AN ORDINANCE AMENDING CHAPTER 30 "ZONING" OF THE *CHRISTIANSBURG TOWN CODE* IN REGARDS TO AMATEUR RADIO ANTENNAS AND COMMUNICATIONS STRUCTURES, PLANNED HOUSING DEVELOLOPMENTS, AND TRAFFIC IMPACT ANALYSIS REQUIREMENTS

WHEREAS, the Planning Commission of the Town of Christiansburg, Virginia has recommended to the Council of the Town of Christiansburg amendments to the Zoning Ordinance of the Town of Christiansburg; and,

WHEREAS, notice of the intention of the Town Council to pass said ordinance was published two consecutive weeks (_____, 2012 and _____, 2012) in The News Messenger, a newspaper published in and having general circulation in the Town of Christiansburg; and,

WHEREAS, a public hearing of the Planning Commission of the Town was held _____, 2012 and resulted in a recommendation by the Planning Commission that the following proposed ordinance revisions be adopted; and,

WHEREAS, a public hearing of Council of the Town was held June 5, 2012; and,

WHEREAS, Council deems proper so to do,

Be it ordained by the Council of the Town of Christiansburg, Virginia that Sections 30-1 of Chapter 30 "Zoning" of the *Christiansburg Town Code* be amended by the addition of the definition of "amateur radio tower" and "traffic impact statement"as follows:

ARTICLE I. IN GENERAL

Sec. 30-1. Definitions.

For the purposes of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section:

Amateur radio tower. **A lattice-framed, girded, guyed, or monolithic freestanding or building-mounted structure, including any base, tower, pole, antenna, and appurtenances, intended for noncommercial airway communications purposes by a person holding a valid radio license issued by the Federal Communications Commission (FCC) not exceeding a height of seventy-five (75) feet above ground level.**

Communications antenna. A communications receiving and/or broadcasting device (often attached to a building or an independent communications structure for support purposes) extending no more than 10 feet above a roof support or 12 feet in total height, including but not limited to panels, whips, dishes, or masts.

Communications monopole. A single, self-supporting pole for the erection of communication antenna(s) and not exceeding one-third of the height of the main structure above a roof support or 125 feet in total height including any communications antennas.

Communications structure. Any structure intended or utilized for supporting communications receiving and/or broadcasting devices. This term shall include monopoles and towers.

Communications tower. A ground-supported or roof-supported lattice-framed, girded, or guyed communications structure or any monolithic structure for the erection of communication antenna(s) and not exceeding 250 feet in total height including any communications antennas.

Stealth technology. A man-made tree, clock tower, bell steeple, light pole, and similar alternative-design mounting structure that camouflages or conceals the presence of communications antennas, monopoles, or towers.

Traffic impact statement: **A statement that assesses the impact of a proposed development on the transportation system and recommends improvements to lessen or negate those impacts. The traffic impact statement shall (1) identify any traffic issues associated with access from the site to the existing transportation network; (2) outline solutions to potential problems; (3) address the sufficiency of the future transportation networks and (4) present improvements to be incorporated into the proposed development. The data and analysis contained in the traffic impact statement shall comply with the Virginia Department of Transportation Traffic Impact Analysis Regulations 24 VAC 30-155-60xx. If a traffic impact statement is required, data collection shall be by the developer or owner and the developer or owner shall prepare the traffic impact statement.**

Be it ordained by the Council of the Town of Christiansburg, Virginia that Sections 30-8, 30-10(a), 30-15(n), 30-23(i), 30-31(h), 30-39(t), 30-57, 30-59(f), 30-67(o). 30-76, 30-78(o), 30-87, 30-89(t), 30-95(y), 30-100(aa), 30-106(f), 30-114(g), 30-185(a) and 30-200 of Chapter 30 "Zoning" of the *Christiansburg Town Code* be amended as follows:

Sec. 30-6. Zoning permits.

Buildings or structures shall be started, reconstructed, enlarged or altered only after a zoning permit has been obtained from the Administrator, and shall be void after a period of 180 days from the date of approval, if not utilized during the 180-day period.

Each application for a zoning permit may be required to be accompanied by at least one copy of a scale drawing. The drawing shall show the size and shape of the parcel of land on which the proposed building is to be constructed, the nature of the proposed use of the building or land, the location of such building or use with respect to the property lines of such parcel of land and to the right-of-way of any street or highway adjoining such parcel of land and any other information which the Administrator may deem necessary for consideration of the application. If the proposed building or use is in conformity with the provisions of this chapter, a permit shall be issued to the applicant by the Administrator.
(Code 1972, § 30-6)

Sec. 30-8. Conditional Use Permits.

