



AGENDA

REGULAR MEETING OF TOWN COUNCIL
CHRISTIANSBURG TOWN HALL
100 EAST MAIN STREET
JANUARY 12, 2021 – 7:00 P.M.

(The meeting will be in-person and streamed on YouTube Live)

In compliance with current public health guidelines pertaining to social distancing, limited seating will be available in the council chambers during the meeting. Limited viewing will also be available in the administrative conference room located on the same floor. Members of the public may make comments to Council in-person during Citizens Comments.

The meeting will be streamed live on the Town of Christiansburg's YouTube page at www.christiansburg.org/YouTube and will remain on the Town's YouTube page once the meeting concludes.

If you do not want to or cannot attend the meeting in-person, there are several contactless methods for submitting public comment. To submit public comments, please visit www.christiansburg.org/publichearings. You may also leave a voicemail with your comments at 540-382-6128, ext. 1109; mail a letter to Town Hall, ATTN: Town Council, 100 E. Main St., Christiansburg, VA 24073; use the drop box to the left of the front doors at Town Hall to leave a letter; or email info@christiansburg.org. Regardless of the method you use, please include your full name and address with your comments. Please provide comments prior to 6:00 p.m. on Tuesday, January 12, 2021 for the comments to be distributed to Town Council before the meeting.

REGULAR MEETING

I. CALL TO ORDER

- A. Moment of Reflection
- B. Pledge of Allegiance

II. ADJUSTMENT OF THE AGENDA

III. PUBLIC HEARINGS

IV. CONSENT AGENDA

- A. Approval of Minutes of December 8, 2020.
- B. Monthly Bill List.
- C. Contract approval for Bulk Storage Inc. in the amount of \$197,700 to replace the roof structures on two (2) storage buildings at public works, these are used for salt storage and materials storage.
- D. Schedule public hearing on February 23, 2021 for a rezoning request by Gay and Neel, Inc. (applicant), for an approximately 1.38 acre property owned by Depot Street Development LLC, located at the intersection of Depot Street, N.E. and Harless Street, N.E. (tax map nos. 497-A-288, 497-A-288A, 497-A-288C, 497-A-285, 497-A-286, 497-13-3, 497-13-1E). The request is to rezone the property from B-3, General Business 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.
- E. Schedule public hearing on February 23, 2021 for two Conditional Use Permit requests by Balzer & Associates, Inc., on behalf of SHAH Development, LLC (applicant/owner), for a 3.2 acre parcel located at 1145 West Main Street (tax map no. 556-A-39) in the B-3, General Business District:
 - 1. A conditional use permit request for residential uses as permitted in the R-3, Multi-Family Residential District. Residential uses as permitted in the R-3, Multi-Family Residential District include single-family dwellings, two-family dwellings, townhouses, and multiple-family dwellings at a density of development of up to 20 units per acre.
 - 2. A conditional use permit request for a proposed Planned Housing Development to consist of single-family, two-family, and multiple-family dwellings at a density of development not to exceed 7.8 units per acre.The property is partially designated as Business/Commercial and partially designated as Residential on the Future Land Use Map of the 2013 Christiansburg Comprehensive Plan.

V. INTRODUCTIONS AND PRESENTATIONS

VI. CITIZEN COMMENTS

VII. COMMITTEE REPORTS

- A. Stipes and Bishop – Street Committee Report/Recommendation:
 - 1. Plat showing relocation of Lot Lines Between Lots 10, 11 & 12 of the H. M. Word Subdivision prepared for A & D Sultan Home Rentals, LLC at 2945 Roanoke Street.

2. Subdivision Plat for NRV Marketplace, LLC showing "Parcel H" being a portion of Tax Map Number 436-5-1 situated on Market Street NE.

VIII. DISCUSSION AND ACTION BY MAYOR AND COUNCIL

- A. Rezoning request by Balzer and Associates, Inc., on behalf of RWW36, LLC (applicant), for an approximately 4.306 acre property owned by Mary Maxie Jewell Trust, Mary Stewart, Janet Epperly, Bill Jewell, Trustees, located west of Weddle Way, N.W. (tax map no. 435-A-13). The request is to rezone the property from R-1A, Rural Residential to R-2, Two-Family Residential with proffers in order to create 7 two-family dwelling lots for a total of 14 units as well as a lot designated for stormwater management. The property is designated as Residential on the Future Land Use Map of the 2013 Christiansburg Comprehensive Plan.
- B. Ordinance to amend Chapter 42, "Zoning" of the Christiansburg Town Code for the purpose of clarifying the allowance of structural projections such as awnings, canopies, roof eaves, gutters, architectural features, porches, and decks into minimum required yards.
- C. Approve Budget Amendment #2 resolution to accept state funding for utility debt relief up to \$69,900 for water and sewer charges and provide up to \$9,000 in general fund moneys to provide relief for storm water, solid waste and miscellaneous charges.
- D. Approve Budget Appropriation #2 resolution.
- E. Discussion of Code of Ethics/Revised Report from Town Attorney.

IX. STAFF REPORTS

- A. Town Manager
- B. Town Attorney
- C. Other Staff

X. COUNCIL REPORTS

XI. OTHER BUSINESS

- A. Re-organization for the Year 2021:
 1. Election of Vice-Mayor.
 2. Set regular meeting dates and times of Council.
 3. Council appointment to Committees by Mayor Barber:

- a. Water and Waste Committee (formerly Water, Sewer, Solid Waste, and Stormwater Committee)
- b. Street Committee
- c. Finance Committee
- d. Emergency Services Committee
- e. Central Business District Committee
- f. Public Health and Welfare Committee – Ad hoc
- g. Council on Human Relations Committee – Ad hoc

4. Council appointment to Aquatics Advisory Board and Parks and Recreation Advisory Commission by Mayor Barber.

5. Council appointment to Commission by Town Council:

- a. Planning Commission

B. Closed Meeting:

- 1. Request for a Closed Meeting under Code of Virginia § 2.2-3711(A)(1), for the discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body. The Closed Meeting is being held for discussion of personnel, specifically the appointment of officers for the year 2021.
- 2. Reconvene in Open Meeting.
- 3. Certification.
- 4. Council action on the matters.

C. Appointment of Officers:

- 1. Town Manager
- 2. Finance Director/Treasurer
- 3. Police Chief
- 4. Clerk of Council
- 5. Town Attorney

XII. ADJOURNMENT

Upcoming meetings of Council:

January 26, 2021, 7:00 P.M. – Regular Meeting
February 9, 2021, 7:00 P.M. – Regular Meeting

**CHRISTIANSBURG TOWN COUNCIL
CHRISTIANSBURG, MONTGOMERY CO., VA.
REGULAR MEETING MINUTES
DECEMBER 8, 2020 – 7:00 P.M.**

A REGULAR MEETING OF THE CHRISTIANSBURG TOWN COUNCIL, MONTGOMERY COUNTY, CHRISTIANSBURG, VA. WAS HELD AT CHRISTIANSBURG TOWN HALL, 100 EAST MAIN STREET, CHRISTIANSBURG, VIRGINIA, ON DECEMBER 8, 2020 AT 7:00 P.M.

COUNCIL MEMBERS PRESENT: Mayor D. Michael Barber; Vice-Mayor Merissa Sachs; Samuel M. Bishop; Johana Hicks; Steve Huppert; Henry Showalter; Bradford J. Stipes. ABSENT: None.

ADMINISTRATION PRESENT: Town Manager Randy Wingfield; Assistant Town Manager Andrew Warren, Town Attorney Reid Broughton; Clerk of Council Michele Stipes; Deputy Clerk of Council Tracy Heinline; Treasurer/Finance Director Valerie Tweedie; Director of Engineering Wayne Nelson; Parks and Recreation Director Brad Epperley; Police Chief Mark Sisson; Fire Chief Billy Hanks; Assistant Engineering Director for Land Development & Operations Mike Kelley.

REGULAR MEETING

I. CALL TO ORDER

- A. Moment of Reflection.
- B. Pledge of Allegiance.

II. ADJUSTMENT OF THE AGENDA

- A. Councilwoman Hicks made a motion to amend the consent agenda to allow for discussion of the Minutes of November 10, and stated she wanted greater details of the citizen comment period included in the minutes. Councilman Bishop seconded the motion and Council voted as follows: Bishop – Aye; Hicks – Aye; Huppert – Aye; Sachs – Aye; Showalter – Aye; Stipes – Aye.
- B. Councilwoman Hicks made a motion to remove Item G from VIII. Discussions by Mayor and Council due to the pandemic. The motion died for lack of a second.

III. PUBLIC HEARINGS

- A. Rezoning request by Balzer and Associates, Inc., on behalf of RWW36, LLC (applicant), for an approximately 4.306 acre property owned by Mary Maxie Jewell Trust, Mary Stewart, Janet Epperly, Bill Jewell, Trustees, located west of Weddle Way, N.W. (tax map no. 435-A-13). The request is to rezone the property from R-1A, Rural Residential to R-2, Two-Family Residential with proffers in order to create 7 two-family dwelling lots for a total of 14 units as well as a lot designated for stormwater management. The property is designated as Residential on the Future Land Use Map of the 2013 Christiansburg Comprehensive Plan.

Ken White, 350 Weddle Way, noted that the Planning Commission vote on the rezoning request was not unanimous and announced that he had started a petition opposing the development. Mr. White stated safety, traffic, density, overdevelopment, and threat to existing residents, as reasons for his opposition to the development and referred to the rezoning request as unacceptable. Mr. White commented that he was disappointed that emailed citizen comments were not included in the minutes and added that the circulating petition would be submitted to the Town once completed. Councilman Stipes said he wanted to acknowledge that Mr. White's wife was treated poorly during a previous Council meeting when she was prevented from fully conveying her concerns for a prior rezoning application.

Don Conner, 250 Slate Creek Drive, expressed opposition to the speed at which the Town had chosen to develop the northwest section of Town (Virginia Route 114/Peppers Ferry Road Corridor), and noted that several of the residential and commercial developments approved had not yet gone to construction. Mr. Conner requested Council allow time for some of the approved developments to occur before approving any more development requests.

Steve Semones, Balzer and Associates, explained the details of the proposed development and the layout of the surrounding area, and highlighted features of the duplex units that would have a starting price point of approximately \$250,000. Mr. Semones noted that management of the neighborhood would be overseen by a property management company. Public utilities were currently accessible to the site, and Mr. Semones added that all zoning requirements for R-2 developments would be met, including stormwater facilities. He then asked Council to review the staff report provided to the Planning Commission that provided additional engineering thoughts on the width of Weddle Way, which did not meet current road width standards. Mr. Semones commented that the proposed development met the Town's goals for additional housing, and that diverse housing types were important in offering housing opportunities to people.

Councilman Huppert addressed Mr. Don Conner's comments about the rapid development of the Virginia Route 114/Peppers Ferry Road Corridor by adding that Town Council understood the current and projected growth of Christiansburg and had a responsibility to provide a variety of housing options to meet demand. Mr. Huppert added that one of his reasons for supporting the proposed Town park was due to the fast-paced growth of the Town and the overall "big picture" of the quality of life in Christiansburg.

Councilwoman Hicks said voting on the request during the Planning Commission meeting was difficult because she understood the difficulties with ongoing construction. She noted that she supported development along Vinnie Avenue due to the connectivity it would bring to the surrounding areas, but that the current request had been a more difficult decision due to proposed street width and layout that could hinder emergency vehicles from accessing certain properties. Mrs. Hicks asked for a guarantee that parking would be prohibited in the proposed cul-de-sac to alleviate concerns regarding emergency vehicle access and expressed appreciation for the citizens who came out to speak on the request. Mrs. Hicks thanked Town employees involved in providing information to the Planning Commission with regards to traffic concerns, and she outlined Town proposed traffic control measures.

Bryan Rice, owner of the adjacent property, addressed Council in favor of the proposed development, and commented that the majority of the surrounding neighbors were

supportive of the proposed development, including adjacent homeowners who were selling the land to the developer with the understanding it would be developed residential. Mr. Rice noted that the land had been specified for future residential growth in the Town's Comprehensive Plan and explained how the proposed access points would alleviate traffic issues in the area.

- B. Public Hearing for a proposed ordinance to amend Chapter 42, "Zoning" of the Christiansburg Town Code for the purpose of clarifying the allowance of structural projections such as awnings, canopies, roof eaves, gutters, architectural features, porches, and decks into minimum required yards.

Assistant Town Manager Andrew Warren explained the amendment that would clarify several definitions and interpretations in the Town Code at that request of the development community. The proposed amendment had been recommended by the Planning Commission on a vote of 8-0, and Mr. Warren noted that the Planning Commission Development Sub-Committee had assisted with drafting the amendment.

- C. Public Hearing in accordance with Code of Virginia § 15.2-2606, as amended, with respect to the adoption by the Council of a resolution or resolutions, as may be necessary or convenient, regarding the proposed financing of the development of a multi-use and multi-purpose park on Peppers Ferry Road in Christiansburg, Virginia. The Town proposes to fund the project in part by the issuance of a general Obligation bond to be issued in a principal amount not to exceed \$9,300,000.

Chris Waltz, 1370 Rigby Street NE, said he did not care if the Town built a park, but took issue with the closed meetings of council. Mr. Waltz said the Town had the option to put the park on the ballot for public vote and questioned the accuracy of the park construction costs as noted in the bond resolution. Mr. Waltz said that Councilman Stipes once said that the Town should not vote on a matter the same night as its Public Hearing and questioned why that was occurring at tonight's meeting. Mr. Waltz deferred to Town Attorney Broughton on his statement regarding the Town's option to place the park on the ballot.

Angela Akers, 345 Howery Street SE, said she was frustrated and embarrassed during the citizen comment period on November 10, when she tried to speak out about the park due to the \$9.3M debt during the pandemic, but was prevented because the public hearing had been closed. Mrs. Akers said she believed Council was committed to the betterment of the Town and asked that the park decision be reconsidered.

Yoshi Koeda, owner of Kabuki Japanese Steakhouse, 120 Arbor Drive NE, questioned why the Town was in a hurry to approve the park in the middle of a pandemic, and stated the Town needed to financially protect its residents and businesses. Yoshi referred to a former meeting when a Council member suggested raising meals tax to pay for the park and stated a meals tax increase would be difficult for restaurants to support, and he asked Council to postpone the vote until after the pandemic.

Rose Martin, 1070 W. Main Street, thanked Council for the opportunity to speak and said the conduct at recent meetings had upset her, specifically, the lack of support for requests by Councilwoman Hicks. Ms. Martin emotionally urged Council to unite and to consider the

financial struggles within the community before voting on the proposed Town park. Ms. Martin spoke in opposition to the debt incurred through the aquatic center and disagreed with the Town's contract with Radford City for use of the aquatic center. She cautioned against incurring additional debt by building a park and questioned the overall safety of parks due to the pandemic and society in general.

Jeff Akers, 345 Howery Street SE, stated he did not like Mayor Barber's decision to prevent citizens from speaking on the proposed Town park at the November 10th meeting, after the public hearing had been closed, and claimed Council wanted to push through the budget amendment that included the proposed Town park and a \$20,000 pay raise for individual employees. Mayor Barber asked Mr. Akers to clarify his statement regarding a \$20,000 raise in the budget amendment, and Mr. Akers commented he was sure it was in there.

Alecia Vaught, 2594 Den Hill Road, clarified she lived in the county outside of the Town's jurisdiction, but that she was speaking on behalf of everyone who was unable to pay their bills. Ms. Vaught claimed there was a disconnect between what Council wanted and what the community wanted, and a divisiveness on Council that prevented it from working together. Ms. Vaught recalled that the majority of Town voters had voted for Councilwoman Hicks and were all watching the meetings, and further, were opposed to the park process, and she encouraged Council to unite and work together.

Councilwoman Hicks thanked those who came out to speak and talked about businesses that were suffering due to the pandemic. Mrs. Hicks said she was not against parks but was against a non-essential expenditure of \$18M during a pandemic and she claimed discrimination by Council based on citizen opinions. Councilwoman Hicks stated the park should be included on the election ballot to let the voters decide, and pointed out that the Town had nine parks, and that the proposed park would destroy the environment and a beautiful piece of land. She added that, with the debt incurred by the aquatic center, the proposed park debt would be too much for citizens, and she asked Council to listen to those who have spoken.

IV. CONSENT AGENDA

- A. Minutes of November 10, 2020.
- B. Monthly bill list.
- C. Approval of contract for professional communications for simulcast radio in the amount of \$123,866 (Cares Act).
- D. Approval of contract with Friendship Ford of Bristol, Tennessee for two Ford F-550 XL four-wheel drive trucks with crew cabs and special utility bodies in the amount of \$149,118.
- E. Approval of contract with Johnson Controls for purchase and installation of York HVAC (heating, ventilation and air conditioning) unit with an 80-ton capacity for the Recreation Center in the amount of \$228,847.
- F. Approval of Amendment to the Professional Services Engineering Contract with Mattern and Craig, Inc., for additional services for easement and right-of-way acquisition for the Hickok Street Drainage Project in the amount of \$132,315.
- G. Resolution recognizing January 9, 2021 as National Law Enforcement Appreciation Day.

Councilman Showalter made a motion to approve the consent agenda, minus the minutes of November 10, 2020, seconded by Councilwoman Sachs. Councilwoman Hicks asked questions about several bills and items on the consent agenda, which were answered to her satisfaction by Town Manager Wingfield and Finance Director Tweedie. Council voted on the motion as follows: Bishop – Aye; Hicks – Aye; Huppert – Aye; Sachs – Aye; Showalter – Aye; Stipes – Aye.

