VA 24073  
PHONE: (540) 381-6011
3. PROPERTY LOCATION: SIMMONS ROAD / TEEL STREET  
TAX PARCEL(S): 499-(1)-5A, 6, 7, B, & 9 AND 500-5BK 2 - 46-49
4. CURRENT ZONING CLASSIFICATION: A-AGRICULTURAL, R-2 RESIDENTIAL 2-FAMILY  
PROPOSED ZONING CLASSIFICATION: R-3 MULTI-FAMILY RESIDENTIAL  
(PLANNED HOUSING DEVELOPMENT)
5. AREA: 416,480.49 SF (9.56 AC.)
6. LOTS PROVIDED: 61 MAXIMUM
7. OPEN SPACE PROVIDED: 34,037.18 SF ( 0.78 AC.)

APPROX. LOCATION OF  
CORPORATE LIMITS LINE



the drawing, design, and digital files relating to this project are the property of Gay and Neel, Inc. The production, copying, or other use of this drawing without GNI's written consent is prohibited.

SIMMONS - TEEI PROPERTY

TOWN OF CHRISTIANSBURG, VIRGINIA

## **ZONING REGULATIONS FOR SIMMONS / TEEL PROPERTY**

### I. PLANNED SINGLE FAMILY (R-3 PLANNED UNIT DEVELOPMENT)

#### 1. Permitted Uses

Structures to be erected or land to be used shall be one or more of the following:

- (A) Single-Family Detached Dwelling
- (B) Open Space, including park, playgrounds, trails, and similar recreational uses.
- (C) Home Occupation as defined by the Town of Christiansburg Zoning Ordinance.
- (D) Off-street Parking and Loading as required by the Town of Christiansburg Zoning Ordinance.
- (E) Public Utilities such as poles, lines, transformers, pipes, meters, and other facilities necessary for the provision and maintenance of the Public utilities including water and sewage facilities.
- (F) Accessory Buildings: No detached buildings shall be allowed.
- (G) Construction trailers on active construction sites.
- (H) Signs in accordance with the Sign regulations as required by the Town of Christiansburg Zoning Ordinance.
- (I) Planned housing development subject to regulations of the Section 42-164 of the Town of Christiansburg Zoning Ordinance.

#### 2. Lot Size

- (A) The minimum lot area for a Single-Family Dwelling shall be 4,000 square feet.

#### 3. Setbacks and Yards

- (A) Front Setback: The minimum Front Setback shall be 20 feet.
- (B) Side Yards: The minimum Side Yard, measured at the building setback, shall be 5 feet.
- (C) Rear Yards: Each dwelling shall have a Minimum Rear Yard of 20 feet.
- (D) No part of a building shall be constructed within a public utility easement.

#### 4. Frontage and Lot Depth

- (A) Street frontage: The minimum lot width at the street line shall be 40 feet; except, lots fronting on cul de sacs shall be 35 feet for the minimum lot width.
- (B) Lot Width at Building Setback: The minimum lot width at the building setback shall be 40 feet.
- (C) Minimum lot depth shall be 100 feet.

5. Height

(A) Main (dwelling) buildings may be up to 30 feet in height, measured at the front façade.

6. Corner Lots

The following provisions shall apply to corner lots:

(A) Of the two sides of a corner lot the front shall be deemed the shorter of the two sides fronting on the street(s).  
(B) The side yard on the side facing the side street shall be 7.5 feet.  
(C) Each corner lot shall have a minimum width at the building setback line of 40 feet.

7. Miscellaneous Provisions

(A) Driveways

- a. Driveways terminating at a two-car garage shall have a maximum width of 28 feet.
- b. Driveways terminating at a one-car garage shall have a maximum width of 20 feet.
- c. Lots with no garage shall provide a driveway a maximum of 28 feet wide located in the front yard, or in the case of a corner lot, a maximum of 28 feet wide located in the front yard, side yard or rear yard.
- d. The minimum driveway shall be 12 feet wide.

(B) Walkways

- a. All principle structures shall be provided with a minimum three feet wide concrete walkway connected to the street right-of-way, or alternatively, to the driveway.