Where so stated by this chapter, the location of permitted uses shall require, in addition to the zoning permit and certificate of occupancy, a Conditional Use Permit approved by the Town

Council when authorized as herein after provided. A Conditional Use Permit should be approved only if it is permitted as a conditional use in the district regulations and only if it is found that the location is appropriate and not in conflict with the Comprehensive Plan, that the public health, safety, and general welfare will not be adversely affected, that adequate utilities and off-street parking facilities will be provided, and that necessary safeguards will be provided for the protection of surrounding property, persons, and neighborhood values, and further provided that the additional standards of this chapter are complied with. In approving a Conditional Use Permit the Town Council may impose such reasonable conditions as it believes necessary to accomplish the intent of this chapter. Unless otherwise specified in this chapter or specified as a condition of approval, the height limits, yard spaces, lot area, and sign requirements shall be the same as for other uses in the district in which the proposed conditional use is located.

In determining the conditions to be imposed, the Town Council shall take into consideration the intent of this chapter and may impose reasonable conditions that: abate or restrict noise, smoke, dust, or other elements that may affect surrounding property; establish setback requirements necessary for orderly expansion; prevent or alleviate traffic congestion; provide for adequate parking and ingress and egress to public streets or roads; provide adjoining property with a buffer or shield from view of the proposed use if such use is considered to be detrimental to adjoining property; tend to prevent such use from changing the character and established pattern of development of the community.

Any use listed as requiring approval of a Conditional Use Permit and which use legally exists at the effective date of the regulations of this chapter shall be considered a nonconforming use unless it has been approved as a conditional use by the Town Council. Conditional Use Permits may be revoked by the Town Council, Town Manager, or Zoning Administrator if the conditions of such permit are not fulfilled. Nothing contained in this chapter shall be construed to compel the Town Council to issue a Conditional Use Permit.

Conditional Use Permits approved shall be subject to administrative review on an annual basis and to the following time limitations:

(a) Any Conditional Use Permit granted shall be null and void twenty-four (24) months after approval by Town Council if the use or development authorized by the permit is not commenced to a degree that, in the opinion of the Zoning Administrator, clearly establishes the intent to utilize the granted Conditional Use Permit in a time period deemed reasonable for the type and scope of improvements involved. The property owner or applicant may request that Town Council allow a twelve (12) month extension beyond the twenty-four (24) month period for an approved Conditional Use Permit provided that the request is received in writing within at least twenty-three (23) months of the Conditional Use Permit approval.

(b) Activities or uses approved by a Conditional Use Permit which are discontinued for a period of more than twenty-four (24) consecutive months shall not be reestablished on the same property unless a new Conditional Use Permit is issued in accord with this Chapter.

The Town Council, Town Manager, and Zoning Administrator are authorized to require supplemental Conditional Use Permit(s) if questions of compliance should arise regarding any provision of this Chapter.

Conditional Use Permit application submissions shall include a traffic impact statement whenever a proposed Conditional Use Permit substantially affects transportation on Town streets through traffic generation of either:

(i) 100 vehicles trips per peak hour by residential development, or
(ii) 250 vehicles trips per peak hour by non-residential development, or
(iii) 2,500 vehicle trips per day by non-residential development.

The data and analysis contained in the traffic impact statement shall comply with VDOT Traffic Impact Analysis Regulations 24 VAC 30-155-60 and all applicable Town ordinances. (Code 1972, § 30-8; Ord. of 6-2-98; Ord. of 4-20-99; Ord. of 6-19-12)

Sec. 30-10. Amendments to chapter.

(a) *Initiation of change.* The Town Council may, from time to time, amend, supplement, or change, by ordinance, the boundaries of the districts or the regulations herein established. Any such amendment may be initiated by resolution of the Town Council, or by motion of the Planning Commission, or by petition of the owner, contract purchaser with the owner's written consent, or the owner's agent therefor, of the property which is the subject of the proposed Zoning Map amendment addressed to the Town Council. Petitions for change or amendment shall be on forms and filed in a manner prescribed by the Planning Commission. Petitions by private property owners shall be for contiguous properties only; separate application shall be made by private property owners for non-contiguous properties.

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

(i) 100 vehicles trips per peak hour by residential development, or
(ii) 250 vehicles trips per peak hour by non-residential development, or
(iii) 2,500 vehicle trips per day by non-residential development.

The data and analysis contained in the traffic impact statement shall comply with VDOT Traffic Impact Analysis Regulations 24 VAC 30-155-60 and all applicable Town ordinances.

