Christiansburg Planning Commission
Minutes of September 10, 2012

Present: Barry Akers
Ann H. Carter
Harry Collins
Steve Huppert
Craig Moore, Chairperson
Ashley Parsons
Jennifer D. Sowers
Nichole Hair, Secretary Non-Voting

Absent: M. H. Dorsett, AICP
Joe Powers, Vice-Chairperson

Staff/Visitors: Kali Casper, staff
Gary Cope, 414 Miller Street
Ginger Cope, 414 Miller Street
Roger Rhodes, 415 Miller Street
Joe Walker, 415 Miller Street
Michelle Wood, 415 Miller Street
Roger Galloway, 905 George Edward Via
Tom Long, 418 Miller Street

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Chairperson Moore called the meeting to order at 7:00 p.m. in the Christiansburg Town Hall at 100 E. Main Street, Christiansburg, Virginia to discuss the following items:

Public Comment.

Chairperson Moore opened the floor for public comment. No public comments were made. Chairperson Moore closed the floor for public comment.

Approval of meeting minutes for August 27, 2012.

Chairperson Moore introduced the discussion. Commissioner Collins made a motion to approve the August 27, 2012 Planning Commission meeting minutes. Commissioner Sowers seconded the motion which passed 6-0 with Commissioner Akers abstaining.

Planning Commission public hearing for Council's intention to adopt an ordinance amending Chapter 26 "Subdivisions" and Chapter 30 "Zoning" of the *Christiansburg Town Code* in regards to traffic impact analysis requirements, as well as amending Chapter 30 "Zoning" of the *Christiansburg Town Code* in regards to provisions for planned housing developments, urban agriculture including the keeping of horses, and regulations for amateur radio antennas and communication structures.

Chairperson Moore introduced the discussion. Mr. Roger Galloway of 905 George Edward Via thanked the planning commission for the opportunity to comment on the proposed amendment that will affect amateur radio in Christiansburg. Mr. Galloway stated that he was misquoted in his comments for the August 13th meeting. He noted the minutes stated an increased cost to an amateur radio project for professionally engineered drawings of $500-$1,000, where Mr. Galloway indicated he said the cost would increase to $5,000-$10,000. Mr. Galloway added he hoped his comments will be correct in the minutes for tonight's meeting. He stated he respectfully urges the Council not to pass the amendment with respect to amateur radio towers. He added he believes the proposed Zoning Code as amended remains in violation of State Code Section 15.2-2293.1 "Placement of Amateur Radio Antennas", in addition to the Federal Communications Order and Federal preemption of State and local regulations concerning amateur radio facilities, commonly referred to as PRB-1. Mr. Galloway stated the proposed language violates the law in several ways and on several levels. He added the State Code states localities having a population greater than 120 people per square mile, which Christiansburg does according to the 1990 Census, no local ordinance shall restrict amateur radio antenna height to less than 75 feet above ground level or restrict the number of support structures. He continued the proposed code would restrict amateur radio antenna heights to less than 75 feet because of it is unreasonable, restrictive, and impossible to comply with setback requirements of one foot for every one foot in antenna height. These restrictions would render few, if any, lots in compliance to allow a 75 foot antenna as the State statute requires. Mr. Galloway does not believe there are any lots within Vista Via subdivision, where he lives, that would allow a 75 foot antenna with these requirements. In his case, the Town would restrict his antenna height far below what he is allowed by State law. He added it is clear that the intent of the ordinance is to prevent construction of amateur radio antennas and render Christiansburg an amateur radio free zone. Mr. Galloway requests the Commission consider other provisions of State Code that read: any ordinance involving placement, screening, or height of antennas shall reasonably accommodate amateur radio antennas and impose minimum restrictions necessary to accomplish the locality's legitimate purpose. He added the setback requirement and other requirements in the amendment do not reasonably accommodate amateur radio antennas and impose maximum restrictions rather than the minimum required by the statute. Mr. Galloway stated the Town is not considering the requirements from the amateur licensee's point of view and certainly not imposing minimum regulation necessary to accomplish the Town's legitimate purpose. He continues the setback requirements and the engineering requirements of the proposed amendment do not appear to be based on the way self-supporting antennas may fail or any legitimate study with regard to such antennae.