(C) Landscaping

- a. Street Trees

Each lot shall be provided with a minimum of one shade tree from the "Approved List of Street Trees for Simmons / Teel Property" (Chart A). Minimum size at installation shall be 2" caliper and shall be installed in the front yard, five to eight feet from the front lot line. In addition, Corner Lots shall provide a second street tree from said list and of said size, located in the side yard, five to eight feet from the side street lot line.

(D) Building Materials

- a. All structures will be constructed of one or more of the following materials: brick, vinyl, hardie board, and/or rock.

II. GENERAL PROVISIONS

Unless otherwise indicated or modified by this document and/or related materials associated with this ordinance, reference shall be made to Chapter 90, Subdivisions and Chapter 92, Zoning: Article I; Article VI; Article XV; Article XXI; and Article XXII of the Town of Christiansburg Code where applicable.

**ADDITIONAL PROFFERS**  
**SIMMONS / TEEL PROPERTY**

- I. A Homeowners Association shall be established. (See attached generalized statement of establishment of a Homeowners Association)

## **GENERALIZED STATEMENT OF ESTABLISHMENT OF A HOMEOWNERS' ASSOCIATION**

The following is a generalized statement of the methods and agreements necessary to govern the maintenance of common open space prepared in accordance with applicable provisions of the Code of the Town of Christiansburg, Virginia.

A property owner's association ("Association") will be established pursuant to the Virginia Property Owners' Association Act.55-508 *et seq.* of the Code of Virginia of 1950 as amended. The Association shall have the responsibility to operate and maintain the common areas of the Project, including all open spaces, trail systems, and any other amenities contained within the common areas and open spaces, which are not publicly dedicated (collectively the "Common Area").

The Association will have the power to adopt a budget and to establish and collect dues from the property owners. The dues will be the individual obligation of the owners and will constitute a lien upon the property of the individual owner to assume payment. The Association will also have the authority to adopt rules and regulations with regard to the use of the common area.

The obligations and power of the Association will be provided for in the Declaration of Covenants, Conditions and Restrictions (the "Declaration") to be recorded in the Clerk's Office of the Circuit Court of Montgomery County, Virginia. The Declaration shall be binding upon the Association and the owners within the Project. The Declaration will contain provisions to ensure that the community is developed, maintained, and managed in a coordinated manner with compatible architecture and landscaping.

Among other things, the Declaration shall also provide:

For the conveyance of the Common Area to the Association to be maintained, preserved, and operated by the Association for the use and enjoyment of its members.

That those portions of the Common Area designated as open space shall remain and be preserved as open space.

That the Association will be empowered and obligated to meet applicable proffered conditions.

That all residential lots must be occupied in accordance with the rules and regulations established by the Association. In addition, occupants of Single-Family lots must be a Single-Family comprised of any of the following persons or groups of persons:

- a. One or more person related by blood, marriage and/or adoption, and/or under approved foster care, or
- b. One or more persons related by blood, marriage and/or adoption and/or under approved foster care plus one adult not related in any of the foregoing respects, or

- c. Two adult persons living together as a single housekeeping unit, and at the option of such adult person, any children, natural or by adoption or approved foster care, of such adult persons.