ARTICLE II. AGRICULTURAL DISTRICT A

Sec. 30-15. Permitted uses.

In the Agricultural District, structures to be erected or land to be used shall be for one or more of the following uses:

(n) Facilities and structures necessary for rendering utility service, including poles, wires, transformers, transmission lines, telephone booths and the like for normal electrical power distribution or communication service; communications antennas; **amateur radio towers;** meters and pipelines or conduits for electrical, gas, sewer, or water service; pumping and regulatory stations; substations. Public utility generating, booster or relay stations; major transmission lines and

towers; communications monopoles; railroad yards and terminals; and treatment facilities are permitted with a Conditional Use Permit.

ARTICLE III. RURAL RESIDENTIAL DISTRICT R-1A

Sec. 30-23. Permitted uses.

In the R-1A Rural Residential District, structures to be erected or land to be used shall be for one or more of the following uses:

(i) Public utilities such as poles, lines, distribution transformers, pipes, meters and other facilities necessary for provision and maintenance, including water and sewerage facilities; pumping and regulatory stations; substations; communications antennas; **amateur radio towers**. Communications monopoles with a Conditional Use Permit.

ARTICLE IV. SINGLE-FAMILY RESIDENTIAL DISTRICT R-1

Sec. 30-31. Permitted uses.

In the R-1 Single-Family Residential District, structures to be erected or land to be used shall be for one or more of the following uses:

(h) Public utilities such as poles, lines, distribution transformers, pipes, meters and other facilities necessary for provision and maintenance, including water and sewerage facilities; pumping and regulatory stations; substations; communications antennas; **amateur radio towers**. Communications monopoles with a Conditional Use Permit.

ARTICLE V. TWO-FAMILY RESIDENTIAL DISTRICT R-2

Sec. 30-39. Permitted uses.

In the R-2 Two-Family Residential District, structures to be erected or land to be used shall be for one or more of the following uses:

(i) Public utilities such as poles, lines, distribution transformers, pipes, meters and other facilities necessary for the provision and maintenance of public utilities, including water and sewerage facilities; pumping and regulatory stations; substations; communications antennas; **amateur radio towers**. Communications monopoles with a Conditional Use Permit.

ARTICLE VI. MULTIPLE-FAMILY RESIDENTIAL DISTRICT R-3

Sec. 30-48. Permitted uses.

In the R-3 Multiple-Family Residential District, structures to be erected or land to be used shall be for one or more of the following uses:

(t) Public utilities such as poles, lines, distribution transformers, pipes, meters and other facilities necessary for the provision and maintenance of public utilities, including water and sewerage facilities; pumping and regulatory stations; substations; communications antennas; **amateur radio towers**. Communications monopoles with a Conditional Use Permit.

Sec. 30-57. Planned housing developments.

Within an R-3 Residential District as a conditional use or in conjunction with an application for conditional zoning for R-3 Residential, and in order to encourage improved housing design, variety in housing types and best use of topography, a site plan ~~**may**~~ **shall** be submitted for a planned housing development, together with a subdivision plan if required by this chapter or the subdivision chapter and such other descriptive material or proffers as may be necessary to fully determine the development, even though such development does not comply in all respects to the dimensional requirements of the R-3 District, provided:

(a) One or more major features of the development, such as unusual natural features, yard spaces, open spaces, and building types and arrangements, are such as to justify application of this section rather than a conventional application of the other regulations of the R-3 District.

(b) Materials submitted, drawings, descriptions, proffers and the like are sufficiently detailed to assure compliance with the intent of this section.

(c) The project itself, or a larger project of which it is a part, is of sufficient size in the location proposed as to permit development of an internal environment, which, if different from designs otherwise permitted in the R-3 District, will not adversely affect existing and future development in the surrounding area.

(d) The overall dwelling unit density does not exceed that permitted in the R-3 District for development of comparable housing types.

(e) The development is designed to promote harmonious relationships with surrounding adjacent and nearby developed properties and to this end may employ such design techniques as may be appropriate to a particular case, including use of building types, orientation, and spacing and setback of buildings, careful use of topography, maintenance of natural vegetation, location of recreation areas, open spaces, and parking areas, grading, landscaping, and screening.

(f) Provision satisfactory to the Planning Commission and approved by the Town Attorney shall be made to assure that nonpublic areas for the common use and employment of occupants, but not in individual ownership by such occupants, shall be maintained in a satisfactory manner without expense to the general taxpayer.