Minutes of November 10, 2020. Councilman Stipes made a motion to approve the minutes of November 10, 2020, seconded by Councilman Huppert. Councilwoman Hicks said that the Citizen Comment portion of the meeting was for citizens to address any topic they wanted, and stated she wanted the minutes changed to reflect the interaction between Mayor Barber and citizens who attempted to speak on the proposed park after the Public Hearing on the matter had been closed. Council reviewed the Citizen Comment minutes that reflected the opposition or support for the park by those who spoke, and Councilman Stipes noted that it was not the purpose of minutes to capture every comment, sentiment, or emotion expressed during meetings and that the minutes accurately reflected the discussion. Council voted on the motion as follows: Bishop – Aye; Hicks – Nay; Huppert – Aye; Sachs – Aye; Showalter – Aye; Stipes – Aye.

V. INTRODUCTIONS AND PRESENTATIONS

A. Assistant Engineering Director for Land Development & Operations Mike Kelley to provide an update on College Street Stormwater Study.

Mr. Kelley reported that funding for the College Street Stormwater Study had been included in the recently approved Budget Amendment #1, and that a drainage study contract with A. Morton Thomas and Associates, Inc. (AMT) had been signed on October 15. Meetings have been held between Town staff and the consultant to discuss design aspects of the project, and public input is being sought online and through a display at the recreation center. The field study is expected to begin this week, with completion of the full study expected in Spring 2021. Mr. Kelley offered to answer questions of Council.

B. Finance Director Valerie Tweedie and Scott Wickham with Robinson, Farmer, Cox to present the 2020 Annual Audit.

Finance Director Val Tweedie and Scott Wickham of Robinson, Farmer, Cox Associates, PLLC, presented the 2019-2020 Annual Audit Report and auditor opinion as required by the Commonwealth of Virginia's Auditor of Public Accounts. Mr. Wickham provided an overview of the independent audit report and noted that no internal control weaknesses or compliance issues were found during the audit, and that the Town was determined to be financially sound. Management recommendations in the report included a closer review of annual Statement of Economic Interest forms by filers to prevent incomplete forms noted during the audit; the need for upgraded accounting software, which the Town is in the process of addressing; and the recommendation that staff create a list of operating leases to be included in financial statements going forward. Mr. Wickham talked about the financial impacts of the pandemic, including the CARES Act and FEMA funding received by the Town. Mrs. Tweedie provided a breakdown of the budget details in the audit and strongly encouraged Council read the first twenty-nine pages of the audit that included the Letter of Transmittal and a summarized version of the audit.

C. Town Manager Randy Wingfield and Assistant Town Manager Andrew Warren to provide year-end review presentation.

Town Manager Randy Wingfield and Assistant Town Manager Andrew Warren provided a year-end review that highlighted impacts of the COVID 19 pandemic, and measures taken by the Town and the region to address the crisis and mitigate exposure risk, along with a breakdown of CARES Act funding distribution. Mr. Wingfield presented a detailed overview of the proposed Town park planning process to date, highlighted design elements of the park, and outlined current and upcoming capital projects that included total cost and funding sources. Also reviewed was the current Annual Budget and the recently approved Budget Amendment #1. Mr. Wingfield talked about staffing concerns within the Public Works Department, and concerns within the business and residential communities regarding broadband service, noting the Town continued to study strategies to meet the demand for improved service. Mr. Warren presented information on the Christiansburg Placemaking Plan that included details on developing the plan and its compatibility with the Town's Comprehensive Plan, and offered a detailed overview of ongoing plans to enhance the Farmers' Market gathering area, which received funding through the Appalachian Regional Commission Planning Grant of \$275,000 for construction. Mr. Warren reported that the Town would assist the New River Health District Task Force with the transition to vaccine distribution, and talked about the Town's involvement in helping the community cope and recover from the pandemic in a variety of ways, including through CARES Act Grant support for local small businesses. Councilman Huppert expressed appreciation for the presentation and for the staff's dedication to the continued growth and enhancement of the Town. Councilwoman Sachs expressed appreciation for the year-end review and said the numbers presented were encouraging in spite of the pandemic, including the continuity of government during the crisis, which she attributed to Mr. Wingfield and his staff. Council commended Town staff for coming together during the pandemic to continue meeting the needs of the community.

VI. CITIZEN COMMENTS

A. Chris Waltz, 1370 Rigby Street, encouraged Council to look into software programs that transcribed meetings using audio.

VII. COMMITTEE REPORTS

A. Stipes and Bishop – Street Committee Report/Recommendation on:

1. Lot Line/Public Utility Vacation Plat for Community Health Center of the New River Valley Combining Lot 4 and Lot 5 of New River Medical Associates, LLC on Akers Farm Road N.E.

Councilman Stipes reported on the request to reduce two lots to one, and to vacate the centerline public utility easement, to accommodate a larger building footprint for the NRV Free Clinic. The Street Committee has reviewed the request and recommended approval. Councilman Stipes made a motion to approve the request, seconded by Councilman Bishop.

Council voted as follows: Bishop – Aye; Hicks – Aye; Huppert – Aye; Sachs – Aye; Showalter – Aye; Stipes – Aye.

2. Subdivision Plat for NRV Marketplace, LLC creating Parcel Q and dedicating Private and Public Access/Utility Easements at 2705 Market Street, N.E. (creating 1 new lot).

Councilman Stipes reported that the request would create an outparcel around the perimeter of the existing Harbor Freight building and would provide for access and utilities to the parcel. The Street Committee has reviewed the request and recommended approval. Councilman Stipes made a motion to approve the request, seconded by Councilwoman Sachs. Council voted as follows: Bishop – Aye; Hicks – Aye; Huppert – Aye; Sachs – Aye; Showalter – Aye; Stipes – Aye.

3. Subdivision Plat for JW Radford Contracting, LLC of Sherwood Drive Townhomes creating 34 townhome lots and one “common area” lot of Tax Parcel #499-11-3 and dedicating Public and Private Access/Utility Easements situated on Sherwood Drive, N.E. (creating 35 lots).

Councilman Stipes reported that the Street Committee had reviewed the request for a private townhome development on Sherwood Drive and found it to conform to R-3 Multi-Family Residential zoning and recommended approval. Councilman Stipes made a motion to approve the subdivision plat, seconded by Councilman Bishop. Councilwoman Hicks requested Council be provided a copy of subdivision maps for review prior to taking action on matters, and Councilman Huppert stated that Street Committee meetings were open and offered a good understanding of the requests before Council if people cared to attend. Council voted on the motion as follows: Bishop – Aye; Hicks – Aye; Huppert – Aye; Sachs – Aye; Showalter – Aye; Stipes – Aye.

4. Subdivision Plat for DVD Properties, LLC of Tax Parcel # 527-16-31 through 38 to create 4 townhome lots and dedicate Public and Private Access/Utility Easements. Also, a dedication of .009 acres along Economy Street NE and .017 acres along Craig Street N.E. as Public Right-of-Way to the Town of Christiansburg (creating 4 lots).

Councilman Stipes explained the request that would reconfigure the lot lines to run parallel to the road for townhome development in the R-3 Multi-Family zoning district, with right-of-way donation on both sides of the property. Town staff supported the request, and Councilman Stipes made a motion to approve the request, seconded by Councilman Bishop. Council voted on the motion as follows: Bishop – Aye; Hicks – Aye; Huppert – Aye; Sachs – Aye; Showalter – Aye; Stipes – Aye.

5. Subdivision Plat for F & B Land, LP of Kensington Phase X showing lots 1 thru 56 and a “common area” lot on an 8.376-acre portion of 525-A-4 off Aldwych Avenue NW and dedicating Public and Private Access/Utility Easements. Also, a dedication of 1.773 acres for a new street--Holland Loop N.W.—as Public Right-of-Way to the Town of Christiansburg (creating 57 lots).

Councilman Stipes reported that the request was consistent with Planned Housing Development requirements and included two future entrance connections. Councilman Stipes made a motion to approve the subdivision plat, seconded by Councilwoman Hicks.

Council voted on the motion as follows: Bishop – Aye; Hicks – Aye; Huppert – Aye; Sachs – Aye; Showalter – Aye; Stipes – Aye.

Later in the meeting, Councilman Showalter questioned Councilwoman Hicks' *second* and *aye* on the motion due to her past abstention on a residential development by Robert Fralin, based on a business relationship with him. To be consistent in her voting, and due to the potential direct benefit to her real estate business through the sale of single-family homes, Councilman Showalter asked Councilwoman Hicks if she wanted to reconsider her vote. Councilwoman Hicks clarified she did not have current business dealings with Mr. Fralin but agreed to withdraw her *second* and *aye* on the motion, and to abstain from voting on the matter. Councilman Stipes renewed his motion to approve, seconded by Councilman Showalter. Council voted on the motion as follows: Bishop – Aye; Hicks – Abstain; Huppert – Aye; Sachs – Aye; Showalter – Aye; Stipes – Aye.

6. Subdivision Plat for Rocco Capozzi Trust of Tax Parcel #527-A119 at 201 East Main Street (creating 1 new lot).

Councilman Stipes reported that Mr. Capozzi received a variance granted by the Board of Zoning Appeals for setback distance and density for his request to partition off a four-unit apartment building onto one lot. The subdivision plat was recommended for approval by Town staff, and Councilman Stipes made a motion to approve the request, seconded by Councilwoman Hicks. Council voted on the motion as follows: Bishop – Aye; Hicks – Aye; Huppert – Aye; Sachs – Aye; Showalter – Aye; Stipes – Aye.

VIII. DISCUSSION AND ACTION BY MAYOR AND COUNCIL

A. Council Certification of Fire Officers.

Mayor Barber presented the 2021 Fire Officers as elected by members of the Fire Department: Assistant Chief Danny Yopp, Captain Gratton Thompson, 1st Lieutenant Forest Redd, 2nd Lieutenant Brandon Turner, Secretary/Treasurer Donnie Reed, Asst. Secretary/Treasurer David Akers. Councilman Showalter made a motion to certify the officers as presented, seconded by Councilwoman Hicks. Council voted on the motion as follows: Bishop – Aye; Hicks – Aye; Huppert – Aye; Sachs – Aye; Showalter – Aye; Stipes – Aye.

B. Reappointment of Jennifer Sowers, Ashley Briggs, Mark Curtis, Jeananne Kries, and Thomas Bernard to the Christiansburg Planning Commission. The terms are from January 1, 2021 through December 31, 2024.

Councilman Stipes made a motion to reappoint Jennifer Sowers, Ashley Briggs, Mark Curtis, Jeananne Kries, and Thomas Bernard to the Christiansburg Planning Commission for a term from January 1, 2021 through December 31, 2024. Councilwoman Hicks seconded the motion and Council voted as follows: Bishop – Aye; Hicks – Aye; Huppert – Aye; Sachs – Aye; Showalter – Aye; Stipes – Aye.

C. Reappointment of John Neel and Robin Boyd to the Parks and Recreation Advisory Commission. The terms are from January 1, 2021 through December 31, 2024.

Councilman Showalter made a motion to reappoint John Neel and Robin Boyd to the Parks and Recreation Advisory Commission for a term from January 1, 2021 through December 31, 2024. Councilwoman Sachs seconded the motion and Council voted as follows: Bishop – Aye; Hicks – Aye; Huppert – Aye; Sachs – Aye; Showalter – Aye; Stipes – Aye. Mr. Neel and Ms. Boyd were both present and Council thanked them for their service to the Town.

D. Resolution in support of the Limited Access Control Changes for the Arbor Drive-Peppers Ferry Road Intersection Project.

Director of Engineering Wayne Nelson explained the existing configuration of the intersection as compared to the proposed revised configuration that would expand the road to allow for a thru lane and right-turn lane, along with sidewalks that conform with ADA standards. The proposed street widening encroaches on the existing VDOT limited access line, and a resolution of Council is a required part of the process to request the limited access change. Mr. Nelson noted that the Engineering Department recommended approval of the resolution. Councilman Stipes made a motion to approve the Resolution in Support of the Limited Access Control Changes, seconded by Councilwoman Sachs. Council voted on the motion as follows: Bishop – Aye; Hicks – Aye; Huppert – Aye; Sachs – Aye; Showalter – Aye; Stipes – Aye.

E. Resolution to Petition the Virginia Department of Transportation for Maintenance Payments for Certain Streets in the Urban Maintenance Inventory System.

Director of Engineering Wayne Nelson explained the required resolution for VDOT annual street maintenance payments that included additional maintenance payments of \$120,000 for new streets: John Adams Drive NW, Jefferson Circle NW, and Diana Drive NW. Based on a comprehensive review of street changes using a map created by Dayton Poff(GIS Coordinator), also included in the annual maintenance payments for 2021 are additional travel lanes on Peppers Ferry Road, additional road length on Mud Pike Road, and additional road length on Parkway Drive. Councilwoman Sachs made a motion to approve the Resolution to Petition the Virginia Department of Transportation for Maintenance Payments, seconded by Councilman Showalter. Council voted on the motion as follows: Bishop – Aye; Hicks – Aye; Huppert – Aye; Sachs – Aye; Showalter – Aye; Stipes – Aye.

F. Approve a Resolution of Town Council of the Town of Christiansburg, Virginia declaring its intention to reimburse itself from the proceeds of one or more tax-exempt financings for certain expenditures in connection with design, acquisition, construction, expansion, renovation and equipping of a park project and related facilities.

Town Manager Wingfield explained that the resolution would allow for bond financing for the Town park up to \$9.3M, and Town Attorney Reid Broughton clarified that this was not the actual bond issuance, but denoted an intent to obtain a bond, and that the resolution would allow bond proceeds to pay for past and current debts incurred for park development. Finance Director Tweedie concurred that the resolution would allow funds approved for use of the park to be reimbursed out of bond funds if necessary. Councilman Stipes made a motion to approve the resolution as presented, seconded by Councilman Huppert. Council voted on the motion as follows: Bishop – Aye; Hicks – Nay; Huppert – Aye; Sachs – Aye; Showalter – Aye; Stipes – Aye.

G. Authorization for Town Manager to enter into Signature Park Comprehensive Agreement with Faulconer Construction Company, Inc. for construction of a park on Peppers Ferry Road, N.W. for \$16,988,627.

Director of Engineering Wayne Nelson provided a brief history of the park planning process with Virginia PPEA beginning in September 2018, and highlighted aspects of the design contract and scope of the park design, as approved by Council, noting that park design was more than 80% complete, and offered additional highlights of park design elements. Construction is scheduled to begin in March 2021, with a completion date of November 2022, and at a cost of \$16,998,627, broken down into phases and cumulative billing, which was outlined by Mr. Nelson. Finance Director Val Tweedie estimated that loans would be obtained in August/September 2021 to begin payment on park construction. Councilwoman Sachs noted that the Parks and Recreation Advisory Commission recommended the park plans approved by Council based on extensive study and community input, and requested an overview of the advisory committee members, and committee review processes in developing the recommendation of approval presented to Council. Town Manager Wingfield provided an overview of the park planning process to date that included the Parks and Recreation Advisory Commission study, the PPEA Review Committee study, and assistance by a third-party consultant that refined and reduced initial projected costs. Councilwoman Hicks commented that the PPEA Review Committee was created by the government body with only one citizen member. Councilman Showalter pointed out that the PPEA Review Committee, like all Council appointed committees, was only responsible for making recommendations to Council, and that only Council had the governing power to decide on the details of the park. Councilman Huppert made a motion to approve authorizing the Town Manager to enter into Signature Park Comprehensive Agreement with Faulconer Construction Company, Inc. for construction of a park on Peppers Ferry Road, N.W. for \$16,988,627. Councilwoman Sachs seconded the motion and Council voted as follows: Bishop – Aye; Hicks – Nay; Huppert – Aye; Sachs – Aye; Showalter – Aye; Stipes – Aye.

H. Discussion of Code of Ethics/Report from Town Attorney.

Town Attorney Reid Broughton reported that he had been asked to look at two complaints based on zoning issues. The first was for 600 Roanoke Street (owned by Councilwoman Sachs) in the B-3 General Business District, where residences were not permitted without a Conditional Use Permit, except if the owner or an employee resides at the business. Mr. Broughton reported that the upstairs of the building was rented as office space to local writer, Jiffy Day, and that there was no evidence the space was used as a residence but noted Mr. Day's brother had occasionally stayed there. No notice of violation had been issued for the property, and no zoning violation had been found.