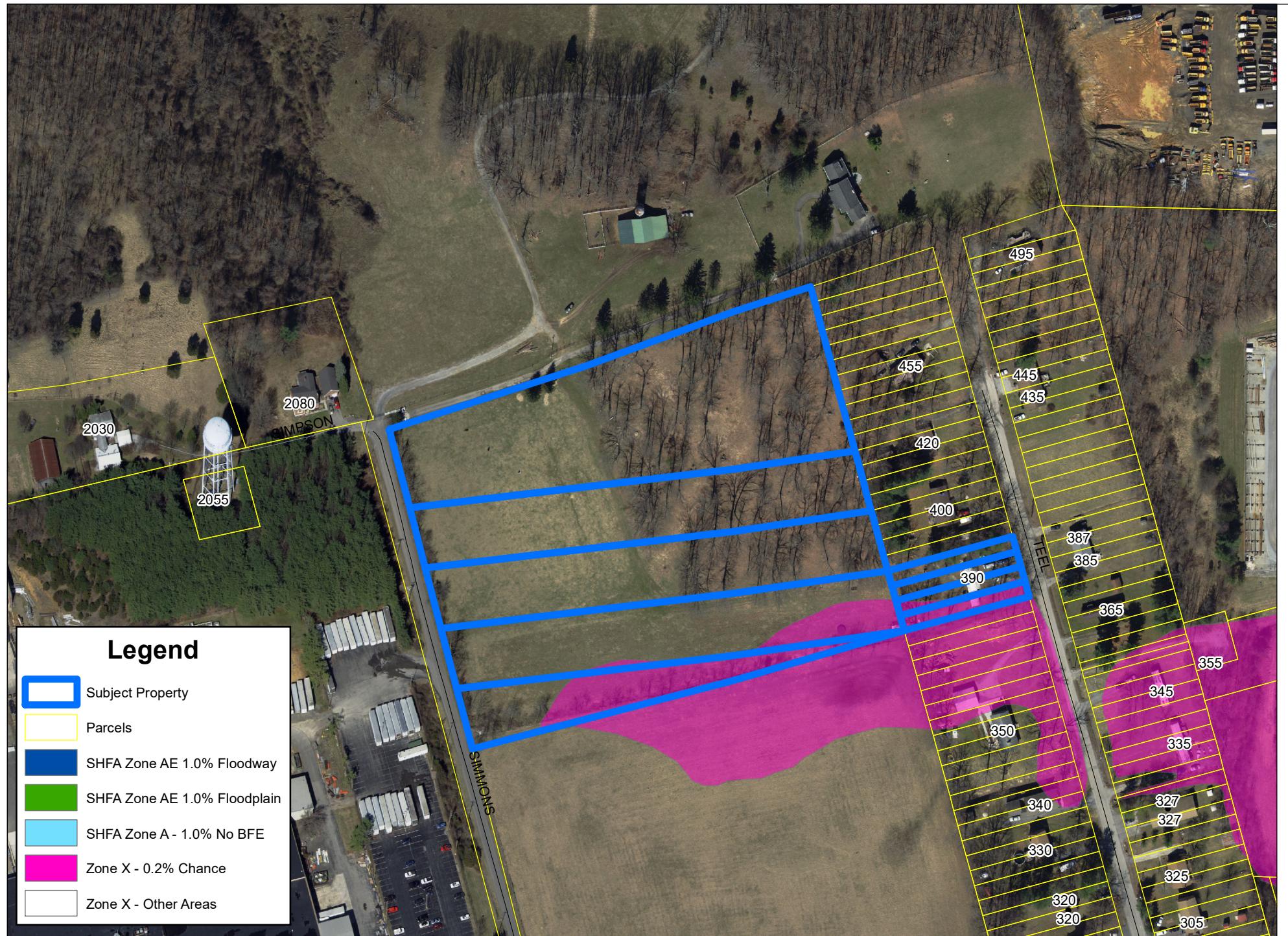
For the inclusion of provisions for the maintenance of the open space by the Homeowners' Association.

The complete Declaration, as well as the Articles of Incorporation and Bylaws of the Homeowners' Association, will be provided for the review in accordance with the applicable provisions of the Christiansburg Code prior to the approval of the Plan of Simmons/Teel Property.