Procedures and general standards for approval of an application under this section shall be the same as those for a Conditional Use Permit or for Conditional Zoning as described in Article I as the case may require.
(Code 1972, § 30-57)

ARTICLE VII. RESIDENTIAL MANUFACTURED HOME SUBDIVISION DISTRICT R-MS

Sec. 30-59. Permitted uses.

In the R-MS Residential Manufactured Home Subdivision District, structures to be erected or land to be used may be for one or more of the following uses:

(f) Public utilities such as poles, lines, distribution transformers, pipes, meters and other facilities necessary for the provision and maintenance of public utilities, including water and sewerage facilities; pumping and regulatory stations; substations; communications antennas; **amateur radio towers**. Communications monopoles with a Conditional Use Permit.

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

Sec. 30-67. Permitted uses.

In the MU-1 Mixed Use: Residential - Limited Business District, structures to be erected or land to be used shall be for one or more of the following uses [**Note:** Activities or uses which instruct the reader to "see" a permitted use serve only as a cross reference to the list of permitted uses and associated conditions, if any. The listing of a cross reference in no way implies that the cross reference is a permitted use or activity. Listed permitted uses which instruct the reader to "see also" another permitted use or section of the Zoning Ordinance or Town Code are intended to refer the reader to additional information that is relevant to that permitted use. ed.:

(o) Facilities and structures necessary for rendering utility service, including poles, wires, transformers, transmission lines, telephone booths and the like for normal electrical power distribution or communication service; communications antennas; **amateur radio towers;** meters and pipelines or conduits for electrical, gas, sewer, or water service; pumping and regulator stations; substations. Communications monopoles and major transmission lines are permitted with a Conditional Use Permit.

Sec. 30-76. Planned housing developments.

Within a MU-1 Mixed Use: Residential - Limited Business District as a conditional use or in conjunction with an application for conditional zoning for MU-1 Mixed Use: Residential - Limited Business District, and in order to encourage improved housing design, variety in housing types and best use of topography, a site plan ~~**may**~~ **shall** be submitted for a planned housing development, together with a subdivision plan if required by this chapter or the subdivision chapter and such other descriptive material or proffers as may be necessary to fully determine the development, even though such development does not comply in all respects to the dimensional requirements of the MU-1 District, provided:

(a) One or more major features of the development, such as unusual natural features, yard spaces, open spaces, and building types and arrangements, are such as to justify application of this section rather than a conventional application of the other regulations of the MU-1 District.

(b) Materials submitted, drawings, descriptions, proffers and the like are sufficiently detailed to assure compliance with the intent of this section.

(c) The project itself, or a larger project of which it is a part, is of sufficient size in the location proposed as to permit development of an internal environment, which, if different from designs otherwise permitted in the MU-1 District, will not adversely affect existing and future development in the surrounding area.

(d) The overall dwelling unit density does not exceed that permitted in the MU-1 District for development of comparable housing types.

(e) The development is designed to promote harmonious relationships with surrounding adjacent and nearby developed properties and to this end may employ such design techniques as may be appropriate to a particular case, including use of building types, orientation, and spacing and setback of buildings, careful use of topography, maintenance of natural vegetation, location of recreation areas, open spaces, and parking areas, grading, landscaping, and screening.

(f) Provision satisfactory to the Planning Commission and approved by the Town Attorney shall be made to assure that nonpublic areas for the common use and employment of occupants, but not in individual ownership by such occupants, shall be maintained in a satisfactory manner without expense to the general taxpayer.

Procedures and general standards for approval of an application under this section shall be the same as those for a Conditional Use Permit or for Conditional Zoning as described in Article I as the case may require.
(Ord. 2004-4 of 9-7-04)

Cross reference(s)--Subdivisions, Ch. 26.

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

Sec. 30-78. Permitted uses.

In the MU-2: Mixed Use Residential - Limited Business - Limited Industrial District, structures to be erected or land to be used may be for one or more of the following uses [**Note:** Activities or uses which instruct the reader to "see" a permitted use serve only as a cross reference to the list of permitted uses and associated conditions, if any. The listing of a cross reference in no way implies that the cross reference is a permitted use or activity. Listed permitted uses which instruct the reader to "see also" another permitted use or section of the Zoning Ordinance or Town Code are intended to refer the reader to additional information that is relevant to that permitted use. ed.]:

(o) Facilities and structures necessary for rendering utility service, including poles, wires, transformers, transmission lines, telephone booths and the like for normal electrical power distribution or communication service; communications antennas; **amateur radio towers;** meters and pipelines or conduits for electrical, gas, sewer, or water service; pumping or regulator stations; substations. Communications monopoles and major transmission lines are permitted with a Conditional Use Permit.