The second complaint was for property at 103 College Street (owned in part by Councilwoman Hicks), in the B-2 General Business District. Mr. Broughton determined renter Greg Revin had been living in the building at some point, and that a notice of zoning violation had been issued for the property in August 2020, which had not been appealed and had been finalized. Assistant Town Manager Andrew Warren inspected the property in September and determined evidence of the residence had been eliminated and the property was no longer in violation. Councilwoman Hicks claimed this matter had never had anything to do with her, and that the issue was between her husband and Mr. Revin. Mrs. Hicks stated she had no understanding of

the relationship between her husband and Mr. Revin, and further stated that she did not rent to Mr. Revin and that her husband did not have a lease with him. Mrs. Hicks said the issue had gone on for too long, at taxpayer expense, and she felt harassed in this matter. Mrs. Hicks called attention to a letter from Mr. Warren noting that the property was no longer in violation and stressed that the questioning and harassment had to stop. Town Attorney Broughton noted that Councilwoman Hicks had not been involved with the email conversations between her husband and Mr. Revin but had been included in the Notice of Violation as part owner of 103 College Street and of Summit Ridge Realty. Councilman Showalter noted that both complaints had been received regarding both, and that it was typical for the Town to follow up on zoning violation complaints. Additionally, Councilman Showalter expressed concern with a Facebook post by Councilwoman Hicks to Yoshi, owner of Kabuki, in which Mrs. Hicks states that she contacted Finance Director Val Tweedie about the Budget Amendment #1 and was advised by Mrs. Tweedie to vote *no* on the amendment. Mr. Showalter said he has never known Mrs. Tweedie to advise a council member how to vote on an issue, and stated the claim was a serious offense, if true, based on Mrs. Tweedie's position as an officer appointed by Council. Finance Director Val Tweedie stated that she did not advise Mrs. Hicks how to vote on Budget Amendment #1. Councilwoman Hicks insisted that her Facebook comment had been taken out of context, and after much contention, acknowledged that Mrs. Tweedie had not advised her how to vote on the budget amendment, and she apologized to Mrs. Tweedie for making an incorrect statement about her on social media. Councilwoman Sachs disputed Councilwoman Hicks' claim during the November 8th meeting that the proposed Town park was required to go to referendum if costs exceeded \$10 million, and her Facebook comment that the Town was being "shady" in keeping the cost under \$10 million to avoid a referendum. Ms. Sachs clarified that both the statement and the statement and insinuation were not factual, and voiced concern that Ms. Hicks was misleading the public. Councilwoman Hicks said she thought her comments about the referendum were true and that she was being discriminated against and harassed in this matter. Councilman Stipes referred to the confidential information provided by Mr. Broughton on the ethics concerns, and requested Council take time to review it and prepare to continue the discussion at the January 12 meeting.

IX. STAFF REPORTS

A. Town Manager:

- Mr. Wingfield verified with Virginia Municipal League that Virginia local governments are receiving internet sales tax from the state. The funding is being distributed to Montgomery County and the two towns based on the distribution formula established by the state.
- Radford City was agreeable to renewing the contract for use of the aquatic center at \$6,000/year for 200 visits, and \$5.00 per visit over 200. Town Manager Wingfield said he intended to renew the contract unless there were objections by Council.
- Blue Ridge Church has requested the Town close Main Street for up to three hours on December 14 to video for a church service program. It is estimated to cost the Town approximately \$2,000 for use of Police Department and Parks and Recreation staff, and Town Manager Wingfield stated that the Events Committee recommended not funding the closure if approved. After brief Council discussion, Councilman Stipes made a motion to approve closing the street as requested, with expenses covered by the applicant. Councilwoman Hicks seconded the motion and Council voted as follows: Bishop – Aye; Hicks – Aye; Huppert – Aye; Sachs – Aye; Showalter – Aye; Stipes – Aye. It was noted that Blue Ridge Church would need to obtain liability insurance prior to the closure.

B. Town Attorney: No report.

C. Other Staff: No report.

Finance Director Val Tweedie reported the Town was notified yesterday that it had been awarded CARES Utility Debt Relief Funds, to be used for water and sewer payments more than thirty days in arrears. The Town will establish a Utility Debt Relief Program with the funds, and letters will be sent to individuals who would benefit from the program. Information about the program will be put on the Town's website.

IX. COUNCIL REPORTS

- A. Councilman Stipes offered recognition to Clerk of Council Stipes for her service to the Town for the past twenty-one years and commended her professional and committed service to the Town. Mayor Barber presented the Clerk with additional words of recognition and a clock commemorating her service to the Town.
- B. Councilwoman Hicks thanked Fire Department staff for the Santa visits to neighborhoods in Christiansburg, and commended Public Works staff for a great job this year. She then asked if the Town could recognize the Eagle Scouts who have built kiosks in several locations around town and wished everyone a Merry Christmas and Happy New Year.
- C. Councilman Huppert shared good wishes from a Christmas card he received that Christmas 2020 might be a turning point in the crisis faced this year, and Mr. Huppert said he hoped for a better 2021.
- D. Councilman Showalter wished everyone Happy Holidays.
- E. Mayor Barber wished everyone Happy Holidays and noted that the virtual Town Christmas events seemed to be well received by the community.

XI. OTHER BUSINESS

XII. ADJOURN

There being no further business to bring before Council, Mayor Barber adjourned the meeting at 10:58 P.M.

Michele Stipes, Clerk of Council

D. Michael Barber, Mayor

TOWN OF CHRISTIANSBURG		PAY DATE 1-15-2021	
BILLS TO BE PAID FOR THE MONTHS OF		DECEMBER & JANUARY	
A MORTON THOMAS AND ASSOCIATES, INC	19,270.30	ENGINEERING SERVICES COLLEGE ST DRAINAGE ALTERNATIVES	
ACTIVE NETWORK, LLC	336.49		
ADORAMA	23,408.57	VIDEO STREAMING EQUIPMENT FOR RECREATION AND AQUATICS CARES ACT	
ALL SAFE INDUSTRIES, INC	6,492.04	SENSORS FOR FIRE DEPT GRANT FUNDED	
ALLIED 100, LLC	41,600.00	26 AEDS RESCUE FOR VARIOUS LOCATIONS IN TOWN OWNED BUILDINGS AND VEHICLES	
AMELIA ELIZABETH TUCKWILLER	25.00	AQUATIC ADVISORY BOARD	
AMERICAN FLAGPOLE & FLAG CO	2,085.00	FLAGPOLE AT TOWN HALL	
AMERICAN ULTRAVIOLET COMPANY	4,194.00	PORTABLE UV LIGHTS FOR SANITATION RECREATION CARES ACT	
ANCHOR TRUCK ACCESSORIES	6,042.00	FIRE DEPT VEHICLE ACCESSORIES CARES ACT	
ANN SANDBROOK	60.00	PLANNING COMMISSION	
APPLE SPECIALTIES INC	9,075.00	TOUCHLESS PLUMBING FIXTURES, CARES ACT	
ASHLEY BRIGGS	60.00	PLANNING COMMISSION	
AUTOZONE, INC	18.12		
B & B QUALITY FENCING	20,800.00	SECURITY GATE PW'S AND WWTP CARES ACT	
B & K TRUCK ACCESSORIES	2,040.00	BEDLINER AND FLOOR MATS PW VEHICLE	
B & S CONTRACTING, INC.	2,017.95	ASPHALT MIX	
BANE OIL COMPANY, INC	1,131.32	OFF ROAD DIESEL	
BEVERLY J BRIDGES	25.00	AQUATIC ADVISORY BOARD	
BLUE RIDGE ANALYTICAL LLC	575.00		
BMG METALS INC	49.71		
C. W. WILLIAMS & COMPANY, LLC	2,744.97	MATERIALS AND TOOLS FIRE DEPT	
CAMBRIDGE COMPUTER SERVICES, INC	4,747.52	SOFTWARE LICENSE AND SUPPORT	
CAN-AM WIRELESS LLC	7,995.00	TEMPERATURE SCREENING CAMERAS RECREATION AND AQUATICS CARES ACT	
CAPITOL FOUNDRY OF VA INC.	6,700.00	MANHOLE COVERS ARROWHEAD BASIN PROJECT	
CARDINAL BLUEPRINTERS, INC.	435.42		
CARILION HEALTHCARE CORP.	95.00		
CENTURY ENGINEERING, INC	6,051.08	ENGINEERING SERVICES ARBOR DRIVE INTERSECTION	
CHA CONSULTING INC	54,368.75	ENGINEERING SERVICES, BIOSOLID MGT, PRELIMINARY ENGINEERING REPORT WWTP, SANITARY SEWER COLLEGE AND ARROWHEAD	
COGSDALE SYSTEMS INC.	840.00		
COLE TRUCK PARTS, INC	2,518.81	PARTS AND MATERIALS FOR VEHICLE AND EQUIPMENT MAINTENANCE PW	
COPPERHEAD GRAPHICS	1,245.00		
CORE & MAIN LP	14,106.87	ALMETTA WATER LINE PROJECT	
CRAIG'S FIREARM SUPPLY, INC	846.63		
DATA MANAGEMENT, INC	1,208.30		
DATA NETWORK SOLUTIONS, INC	1,401.60		
DAVIS H. ELLIOT CO., INC.	851.35	SECURITY GATE WWTF 505.81 CARES ACT	
DELL MARKETING L.P.	18,510.95	NEW COMPUTERS TO SUPPORT TRAINING AND TELEWORK CARES ACT	
DICK'S SPORTING GOODS	1,825.00		
DIGITAL INSURANCE LLC	6,477.00	BENEFITS CONSULTING	
DLB ENTERPRISES LLC	139,476.97	COLLEGE ST SANITARY SEWER PROJECT	
DOMINION DOOR & HARDWARE INC	1,000.00	DOORSETS FOR PARK RESTROOMS CARES ACT	
DUNCAN FORD MAZDA	97,983.20	2 TRUCKS FIRE DEPT 47518 EACH ONE CARES ACT	
EAST COAST EMERGENCY VEHICLES, LLC	8,286.04	SIRENS, LIGHTS RADIOS, ETC FOR NEW FIRE VEHICLES	
ELECTRICAL SUPPLY CO	5,539.38	PARTS AND SUPPLIES FOR MULTIPLE PROJECTS	
EMS MANAGEMENT & CONSULTANTS, INC	1,162.38		
EPLUS TECHNOLOGY INC	6,086.75	WWTP SECURITY CAMERA PROJECT CARES ACT	
ESO SOLUTIONS, INC	2,956.10	FIRE DEPT CAD SOFTWARE AND SUPPORT	
EVOQUA WATER TECHNOLOGIES, LLC	38,048.00	CLARIFIER REPAIRS WWTP	
EXCEL TRUCK GROUP	151.57		
FELIX CLARKE	90.00	PLANNING COMMISSION	
FERGUSON ENTERPRISES, INC.#75	44,082.49	WATER METERS AND VARIOUS PARTS AND SUPPLIES FOR WATER AND WASTE WATER	
FIRE RESCUE AND TACTICAL, INC	1,726.96	SAFETY EQUIPMENT FIRE DEPT	
FISHER AUTO PARTS, INC.	1,089.90	PARTS AND SUPPLIES FOR VEHICLE AND EQUIPMENT MAINTENANCE	
FISHER SCIENTIFIC CO.	836.87		
FLEET PRIDE, INC	4,245.09	PARTS AND SUPPLIES FOR VEHICLE AND EQUIPMENT MAINTENANCE	
G/A SAFETY SUPPLY, INC	144.00		
GALLS, AN ARAMARK COMPANY	4,685.17	UNIFORMS AND POLICE SUPPLIES	
GEMPLER'S INC.	473.82		
GRAINGER	243.79		
GRANTURK EQUIPMENT CO., INC	265.16		
HAJOCÀ CORPORATION	1,847.25	FIXTURES FOR PARK RESTROOMS CARES ACT	
HALEY SOUTH, INC	122,947.50	3 POLICE VEHICLES PER 2021 CAPITAL BUDGET	
HARPER AND COMPANY INC.	794.47		
HARVEY CHEVROLET CORP.	2,696.51	VEHICLE REPAIR AND MAINTENANCE	
HAZEN AND SAWYER	16,425.00	ENGINEERING SERVICES FOR PRELIMINARY ENGINEERING REPORT WWTP	

TOWN OF CHRISTIANSBURG		PAY DATE 1-15-2021	
BILLS TO BE PAID FOR THE MONTHS OF		DECEMBER & JANUARY	
HENRY EARNEST WADE	60.00	BOARD OF ZONING APPEALS	
HIGHWAY MOTORS, INC.	132.90		
HILL MANUFACTURING COMPANY INC	121.30		
HOSE HOUSE, INC.	824.89		
HUNT CONSULTING LLC	22,000.00	UV LAMP TOWERS RECREATION CENTER DISINFECTION & SANITATION CARES ACT	
HURT & PROFFITT, INC	530.56		
HY-TEST, INC	95.00		
IES COMMERCIAL, INC	194.25		
INFRASTRUCTURE SOLUTIONS GROUP INC	3,042.44	VEHICLE REPAIR AND MAINTENANCE	
INTERSTATE BATTERY SYSTEM OF ROANOKE VALLEY, INC	733.70		
J O HERBERT COMPANY, INC	5,155.00	RADIOS FOR PD VEHICLES	
JAMES RIVER EQUIPMENT-SALEM	1,026.95		
JAMES T DAVIS AUTO FINISHES	54.87		
JAMES W. KIRK	60.00	BOARD OF ZONING APPEALS	
JAMES W. VANHOOZIER	60.00	BOARD OF ZONING APPEALS	
JEANANNE KNIES	30.00	PLANNING COMMISSION	
JENNIFER SOWERS	60.00	PLANNING COMMISSION	
JEREMY MADISON WILLIAMS	25.00	AQUATIC ADVISORY BOARD	
JESSICA M. DAVIS	90.00	PLANNING COMMISSION	
KAREN L DRAKE-WHITNEY	85.00	AQUATIC ADVISORY BOARD 25 & BOARD OF ZONING APPEALS 60	
KIMBALL MIDWEST	585.88		
KING-MOORE, INC	4,300.00	IT CONSULTING	
KINGS TIRE SERVICE, INC	1,485.00	VEHICLE REPAIR AND MAINTENANCE	
KLA ENTERPRISES LLC	502.78		
KLINGSPOR ABRASIVES, INC	457.87		
KORMAN SIGNS, INC.	149.66		
LANCASTER, INC.	181.95		
LITTLE RIVER POOL AND SPA, INC	244.00		
MARK CURTIS	90.00	PLANNING COMMISSION	
MATTERN & CRAIG	2,025.00	ENGINEERING SERVICES INDUSTRIAL PARK STORMWATER	
MEDEXPRESS URGENT CARE, P.C. - VIRGINIA	280.00		
MID ATLANTIC WASTE SYSTEMS	1,821.55	VEHICLE REPAIR AND MAINTENANCE	
MIDWAY PRODUCTION SERVICES	3,000.00	SOUND FOR CHRISTMAS REVERSE PARADE	
MONTGOMERY DISTRIBUTORS	585.17		
MOORE'S BODY & MECHANICAL SHOP, INC	2,000.00	VEHICLE REPAIR	
MUNICIPAL EMERGENCY SERVICES, INC	578.70		
NATIONAL POOLS OF ROANOKE, INC.	2,897.40	SUPPLIES AQUATIC CENTER	
NEW RIVER ENGRAVING	25.00		
NORTHWEST HARDWARE CO INC	270.92		
POWER ZONE	672.65		
PRESSURE WASHING SUPPLIES & SERV	164.00		
PROFESSIONAL COMMUNICATIONS	126,610.10	SIMULCAST RADIO UPGRADES POLICE FIRE RESCUE CARES ACT FUNDED	
QUALITY TIRE & BRAKE SERVICE	4,292.60	VEHICLE REPAIRS AND MAINTENANCE	
RADFORD HOSE & FITTINGS, INC.	442.32		
RICHARD HILDING JOHNSON	90.00	PLANNING COMMISSION	
RICHARDSON-WAYLAND ELECTRICAL	15,381.30	REPLACE SOLAR FLASHING PEDESTRIAN LIGHT CAMBRIA AND HBT	
RISH EQUIPMENT COMPANY	2,000.00		
RUMMEL KLEPPER & KAHL LLP	5,545.67	ENGINEERING SERVICES TOWER RD INTERSECTION	
SAMPSON-BLADEN OIL CO INC	493.31		
SANICO, INC	16,262.80	VARIOUS JANITORIAL AND DISINFECTION SUPPLIES	
SHANE K. PRESCOTT	2,700.00	TOWER CLIMBER FOR GENERATOR PROJECT WIRELESS POINT INSTALLS CARES ACT	
SHEEHY FORD OF RICHMOND	124,157.38	2 PD PATROL VEHICLES CARES ACT	
SHELOR MOTOR MILE	916.95		
SHERWIN-WILLIAMS	64.90		
SHI INTERNATIONAL CORP	1,050.32		
SHIRLEY C HALLOCK	25.00	AQUATIC ADVISORY BOARD	
SIMPLIFIED COMMUNICATIONS LLC	2,874.67	SECURITY CAMERA PW CARES ACT	
SMITH-CAROLINA CORP.	67,000.00	2 PRECAST BATHROOMS DEPOT AND COLLEGE ST PARK CARES ACT	
SNAP-ON TOOLS	84.06		

**TOWN OF CHRISTIANSBURG
BILLS PAID DURING THE MONTH OF
SPECIAL REVENUE FUNDS**

DECEMBER & JANUARY

VENDOR	AMOUNT PAID	DESCRIPTION
ADVANCE AUTO PARTS	80.25	
ATLANTIC EMERGENCY SOLUTIONS INC	115.00	MAINTENANCE ON FIRE TRUCKS
EXXON MOBILE	70.73	
FIRE RESCUE AND TACTICAL	142.47	UNIFORMS FIRE
KLA ENTERPRISES LLC	210.57	FIRE DEPT SUPPLIES
LANCASTER INC	122.00	
THOMPSON TIRE&MUFFLER	1,455.36	WORK ON ENGINE 87
TINT PROS PLUS	300.00	
TOWN OF CHRISTIANSBURG	592.54	FUEL
TOTAL PAID BILLS	3,088.92	