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Mr. Galloway added his antenna would collapse within itself to a reduced height since it is a crank-up antenna and it is self-supporting. The weakest part would be the aircraft support cable that holds it in place. Mr. Galloway asked what studies or documentation the Town is using to justify the one foot setback per one foot in height requirement and the onerous engineering requirement. He added that Ms. Hair, at the last public meeting in August, stated the proposed requirements were fairly standard for surrounding communities but he stated the surrounding community codes may not be in compliance with State or Federal law. He stated other communities across the United States have made accommodations and welcomed amateur radio to their communities. He added FCCDA 2569 which came out in 1999 stated "nevertheless local regulations that involve placement, screening, or height of antennas based on health, safety, or aesthetic conditions must be crafted to accommodate reasonably amateur communications and represent the minimum practical regulation to accomplish the local authority's legitimate purpose". Mr. Galloway stated with respect to the engineering requirements, requirements for professional drawings add additional and unnecessary costs to erecting an antenna. He added this requirement is discriminatory in that other homeowner projects such as adding a storage shed do not require signed and sealed professional drawings but, using the language of the Town's own code, may only require a scaled drawing to indicate the location of the proposed structure. He stated in paragraph 9 of the FCCDA 2569 document, the FCC said "the PRB's guidelines brings to a local zoning board's awareness the very least regulation necessary for the welfare of the community must be the aim of its regulations so that the regulations will not impinge on the needs of amateur operators to engage in amateur communications". He stated the amended proposed Zoning code is not minimum regulation, does not consider the amateur's requirements, violates State and Federal law, and appears to be designed to keep Christiansburg an amateur radio free zone. He added there has been no demonstrated rational purpose for such restrictions or how such regulation serves the Town's legitimate purposes and given how the Town officials have treated him since first approaching them about erecting an antenna over one year ago, he personally feels the proposed amendment to the Code was written specifically for him and is designed to prevent his antenna within the Town rather than enacting an ordinance that complies with state and federal regulations.

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Mr. Gary Cope of 414 Miller Street noted he is speaking with regards to rezoning request in R-1 and R-2 and the conditional use permit request that would allow horses on residential lots. Mr. Cope noted he has previously addressed the issue and now has a petition signed by 7 neighborhood members who are opposed to this. He noted the petition addresses issues including overgrazing and wear and tear on the land by normal horse usage in a small space that could contribute to erosion and drainage issues, manure management practices and unpleasant odor, welfare of the horses, space constraints and no shelter provided, potential decline of property values, and safety issues. Mr. Cope stated he is aware that Mr. Walker and the residents at 415 Miller Street are doing horse rescue and he admires the cause but it does not have a place in a residentially zoned neighborhood. He added the Town zoned areas in a specific way that allows for animals such as household pets but does not allow for horses. He stated the neighborhood was zoned a certain way and the Planning Commission and Town Council have a certain obligation to uphold that zoning in due faith. He added when they moved to live in Christiansburg, they moved into a residential area to live in a neighborhood with families not to live near a farm or livestock area. Mr. Cope stated Montgomery County requires 5 acres for 2 horses and no more than 4 horses per 10 acres and that Blacksburg does not allow horses at all. He urged the Town to uphold the existing Zoning Ordinance for R-1 and R-2. He added allowing this change could set a dangerous precedent since anyone could put horses in their backyard. He stated this is unfair to the animals and that land space needed for horses to get proper exercise will be addressed by another speaker. Mr. Cope stated there are times when the wind changes directions and the smell is potent. He continued he does not mind being on a farm and has been on one before, but at a farm it is expected. It is not expected living within Town limits less than one mile from this building. Mr. Cope noted there is a risk with a 1,000 pound animal getting out is a danger to children and others. This is a particular concern with rescue horses where trauma can be a factor. Mr. Cope stated horses can get spooked and kill people. He added experienced people on farms have been injured by their own horses. Mr. Cope strongly urged the Planning Commission to not recommend this rezoning or conditional use permit to Town Council and instead uphold the existing zoning. Commissioner Carter asked Mr. Cope about previous mention of feeling intimidated or threatened. Mr. Cope responded he does not feel intimidated but other members of the neighborhood have felt intimidated. Commissioner Carter stated she was concerned that this feeling was not brought to the Town officials. Commissioner Huppert asked about number of horses currently on the property. Mr. Cope responded there were 5 at one time and four have been moved but to ask Mr. Walker.