Sec. 30-87. Planned housing developments.

Within a MU-2 Mixed Use: Residential - Limited Business - Limited Industrial District as a conditional use or in conjunction with an application for conditional zoning for MU-2 Mixed Use: Residential - Limited Business - Limited Industrial, and in order to encourage improved housing design, variety in housing types and best use of topography, a site plan ~~may~~ **shall** be submitted for a planned housing development, together with a subdivision plan if required by this chapter or the subdivision chapter and such other descriptive material or proffers as may be necessary to fully determine the development, even though such development does not comply in all respects to the dimensional requirements of the MU-2 District, provided:

(a) One or more major features of the development, such as unusual natural features, yard spaces, open spaces, and building types and arrangements, are such as to justify application of this section rather than a conventional application of the other regulations of the MU-2 District.

(b) Materials submitted, drawings, descriptions, proffers and the like are sufficiently detailed to assure compliance with the intent of this section.

(c) The project itself, or a larger project of which it is a part, is of sufficient size in the location proposed as to permit development of an internal environment, which, if different from designs otherwise permitted in the MU-2 District, will not adversely affect existing and future development in the surrounding area.

(d) The overall dwelling unit density does not exceed that permitted in the MU-2 District for development of comparable housing types.

(e) The development is designed to promote harmonious relationships with surrounding adjacent and nearby developed properties and to this end may employ such design techniques as may be appropriate to a particular case, including use of building types, orientation, and spacing and setback of buildings, careful use of topography, maintenance of natural vegetation, location of recreation areas, open spaces, and parking areas, grading, landscaping, and screening.

(f) Provision satisfactory to the Planning Commission and approved by the Town Attorney shall be made to assure that nonpublic areas for the common use and employment of occupants, but not in individual ownership by such occupants, shall be maintained in a satisfactory manner without expense to the general taxpayer.

Procedures and general standards for approval of an application under this section shall be the same as those for a Conditional Use Permit or for Conditional Zoning as described in Article I as the case may require.

(Ord. 2004-4 of 9-7-04)

ARTICLE X. LIMITED BUSINESS DISTRICT B-1

Sec. 30-89. Permitted uses.

In the B-1 Limited Business District, structures to be erected or land to be used may be for one or more of the following uses:

(t) Public utilities such as poles, lines, distribution transformers, pipes, meters and other facilities necessary for the provision and maintenance of public utilities, including water and sewerage facilities; pumping and regulatory stations; substations; communications antennas; **amateur radio towers**. Communications monopoles with a Conditional Use Permit.

ARTICLE XI. CENTRAL BUSINESS DISTRICT B-2

Sec. 30-95. Permitted uses.

In the B-2 Central Business District, structures to be erected or land to be used may be for one or more of the following uses [**Note:** Activities or uses which instruct the reader to "see" a permitted use serve only as a cross reference to the list of permitted uses and associated conditions, if any. The listing of a cross reference in no way implies that the cross reference is a permitted use or activity. Listed permitted uses which instruct the reader to "see also" another permitted use or section of the Zoning Ordinance or Town Code are intended to refer the reader to additional information that is relevant to that permitted use. ed.]:

(y) Public utilities such as poles, lines, distribution transformers, pipes, meters and other facilities necessary for the provision and maintenance of public utilities, including water and sewerage facilities; pumping and regulatory stations; substations; communications antennas**; amateur radio towers**. Communications monopoles with a Conditional Use Permit.

ARTICLE XII. GENERAL BUSINESS DISTRICT B-3

Sec. 30-100. Permitted uses.

In the B-3 General Business District, structures to be erected or land to be used may be for one or more of the following uses [**Note:** Activities or uses which instruct the reader to "see" a permitted use serve only as a cross reference to the list of permitted uses and associated conditions, if any. The listing of a cross reference in no way implies that the cross reference is a permitted use or activity. Listed permitted uses which instruct the reader to "see also" another permitted use or section of the Zoning Ordinance or Town Code are intended to refer the reader to additional information that is relevant to that permitted use. ed.]:

(aa) Facilities and structures necessary for rendering utility service, including poles, wires, transformers, transmission lines, telephone booths and the like for normal electrical power distribution or communication service; communications

antennas; **amateur radio towers;** meters and pipelines or conduits for electrical, gas, sewer, or water service; pumping and regulatory stations; substations. Communications monopoles and major transmission lines are permitted with a Conditional Use Permit.

ARTICLE XIII. LIMITED INDUSTRIAL DISTRICT I-1

Sec. 30-106. Permitted uses--Generally.