**APPROVED LIST OF TREES**  
**FOR**  
**SIMMONS / TEEL PROPERTY**

**(CHART A)**

1. CLEVELAND PEAR
2. HEDGE MAPLE
3. ASH – “CARDINAL ROYAL”
4. LILAC TREE – “IVORY SILK”

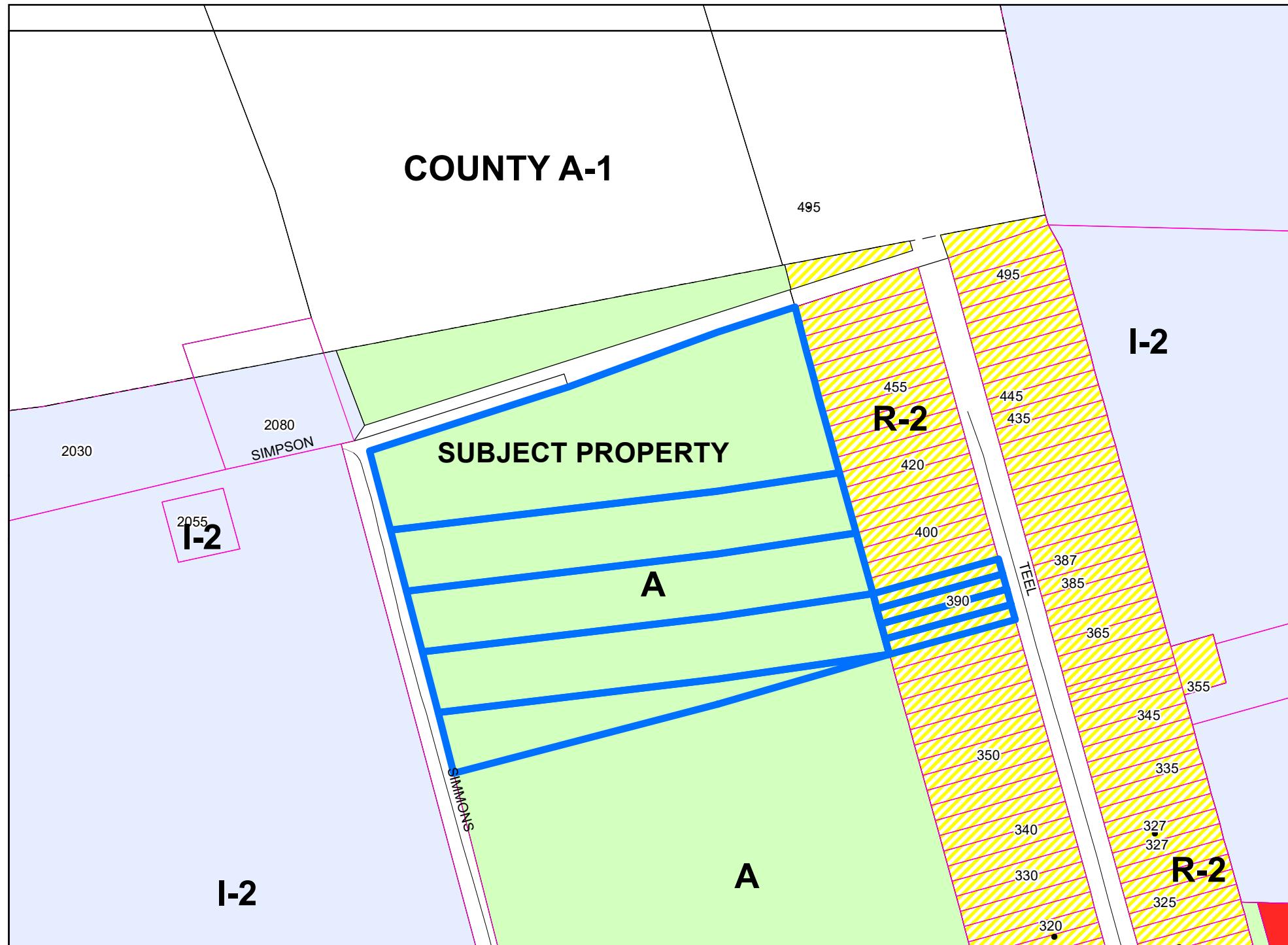


RZN AND CUP REQUEST: SIMMONS ROAD NE & TEEL STREET NE

PLANNING COMMISSION PUBLIC HEARING: SEPTEMBER 28, 2020  
TOWN COUNCIL PUBLIC HEARING: OCTOBER 27, 2020

0 200 400 600  
Feet

# COUNTY A-1



RZN AND CUP REQUEST: SIMMONS ROAD NE & TEEL STREET NE

PLANNING COMMISSION PUBLIC HEARING: SEPTEMBER 28, 2020

TOWN COUNCIL PUBLIC HEARING: OCTOBER 27, 2020

0 200 400 600  
Feet

## RZN and CUP - Simmons Road NE and Teel Street NE

### Adjoining Property Owners

<u>Tax Map #</u>	<u>Owner(s)</u>	<u>Mailing Address</u>	<u>City, State, Zip</u>
500- 5BK 1 40-45	ALLEGHANY SPRING WORKS LLC	2219 WILLIS HOLLOW RD	SHAWSVILLE VA 24162
500- 5BK 2 40-45	CROCKETT RUSSELL L	350 TEEL ST	CHRISTIANSBURG VA 24073
500- 5BK 2 59-63	DEVORE LINA C ESTATE	KENNETH I DEVORE JR EXEC	DUBLIN VA 24084
500- 5BK 2 64-68	DEVORE LINA C ESTATE	KENNETH I DEVORE JR EXEC	DUBLIN VA 24084
499- 1 5A,6,7,8*	DEVORE LINA C ESTATE	KENNETH I DEVORE JR EXEC	DUBLIN VA 24084
500- 5BK 2 46-49	DEVORE LINA C ESTATE	KENNETH I DEVORE JR EXEC	DUBLIN VA 24084
094- 1 4,6	DEVORE LINA C ESTATE	KENNETH I DEVORE JR EXEC	DUBLIN VA 24084
499- 2 7A	DEVORE MICHAEL T	DEVORE LINA C	CHRISTIANSBURG VA 24073
500- A 1A	DOVE DAVID L	DOVE HATTIE P	CHRISTIANSBURG VA 24073
499- 2 1	HARVEY HUBLEE INC	ATTN DANA MCCULLEY	GREENVILLE SC 29607
500- 5BK 1 46-56	JOYCE DAVIS TRUST	C/O JOYCE DAVIS TRUSTEE	FREDERICKSBURG VA 22407
500- 5BK 2 50-55	TONEY SARA K	12011 SHERATON HILLS DR	CHRISTIANSBURG VA 24073
500- 5BK 2 56-58	TUCK JOHN M	400 TEEL ST	CHRISTIANSBURG VA 24073
		420 TEEL ST	CHRISTIANSBURG VA 24073



THE PLACE TO BE.  
**CHRISTIANSBURG** **VA**

# Planning Commission – Electronic Meetings & Virtual Attendance

September 28, 2020



THE PLACE TO BE.  
**CHRISTIANSBURG** VA

## Meetings Held Through Electronic Communication Means

- Public bodies, including the Planning Commission, may hold meetings through electronic communication means under specific circumstances.
- These circumstances are specified in **Virginia Code 2.2-3708.2. Meetings held through electronic communication means.**

For local public bodies (e.g., Planning Commission):

- **Virginia Code 2.2-3708.2(A)(1)** permits remote participation for medical or personal reasons.
- **Virginia Code 2.2-3708.2(A)(3)** permits electronic meetings during a state of emergency.



THE PLACE TO BE.  