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Mr. Tom Long of 418 Miller Street stated he is a doctoral candidate at Tech in Statistics and Research Methodologies and he would like to add some statistics to the previous speaker. Mr. Long stated the current property values have dropped 8.9% since construction began on Miller and Alleghany Streets. He added within the past two months, the property value of 418 Miller Street has dropped 0.04% as opposed to 415 Miller Street, which is public record has dropped 8.2% since the addition of the horses. He stated it is well known that agricultural land drops property values in a community and if this was rezoned, the loss would be multi-thousands of dollars. He stated he is against this change. Mr. Long stated he ran a Dickey-Fuller and Phillips-Perron Test of the multiple regression based on a theoretical framework that was developed by Morris Davis of the University of Wisconsin and supported by Jonathan Heathcote at the University of Georgetown. He added in the past month, 415 Miller Street has dropped $9,000 in property value and his residence has dropped $1,000. Chairperson Moore asked if that was a reappraisal. Mr. Long responded it is a current online appraisal from a third-party (Johnson and Staebler). Commissioner Carter stated this is not a rezoning. Mr. Long added the data is of public record gathered from a public database.

Mr. Joe Walker of 415 Miller Street stated he would like to address the concerns presented by the public. He noted in regards to the smell, there is a 120 acre cattle farm 150 to 200 yards south of Miller Street at the Teel's farm, where there are still cattle currently but there has never been an issue with the alleged stench although there are times when the wind comes from the south. He noted in regards to the safety issues, every year thousands of people are mauled and killed by aggressive dogs and that research would likely show the number of people grievously injured, sent to plastic surgeons or sent to the morgue from horse injuries are less frequent. He added the Virginia State Equine Liability Act states anyone voluntarily involved in equine activity assumes the liability regardless of what it is. He explained if he were to voluntarily pet a horse and it stomped him to death, there is no lawsuit that can follow. Mr. Walker added if a horse gets out of a legal fence and damages someone's property or someone else, the law changes drastically and litigation can follow. He continued the likelihood of the 650 lbs. animal that is now there, with the fence built with 6x6 posts every 6 feet and 2x6 boards, costing approximately $1,500 not including the auger, horses will not get out of said fence. He added his truck probably could not drive through the fence without totaling the truck. Mr. Walker asked if there was a physical site visit as part of the online appraisal or if it was based on statistics which around the country show a decline in housing prices. He noted while that revenue loss was pointed out, if 10 more people went to 84 Lumber to build an enclosure for horses, that would be $15,000 in lumber and a large revenue boost to a company that is not doing well based upon appearances.

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Mr. Walker elaborated on small companies that would benefit, such as Tractor Supply, where he has spent $4,000 on various supplies such as corral panels, feed, and tack. He noted that is money that goes right back into our economy. He added for local hay farmers, especially in a drought with less hay and less grain, the opening horses up to residential communities would increase the revenue that said farmer is taking in. The western shop sales would also increase and another small business would be helped. Mr. Walker stated that the wealthiest properties are in Diamond Pointe and each of those properties could have horses since they are zoned rural residential. He added that some of wealthiest locations in America, Belmont States in Kentucky and Lexington, are horse communities, and you do not live there unless you are making at least nine figures. Mr. Walker stated that the idea that having a horse is going to lower property values is slightly absurd. He added he would recommend a board fence be required and not barbed wire fence which are not conducive to horses in the first place are also not conducive to neighborhoods with children. Board fences do not allow for stretching to get through them. He added the wording is adequate stating that there must be a management plan. Mr. Walker noted they give away their manure to local farmers, as horse manure is some of the best fertilizer. He noted they give it away for free although it could be sold for money. Mr. Walker added the amendment should make sure the vet comes out, which they have had the vet come out three times since the horses have been there. At one point, for a four day period, there were five horses on the property, but part of that was a test to see what was really manageable. He stated 1 horse per 4,000 square feet works, which is what is proposed. He noted Montgomery County in residential areas does have 5 acres per 2 horses but there is no requirement in the agricultural district. Mr. Walker added he spoke with the zoning commissioner at the County and a very large number of horses would have to be present before they even looked at. He continued that boarding stables allow horses to be turned out in a 3 to 4 acre pasture for a few hours a day but for 12 hours a day they are in a 12 foot by 12 foot stall. He stated a 4,000 square foot area was more kind than shoving it in a wooden box especially when you are talking about a 6 to 8 foot animal. Mr. Walker stated if the proposed amendment goes through; there will be a request for a building permit within a day or so in order to build a shelter. He does not find it monetarily wise at this point to sink any more money into it until we know what will happen. He noted in the wild, horses do not have shelter but hide behind trees and in gullies. He added the BLM rounds up tens of thousands of horses for the horse market that is already bad unless you have thoroughbreds or pure blooded racing horses. He stated the cost of a horse at auction towards Bedford is not even $300 for registered horses because there is no money in horses.