In the I-1 Limited Industrial District, structures to be erected or land to be used shall be for one or more of the following uses:

(f) Facilities and structures necessary for rendering utility service, including poles, wires, transformers, transmission lines, telephone booths and the like for normal electrical power distribution or communication service; communications antennas; **amateur radio towers;** meters and pipelines or conduits for electrical, gas, sewer, or water service; treatment facilities; pumping and regulatory stations. Communications monopoles and towers and major transmission are permitted with a Conditional Use Permit.

ARTICLE XIV. GENERAL INDUSTRIAL DISTRICT I-2

Sec. 30-114. Permitted uses--Generally.

In the I-2 general industrial district, structures to be erected or land to be used shall be for one or more of the following uses:

(g) Facilities and structures necessary for rendering utility service, including poles, wires, transformers, transmission lines, telephone booths and the like for normal electrical power distribution or communication service; communications antennas; **amateur radio towers;** meters and pipelines or conduits for electrical, gas, sewer, or water service; treatment facilities; pumping and regulatory stations; substations. Public utility generating, booster or relay stations; major transmission lines and towers; communications monopoles or towers; railroad yards and terminals are permitted with a Conditional Use Permit.

ARTICLE XXI. SITE PLAN REVIEW

Sec. 30-185. Requirements for site plans, content and form.

(a) *Preliminary site plans.* The preliminary site plans shall be clearly drawn to scale as specified below and shall show the following:

1. The proposed title of the project, owner or owners of the land, and name of the engineer, architect, designer, or landscape architect, and the developer.

2. The north point, scale, and date.

3. Location of the project by an insert map indicating the north arrow and such

information as the names and numbers of adjoining roads, streams and bodies of water, railroads, subdivisions, towns, and magisterial districts or other landmarks sufficient to clearly identify the location of the property.

4. Existing zoning and zoning district boundaries and proposed changes in zoning, if any, and including floodplain districts.

5. The boundaries of the property involved, municipal boundaries, the general location of all existing easements and property lines, existing streets, buildings, or waterways, major tree masses and other existing physical features in or adjoining the project.

6. Uses of adjoining properties and names of owners.

7. Topography of the project area with contour intervals of two feet or less, unless waived by the Administrator as clearly unnecessary to review the project or proposal.

8. The approximate location and sizes of sanitary and storm sewers, water mains, culverts, and other underground structures, existing and planned, in or near the project.

9. The general location and character of construction of proposed streets, alleys, driveways, curb cuts, entrances and exits, loading areas (including number of parking and loading spaces), outdoor lighting systems, storm drainage and sanitary facilities.

10. The general location of proposed lots, setback lines, and easements and proposed reservations for parks, parkways, playgrounds, school sites, and open spaces.

11. Location with respect to each other and to lot lines, number of floors, number of dwelling units and approximate height of all proposed buildings and structures, accessory and main, or major excavations.

12. Preliminary plans and elevations of the several dwelling types and other buildings, as may be necessary.

13. General location, height, and material of all fences, walls, screen planting, and landscaping.

14. General location, character, size, height, and orientation of proposed signs.

15. A tabulation of the total number of dwelling units of various types in the project and the overall project density in dwelling units per acre, gross or net as required by district regulations.

16. A traffic impact statement whenever a proposed site plan **substantially affects transportation on Town streets through traffic generation of either:**

    (i) 100 vehicles trips per peak hour by residential development, or
    (ii) 250 vehicles trips per peak hour by non-residential development, or

(iii) 2,500 vehicle trips per day by non-residential development.

The data and analysis contained in the traffic impact statement shall comply with VDOT Traffic Impact Analysis Regulations 24 VAC 30-155-60 and all applicable Town ordinances.

The Administrator may establish additional requirements for preliminary site plans, and in special cases, may waive a particular requirement if, in his opinion, the inclusion of that requirement is not essential to a proper decision on the project. Site plans may be prepared on one or more sheets to show clearly the information required by this article and to facilitate the review and approval of the plan. If prepared in more than one sheet, match lines shall indicate where the several sheets join. Site plans shall be prepared to a scale of one inch equals 50 feet, or such other scale as may be approved by the Administrator as appropriate to a particular case.

ARTICLE XXIII. TELECOMMUNICATIONS STRUCTURES

Sec. 30-200. Telecommunications structures.

A. Telecommunications facilities. The guidelines set forth in this section shall govern the location of all communications monopoles and/or towers and the installation of antennas and accessory equipment structures for such; provided, however, that Town Council may waive any of the requirements or prescribe such reasonable conditions in connection therewith as to assure that the installation will conform to sound planning.