**CHRISTIANSBURG** VA

**Virginia Code 2.2-3708.2(A)(3)** permits electronic meetings during a state of emergency

- A state of emergency has been declared and is ongoing.
- Town Council has adopted a Continuity of Government ordinance and held virtual meetings this spring, pursuant to these provisions.
- Planning Commission is not currently considering holding electronic meetings under this provision.



THE PLACE TO BE.  
**CHRISTIANSBURG** VA

**Virginia Code 2.2-3708.2(A)(1)** permits remote participation by individual members for reasons of:

- Temporary or permanent disability or other medical condition.
- Personal matter (limited to 2 meetings per calendar year).



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**CHRISTIANSBURG** VA

**The following is required under Virginia Code 2.2-3708.2(A)(1):**

- Adopt a written policy allowing for and governing participation by electronic means, including an approval process for participation.
- A quorum of members must still be physically assembled.
- Arrangements are provided for the member to be heard by everyone at the meeting.
- The minutes record the location of the virtual participant and document if the member participated electronically for a medical reason (no specifics required) or the specific nature of the personal matter.
- If participation is denied, the minutes shall specify why the request violates the adopted written policy.
- The policy shall be applied uniformly and without regard to member identity or the items being considered at the meeting.



THE PLACE TO BE.  
**CHRISTIANSBURG** VA

Planning Commission may consider allowing individual members to participate through electronic means under Virginia Code 2.2-3708.2(A)(1)

**Required Action – to allow for electronic participation:**

- Review draft Electronic Meeting Policy
- Amend Planning Commission By-Laws to include Electronic Meeting Policy.
- A 2/3 majority of members (7 persons) is required to amend the Planning Commission By-Laws.



THE PLACE TO BE.  
CHRISTIANSBURG VA

# Questions / Discussion

## *ELECTRONIC MEETINGS POLICY*

### **Approval Process:**

A member of Planning Commission shall be entitled to participate in a meeting through electronic communication means from a remote location that is not open to the public, if the requirements of this Policy and Virginia Code § 2.2-3708.2 are met. For purposes of this Policy, "electronic communication" shall mean as that term is defined in Virginia Code § 2.2-3701 (e.g., participation by telephone or video).