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Mr. Walker added horse slaughter is effectively illegal in the United States so there is no way to get rid of unwanted horses. He continued opening up a residential area that has adequate space and at one point in time was a horse farm. He stated when his grandparents purchased the property; it was across from a horse farm not townhouses but things change. Progress happens and who is to say keeping a horse is not progress at the same time. He added allowing the residents of Christiansburg to a have one horse per 4,000 square feet, if 1,000 people bought one horse, that is 1,000 horses that will not be abandoned like 162 were in El Paso, Texas desert left to starve and died of thirst. Mr. Walker added that is 1,000 animals that America was built on, that people did not ride dogs but on the backs of horses. He continued the Civil War was fought on the backs of horses, the Revolutionary War was fought on the backs of horses, and even World War I was fought on the backs of horses. Mr. Walker stated these are animals that share a kinship greater than any other domestic pet will ever have. He concluded Christiansburg states it is progressive small town living, but say you do not live in Diamond Pointe, you do not have a $600,000 house, and you cannot have horses, would not be progressive but would be a little class-biased.

Ms. Ginger Cope of 414 Miller Street stated she is opposed to having horses on R-1 and R-2 property in the Town. She added she is not an expert but has done some research from the Virginia Cooperative Extension, which is a branch of Virginia Tech, Virginia State University, and the University of Kentucky. She stated tone pamphlet titled Maintaining Healthy Horse Pasture recommends 2 to 3 acres per horse be allowed. She noted grazing must be controlled to maintain healthy pastures. She added horses be removed from pastures during wet weather because hoof action can seriously damage established sods during wet periods of the year and could potentially contribute to the runoff or erosion issue we are concerned about as well. Ms. Cope added another publication entitled Horse Manure Management states the average 1,000 lbs. horse produces 50 lbs of manure per day and Mr. Walker's 650 lbs. horse would produce 32.5 lbs. of manure per day. She added the article also notes environmental and health impacts if the manure is not managed properly and also discusses composting which is not being discussed. Ms. Cope respectfully disagreed with Mr. Walker concerning property values. She is originally from Fauquier County which is horse country and the Town of Warrenton, which is similar to Christiansburg, horses would not be found in the Town.

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She added that further north in Fauquier and Loudoun Counties are considered horse country where they are on acres and acres of land. Ms. Cope stated all the areas where Mr. Walker mentioned have land, acres of it and not a quarter or half acre of land for horses. She added Montgomery County does not have limitation in agriculture zones but in residential areas where they allow 2 horses per 5 acres with a maximum of 4 horses per 10 acres. Ms. Cope stated she works for the IRS in business and disagrees that allowing horses in residential areas will bring business to the Town. She suggested considering that allowing horses may detract people from living in Town because they may not want to live next to horses. She continued that if people do not move to Christiansburg, there will not be money to spend and tax dollars to collect. It could lead to a raise in taxes for citizens in order to provide public services. She concluded horses have been previously addressed as seen in a Roanoke Times article, from one year ago, where Council and Planning Commission voted against backyard chickens for concerns of noise, smell, and environmental sensitivity. She added that in addition to chickens, the ordinance also made provisions for beehive stands and horses.