1. Location. Communications monopoles and towers, with a related unmanned equipment building shall be permitted in Zoning Districts as indicated in the permitted uses section of each District, subject to obtaining a zoning and use permit as provided herein and subject to public hearing requirements of Section 30-10(c), and to the requirements and limitations set forth in this section, and in any Zoning District on property owned or controlled by the Town.

2. Aesthetics; lighting.

(a) The height of monopoles and towers shall not exceed the allowable heights as specified in the definitions of this Chapter. Monopoles shall not exceed ~~**70**~~ **75** feet in total height including antennas in Residential Districts.

(b) Monopoles or towers shall either maintain a galvanized steel finish or, subject to any applicable standards of the FCC or FAA, be painted a neutral color.

(c) At a facility site, the design of the buildings and related structures shall use materials, colors, textures, screening, and landscaping that will blend the facilities to the natural setting and the built environment. The related unmanned equipment structure shall not contain more than 750 square feet of gross floor area or be more than 12 feet in height, and shall be located in accordance with the requirements of the zoning district in which located.

(d) Monopoles or towers shall not be artificially lighted, unless required by the FCC or FAA. If lighting is required, Town Council may review the available lighting alternatives and approve the design that would cause the least disturbance to surrounding views.

(e) No advertising of any type shall be allowed on any monopole or tower.

(f) Satellite and microwave dishes attached to monopoles shall not exceed two feet in diameter and six feet in diameter when attached to towers.

(g) Stealth technology may be required as appropriate.

3. Federal requirements. All monopoles or towers must meet or exceed current standards and regulations of the FAA, the FCC, and any other agency of the federal government with the authority to regulate monopoles or towers. If such standards and regulations are changed, then the owners of the monopoles or towers governed by this ordinance shall bring such structures into compliance with such revised standards as required. Failure to bring monopoles or towers into compliance with such revised standards and regulations shall constitute grounds for the removal of the monopole or tower at the owner's expense.

4. Building codes. To ensure the structural integrity of monopoles or towers, the owner of such shall ensure that it is constructed and maintained in compliance with standards contained in applicable federal, state, and local building codes and regulations.

5. Information required. Each applicant requesting a zoning and use permit for a new monopole or tower shall submit 5 copies of a scaled site plan and a scaled elevation view and other supporting drawings, calculations, and other documentation, signed and sealed by appropriate licensed professionals, showing the location and dimensions of all improvements, including information concerning topography, radio frequency coverage, height requirements, setbacks, drives, parking, fencing, landscaping, easements, adjacent uses, and other information deemed necessary to assess compliance with the regulations of this ordinance. Additionally, the applicant shall provide actual photographs of the site from designated relevant views that include a simulated photographic image of the proposed monopole or tower. The photograph with the simulated image shall include the foreground, the midground, and the background of the site. An engineering report, certifying that the proposed monopole or tower is compatible for collocation with a minimum of three similar users including the primary user, must accompany the application. The applicant shall provide copies of their collocation policy.

Each applicant shall also submit a copy of their master plan for provisional location(s) of future monopoles or towers anticipated for future service. ~~**The master plan requirement shall be waived for citizens band radio operators or federally licensed amateur radio operators with a single monopole or tower location.**~~

6. Availability of suitable existing monopoles, towers, or other structures. No new monopole or tower shall be permitted unless the applicant demonstrates to the reasonable satisfaction of Town Council that no existing monopole, tower, or structure can accommodate the proposed antenna. Evidence submitted to demonstrate that no existing monopole, tower, or structure can accommodate the applicant's proposed antenna may consist of any of the following:

a. No existing monopoles, towers, or structures are located within the geographic area required to meet the applicant's engineering requirements.

b. Existing monopoles, towers, or structures are not of sufficient height to meet applicant's engineering requirements.

c. Existing monopoles, towers, or structures do not have sufficient structural strength to support applicant's proposed antenna or related equipment.

d. The applicant's proposed antenna would cause electromagnetic interference with the existing antenna, or the antenna on the existing monopole, tower, or structure would cause interference with the applicant's proposed antenna.

e. The applicant demonstrates that there are other limiting factors that render existing monopoles, towers, or structures unsuitable.

7. Setbacks. Monopoles, towers, guys, and accessory facilities must satisfy the minimum zoning district setback requirements for primary structures as well as setback requirements of Chapter 6 "Antennas". Additionally, monopoles and towers shall have a setback no less than the total height of the structure. Increased setbacks may be required as a condition of the Conditional Use Permit.

8. Security fencing. Monopoles or towers shall be enclosed by security fencing not less than six feet in height and shall be equipped with appropriate anti-climbing device.