TOWN OF CHRISTIANSBURG			
BILLS PAID DURING THE MONTH		DECEMBER & JANUARY	
VENDOR	AMOUNT PAID	DESCRIPTION	
ADAMS CONSTRUCTION CO	2,943.69	ASPHALT STREET REPAIRS	
ADVANCE AUTO PARTS	186.47	PARTS FOR REPAIRS OF VEHICLES AND EQUIPMENT	
AIRGAS NATIONAL CARBONATION	340.26	CARBON DIOXIDE GAS FOR AQUATICS	
ALL SEASONS PEST CONTROL	95.00		
AMAZON CAPITAL SERVICES INC	4,433.73	VARIOUS SUPPLIES	
ANTHEM BLUE CROSS BLUE SHEILD	123,160.42	MEDICAL INSURANCE EMPLOYEES	
APPALACHIAN POWER	73,534.35	TOWN WIDE UTILITY SERVICES	
ARC3 GASES	191.60		
AT & T	185.43		
AT & T MOBILITY	356.32		
ATMOS ENERGY	8,671.81	TOWN WIDE GAS SERVICES	
BOUND TREEE MEDICAL LLC	3,111.75	SUPPLIES RESCUE	
BOXLEY ASPHALT	205.19	ASPHALT	
BMS DIRECT	5,995.53	POSTAGE PRINTING TAX BILLS AND WATER BILLS	
BROADCAST MUSIC	364.00		
BRUGH COFFEE	243.65	LIASON MEETING	
CARTER MACHINERY CO	1,573.03	BULK OIL AND PARTS FOR PW FLEET MAINTENANCE	
		SUPPLIES & EQ 19666.67 DUES 435 SCHOOLS 469 TRAVEL 526.10	
CARDMEMBER SERVICES	22,477.41	SOFTWARE 446.34 UNIFORMS 302.81 RECRUITING RETENTION FIRE	
		RESCUE 631.49	
CHANDLER CONCRETE	1,558.63	CONCRETE STREETS	
CHRISTIANSBURG PRESBYTERIAN CHURCH	1,500.00	BOYSCOUT KIOSK PROJECT	
CFS GROUP/BLUE RIDGE DISPOSAL & RECYCLING	1,012.17	SLUDGE DISPOSAL	
CLARK GAS AND OIL	1,168.67	FUEL FIRE DEPT	
CITIZENS	3,925.00	INTERNET	
CURTIS MEDICAL	144.74		
DATA MANAGEMENT INC	1,208.30	TIMEKEEPING HOSTING	
DELTA DENTAL	8,634.80	DENTAL COVERAGE EMPLOYEES	
DOMINION DOOR	135.00		
DONS AUTO CLINIC	684.00	PD VEHICLE MAINT.	
DS SERVICES-crystal springs	235.98		
DUES AND MEMBERSHIPS	1,900.00	FIRE 520 FINANCE 530 AQ 175 PARKS &REC 175 IT 500	
EXPRESS SERVICES INC	129.84	SEASONAL LANDSCAPE LABOR	
FASTENAL COMPANY	271.82		
FEDERAL EXPRESS	40.46		
FENTON PUMP SERVICE INC	350.00		
FERGUSON ENTERPRISES INC	251.57		
FIRE SAFTEY PRODUCTS	235.00		
FIRE & RESCUE TACTICAL	266.23	MOUNTS AND LIGHTS FIRE DEPT	
FISHER AUTO PARTS INC	59.54		
GEMPLERS/ARIEN SPECIALTY BRANDS	147.98		
GRANITE TELECOMMUNICATIONS	4,606.15	TELEPHONE	
GRAINGER	17.74		
HALL'S GARAGE DOORS	135.00		
HARVEY CHEVROLET CORP	3,999.49	VEHICLE REPAIRS	
HOME DEPOT	757.37	MATERIALS FOR BUILDING MODIFICATIONS CARES ACT	
IES COMMERCIAL INC	19,524.37	2 PROJECTORS AND KEY SCAN REPLACEMENTS	
INTERNATIONAL CODE COUNCIL	69.00		
JEFFERDS CORPORATION	1,725.00	HOIST INSPECTIONS PW	
JOHNSON CONTROLS	476.20	REPAIRS REC CENTER	
JORDAN OIL CO	2,856.25	FUEL FIRE DEPT	
LANCASTER	120.00		
LANGUAGE LINE SERVICES	24.00		
LUMOS NETWORKS INC/SEGRA	2,160.05	PHONE SERVICE	
MANSFIELD OIL	13,797.57	FUEL PURCHASES	
MCKESSON MEDICAL-SURGICAL	1,884.55	MEDICAL SUPPLIES RESCUE	
MONTGOMERY COUNTY DEVELOPMENT AUTHORITY	455,128.35	SMALL BUS & NON PROFIT GRANTS CARES ACT	

TOWN OF CHRISTIANSBURG			
BILLS PAID DURING THE MONTH		DECEMBER & JANUARY	
VENDOR	AMOUNT PAID	DESCRIPTION	
MONTGOMERY REGIONAL SOLID WASTE AUTHORITY	36,390.82	TIPPING FEES FOR SOLID WASTE SERVICES	
MOTION PICTURE LICENSING CORP	857.24		
MOTOROLA SOLUTIONS	36.20		
NETWORK FLEET INC	228.77		
NRV CANBLASTERS/MICHAEL STCLAIR	700.00		
NEW RIVER ENGRAVING	510.00		
NORTHWEST HARDWARE	28.76		
OVERHEAD DOOR CO	250.00	FIRE DEPT DOOR REPAIR	
PETTY CASH	159.47		
PITNEY BOWES	329.04	LEASE POSTAGE METER	
PITNEY BOWES PURCHASE POWER	3,000.00	REFILL POSTAGE METER	
POWER ZONE	17.60		
PRINCIPAL LIFE INSURANCE COMPANY	4,037.76	EMPLOYEE LIFE INSURANCE	
RAKESTRAW LAWN CARE	300.00		
REFUND FEES REC DEPT	439.00		
REFUND FEES AQUATIC CENTER	60.00		
REFUND EMS THIRD PARTY	97.73		
REFUND TAXES	2,347.91	REFUND TAX OVERPAYMENTS	
REFUND WATER/SEWER	1,477.99	REFUND OVERPAYMENTS AND DEPOSITS	
REFUND CHRISTMAS MARKET	80.00	VENDOR FEES REFUNDED CANCELLED CHRISTMAS MARKET	
ROANOKE TIMES	1,306.91	NOTICES PUBLIC HEARINGS, EMPLOYMENT	
ROBERTS OXYGEN COMPANY INC	639.60		
ROLLER VENTURES	80.00		
SAFETY AND COMPLIANCE SERVICES INC	808.00		
SALEM STONE	769.57	STONE AND GRAVEL STREETS	
SAMS CLUB	2,113.72	PARKS AND REC SUPPLIES FOR SPECIAL EVENTS	
SANDS ANDERSON	23,672.00	LEGAL SERVICES	
SCHOOLS	1,203.00	ADMIN 70 RESCUE 1133	
SHADE TREE REPAIR LLC	400.00		
SHENTEL	295.47		
SHRED-IT	142.67		
SIMPLIFIED COMMUNICATIONS LLC	654.65		
SISSON AND RYAN QUARRY LLC	273.56	STONE AND GRAVEL STREET REPAIRS	
S.J. CONNOR & SONS INC	402.35		
SNAP ON TOOLS	1,597.15	FLEET MAINTENANCE SMALL TOOLS	
SPORTSENGINE INC	165.00		
STAND ENERGY	4,990.52	NATURAL GAS FOR AQUATIC CENTER	
STAPLES BUSINESS ADVANTAGE	9.27		
SUPER SHOES	142.13	RESCUE UNIFORMS	
SUBURBAN PROPANE	7,009.60	WWTP GENERATORS	
TAYLOR OFFICE SUPPLY INC	379.00		
TBC ASSOCIATES II LLC/TIDY SERVICES	960.00		
TECH-EXPRESS INC	560.00		
TELEFLES LLC	109.50		
TELVENT USA HOLDINGS	306.00		
TRACTOR SUPPLY	3.49	MISC SUPPLIES	
TRAVEL	100.00	PD 100	
TREASURER OF VIRGINIA	2,279.19	DRINKING WATER TEST KITS 2269.19 DMV 10	
TWO WAY RADIO INC	346.00		
U.S. CELLULAR	125.91		
VA ASSOC OF COUNTIES GROUP INSURANCE	51,879.48	SHORT TERM DISABILITY 1247.23 WORKERS COMP 50632.25	
VA INFOMRATION TECHNOLOGIES AGENCY	3,440.88	VITA SOFTWARE FOR GIS	
VALLEY BOILER	1,200.00	SERVICE AND MAINTENANCE WWTP	

TOWN OF CHRISTIANSBURG			
BILLS PAID DURING THE MONTH		DECEMBER & JANUARY	
VENDOR		AMOUNT PAID	DESCRIPTION
VERIZON		1,171.68	
VERIZON WIRELESS		7,216.98	CELL PHONES AND TABLETS
VIRGINIA BUSINESS SYSTEMS		50.24	COPIER MAINTENANCE
VIRGINIA DEPT OF TAXATION		105.58	SALES TAX 5.528 dmv 100
VIRGINIA EVERYWHERE		275.00	
VIRGINIA FAIRS		10.00	FARMERS MAKET WEB SITE
VIRGINIA MEDIA		851.00	JOB POSTINGS, PUBLIC HEARINGS ETC
VIRGINIA RETIREMENT SYSTEMS		183,820.15	EMPLOYEE RETIREMENT
VIRGINIA UTILITY PROTECTION SERVICE		474.60	
VOLSAP		2,375.00	FIRE FIGHTERS RETIREMENT
WEST PUBLISHING COMPANY		134.87	
WILSON AUTO SUPPLY		8.51	
WORDSPRINT		678.10	FALL PROGRAMS RECREATION
WORKFORCE COMMUNICATIONS GROUP II		1,950.00	HR TAINING MATERIALS
XEROX CORPORATION		1,018.98	COPIER LEASES
TOTAL SPECIAL REVENUE BILLS PAID		3,088.92	
TOTAL PAID BILLS		1,139,064.06	
BILLS TO BE PAID		1,567,606.90	
GRAND TOTAL		2,709,759.88	



**TOWN OF CHRISTIANSBURG
TOWN COUNCIL
AGENDA COVER SHEET**

AGENDA LOCATION: Consent Agenda

Meeting Date: January 12, 2021

ITEM TITLE: Contract approval for Bulk Storage Inc. in the amount of \$197,700 to replace the roof structures on two (2) storage buildings at public works, these are used for salt storage and materials storage

DESCRIPTION: Both the Salt Dome and Materials Storage Structures need to be replaced to better protect the items stored therein from inclement weather. Both items approved in 2021 capital budget for the Public Works Department. Replacement structures were competitively bid. Both structure are located at the Public Works Operations Center.

POTENTIAL ACTION: Approval

DEPARTMENT: Public Works

PRESENTER: James Lancianese

ITEM HISTORY: The Salt Dome Structure is wooden with shingle roof that is constructed on a digester foundation when the Public Works Operations Center was the Town's Wastewater Treatment Facility. The Materials Storage Structure is constructed of metal that is deteriorating. Both are need significant repairs to remain in service. The tensioned fabric dome structure is expected to cost \$123,658 and the tensioned fabric materials structure is expected to cost \$74,042, for a total of \$197,700.

Information Provided:

Contract with Bulk Storage Inc. for Replacement of Two Tensioned Fabric Storage Structures



THE PLACE TO BE.
CHRISTIANSBURG VA
Established November 10, 1792

100 East Main Street
Christiansburg, VA 24073
p: (540) 382-6128
f: (540) 382-7338

CONTRACT FOR REPLACEMENT OF TWO TENSIONED FABRIC STORAGE STRUCTURES

Contract Number: 21-0018 IFB

This contract is entered into this twenty-eighth day of December 2020, by Bulk Storage, Inc., hereinafter called the "Contractor" and the Town of Christiansburg, hereinafter called the "Town".

WITNESSETH that the Contractor and the Town, in consideration of mutual covenants, promises and agreements herein contained, agree as follows:

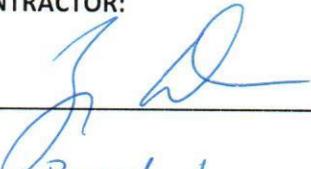
SCOPE OF SERVICES: The Contractor shall provide the goods or services to the Town as set forth in the Invitation for Bid Number (IFB #) 21-0018. The demolition of the existing structures will begin at a mutually agreeable date in March or April 2021 between the Contractor and the Town.

CONTRACT PERIOD: The contract period is from the above date until June 30, 2021.

COMPENSATION AND METHOD OF PAYMENT: The Contractor shall be paid in accordance with the Contract Documents in the amount of \$197,700.00.

CONTRACT DOCUMENTS: The Contract Documents shall consist of this document, IFB# 21-0018, Addendum #1, and the Contractor's bid dated December 18, 2020.

CONTRACTOR:

By: 

Title: President

Date: 12/29/20

TOWN OF CHRISTIANSBURG:

By: _____

Title: Town Manager

Date: _____

ToC Ref.: 10-4103-7006 and 10-4102-7008

Mayor

D. Michael Barber
Town Manager
Randy Wingfield

Town Council

Samuel M. Bishop
Johana Hicks
Steve Huppert
Merissa Sachs
Henry Showalter
Bradford J. Stipes



**TOWN OF CHRISTIANSBURG
TOWN COUNCIL
AGENDA COVER SHEET**

AGENDA LOCATION:

Discussion and Action by Mayor and Town Council

Meeting Date:

January 12, 2021

ITEM TITLE:

Rezoning request by Balzer and Associates, Inc., on behalf of RWW36, LLC (applicant) for an approximately 4.306 acre property owned by Mary Maxie Jewell Trust, Mary Stewart, Janet Epperly, Bill Jewell, Trustees, located west of Weddle Way, N.W. (tax map no. 435-A-13) from the R-1A, Rural Residential District to the R-2, Two-Family Residential District with proffers. The property is designated as Residential on the Future Land Use Map of the 2013 Christiansburg Comprehensive Plan. (RZN-2020-06).

DESCRIPTION:

The applicant requests to rezone the property located west of Weddle Way, N.W. (tax map no. 435-A-13) from the R-1A, Rural Residential District to the R-2, Two-Family Residential District with proffers in order to create 7 two-family dwelling lots for a total of 14 units as well as a lot designated for stormwater management. The overall proposed density of development is 3.25 units per acre.

The applicant has submitted the following proffers with the rezoning request:

1. The property shall be developed in substantial conformance with the masterplan submitted dated October 12, 2020.
2. The property proposed for R-2 Zoning shall only be utilized for two-family residential use

Planning Commission held its public hearing on November 16, 2020. At its November 30, 2020 meeting, the Planning Commission recommended approval by a vote of 5-3. The public hearing was held on December 8, 2020. Please see December 8, 2020 minutes for speaker comments.

POTENTIAL ACTION:

Take action on request.

DEPARTMENT(S):

Planning Department

PRESENTER:

Andrew Warren, Assistant Town Manager

Information Provided:

Planning Commission Resolution

<https://christiansburg.box.com/s/nk0c9dnzvshxah1bht3hk6sqasshvflhw>

Planning Commission Minutes – November 16, 2020

<https://christiansburg.box.com/s/dmnqocbydt79gcrjqb1mh7lnjquw5re>

Planning Commission Minutes – November 30, 2020(draft)

<https://christiansburg.box.com/s/v808c2mkwqnyuj72u5istu5qn1afht3>

Staff Report with Rezoning application and maps

<https://christiansburg.box.com/s/ytmvkgre9vrl5pcwo91m68fqnixajcn0>

Draft Rezoning Ordinance

<https://christiansburg.box.com/s/mpg7v9xs72uzwk0i8krh1r2b8cbkp16m>

WEDDLE WAY SUBDIVISION
PROFFER STATEMENT

January 4, 2021

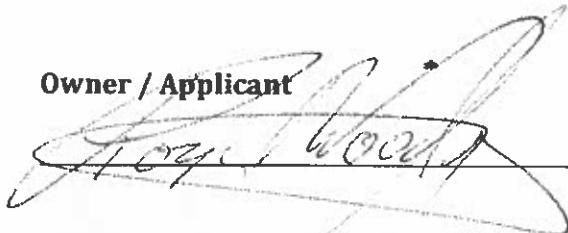
Proffer Statement for a requested rezoning application of Tax Parcel #435-A 13 located west of Weddle Way. (Reference Chapter 42 of the Town of Christiansburg Zoning Ordinance effective date November 20, 1987)

Pursuant to Section 42-12(b) of the Town of Christiansburg Zoning Ordinance, 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 shall be in strict accordance with the conditions set forth in this submission.

- 1) The property shall be developed in substantial conformance with the masterplan submitted dated October 12, 2020.
- 2) The property proposed for R-2 Zoning shall only be utilized for two-family residential use.

Owner / Applicant


1-4-21

Date

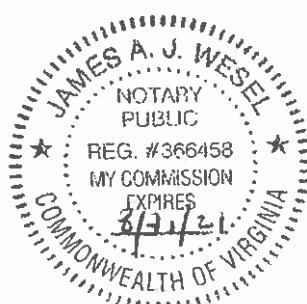
Commonwealth of Virginia
County of MONTGOMERY

The foregoing instrument was acknowledged before me this 4th day of JANUARY 2021 by:

Roger Wood, Esq. R#W 36, ^{MC} of MONTGOMERY County.

James A. J. Weisel
Notary Public

My commission expires 8/21/21





**TOWN OF CHRISTIANSBURG
TOWN COUNCIL
AGENDA COVER SHEET**

AGENDA LOCATION:

Discussion and Action by Mayor and Town Council

Meeting Date:

January 12, 2021

ITEM TITLE:

Proposed ordinance to amend Chapter 42, “Zoning” of the Christiansburg Town Code for the purpose of clarifying the allowance of structural projections such as roof eaves, gutters, architectural features, porches, and decks into minimum required yards.