If a Planning Commission member's participation in a meeting through electronic communication means from a remote location is objected to by another Planning Commission member as being contrary to Virginia Code § 2.2-3708.2 or this Policy, then the Planning Commission member who made the objection shall state the reasons for their objection. Upon receiving the objection, Planning Commission shall vote on whether to approve or disapprove the Planning Commission member's participation in the meeting through electronic communication means from a remote location. Approval or disapproval of a Planning Commission member's participation shall be by majority vote of Planning Commission with a quorum present. If Planning Commission disapproves the Planning Commission member's participation, then the disapproval and the reasons why the Planning Commission member's participation would violate the requirements Virginia Code § 2.2-3708.2 or this Policy shall be recorded in the minutes with specificity.

This Policy shall be applied strictly and uniformly, without exception, to the entire membership of Planning Commission and without regard to the identity of the Planning Commission member requesting remote participation or the matters that will be considered or voted on at the meeting.

### **Requirements for Participation Due to Personal Matter:**

If, on or before the day of a meeting, a Planning Commission member notifies the Chairperson or Secretary that such Planning Commission member is unable to attend the meeting due to a personal matter and identifies with specificity the nature of the personal matter and the remote location from which the Planning Commission member will participate, then the Planning Commission member may participate in the meeting through electronic communication means from a remote location. Planning Commission shall record in its minutes the specific nature of the personal matter and the remote location from which the Planning Commission member participated.

Participation in a meeting through electronic communication means from a remote location by the Planning Commission member for personal matters shall be limited each calendar year to two meetings for each Planning Commission member.

### **Requirements for Participation Due to Disability or Medical Condition:**

If, on or before the day of a meeting, a Planning Commission member notifies the Chairperson or Secretary that such Planning Commission member is unable to attend the meeting due to a temporary or permanent disability or other medical condition, then the Planning Commission member may participate in the meeting through electronic communication means from a remote location. Planning Commission shall record in its minutes that the Planning Commission member was unable to attend the meeting due to a disability or other medical condition and the remote location from which the

Planning Commission member participated. It shall not be necessary to identify the specific disability or other medical condition of Planning Commission member.

**General Requirements:**

Participation by the Planning Commission member in a meeting through electronic communication means from a remote location, whether due to a personal matter, disability, or medical condition, shall only occur if a quorum of Planning Commission is physically assembled at the primary or central meeting location and Planning Commission makes arrangements for the voice of the remote participant to be heard by all persons at the primary or central meeting location, unless such requirement is excused by applicable emergency measures.

# **Town of Christiansburg Planning Commission By-Laws**

## Definitions

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

“Town” refers to the Town of Christiansburg.

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

## Authority for Planning Commission

### *State Authority*

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

### *Town Authority*

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

## Authority for Creation of By-laws:

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

## Composition/Membership

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

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

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

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

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

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

According to Code of Virginia § 15.2-2212, a member of the Commission may be removed from office by Town Council without limitation in the event that the member is absent from any three consecutive meetings of the Commission, or is absent from any four meetings of the Commission within any 12-month period. Meetings missed while on leave of absence or with permission granted by Town Council will not be counted as absence from a meeting for purposes of this section.

## Powers and Duties

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

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

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

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

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

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

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

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

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

According to Code of Virginia § 15.2-2286, a zoning ordinance may include, among other things, reasonable regulations and provisions as to the following matters: For the amendment of the regulations or district maps from time to time, or for their repeal. Whenever the public necessity, convenience, general welfare, or good zoning practice requires, Town Council may by

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

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

## Officers

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

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

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

### *Duties of Officers*

The Chairperson shall:

1. Preside at all meetings.
2. Appoint committees, special and/or standing, and liaisons.
3. Rule on all procedural questions or shall defer procedural questions to the Secretary. Rulings on all procedural questions may be subject to a reversal by a majority vote of the members present and voting.
4. Be informed immediately of any official communication and report same at the next regular meeting.

5. Represent the Commission before the Town Council and other public bodies except when this responsibility has been delegated to an appropriate official or other Commission member.
6. Carry out other duties as assigned by the Commission.