9. Landscaping. Monopole or tower facilities shall be landscaped with a buffer of plant materials that effectively screens the view of the support buildings from adjacent property. The standard buffer shall consist of a landscaping strip of at least four feet wide outside the perimeter of the compound. Existing mature tree growth and natural land form on the site shall be preserved to the maximum extent possible. In locations where the visual impact of the monopole or tower would be minimal, the landscaping requirement may be reduced or waived by Town Council.

10. Removal of abandoned monopoles or towers. Any monopole or tower, that is not operational for a continuous period of 90 days shall be considered abandoned, and the owner of such monopole or tower shall remove same within 90 days of receipt of notice from the Building Official or Town Manager notifying the owner of such removal requirement. Removal includes the removal of the monopole or tower, all subterranean tower and fence footers, underground cables and support buildings. The buildings may remain with the approval of the landowner. If there are two or more users of a single monopole or tower, then this provision shall not become effective until all users cease using the monopole or tower. If the monopole or tower is not removed per this section, the Town may require the landowner to have it removed. In all cases, the site shall be returned as closely as possible to its original condition.

11. Bonding. Every applicant for a zoning and use permit for a monopole or tower shall, as a condition for the issuance of the zoning and use permit, file with the Building Official a continuing bond in the penal sum of not less than $10,000.00, and conditioned for the faithful observance of the provisions of this chapter and all amendments thereto, and of all the laws and ordinances relating to monopoles and towers.

12. Applicant responsibility. Any applicant for communications structures to be located on property owned by the Town of Christiansburg assumes responsibility for such structures and indemnifies and saves harmless the Town of Christiansburg from any and all damages, judgments, costs, or expenses which the Town may incur by reason of the removal or the causing to be removed any monopole or tower as provided for in Section 30-199 (c)(10). Any applicant for communications structures on property belonging to the Town of Christiansburg shall enter into contract with the Town for such location of structures.

B. Amateur radio towers. The guidelines set forth in this section shall govern the location of all amateur radio towers and the installation of antennas and accessory

equipment structures for such; amateur radio towers are. Any amateur radio towers not meeting the requirements and limitations set forth shall apply for a Conditional Use Permit.

1. Location. Amateur radio towers shall be permitted in Zoning Districts as indicated in the permitted uses section of each District, subject to obtaining a zoning and use permit as provided herein, and to the requirements and limitations set forth in this section. Amateur radio towers shall be located in the rear yard.

2. Aesthetics; lighting.

(a) The height of amateur radio towers shall not exceed the allowable heights as specified in the definitions of this Chapter.

(b) Amateur radio towers shall either maintain a natural metal color.

(c) No advertising of any type shall be allowed on any amateur radio tower.

(d) Satellite and microwave dishes attached to amateur radio towers shall not exceed two feet in diameter.

3. Federal requirements. All amateur radio towers must meet or exceed current standards and regulations of the FAA, the FCC, and any other agency of the federal government with the authority to regulate amateur radio towers. If such standards and regulations are changed, then the owners of the amateur radio towers governed by this ordinance shall bring such structures into compliance with such revised standards as required. Failure to bring amateur radio towers into compliance with such revised standards and regulations shall constitute grounds for the removal of the amateur radio tower at the owner's expense.

4. Building codes. To ensure the structural integrity of amateur radio towers, the owner of such shall ensure that it is constructed and maintained in compliance with standards contained in applicable federal, state, and local building codes and regulations.

5. Information required. Each applicant requesting a zoning and use permit for a new amateur radio tower shall submit one copy of a scaled site plan and a scaled elevation view and other supporting drawings, calculations, and other documentation, signed and sealed by appropriate licensed professionals, showing the location and dimensions of all improvements, setbacks, and other information deemed necessary to assess compliance with the regulations of this ordinance.

6. Setbacks. Amateur radio towers, guys, and accessory facilities must satisfy the minimum Zoning District setback requirements for primary structures as well as setback requirements of Chapter 6 "Antennas". Additionally, amateur radio towers shall have an additional setback of one foot for every one foot in height added to the district setbacks from all property lines.

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

Upon a call for an aye and nay vote on the foregoing ordinance at a regular meeting of the Council of the Town of Christiansburg, Virginia held _____, 2012, 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 Richard G. Ballengee*				
D. Michael Barber				
Cord Hall				
Steve Huppert				
Henry Showalter				
Bradford J. Stipes				
James W. “Jim” Vanhoozier				

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

SEAL:

_____	_____
Michele M. Stipes, Town Clerk	Richard G. Ballengee, Mayor