DESCRIPTION:

The proposed ordinance amendments to Chapter 42, “Zoning” of the Christiansburg Town Code include the addition of a new code section and definitions clarifying the allowance of certain structural projections into minimum required yards.

The proposed ordinance aims to accomplish the following:

- Establish the distance roof features (eaves, gutters) and architectural features (bay windows, chimneys, fireplaces) may project into any yard and requiring a minimum yard width to remain.
- Establish the distance awnings, canopies, porches, and decks may project from the existing building face and requiring a minimum yard width to remain.
- Allow for a three-foot overhang over an entryway.
- Provide clear and distinct definitions for awning, canopy, deck, eave, and porch.
- Maintain buffers between varying zoning districts and uses as required by the Zoning Ordinance.
- Ensure consistency within the Zoning Ordinance regarding the allowance of structural projections.

The Planning Commission’s Development Subcommittee reviewed and discussed the draft ordinance on July 20, 2020 and August 3, 2020. The Planning Commission held its public hearing on November 16, 2020. At its November 16, 2020 meeting, the Planning Commission recommended approval by a vote of 8-0. On December 8, 2020, Council held its public hearing. There were no speakers from the public.

POTENTIAL ACTION:

Take action on request.

DEPARTMENT(S):

Planning Department

PRESENTER:

Andrew Warren, Assistant Town Manager

Information Provided:

Draft Ordinance – dated November 9, 2020

<https://christiansburg.box.com/s/i34e2ebe7ot0nmarzeuq1vc4ll4iw156>

Planning Commission Minutes – November 16, 2020

<https://christiansburg.box.com/s/dmnqocbydt79gcrjqb1mh7jlnjquw5re>

Planning Commission Resolution

<https://christiansburg.box.com/s/huezqogaq6qvboreniuqokyhqsde6xaq>

Staff Report

<https://christiansburg.box.com/s/vxf3offha755cc5dvqhvvpp7rlyu1n4ru>



**TOWN OF CHRISTIANSBURG
TOWN COUNCIL
AGENDA COVER SHEET**

AGENDA LOCATION: Discussion/Action by Mayor and Council **Meeting Date:** 1-12-2021

ITEM TITLE: Request to approve Resolution for Budget amendment#2 and Resolution for Appropriation of budget amendment #2 to provide for Utility Debt Relief

DESCRIPTION:

In very early December we received notification that the Town of Christiansburg and the Town of Blacksburg would receive up to \$76,521.27 in Utility Debt Relief funds passed down from Cares Act funds from the Commonwealth of Virginia. Town of Blacksburg has only been able to utilize \$6600 of these funds for their customers leaving the balance for a first round of relief for the Town of Christiansburg of \$69,900. The funds may only be used to pay water and sewer charges on accounts that are at least 30 days in arrears with preference to those 60 days or more in arrears, to current customers. (Former customers are not eligible). The arrearage period is bills due between 5-1-2020 and 12-31-2020. The customer must sign a certification that he/she needs the relief due to COVID-19 and its impact on them and return the certification to us. Storm water fees, garbage fees penalties and other fees are not allowed to be covered with these funds.

In early December we sent letters directly to current customers that had past due balances for the period covered by the grant. In total we sent letters to 818 residents and businesses. Of those we received certification's and applications for relief from 156 residents. Of these 52 were not eligible either because they were no longer current residents, or they were not 30 or more days past due.

Our total numbers for relief that could have been requested was \$113,761.39. The total numbers from the certifications received is as follows:

	Cares Funding	General fund
60 days in arrears (bills due 5-1-2020 to 11-1-2020)	\$17,304	\$5,838
30 days in arrears also from this group for bills due 12-1-2020	5,018	1,573
30 days in arrears (only have bills due for 12-1-2020)	<u>3,448</u>	<u>1,367</u>
<u>Totals</u>	<u>\$25,770</u>	<u>\$8,778</u>
Total relief provided	\$34,548	

After this round we could continue to utilize Utility Relief Funds that remain on a first come, first serve basis to qualified applicants but not provide any general fund relief. We are not sure what the extension of the cares act funds means to this program at this time, but we can provide relief up to 1-29-2021 for this same period of past due bills. There may be an extension here as well, but we do not know that yet.

Should Council decide to provide additional general fund relief for the nonallowable fees to match any relief funds used in the second round, I would suggest an additional amount of \$40,000 of unassigned general fund balance be added to the resolution for a total of \$49,000 in general funds and total direct assistance of \$118,900.

POTENTIAL ACTION: Approval of Budget resolutions

DEPARTMENT: Finance

PRESENTER: Val Tweedie or Randy Wingfield (Val will be available by phone)

INFORMATION PROVIDED:

Budget Resolution Modification #2

Appropriation Resolution Budget Modification #2



THE PLACE TO BE.
CHRISTIANSBURG VA
Established November 10, 1792

100 East Main Street
Christiansburg, VA 24073
p: (540) 382 6128
f: (540) 382-7338

BUDGET AMENDMENT #2 RESOLUTION
BUDGET MODIFICATION # FOR FISCAL YEAR 2021

WHEREAS, on June 9, 2020, the Town of Christiansburg approved the budget for fiscal year ending June 30, 2021 in accordance with § 15.2-2503, *et seq.* of the Code of Virginia (1950), as amended (the “Code”); and

WHEREAS, the Town Council seeks to amend the approved budget for fiscal year ending June 30, 2021 in accordance with § 15.2-2507; and

WHEREAS, the amendment is less than 1% of the currently adopted budget no public hearing is required in accordance with § 15.2-2504; and

WHEREAS, the Town has received funding from the State of Virginia from Cares Act Funding for Utility debt relief for its citizens up to \$69,900 for water and sewer charges; and

WHEREAS, the Town Council seeks to provide additional relief for other charges and the bills due December 1, 2020 not fully covered by the State Cares Act Funds; and

WHEREAS, an allocation of unassigned general fund balance up to \$9,000 will provide additional relief to its citizens; and

WHEREAS, based upon all information known to Council regarding the financial needs of the Town for such fiscal year;

NOW THEREFORE, BE IT RESOLVED that the Town of Christiansburg hereby adopts Budget Amendment #2 to the 2020-2021 approved budget as follows:

Cares Act Utility Debt Relief Funding	\$69,900
Use of unassigned general fund balance	<u>9,000</u>

Direct Assistance payments for Utility	
Debt Relief	\$ 78,900

BE IT FUTHER RESOLVED, by the Town Council of Christiansburg, Virginia:

1. That revenues and expenditures budget changes are hereby adopted by Fund as set forth above;
2. That the Town Manager shall administer this budget in adherence to the Town Charter and Code of the Town of Christiansburg, Virginia, as amended, and the laws of the

Commonwealth of Virginia. Amendments to the budget as adopted shall be by resolution, provided further that the Town Manager is authorized to approve transfers of appropriated expenditures between accounts within and between fund groups as may be necessary to carry out the work of the Town and as outlined in the approved Budget Policy of the Town, and as directed by the Town Council during the fiscal year;

3. This resolution shall take effect immediately upon its adoption by Town Council.

Upon motion for approval and a call for an aye and nay vote on the foregoing Resolution at a regular meeting of the Council of the Town of Christiansburg, Virginia held January 12, 2021 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>
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Mayor D. Michael Barber*

Samuel M. Bishop

Merissa Sachs

Steve Huppert

Henry Showalter

Bradford J. Stipes

Johanna Hicks

Adopted:

D. Michael Barber, Mayor

Attest: _____

Tracy Heinline, Clerk of Council



RESOLUTION NO. ____

AT A REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF CHRISTIANSBURG, VIRGINIA, HELD AT THE CHRISTIANSBURG TOWN HALL ON TUESDAY, JANUARY 12, 2021 AT 7:00 PM

A RESOLUTION APPROPRIATING FOR EXPENDITURE IN FISCAL YEAR 2021 ALL FUNDS BUDGETED FOR EXPENDITURE IN THE FISCAL YEAR 2021 PER BUDGET AMENDMENT #2; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town Council adopted a budget for the fiscal year beginning on July 1, 2020 and ending on June 30, 2021 ("FY 2021 Budget"); and

WHEREAS, pursuant to Virginia Code § 15.2-2506, the Town Council must also take action to appropriate all funds to be expended each fiscal year before the Town may obligate or expend such funds; and

WHEREAS, the Town may amend its budget from time to time, which it has done as of November 10, 2020 by approved Budget amendment #1 to the fiscal year 2021 budget; and

WHEREAS, the Town Council appropriated for expenditure in fiscal year 2021 the amounts per the 2021 budget approved June 09, 2020 and Amendment #1 on November 10, 2020, therefore, Town Council desires to appropriate the funds required from this Amendment #2 to the Budget for FY 2020-2021;

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Christiansburg that:

1. The amended budgeted expenditures in each fund category, as reflected in the FY 2021 Budget Amendment #2 Resolution, are hereby appropriated for expenditure in fiscal year 2021.
2. Supplemental appropriations may be enacted by the Town Council from time to time.
3. The Town Manager is hereby authorized and directed to take all appropriate administrative action necessary and prudent to implement this Resolution.
4. If any provision of this Resolution is declared invalid, the decision shall not affect the validity of the Resolution as a whole or any remaining provisions of the Resolution.
5. This Resolution shall become effective upon approval.

Upon motion for approval and a call for an aye and nay vote on the foregoing Resolution at a regular meeting of the Council of the Town of Christiansburg, Virginia held January 12, 2021 the members of the Council of the Town of Christiansburg, Virginia, present throughout all deliberations on the foregoing and voting or abstaining, stood as indicated opposite their names as follows:

Aye

Nay

Abstain

Absent

Mayor D. Michael Barber*

Samuel M. Bishop

Johana Hicks

Steve Huppert

Merissa Sachs

Henry Showalter

Bradford J. Stipes

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

SEAL:

Michele M. Stipes, Town Clerk

D. Michael Barber, Mayor

AN ORDINANCE AMENDING CHAPTER 42 “ZONING” OF THE CHRISTIANSBURG TOWN CODE FOR THE PURPOSE OF CLARIFYING THE ALLOWANCE OF STRUCTURAL PROJECTIONS SUCH AS AWNINGS, CANOPIES, ROOF EAVES, GUTTERS, ARCHITECTURAL FEATURES, PORCHES, AND DECKS INTO MINIMUM REQUIRED YARDS

WHEREAS, notice of a public hearing before the Christiansburg Planning Commission concerning this ordinance was published two consecutive weeks (October 31, 2020 and November 7, 2020) in The News Messenger, a newspaper published in and having general circulation in the Town of Christiansburg; and,

WHEREAS, the a public hearing of the Planning Commission was held November 16, 2020 and resulted in a recommendation by the Planning Commission that the following proposed zoning ordinance amendment be adopted; and,

WHEREAS, notice of the public hearing before the Town Council concerning this ordinance was published two consecutive weeks (November 25, 2020 and December 2, 2020) in The News Messenger, a newspaper published in and having general circulation in the Town of Christiansburg; and,

WHEREAS, Town Council held a public hearing on December 8, 2020 to receive public comments and suggestions and considered the public’s comments and suggestions;

WHEREAS, Town Council has considered the following amendment to the Town’s Zoning Ordinance and found that the public necessity, convenience, and good zoning practices deem it proper to do so;

NOW THEREFORE, BE IT HEREBY ORDAINED by the Council of the Town of Christiansburg that Chapter 42, “Zoning” is hereby amended and reenacted as follows:

Chapter 42 – ZONING

* * *

ARTICLE I. – IN GENERAL

* * *

Sec. 42-1. – Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

* * *

Awning means a permanent roof like structure that projects from the wall of a building, covered with any material designed and intended for protection from the weather or as a decorative embellishment including those types which can be retracted, folded, or collapsed against the face of the supporting building.

* * *

Canopy means a structure made of permanent construction without pillars or posts, which is totally or partially attached to a building for the purpose of providing shelter to patrons or motor vehicles, or as a decorative feature on a building wall. A canopy is not a completely enclosed structure and cannot be raised or retracted.

* * *

Deck means a structure with an elevated floor and no solid roof usually attached to or part of and with direct access to or from, a building.

* * *

Eave means the underside of the projection of a roof beyond the outer wall of a building.

* * *

Porch means a roofed open area usually attached to or part of and with direct access to or from a building.

* * *

Structure, permanent, means a structure, the use of which requires permanent location on the ground or attachment to something having a permanent location on the ground, including dwellings, buildings, signs, etc.; except for fences (see the definition of "fence" in this section). For purposes of setback requirements, bus stop shelters may not be classified as a structure under this definition. For allowable projections from structures, see section 42.15

* * *

Yard, front, means an open unoccupied space, excluding steps and as otherwise provided in this chapter, on the same lot as a building between the front line of the building, excluding steps, and the front lot or street line and extending across the full width of the lot.

Yard, rear, means an open, unoccupied space, excluding steps and as otherwise provided in this chapter, on the same lot as a building between the rear line of the building, excluding steps, and the rear line of the lot and extending the full width of the lot.

Yard, side, means an open, unoccupied space, excluding steps and as otherwise provided in this chapter, on the same lot as a building between the sideline of the building, excluding steps, and the sideline of the lot and extending from the front yard line to the rear yard line.

(Code 1972, § 30-1; Code 1992, § 30-1; Ord. of 6-20-1989; Ord. of 4-3-1990; Ord. of 10-16-1990; Ord. of 7-2-1991; Ord. of 9-1-1992; Ord. of 6-15-1993; Ord. of 9-5-1995; Ord. of 12-17-1996, art. I; Ord. of 6-2-1998; Ord. of 4-20-1999; Ord. of 12-7-1999; Ord. No. 2000-2, 4-18-2000; Ord. No. 2001-2, 5-15-2001; Ord. No. 2002-2, 3-5-2002; Ord. No. 2003-6, 8-5-2003; Ord. No. 2004-4, 9-7-2004; Ord. No. 2007-1, 4-3-2007; Ord. No. 2008-6, 12-2-2008; Ord. No. 2010-8, 12-21-2010; Ord. No. 2012-6, § 30-1, 6-19-2012; Ord. No. 2012-10, § 30-1, 11-20-2012; Ord. No. 2014-04, 7-22-2014; Ord. No. 2015-1, 4-28-2015; Ord. No. 2016-5, 8-23-2016; Ord. No. 2017-7, 9-12-2017; Ord. No. 2017-9, 10-24-2017; Ord. No. 2018-2, 3-27-2018; Ord. No. 2018-5, 9-11-2018; Ord. No. 2019-3, 1-22-2019; Ord. No. 2019-4, 3-12-2019; Ord. No. 2019-5, 3-12-2019; Ord. No. 2019-6, 6-25-2019)

* * *

Sec. 42-15. - Permitted structural projections into required yards.

(a) For any yard, including front yards, either as required by this chapter or as currently existing and legally established on a lot, the following structural projections shall be permitted, provided applicable sight distance and fire safety requirements are met and maintained and provided no part of the structure is located within any easement or right-of-way:

1. Awnings or canopies projecting no more than eight (8) feet from the building face, provided such projection does not reduce the side yard to less than five (5) feet or front or rear yard to less than ten (10) feet.
2. Overhanging eaves or gutters projecting no more than three (3) feet from the building face, provided such projection does not reduce the side yard to less than three (3) feet or front or rear yard to less than ten (10) feet.
3. Architectural features such as bay windows, chimneys, fireplaces, or the like projecting no more than three (3) feet from the building face, provided such projection does not reduce the side yard to less than five (5) feet or front or rear yard to less than ten (10) feet.
4. Decks projecting no more than ten (10) feet from the front building face, provided such projection does not reduce the front yard to less than ten (10) feet. Decks projecting into a side or rear yard provided such projection does not reduce the width of a rear or side yard to less than three (3) feet.
5. Porches projecting no more than ten (10) feet from the building face, provided such projection does not reduce the width of a side yard to less than five (5) feet or front or rear yard to less than ten (10) feet.
6. Protective coverings or overhangs over a doorway projecting no more than three (3) feet from the existing building face.

- (b) Limits set forth in this section for maximum structural projection from an existing building face shall not apply if minimum yard requirements are met by the entire structure, including the projection.
- (c) For lots with street frontage along more than one public street, any yard adjoining a public street right-of-way shall adhere to the front yard requirements set forth in section 42-15(a).
- (d) In business and industrial districts, structural projections other than overhanging eaves and gutters shall not be permitted into yards adjoining residential districts as required by this Chapter.

* * *

ARTICLE II. – AGRICULTURAL DISTRICT A

* * *

Sec. 42-35. – Setback.

Structures shall be located 35 feet or more from any street right-of-way which is 50 feet or greater in width, or, in the event that buildings are already constructed on the same side of the street in the same block, no new structure shall be closer to the street right-of-way line than a distance equal to the average of the distance to the street right-of-way of all existing structures in the same block on the same side of the street. This shall be known as the setback line. See article XVII for special setback regulations pertaining to the widening of highways and streets. See section 42-15 for special regulations pertaining to structural projections into the minimum required setback. Parking lots shall have a minimum setback of 15 feet from any street right-of-way. The keeping of swine or goats shall require a minimum setback of 100 feet from all zoning district boundary lines other than the A Agricultural, I-1 Limited Industrial or I-2 General Industrial Districts.

(Code 1972, § 30-17; Code 1992, § 30-17; Ord. No. 2002-2, 3-5-2002)

* * *

Sec. 42-37. – Yards.