The Vice-Chairperson shall:

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

The Secretary shall:

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

## Meetings

### *Regular Meetings*

Regular Commission meetings shall be held six (6) days following regularly scheduled Town Council meetings. If the regular meeting date falls on a Town holiday, the meeting will be held the following business day. The Chairperson may reschedule or cancel regular meetings, if deemed necessary. The Commission agenda shall be set by the Chairperson and/or Secretary and shall be published by the Commission Secretary.

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

Regular meetings of the Commission may be continued to a following date if the Chairperson, or Vice-Chairperson (if the Chairperson is unable to act), finds and declares that weather or other

conditions are such that it is hazardous for members to attend the meeting. Such finding shall be communicated to the members and by Town agenda notification as promptly as possible. All hearings and other matters previously advertised for such meeting shall be conducted at the continued meeting and no further advertisement is required.

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

### **Electronic Meetings Policy**

#### **Approval Process:**

A member of Planning Commission shall be entitled to participate in a meeting through electronic communication means from a remote location that is not open to the public, if the requirements of this Policy and Virginia Code § 2.2-3708.2 are met. For purposes of this Policy, "electronic communication" shall mean as that term is defined in Virginia Code § 2.2-3701 (e.g., participation by telephone or video).

If a Planning Commission member's participation in a meeting through electronic communication means from a remote location is objected to by another Planning Commission member as being contrary to Virginia Code § 2.2-3708.2 or this Policy, then the Planning Commission member who made the objection shall state the reasons for their objection. Upon receiving the objection, Planning Commission shall vote on whether to approve or disapprove the Planning Commission member's participation in the meeting through electronic communication means from a remote location. Approval or disapproval of a Planning Commission member's participation shall be by majority vote of Planning Commission with a quorum present. If Planning Commission disapproves the Planning Commission member's participation, then the disapproval and the reasons why the Planning Commission member's participation would violate the requirements Virginia Code § 2.2-3708.2 or this Policy shall be recorded in the minutes with specificity.

This Policy shall be applied strictly and uniformly, without exception, to the entire membership of Planning Commission and without regard to the identity of the Planning Commission member requesting remote participation or the matters that will be considered or voted on at the meeting.

#### **Requirements for Participation Due to Personal Matter:**

If, on or before the day of a meeting, a Planning Commission member notifies the Chairperson or Secretary that such Planning Commission member is unable to attend the meeting due to a personal matter and identifies with specificity the nature of the personal matter and the remote location from which the Planning Commission member will participate, then the Planning Commission member may participate in the meeting through electronic communication means from a remote location. Planning Commission shall record in its minutes the specific nature of the personal matter and the remote location from which the Planning Commission member participated.

Participation in a meeting through electronic communication means from a remote location by the Planning Commission member for personal matters shall be limited each calendar year to two meetings for each Planning Commission member.

**Requirements for Participation Due to Disability or Medical Condition:**

If, on or before the day of a meeting, a Planning Commission member notifies the Chairperson or Secretary that such Planning Commission member is unable to attend the meeting due to a temporary or permanent disability or other medical condition, then the Planning Commission member may participate in the meeting through electronic communication means from a remote location. Planning Commission shall record in its minutes that the Planning Commission member was unable to attend the meeting due to a disability or other medical condition and the remote location from which the Planning Commission member participated. It shall not be necessary to identify the specific disability or other medical condition of Planning Commission member.

**General Requirements:**

Participation by the Planning Commission member in a meeting through electronic communication means from a remote location, whether due to a personal matter, disability, or medical condition, shall only occur if a quorum of Planning Commission is physically assembled at the primary or central meeting location and Planning Commission makes arrangements for the voice of the remote participant to be heard by all persons at the primary or central meeting location, unless such requirement is excused by applicable emergency measures.

*Public Hearings*

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

*Quorum & Voting*

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

*Procedure*

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

*Leave of absence*

Town Council may authorize leave of absence for Planning Commission members for reasons such as health of the member or of a family member, members being called to military service, and other extraordinary reasons.

## Committees

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

## Amendments or Suspension of By-laws

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

\* Adopted 2-14-2011; amended 11-28-2011; amended 12-12-2011; #-#-2020.