- a) The minimum side yard for each main structure shall be a minimum of 25 feet or side lot line easement width, whichever is greater.
- b) Each main structure shall have a rear yard of 50 feet or more.
- c) Accessory structures shall have a side and rear yard of three feet or more.
- d) Handicap ramps shall be allowed to encroach in all yards if the following criteria are met:

1. The encroachment by the ramp must be the minimum necessary to accomplish safe access;
2. The ramp must meet the current edition of the Virginia Uniform Statewide Building Code and the Town of Christiansburg Code; and
3. The minimum size of a building entry landing associated with the ramp shall meet Virginia Uniform Statewide Building Code requirements. The maximum building entry landing size shall be six feet by six feet.

e) Structural projections into minimum required yards shall be permitted in accordance with section 42-15.

(Code 1972, § 30-19; Code 1992, § 30-19; Ord. of 6-20-1989; Ord. No. 2007-1, 4-3-2007; Ord. No. 2012-6, § 30-19, 6-19-2012; Ord. No. 2015-1, 4-28-2015)

* * *

Sec. 42-39. – Corner lots.

The following special provisions shall apply to corner lots:

1. Of the two sides of a corner lot, the front shall be deemed to be the shorter of the two sides fronting on streets.
2. The side yard on the side facing the side street shall be 35 feet or more for both main and accessory buildings, except as otherwise provided in this chapter.

(Code 1972, § 30-21; Code 1992, § 30-21)

* * *

ARTICLE III. – RURAL RESIDENTIAL DISTRICT R-1A

* * *

Sec. 42-70. – Setback.

Structures shall be located 35 feet or more from any street right-of-way which is 50 feet or greater in width, or, in the event that buildings are already constructed on the same side of the street in the same block, no new structure shall be closer to the street right-of-way line than a distance equal to the average of the distance to the street right-of-way of all existing structures in the same block on the same side of the street. This shall be known as the setback line. See article XVII for special setback regulations pertaining to the widening of highways and streets. See section 42-15 for special regulations pertaining to structural projections into the minimum required setback. Parking lots shall have a minimum setback of 15 feet from any street right-of-way.

(Code 1972, § 30-25; Code 1992, § 30-25; Ord. No. 2002-2, 3-5-2002)

* * *

Sec. 42-72. – Yards

- a) The minimum side yard for each main structure shall be a minimum of 15 feet or side lot line easement width whichever is greater.
- b) Each main structure shall have a rear yard of 40 feet or more.
- c) Accessory structures shall have a side and rear yard of three feet or more.
- d) Sidewalks and curb and gutter shall be required on both sides of the public streets for all new streets. In lieu of sidewalks and curb and gutter, an owner or developer shall provide a paved multi-use trail a minimum of ten feet in width connecting to the street right-of-way adjoining other properties and to each lot within the development by a hard surface connection.
- e) Handicap ramps shall be allowed to encroach in all yards if the following criteria are met:
 1. The encroachment by the ramp must be the minimum necessary to accomplish safe access;
 2. The ramp must meet the current edition of the Virginia Uniform Statewide Building Code and the Town of Christiansburg Code; and
 3. The minimum size of a building entry landing associated with the ramp shall meet Virginia Uniform Statewide Building Code requirements. The maximum building entry landing size shall be six feet by six feet.
- f) Structural projections into minimum required yards shall be permitted in accordance with section 42-15.

(Code 1972, § 30-27; Code 1992, § 30-27; Ord. of 6-20-1989; Ord. No. 2007-1, 4-3-2007; Ord. No. 2010-9, 12-21-2010; Ord. No. 2012-6, § 30-27, 6-19-2012; Ord. No. 2015-1, 4-28-2015)

* * *

Sec. 42-74. – Corner lots

1. Of the two sides of a corner lot, the front shall be deemed to be the shorter of the two sides fronting on streets.
2. The side yard on the side facing the side street shall be 35 feet or more for both main and accessory buildings, except as otherwise provided in this chapter.
3. For subdivisions platted after the enactment of this chapter, each corner lot shall have a minimum width at the setback line and the street line measured to the Pi of a radius where a radius exists of 125 feet.

(Code 1972, § 30-29; Code 1992, § 30-29)

* * *

ARTICLE IV. – SINGLE-FAMILY RESIDENTIAL DISTRICT R-1

* * *

Sec. 42-95. – Setback.

Structures shall be located 35 feet or more from any street right-of-way which is 50 feet or greater in width, or, in the event that buildings are already constructed on the same side of the street in the same block, no new structure shall be closer to the street right-of-way line than a distance equal to the average of the distance to the street right-of-way of all existing structures in the same block on the same side of the street. This shall be known as the setback line. See article XVII for special setback regulations pertaining to the widening of highways and streets. See section 42-15 for special regulations pertaining to structural projections into the minimum required setback. Parking lots shall have a minimum setback of 15 feet from any street right-of-way.

(Code 1972, § 30-33; Code 1992, § 30-33; Ord. No. 2002-2, 3-5-2002)

* * *

Sec. 42-97. – Yards.

- a) The minimum side yard for each main structure shall be a minimum of 10 feet or side lot line easement width whichever is greater.
- b) Each main structure shall have a rear yard of 35 feet or more.
- c) Accessory structures shall have a side and rear yard of three feet or more.
- d) Sidewalks and curb and gutter shall be required on both sides of the public streets for all new streets. In lieu of sidewalks and curb and gutter, an owner or developer shall provide a paved multi-use trail a minimum of ten feet in width connecting to the street right-of-way adjoining other properties and to each lot within the development by a hard surface connection.
- e) Handicap ramps shall be allowed to encroach in all yards if the following criteria are met:
 1. The encroachment by the ramp must be the minimum necessary to accomplish safe access;
 2. The ramp must meet the current edition of the Virginia Uniform Statewide Building Code and the Town of Christiansburg Code; and
 3. The minimum size of a building entry landing associated with the ramp shall meet Virginia Uniform Statewide Building Code requirements. The maximum building entry landing size shall be six feet by six feet.
- f) Structural projections into minimum required yards shall be permitted in accordance with section 42-15.

(Code 1972, § 30-35; Code 1992, § 30-35; Ord. of 6-20-1989; Ord. No. 2007-1, 4-3-2007; Ord. No. 2010-9, 12-21-2010; Ord. No. 2012-6, § 30-35, 6-19-2012; Ord. No. 2015-1, 4-28-2015)

* * *

Sec. 42-99. – Corner lots.

1. Of the two sides of a corner lot, the front shall be deemed to be the shorter of the two sides fronting on streets.
2. The side yard on the side facing the side street shall be 35 feet or more for both main and accessory buildings, except as otherwise provided in this chapter.
3. For subdivisions platted after the enactment of this chapter, each corner lot shall have a minimum width at the setback line and the street line measured to the Pi of a radius where a radius exists of 125 feet.

(Code 1972, § 30-36; Code 1992, § 30-36; Ord. of 12-17-1991(2))

ARTICLE V. – TWO-FAMILY RESIDENTIAL DISTRICT R-2

* * *

Sec. 42-130. Setback.

Structures shall be located 30 feet or more from any street right-of-way, or, in the event that buildings are already constructed on the same side of the street in the same block, no new structure shall be closer to the street right-of-way line than a distance equal to the average of the distance to the street right-of-way of all existing structures in the same block on the same side of the street. This shall be known as the setback line. See article XVII for special setback regulations pertaining to the widening of highways and streets. See section 42-15 for special regulations pertaining to structural projections into the minimum required setback. Parking lots shall have a minimum setback of 15 feet from any street right-of-way.

(Code 1972, § 30-41; Code 1992, § 30-41; Ord. No. 2002-2, 3-5-2002)

* * *

Sec. 42-132. – Yards.

- a) The minimum side yard for each main structure shall be a minimum of 10 feet or side lot line easement width whichever is greater.
- b) Each main structure shall have a rear yard of 25 feet or more.
- c) Accessory structures shall have a side and rear yard of three feet or more.
- d) The front yard shall contain a minimum of 20 percent greenspace or landscaped area. For duplexes for individual sale, the greenspace or landscaped area in the front yard shall be maintained at a ratio of 20 percent for each dwelling unit on each lot. For this purpose, corner lots shall be deemed to contain a minimum of 20 percent greenspace or landscaped area in each yard fronting a public street.
- e) Sidewalks and curb and gutter shall be required on both sides of the public streets for all new streets. In lieu of sidewalks and curb and gutter, an owner or developer shall provide a paved multi-use trail a minimum of ten feet in width connecting to the street right-of-way adjoining other properties and to each lot within the development by a hard surface connection.

- f) Handicap ramps shall be allowed to encroach in all yards if the following criteria are met:
 - 1. The encroachment by the ramp must be the minimum necessary to accomplish safe access;
 - 2. The ramp must meet the current edition of the Virginia Uniform Statewide Building Code and the Town of Christiansburg Code; and
 - 3. The minimum size of a building entry landing associated with the ramp shall meet Virginia Uniform Statewide Building Code requirements. The maximum building entry landing size shall be six feet by six feet.
- g) Structural projections into minimum required yards shall be permitted in accordance with section 42-15.

(Code 1972, § 30-43; Code 1992, § 30-43; Ord. of 6-20-1989; Ord. No. 2002-2, 3-5-2002; Ord. No. 2007-1, 4-3-2007; Ord. No. 2010-9, 12-21-2010; Ord. No. 2012-6, § 30-43, 6-19-2012; Ord. No. 2015-1, 4-28-2015)

* * *

Sec. 42-134. – Corner lots.

- 1. Of the two sides of a corner lot, the front shall be deemed to be the shorter of the two sides fronting on streets.
- 2. The side yard on the side facing the side street shall be 30 feet or more for both main and accessory buildings, except as otherwise provided in this chapter.
- 3. For subdivisions platted after the enactment of this chapter, each corner lot shall have a minimum width at the setback line and the street line measured to the Pi of a radius where a radius exists of 125 feet.

(Code 1972, § 30-45; Code 1992, § 30-45; Ord. of 11-20-1987, § (a))

* * *

ARTICLE VI. – MULTIPLE-FAMILY RESIDENTIAL DISTRICT R-3

* * *

Sec. 42-157. – Setback.

Structures shall be located 30 feet or more from any street right-of-way, or, in the event that buildings are already constructed on the same side of the street in the block, no new structure shall be closer to the street right-of-way line than a distance equal to the average of the distance to the street right-of-way of all existing structures in the same block on the same side of the street. This shall be known as the setback line. See article XVII for special setback regulations pertaining to the widening of highways and streets. See section 42-15 for special regulations pertaining to structural projections into the minimum required setback. Parking lots shall have a minimum setback of 15 feet from any street right-of-way.

(Code 1972, § 30-50; Code 1992, § 30-50; Ord. No. 2002-2, 3-5-2002)

* * *

Sec. 42-159. – Yards

- a) The minimum side yard for each main structure shall be a minimum of 10 feet or side lot line easement width whichever is greater.
- b) Each main structure shall have a rear yard of 20 feet or more.
- c) Accessory structures shall have a side and rear yard of three feet or more.
- d) The front yard shall contain a minimum of 20 percent greenspace or landscaped area. For duplexes for individual sale, the greenspace or landscaped area in the front yard shall be maintained at a ratio of 20 percent for each dwelling unit on each lot. For this purpose, corner lots shall be deemed to contain a minimum of 20 percent greenspace or landscaped area in each yard fronting a public street.
- e) Sidewalks and curb and gutter shall be required on both sides of the public streets for all new streets and for all multifamily residential development. In lieu of sidewalks and curb and gutter, an owner or developer shall provide a paved multi-use trail a minimum of ten feet in width connecting to the street right-of-way adjoining other properties and to each lot within the development for single-family, duplex or townhouse development or at least the length of the total street frontage connecting to the right-of-way adjoining other properties and to each apartment or condominium unit within the development by a hard surface connection.
- f) Handicap ramps shall be allowed to encroach in all yards if the following criteria are met:
 1. The encroachment by the ramp must be the minimum necessary to accomplish safe access;
 2. The ramp must meet the current edition of the Virginia Uniform Statewide Building Code and the Town of Christiansburg Code; and
 3. The minimum size of a building entry landing associated with the ramp shall meet Virginia Uniform Statewide Building Code requirements. The maximum building entry landing size shall be six feet by six feet.
- g) Structural projections into minimum required yards shall be permitted in accordance with section 42-15.

(Code 1972, § 30-52; Code 1992, § 30-52; Ord. of 6-20-1989; Ord. No. 2002-2, 3-5-2002; Ord. No. 2007-1, 4-3-2007; Ord. No. 2010-9, 12-21-2010; Ord. No. 2012-6, § 30-52, 6-19-2012; Ord. No. 2015-1, 4-28-2015)

* * *

Sec. 42-161. – Corner lots.

1. Of the two sides of a corner lot, the front shall be deemed to be the shorter of the two sides fronting on streets.

2. The side yard on the side facing the side street shall be 30 feet or more for both main and accessory buildings, except as otherwise provided in this chapter.
3. For subdivisions platted after the enactment of this chapter, each corner lot shall have a minimum width at the setback line and the street line measured to the Pi of a radius where a radius exists of 125 feet.

(Code 1972, § 30-54; Code 1992, § 30-54; Ord. of 11-20-1987, § (a))

* * *

Sec. 42-163. – Development standards for apartments.

- a) The development, or project, shall be designed to promote harmonious relationships with surrounding adjacent and nearby developed properties, particularly in larger developments, or projects where more than one building is involved, and to this end may employ such design techniques as may be appropriate to a particular case, including use of building types, orientation, spacing and setback of buildings, careful use of topography, maintenance of natural vegetation, location of access points, recreation areas, open spaces and parking areas, grading, landscaping and screening.
- b) No apartment building shall contain more than 12 dwelling units and no more than three apartment buildings shall be contiguous.
- c) No apartment building shall be located closer than 15 feet from a private drive, access road or open common parking area, whether oriented to the front, sides or rear of the buildings, except that parking areas may be located within five feet and private drives may be located within ten feet of any blank or windowless wall.
- d) More than one apartment building may be located on the lot, provided a minimum distance of 25 feet shall separate any two buildings, or groups of apartment buildings, from any other abutting use or building type.
- e) At least 400 square feet of commonly usable open space shall be provided for each dwelling unit. Such space shall be of such location and dimensions as to provide for outdoor living, patios, pools, lawns, play areas, walks, wooded areas and the like, but not including driveways and parking areas.
- f) Where community refuse containers are provided as accessory uses to apartment developments, such containers shall be conveniently located for pickup vehicle access and completely screened from view by means of a fence or wall with outside landscaping and an appropriately designed gate which can be latched open and closed.
- g) Each apartment dwelling unit shall contain at least 600 square feet of livable floor area, exclusive of garages, carports, cellars, basements, attics, open porches, patios or breezeways, except that up to ten percent of the units may be constructed with less floor area than this minimum.
- h) Apartment development requiring ingress and egress to a public street shall meet all the requirements of the town subdivision ordinance.
- i) Parking lots shall have a minimum setback of 15 feet from any street right-of-way.

j) Structural projections into minimum required yards shall be permitted in accordance with section 42-15, provided all other requirements of this section are met.

(Code 1972, § 30-56; Code 1992, § 30-56; Ord. of 6-20-1989; Ord. No. 2002-2, 3-5-2002)

* * *

ARTICLE VII. – RESIDENTIAL MANUFACTURED HOME SUBDIVISION DISTRICT R-MS

* * *

Sec. 42-185. - Setback

Structures shall be located 30 feet or more from any street right-of-way which is 50 feet or greater in width, or, in the event that buildings are already constructed on the same side of the street in the same block, no new structure shall be closer to the street right-of-way line than a distance equal to the average of the distance to the street right-of-way of all existing structures in the same block on the same side of the street. This shall be known as the setback line. See article XVII for special setback regulations pertaining to the widening of highways and streets. See section 42-15 for special regulations pertaining to structural projections into the minimum required setback. Parking lots shall have a minimum setback of 15 feet from any street right-of-way.

(Code 1972, § 30-61; Code 1992, § 30-61; Ord. No. 2002-2, 3-5-2002)

* * *

Sec. 42-187. – Yards.

- a) The minimum side yard for each main structure shall be a minimum of 10 feet or side lot line easement width whichever is greater.
- b) Each main structure shall have a rear yard of 35 feet or more.
- c) Accessory structures shall have a side and rear yard of three feet or more.
- d) Sidewalks and curb and gutter shall be required on both sides of the public streets for all new streets and for all multifamily residential development. In lieu of sidewalks and curb and gutter, an owner or developer shall provide a paved multi-use trail a minimum of ten feet in width connecting to the street right-of-way adjoining other properties and to each lot within the development by a hard surface connection.
- e) Handicap ramps shall be allowed to encroach in all yards if the following criteria are met:
 1. The encroachment by the ramp must be the minimum necessary to accomplish safe access;
 2. The ramp must meet the current edition of the Virginia Uniform Statewide Building Code and the Town of Christiansburg Code; and

3. The minimum size of a building entry landing associated with the ramp shall meet Virginia Uniform Statewide Building Code requirements. The maximum building entry landing size shall be six feet by six feet.
- f) Structural projections into minimum required yards shall be permitted in accordance with section 42-15.

* * *

Sec. 42-189. – Corner Lots.

1. Of the two sides of a corner lot, the front shall be deemed to be the shorter of the two sides fronting on streets.
2. The side yard on the side facing the side street shall be 30 feet or more for both main and accessory buildings, except as otherwise provided in this chapter.
3. For subdivisions platted after the enactment of this chapter, each corner lot shall have a minimum width at the setback line and the street line measured to the Pi of a radius where a radius exists of 125 feet.

(Code 1972, § 30-65; Code 1992, § 30-65; Ord. of 11-20-1987, § (a))

* * *

ARTICLE VIII. – MIXED USE: RESIDENTIAL – LIMITED BUSINESS DISTRICT MU-1

* * *

Sec. 42-221. – Setback.

Structures, temporary or permanent, shall be located 30 feet or more from any street right-of-way, or, in the event that buildings are already constructed on the same side of the street in the block, no new structure shall be closer to the street right-of-way line than a distance equal to the average of the distance to the street right-of-way of all existing structures in the same block on the same side of the street. This shall be known as the setback line. See article XVII for special setback regulations pertaining to the widening of highways and streets. See section 42-15 for special regulations pertaining to structural projections into the minimum required setback. The minimum building setback from any common area shall be ten feet. Parking lots shall have a minimum setback of 15 feet from any street right-of-way. Restaurant outdoor dining areas shall have a minimum setback of 15 feet from any street right-of-way.

(Code 1992, § 30-70; Ord. No. 2004-4, 9-7-2004; Ord. No. 2007-1, 4-3-2007)

* * *

Sec. 42-222. Frontage and yards.

- a) The minimum lot width at the setback line and street line shall be 80 feet for a single-family dwelling, 100 feet for a two-family dwelling, and 125 feet for a multiple-family dwelling. Commercial uses have no minimum width.
- b) All residential structures in this district shall be located on the lot with the front of the structure facing the front lot line. Where permitted, multiple buildings on a single lot may be arranged in accord with approved site plans.
- c) Commercial lots need not abut or adjoin a public street right-of-way, provided vehicular or pedestrian access is provided to a public street right-of-way through a perpetual unobstructed paved easement or parking area of at least 30 feet in width for vehicular access or ten feet in width for pedestrian access. Other access designs may be approved by the administrator with consideration being given to overall site conditions and traffic patterns in keeping with article XXI, Site Plan Review.
- d) The minimum side yard for each residential structure shall be a minimum of ten feet or side lot line easement width, whichever is greater.
- e) Each structure shall have a rear yard of 20 feet or more.
- f) The minimum side yard for each main structure shall be a minimum of ten feet. The side yard of corner lots shall be 30 feet or more.
- g) Single-family residences shall have a setback of a minimum of ten feet from any residential district. Main structures other than single-family residences shall have a setback of a minimum of 20 feet from any residential district.
- h) Accessory structures shall have a side and rear yard of three feet or more.
- i) Lots need not abut or adjoin a public street right-of-way, provided vehicular or pedestrian access is provided to a public street right-of-way through a perpetual unobstructed paved easement or parking area of at least 30 feet in width for vehicular access or ten feet in width for pedestrian access. Other access designs may be approved by the administrator with consideration being given to overall site conditions and traffic patterns in keeping with article XXI, Site Plan Review.
- j) If a development includes common areas in addition to the individual lots, the common areas shall be maintained by, and be the sole responsibility of, the developer-owner of the development until such time as the developer-owner conveys such common area to a nonprofit corporate owner whose members shall be all of the individual owners of the individual lots in the development. Said land shall be conveyed to, and be held by, said nonprofit corporate owner solely for the benefit of the owners of the individual lots in the development. In the event of such conveyance by the developer-owner to a nonprofit corporate owner, deed restrictions and covenants shall provide, among other things, that any assessments, charges for cost of maintenance of such common areas shall constitute a pro rata lien upon the individual lots. Maintenance to exteriors, lawns, special lighting and drainage shall be provided in a manner so as to discharge any responsibility for the town.
- k) Whenever any development containing common area is proposed by a developer, and before any permit for the erection of structures shall be granted, the developer, or his agent, shall apply, in writing, to the agent for the approval of the plat and submit three copies of the plat, including the lot, street and utilities layout to a scale of not less than

one inch equals 50 feet. No lots shall be sold until a final plat for the development shall have been approved by council and recorded in the office of the clerk of the county within 60 days after notification of final approval by the agent; otherwise, the approval shall become invalid.

- l) Provisions shall be made to ensure that nonpublic areas for the common use of occupants shall be maintained without expense to the town.
- m) No business or commercial building or structure, temporary or permanent, shall be located closer than 20 feet to the boundary of a residential district or located within any easement or right-of-way. Residential development shall comply with all frontage, lot, yards and development standards for similar development in the R-3 Multiple-Family Residential District, unless such residence is part of the business building or structure.
- n) The front yard shall contain a minimum of 20 percent greenspace or landscaped area with no more than 50 percent of the greenspace in grass alone. The greenspace shall contain trees with a minimum height, at time of planting, of six feet or more at the ratio of one tree per 400 square feet or less of greenspace area. Such greenspace is to be distributed uniformly around the perimeter of the site or distributed throughout the parking and pedestrian areas. For duplexes for individual sale, the greenspace or landscaped area in the front yard shall be maintained at a ratio of 20 percent for each dwelling unit on each lot. For this purpose, corner lots shall be deemed to contain a minimum of 20 percent greenspace or landscaped area in each yard fronting a public street.
- o) A landscaping plan with all areas drawn to scale shall be submitted as part of the site plan.
- p) Preservation of existing trees is encouraged and shall be credited toward the landscaping requirement.
- q) Sidewalks shall be required for all new development. Sidewalks shall be required whenever a new principal building is built or an existing principal building is renovated or expanded sufficiently to increase its value by 25 percent before a certificate of occupancy may be issued. The zoning administrator/town manager may waive this requirement in circumstances that sidewalks do not provide desired connectivity and/or are not physically practical due to site limitations, provided the owner/developer makes a contribution in an amount approximate to the sidewalk installation cost to the town to be utilized for sidewalk improvements and/or repairs in other locations. The zoning administrator/town manager may refer the decision regarding the connectivity and/or practicality to the planning commission should there be any doubts. The town manager/town engineer shall make the determination of the approximate sidewalk installation cost.
- r) Handicap ramps shall be allowed to encroach in all yards if the following criteria are met:
 1. The encroachment by the ramp must be the minimum necessary to accomplish safe access;
 2. The ramp must meet the current edition of the Virginia Uniform Statewide Building Code and the Town of Christiansburg Code; and

3. The minimum size of a building entry landing associated with the ramp shall meet Virginia Uniform Statewide Building Code requirements. The maximum building entry landing size shall be six feet by six feet.
- s) The full facades of individual units within a two-family dwelling shall be varied by changed front yard setbacks. Variation in setback shall be at least three feet.
- t) Structural projections into minimum required yards shall be permitted in accordance with section 42-15.

(Code 1992, § 30-71; Ord. No. 2004-4, 9-7-2004; Ord. No. 2007-1, 4-3-2007; Ord. No. 2010-9, 12-21-2010; Ord. No. 2012-6, § 30-71, 6-19-2012; Ord. No. 2015-1, 4-28-2015).

* * *

Sec. 42-224. – Corner Lots.

1. Of the two sides of a corner lot, the front shall be deemed to be the shorter of the two sides fronting on streets.
2. The side yard on the side facing the side street shall be 30 feet or more for both main and accessory buildings, except as otherwise provided in this chapter.
3. For subdivisions platted after the enactment of this chapter, each corner lot shall have a minimum width at the setback line and the street line measured to the Pi of a radius where a radius exists of 125 feet.

(Code 1992, § 30-73; Ord. No. 2004-4, 9-7-2004)

* * *

Sec. 42-226. – Development standards for apartments.

- a) The development, or project, shall be designed to promote harmonious relationships with surrounding adjacent and nearby developed properties, particularly in larger developments, or projects where more than one building is involved, and to this end may employ such design techniques as may be appropriate to a particular case, including use of building types, orientation, spacing and setback of buildings, careful use of topography, maintenance of natural vegetation, location of access points, recreation areas, open spaces and parking areas, grading, landscaping and screening.
- b) No apartment building shall contain more than 12 dwelling units and no more than three apartment buildings shall be contiguous.
- c) No apartment building shall be located closer than 15 feet from a private drive, access road or open common parking area, whether oriented to the front, sides or rear of the buildings, except that parking areas may be located within five feet and private drives may be located within ten feet of any blank or windowless wall.
- d) More than one apartment building may be located on the lot, provided a minimum distance of 25 feet shall separate any two buildings, or groups of apartment buildings, from any other abutting use or building type.

- e) At least 400 square feet of commonly usable open space shall be provided for each dwelling unit. Such space shall be of such location and dimensions as to provide for outdoor living, patios, pools, lawns, play areas, walks, wooded areas and the like, but not including driveways and parking areas.
- f) Where community refuse containers are provided as accessory uses to apartment developments, such containers shall be conveniently located for pickup vehicle access and completely screened from view by means of a fence or wall with outside landscaping and an appropriately designed gate which can be latched open and closed.
- g) Each apartment dwelling unit shall contain at least 600 square feet of livable floor area, exclusive of garages, carports, cellars, basements, attics, open porches, patios or breezeways, except that up to ten percent of the units may be constructed with less floor area than this minimum.
- h) Apartment development requiring ingress and egress to a public street shall meet all the requirements of the town subdivision ordinance.
- i) Parking lots shall have a minimum setback of 15 feet from any street right-of-way.
- j) Structural projections into minimum required yards shall be permitted in accordance with section 42-15, provided all other requirements of this section are met.

(Code 1992, § 30-75; Ord. No. 2004-4, 9-7-2004)

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ARTICLE IX. – MIXED USE: RESIDENTIAL – LIMITED INDUSTRIAL DISTRICT MU-2

* * *

Sec. 42.252. – Setback.

Structures, temporary or permanent, shall be located 30 feet or more from any street right-of-way, or, in the event that buildings are already constructed on the same side of the street in the block, no new structure shall be closer to the street right-of-way line than a distance equal to the average of the distance to the street right-of-way of all existing structures in the same block on the same side of the street. This shall be known as the setback line. See article XVII for special setback regulations pertaining to the widening of highways and streets. See section 42-15 for special regulations pertaining to structural projections into the minimum required setback. The minimum building setback from common area shall be ten feet. Parking lots shall have a minimum setback of 15 feet from any street right-of-way. Restaurant outdoor dining areas shall have a minimum setback of 15 feet from any street right-of-way.

(Code 1992, § 30-81; Ord. No. 2004-4, 9-7-2004; Ord. No. 2007-1, 4-3-2007)

* * *

Sec. 42-253. – Frontage and Yards.

- a) The minimum lot width at the setback line and street line shall be 80 feet for a single-family dwelling, 100 feet for a two-family dwelling, and 125 feet for a multiple-family dwelling. Commercial uses have no minimum width.
- b) All residential structures in this district shall be located on the lot with the front of the structure facing the front lot line. Where permitted, multiple buildings on a single lot may be arranged in accord with approved site plans.
- c) Commercial lots need not abut or adjoin a public street right-of-way, provided vehicular or pedestrian access is provided to a public street right-of-way through a perpetual unobstructed paved easement or parking area of at least 30 feet in width for vehicular access or ten feet in width for pedestrian access. Other access designs may be approved by the administrator with consideration being given to overall site conditions and traffic patterns in keeping with article XXI, Site Plan Review.
- d) The minimum side yard for each residential structure shall be a minimum of ten feet or side lot line easement width, whichever is greater.
- e) Each structure shall have a rear yard of 20 feet or more.
- f) The minimum side yard for each main structure shall be a minimum of ten feet. The side yard of corner lots shall be 30 feet or more.
- g) Single-family residences shall have a setback of a minimum of ten feet from any residential district. Main structures other than single-family residences shall have a setback of a minimum of 20 feet from any residential district.
- h) Accessory structures shall have a side and rear yard of three feet or more.
- i) Lots need not abut or adjoin a public street right-of-way, provided vehicular or pedestrian access is provided to a public street right-of-way through a perpetual unobstructed paved easement or parking area of at least 30 feet in width for vehicular access or ten feet in width for pedestrian access. Other access designs may be approved by the administrator with consideration being given to overall site conditions and traffic patterns in keeping with article XXI, Site Plan Review.
- j) If a development includes common areas in addition to the individual lots, the common areas shall be maintained by, and be the sole responsibility of, the developer-owner of the development until such time as the developer-owner conveys such common area to a nonprofit corporate owner whose members shall be all of the individual owners of the individual lots in the development. Said land shall be conveyed to, and be held by, said nonprofit corporate owner solely for the benefit of the owners of the individual lots in the development. In the event of such conveyance by the developer-owner to a nonprofit corporate owner, deed restrictions and covenants shall provide, among other things, that any assessments, charges for cost of maintenance of such common areas shall constitute a pro rata lien upon the individual lots. Maintenance to exteriors, lawns, special lighting and drainage shall be provided in a manner so as to discharge any responsibility for the town.
- k) Whenever any development containing common area is proposed by a developer, and before any permit for the erection of structures shall be granted, the developer, or his agent, shall apply, in writing, to the agent for the approval of the plat and submit three copies of the plat, including the lot, street and utilities layout to a scale of not less than

one inch equals 50 feet. No lots shall be sold until a final plat for the development shall have been approved by council and recorded in the office of the clerk of the county within 60 days after notification of final approval by the agent; otherwise, the approval shall become invalid.

- l) Provisions shall be made to ensure that nonpublic areas for the common use of occupants shall be maintained without expense to the town.
- m) No business or commercial building or structure, temporary or permanent, shall be located closer than 20 feet to the boundary of a residential district or located within any easement or right-of-way. Residential development shall comply with all frontage, lot, yards and development standards for similar development in the R-3 Multiple-Family Residential District, unless such residence is part of the business building or structure.
- n) The front yard shall contain a minimum of 20 percent greenspace or landscaped area with no more than 50 percent of the greenspace in grass alone. The greenspace shall contain trees with a minimum height, at time of planting, of six feet or more at the ratio of one tree per 400 square feet or less of greenspace area. Such greenspace is to be distributed uniformly around the perimeter of the site or distributed throughout the parking and pedestrian areas. For duplexes for individual sale, the greenspace or landscaped area in the front yard shall be maintained at a ratio of 20 percent for each dwelling unit on each lot. For this purpose, corner lots shall be deemed to contain a minimum of 20 percent greenspace or landscaped area in each yard fronting a public street.
- o) A landscaping plan with all areas drawn to scale shall be submitted as part of the site plan.
- p) Preservation of existing trees is encouraged and shall be credited toward the landscaping requirement.
- q) Sidewalks shall be required for all new development. Sidewalks shall be required whenever a new principal building is built or an existing principal building is renovated or expanded sufficiently to increase its value by 25 percent before a certificate of occupancy may be issued. The zoning administrator/town manager may waive this requirement in circumstances that sidewalks do not provide desired connectivity and/or are not physically practical due to site limitations, provided the owner/developer makes a contribution in an amount approximate to the sidewalk installation cost to the town to be utilized for sidewalk improvements and/or repairs in other locations. The zoning administrator/town manager may refer the decision regarding the connectivity and/or practicality to the planning commission should there be any doubts. The town manager/town engineer shall make the determination of the approximate sidewalk installation cost.
- r) Handicap ramps shall be allowed to encroach in all yards if the following criteria are met:
 1. The encroachment by the ramp must be the minimum necessary to accomplish safe access;
 2. The ramp must meet the current edition of the Virginia Uniform Statewide Building Code and the Town of Christiansburg Code; and

3. The minimum size of a building entry landing associated with the ramp shall meet Virginia Uniform Statewide Building Code requirements. The maximum building entry landing size shall be six feet by six feet.
- s) The full facades of individual units within a two-family dwelling shall be varied by changed front yard setbacks. Variation in setback shall be at least three feet
- t) Structural projections into minimum required yards shall be permitted in accordance with section 42-15.

(Code 1992, § 30-82; Ord. No. 2004-4, 9-7-2004; Ord. No. 2007-1, 4-3-2007; Ord. No. 2010-9, 12-21-2010; Ord. No. 2012-6, § 30-82, 6-19-2012; Ord. No. 2015-1, 4-28-2015)

* * *

Sec. 42-255 – Corner lots

1. Of the two sides of a corner lot, the front shall be deemed to be the shorter of the two sides fronting on streets.
2. The side yard on the side facing the side street shall be 30 feet or more for both main and accessory buildings, except as otherwise provided in this chapter.
3. For subdivisions platted after the enactment of this chapter, each corner lot shall have a minimum width at the setback line and the street line measured to the Pi of a radius where a radius exists of 125 feet.

(Code 1992, § 30-84; Ord. No. 2004-4, 9-7-2004)

* * *

Sec. 42-257. Development standards for apartments.

- a) The development, or project, shall be designed to promote harmonious relationships with surrounding adjacent and nearby developed properties, particularly in larger developments, or projects where more than one building is involved, and to this end may employ such design techniques as may be appropriate to a particular case, including use of building types, orientation, spacing and setback of buildings, careful use of topography, maintenance of natural vegetation, location of access points, recreation areas, open spaces and parking areas, grading, landscaping and screening.
- b) No apartment building shall contain more than 12 dwelling units and no more than three apartment buildings shall be contiguous.
- c) No apartment building shall be located closer than 15 feet from a private drive, access road or open common parking area, whether oriented to the front, sides or rear of the buildings, except that parking areas may be located within five feet and private drives may be located within ten feet of any blank or windowless wall.
- d) More than one apartment building may be located on the lot, provided a minimum distance of 25 feet shall separate any two buildings, or groups of apartment buildings, from any other abutting use or building type.

- e) At least 400 square feet of commonly usable open space shall be provided for each dwelling unit. Such space shall be of such location and dimensions as to provide for outdoor living, patios, pools, lawns, play areas, walks, wooded areas and the like, but not including driveways and parking areas.
- f) Where community refuse containers are provided as accessory uses to apartment developments, such containers shall be conveniently located for pickup vehicle access and completely screened from view by means of a fence or wall with outside landscaping and an appropriately designed gate which can be latched open and closed.
- g) Each apartment dwelling unit shall contain at least 600 square feet of livable floor area, exclusive of garages, carports, cellars, basements, attics, open porches, patios or breezeways, except that up to ten percent of the units may be constructed with less floor area than this minimum.
- h) Apartment development requiring ingress and egress to a public street shall meet all the requirements of the town subdivision ordinance.
- i) Parking lots shall have a minimum setback of 15 feet from any street right-of-way.
- j) Structural projections into minimum required yards shall be permitted in accordance with section 42-15, provided all other requirements of this section are met.

(Code 1992, § 30-86; Ord. No. 2004-4, 9-7-2004)

* * *

ARTICLE X. – LIMITED BUSINESS DISTRICT B-1

* * *

Sec. 42-283. – Setback.

Structures, temporary or permanent, shall be located 30 feet or more from any street right-of-way, or, in the event that buildings are already constructed on the same side of the street in the block, no new structure shall be closer to the street right-of-way line than a distance equal to the average of the distance to the street right-of-way of all existing structures in the same block on the same side of the street. This shall be known as the setback line. See article XVII for special setback regulations pertaining to the widening of highways and streets. See section 42-15 for special regulations pertaining to structural projections into the minimum required setback. Parking lots shall have a minimum setback of 15 feet from any street right-of-way. Restaurant outdoor dining areas shall have a minimum setback of 15 feet from any street right-of-way

(Code 1972, § 30-69; Code 1992, § 30-91; Ord. of 4-3-1990; Ord. No. 2002-2, 3-5-2002; Ord. No. 2004-4, 9-7-2004; Ord. No. 2007-1, 4-3-2007)

* * *

Sec. 42-284. – Yards.

- a) No building or structure shall be located closer than 20 feet to the boundary of a residential district or located within any easement or right-of-way.
- b) A minimum of 20 percent of the site shall be reserved for greenspace landscaping with no more than 50 percent of the greenspace in grass alone. The greenspace shall contain trees with a minimum height at time of planting of six feet or more at the ratio of one tree per 400 square feet or less of greenspace area. Such greenspace is to be distributed uniformly around the perimeter of the site or distributed throughout the parking and pedestrian areas.
- c) A landscaping plan with all areas drawn to scale shall be submitted as part of the site plan.
- d) Preservation of existing trees is encouraged and shall be credited toward the landscaping requirement.
- e) Sidewalks shall be required for all new development. In lieu of sidewalks, an owner-developer may provide a paved multi-use trail if approved by the town manager. The trail must be a minimum of ten feet in width and adjoin the street right-of-way. A trail must run the entire road frontage of the parcel. In the absence of unreasonable hardship, the town manager will not approve a trail for parcels whose adjoining parcels have sidewalks such that a trail connects to a sidewalk. The zoning administrator/town manager may waive this requirement in circumstances that sidewalks do not provide desired connectivity and/or are not physically practical due to site limitations provided the owner/developer makes a contribution in an amount approximate to the sidewalk installation cost to the town to be utilized for sidewalk improvements and/or repairs in other locations. The zoning administrator/town manager may refer the decision regarding the connectivity and/or practicality to the planning commission should there be any doubts. The town manager/town engineer shall make the determination of the approximate sidewalk installation cost.
- f) Structural projections into minimum required yards shall be permitted in accordance with section 42-15.

Sidewalks shall be required whenever a new principal building is built or an existing principal building is renovated or expanded sufficiently to increase its value by 25 percent before a certificate of occupancy may be issued.

(Code 1972, § 30-70; Code 1992, § 30-92; Ord. of 5-2-1989; Ord. of 6-20-1989; Ord. of 7-2-1991; Ord. of 6-2-1998; Ord. No. 2004-4, § 30-70, 9-7-2004; Ord. No. 2013-6, § 30-92, 5-7-2013; Ord. No. 2015-1, 4-28-2015)

* * *

ARTICLE XII. – GENERAL BUSINESS DISTRICT B-3

* * *

Sec. 42-338. – Setback.

Structures, temporary or permanent, shall be located 30 feet or more from any street right-of-way, or, in the event that buildings are already constructed on the same side of the street in the

block, no new structure shall be closer to the street right-of-way line than a distance equal to the average of the distance to the street right-of-way of all existing structures in the same block on the same side of the street. This shall be known as the setback line. See article XVII for special setback regulations pertaining to the widening of highways and streets. See section 42-15 for special regulations pertaining to structural projections into the minimum required setback. The minimum building setback from any common area shall be ten feet. Parking lots shall have a minimum setback of 15 feet from any street right-of-way. Restaurant outdoor dining areas shall have a minimum setback of 15 feet from any street right-of-way.

(Code 1972, § 30-80; Code 1992, § 30-102; Ord. of 4-3-1990; Ord. No. 2001-5, 11-6-2001; Ord. No. 2002-2, 3-5-2002; Ord. No. 2004-4, § 30-80, 9-7-2004; Ord. No. 2007-1, 4-3-2007)

* * *

Sec. 42-339. – Frontage and yards.

- a) Lots need not abut or adjoin a public street right-of-way, provided vehicular or pedestrian access is provided to a public street right-of-way through a perpetual unobstructed paved easement or parking area of at least 30 feet in width for vehicular access or ten feet in width for pedestrian access. Other access designs may be approved by the administrator with consideration being given to overall site conditions and traffic patterns in keeping with article XXI, site plan review.
- b) If a development includes common areas in addition to the individual lots, the common areas shall be maintained by, and be the sole responsibility of, the developer-owner of the development until such time as the developer-owner conveys such common area to a nonprofit corporate owner whose members shall be all of the individual owners of the individual lots in the development. Said land shall be conveyed to, and be held by, said nonprofit corporate owner solely for the benefit of the owners of the individual lots in the development. In the event of such conveyance by the developer-owner to a nonprofit corporate owner, deed restrictions and covenants shall provide, among other things, that any assessments, charges for cost of maintenance of such common areas shall constitute a pro rata lien upon the individual lots. Maintenance to exteriors, lawns, special lighting and drainage shall be provided in a manner so as to discharge any responsibility for the town.
- c) Whenever any development containing common area is proposed by a developer, and before any permit for the erection of structures shall be granted, the developer, or his agent, shall apply, in writing, to the agent for the approval of the plat and submit three copies of the plat, including the lot, street and utilities layout to a scale of not less than one inch equals 50 feet. No lots shall be sold until a final plat for the development shall have been approved by council and recorded in the office of the clerk of the county within 60 days after notification of final approval by the agent; otherwise, the approval shall become invalid.
- d) Provisions shall be made to ensure that nonpublic areas for the common use of occupants shall be maintained without expense to the town.
- e) No business or commercial building or structure, temporary or permanent, shall be located closer than 20 feet to the boundary of a residential district or located within any

easement or right-of-way. Residential development shall comply with all frontage, lot, yards and development standards for similar development in the R-3 Multiple-Family Residential District, unless such residence is part of the business building or structure.

- f) A minimum of 20 percent of the site shall be reserved for greenspace landscaping with no more than 50 percent of the greenspace in grass alone. The greenspace shall contain trees with a minimum height, at time of planting, of six feet or more at the ratio of one tree per 400 square feet or less of greenspace area. Such greenspace is to be distributed uniformly around the perimeter of the site or distributed throughout the parking and pedestrian areas.
- g) A landscaping plan with all areas drawn to scale shall be submitted as part of the site plan.
- h) Preservation of existing trees is encouraged and shall be credited toward the landscaping requirement.
- i) Sidewalks shall be required for all new development. In lieu of sidewalks, an owner or developer may provide a paved multi-use trail if approved by the town manager. The trail must be a minimum of ten feet in width and adjoin the street right-of-way. A trail must run the entire road frontage of the parcel. In the absence of unreasonable hardship, the town manager will not approve a trail for parcels whose adjoining parcels have sidewalks such that a trail connects to a sidewalk. The zoning administrator/town manager may waive this requirement in circumstances that sidewalks do not provide desired connectivity and/or are not physically practical due to site limitations, provided the owner/developer makes a contribution in an amount approximate to the sidewalk installation cost to the town to be utilized for sidewalk improvements and/or repairs in other locations. The zoning administrator/town manager may refer the decision regarding the connectivity and/or practicality to the planning commission should there be any doubts. The town manager/town engineer shall make the determination of the approximate sidewalk installation cost.
- j) Structural projections into minimum required yards shall be permitted in accordance with section 42-15.

Sidewalks shall be required whenever a new principal building is built or an existing principal building is renovated or expanded sufficiently to increase its value by 25 percent before a certificate of occupancy may be issued.

(Code 1972, § 30-81; Code 1992, § 30-103; Ord. of 5-2-1989; Ord. of 6-20-1989; Ord. of 7-2-1991; Ord. of 6-2-1998; Ord. No. 2001-5, 11-6-2001; Ord. No. 2004-4, § 30-81, 9-7-2004; Ord. No. 2013-6, § 30-103, 5-7-2013; Ord. No. 2015-1, 4-28-2015)

* * *

ARTICLE XIII. – LIMITED INDUSTRIAL DISTRICT I-1

* * *

Sec. 42-373. – Setback.

Structures, temporary or permanent, shall be located 30 feet or more from any street right-of-way, or, in the event that buildings are already constructed on the same side of the street in the block, no new structure shall be closer to the street right-of-way line than a distance equal to the average of the distance to the street right-of-way of all existing structures in the same block on the same side of the street. This shall be known as the setback line. See article XVII for special setback regulations pertaining to the widening of highways and streets. See section 42-15 for special regulations pertaining to structural projections into the minimum required setback. Parking lots shall have a minimum setback of 15 feet from any street right-of-way. Restaurant outdoor dining areas shall have a minimum setback of 15 feet from any street right-of-way.

(Code 1972, § 30-87; Code 1992, § 30-109; Ord. of 4-3-1990; Ord. of 6-2-1998; Ord. No. 2002-2, 3-5-2002; Ord. No. 2004-4, § 30-87, 9-7-2004; Ord. No. 2007-1, 4-3-2007)

* * *

Sec. 42-374. – Frontage and yards.

- a) The minimum lot width at the setback line shall be 100 feet.
- b) The minimum side yard for each main structure shall be a minimum of 40 feet. The side yard of corner lots shall be 30 feet or more, except as otherwise provided in this chapter.
- c) Each main structure shall have a rear yard of not less than 40 feet.
- d) No building or structure shall be located closer than 40 feet to the boundary of a residential district.
- e) Residential development shall comply with all frontage, lot, yard and development standards for similar development in the R-3 Multiple-Family Residential District, unless such dwelling is part of the industrial building or structure.
- f) Structural projections into minimum required yards shall be permitted in accordance with section 42-15.

(Code 1972, § 30-88; Code 1992, § 30-110; Ord. of 6-20-1989; Ord. of 6-2-1998; Ord. No. 2004-4, § 30-88, 9-7-2004; Ord. No. 2007-1, 4-3-2007; Ord. No. 2012-6, § 30-110, 6-19-2012)

* * *

ARTICLE XIV. – GENERAL INDUSTRIAL DISTRICT I-2

* * *

Sec. 42-400. – Setback.

Structures, temporary or permanent, shall be located 30 feet or more from any street right-of-way which is 50 feet or greater in width or 55 feet or more from the centerline of any street right-of-way less than 50 feet in width. See article XVII for special setback regulations pertaining to the widening of highways and streets. See section 42-15 for special regulations pertaining to structural projections into the minimum required setback. The minimum building

setback from any common area shall be ten feet. Parking lots shall have a minimum setback of 15 feet from any street right-of-way. Restaurant outdoor dining areas shall have a minimum setback of 15 feet from any street right-of-way.

(Code 1972, § 30-95; Code 1992, § 30-117; Ord. of 4-3-1990; Ord. No. 2001-5, 11-6-2001; Ord. No. 2002-2, 3-5-2002; Ord. No. 2004-4, § 30-95, 9-7-2004; Ord. No. 2007-1, 4-3-2007)

* * *

Sec. 42-401. – Frontage and Yards.

- a) For permitted uses, the minimum side or rear yard adjoining or adjacent to a residential district shall be 40 feet. The side yard of corner lots shall be 30 feet or more, except as otherwise provided in this chapter.
- b) Residential development shall comply with all frontage, lot, yard and development standards for similar development in the R-3 Multiple-Family Residential District, unless such dwelling is part of the industrial building or structure.
- c) Lots need not abut or adjoin a public street right-of-way, provided vehicular or pedestrian access is provided to a public street right-of-way through a perpetual unobstructed paved easement or parking area of at least 30 feet in width for vehicular access or ten feet in width for pedestrian access. Other access designs may be approved by the administrator with consideration being given to overall site conditions and traffic patterns in keeping with article XXI, Site Plan Review.
- d) If a development includes common areas in addition to the individual lots, the common areas shall be maintained by, and be the sole responsibility of, the developer-owner of the development until such time as the developer-owner conveys such common area to a nonprofit corporate owner whose members shall be all of the individual owners of the individual lots in the development. Said land shall be conveyed to, and be held by, said nonprofit corporate owner solely for the benefit of the owners of the individual lots in the development. In the event of such conveyance by the developer-owner to a nonprofit corporate owner, deed restrictions and covenants shall provide, among other things, that any assessments, charges for cost of maintenance of such common areas shall constitute a pro rata lien upon the individual lots. Maintenance to exteriors, lawns, special lighting and drainage shall be provided in a manner so as to discharge any responsibility for the town.
- e) Whenever any development containing common area is proposed by a developer, and before any permit for the erection of structures shall be granted, the developer, or his agent, shall apply, in writing, to the agent for the approval of the plat and submit three copies of the plat, including the lot, street and utilities layout to a scale of not less than one inch equals 50 feet. No lots shall be sold until a final plat for the development shall have been approved by council and recorded in the office of the clerk of the county within 60 days after notification of final approval by the agent; otherwise, the approval shall become invalid.
- f) Provisions shall be made to ensure that nonpublic areas for the common use of occupants shall be maintained without expense to the town.
- g) Structural projections into minimum required yards shall be permitted in accordance with section 42-15.

(Code 1972, § 30-96; Code 1992, § 30-118; Ord. of 6-20-1989; Ord. No. 2001-5, 11-6-2001; Ord. No. 2004-4, § 30-96, 9-7-2004; Ord. No. 2007-1, 4-3-2007)

* * *

ARTICLE XX. – TOWNHOUSES

* * *

Sec. 42-595. – Front yard.

- a) The minimum setback from any public street right-of-way shall be 30 feet and the minimum building setback from any common area shall be ten feet. The full facades of individual townhouse units within a townhouse group structure shall be varied by changed front yard setbacks and variations in materials or designs so that no more than two abutting townhouses will have the same front yard setback. Variation in setback shall be at least three feet.
- b) The front yard shall contain a minimum of 20 percent greenspace or landscaped area for all common areas and each individual townhouse lot. For individual townhouse lots, the greenspace or landscaped area in the front yard shall be maintained at a ratio of 20 percent for each dwelling unit on each lot. For this purpose, corner lots shall be deemed to contain a minimum of 20 percent greenspace or landscaped area in each yard fronting a public street.
- c) Structural projections into the minimum required front yard shall be permitted in accordance with section 42-15, except that structural projections other than overhanging eaves and gutters shall not be permitted into yards adjoining common area as required by this section.

(Code 1972, § 30-153; Code 1992, § 30-175; Ord. of 9-5-1995; Ord. No. 2002-2, 3-5-2002; Ord. No. 2004-4, § 30-153, 9-7-2004; Ord. No. 2012-6, § 30-175, 6-19-2012)

* * *

Sec. 42-597. – Side yard.

The minimum side yard setback for each townhouse end lot interior to the townhouse development shall be ten feet for the end residence within each townhouse group structure and the minimum side yard for townhouse corner lots not adjoining a side street shall be 20 feet. See section 42-15 for special regulations pertaining to structural projections into the minimum required side yard. An accessory building not exceeding 100 square feet, not exceeding 12 feet in height and not located within any easement or right-of-way may be constructed in any side yard, provided it is located at least three feet from all property lines and no closer to the front than the townhouse structure.

(Code 1972, § 30-155; Code 1992, § 30-177; Ord. of 9-5-1995; Ord. No. 2004-4, § 30-155, 9-7-2004; Ord. No. 2007-1, 4-3-2007)

* * *

Sec. 42-598. – Rear yard.

There shall be a minimum rear yard of 20 feet or more on all lots. Rear yards shall be screened with a privacy type fence or wall of seven feet minimum height and extending not less than 12 feet from the rear building wall. See section 42-15 for special regulations pertaining to structural projections into the minimum required rear yard. An accessory building not exceeding 100 square feet, not exceeding 12 feet in height and not located within any easement or right-of-way may be constructed in any rear yard, provided it is at least three feet from all property lines.

(Code 1972, § 30-156; Code 1992, § 30-178; Ord. of 6-20-1989; Ord. of 9-5-1995; Ord. No. 2004-4, § 30-156, 9-7-2004; Ord. No. 2007-1, 4-3-2007)

* * *

This ordinance shall take effect on January 12, 2021. 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 January 12, 2021, 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>
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Mayor D. Michael Barber*

Samuel M. Bishop

Johana Hicks

Steve Huppert

Merissa Sachs

Henry D. Showalter

Bradford J. Stipes

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

SEAL:

Michele M. Stipes, Town Clerk

D. Michael Barber, Mayor