Ms. Michelle Wood of 415 Miller Street stated she grew up there and when her parents purchased the property it was agricultural and there were horse farms across the street and down the road. She stated the neighbors do not want to live near horses and everyone has a right to choose where they want to live which is why they are not trying to put the horses in the front yard. Ms. Wood noted it is the same as another pet since horses are companion animals and more like pets. She stated they have one horse now that is actually a pony and belongs to her 2 year old granddaughter. She stated she understands the concern for safety but no one has come to speak with them. She added they have been looking for pastureland to rent since her son has returned from Illinois but it is hard to find. This animal was not rescued, it was purchased from a horse trader for $350 but the horse was being starved. She explained they ended up with 2 free horses because owners were moving and all of the horses can be ridden, they are not wild animals. There have not been any issues with the horses but during the process, no one has approached them concerning the horses. She stated they never intended to keep five horses on the property but that temporarily they were better off feeding them. They have put 4 horses in 8 acre pasture that they rent. Ms. Wood would like to keep the pony as the neighbors keep dogs. She added horses are companion animals, not livestock, not being worked anymore. She stated as to safety, her son has met the five foot Virginia requirement for fencing. She added the property was changed in early 90s from agriculture to residential.

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Ms. Wood stated it was an honest mistake to assume that horses were allowed. She added the neighbor directly beside them wrote a letter. She noted the horses cannot be seen from the street. The neighbor, Jennifer Lilley, wrote that you can only occasionally smell the litter. Ms. Wood stated the dogs smell worse than the horses. She added they bag manure every single day and are given away as quickly as possible to three people who will pick it up. She noted they are taking extra effort to control the smell. Ms. Wood noted the neighbor stated only on occasion can you smell it. She added there needs to be contingencies so you cannot have a townhouse and put a horse in the backyard. She stated when horses are stalled; they are in an area probably smaller than most decks. Ms. Wood stated they are trying to provide what the horses need, including pastureland for the other horses. She added someone filed a complaint that they were starving the horses. She noted Ray Helmick from Animal Control came out to investigate and check that every animal was being fed and had plenty of water. She stated it has been a headache that no one will come and ask but instead file false complaints that the animals are being starved. She stated they will take care of the animals regardless of where they are located. They have the property and area, vet records, health records, to prove to people and be accountable that they are taking care of the animals. She noted the need for accountability in the same way tags are renewed yearly for dogs. She stated tthey would like the option to consider the right to have a horse in an adequate area not a 15 by 15 box. She added she understands their concerns but does not understand false complaints.

Mr. Roger Rhodes of 415 Miller Street stated he would not repeat what has been said but would like to address a concern about how the property looks. He stated in two months, Mr. Walker got out of the military, moved to Illinois and then on a Friday night notified them of arrival on Sunday or Monday. He added in a month and half, they have taken two families (Mr. Walker, his wife, and daughter) and tried to make it work. He noted Mr. Walker just got out of the military and has been starting his own business, but did not have a job until a week ago. He stated most of the things on the property have been very temporary. Mr. Rhodes noted they had to buy corral panels to put two horses in and that is a small spot so they had to keep moving it in the yard to make sure the horses had adequate grass. He stated at one point, it was moved closer into the side yard where it was visible. Within one week, Mr. Walker bought the fence and in three days, they put up a 5,200 square foot pen. He added the pen for the dogs is temporary. He stated if the concern over property value is about how it looks, most of it is temporary. The pen for the horses was most important since they are the largest animals and need the most room. Everything is temporary except for the horse pen. Mr. Rhodes added they have been fencing in the field they are renting in Blacksburg. He stated they are working hard and things will look good when they are finished but just want the chance to do it.

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Chairperson Moore closed the public hearing. Chairperson Moore opened the floor for discussion. He asked when this will go before Town Council for public hearing and if they need to vote on it tonight. Ms. Hair responded the public hearing would be set after the vote and the vote could take place this evening.

Commissioner Carter asked about Mr. Galloway's statement and if the Town Attorney has looked at it. Ms. Hair responded she believed the attorney has reviewed the Ordinance and the Town is in compliance. Commissioner Carter stated she would like to make sure. Ms. Hair stated she can double-check and added it had been developed by the Development Subcommittee with Mr. Wingfield. Commissioner Carter stated she went to look for the horses several weeks ago and could not find the horses; they were not visible to her at all. She stated they originally heard umpteen horses and now is down to a pony and maybe another hose and that some may have jumped to conclusions. She added she was amazed she could not find the horses but she did not get out to look. Commissioner Sowers stated she went out today and could not see them. Commissioner Huppert stated that the fence is right behind the house and that it can be seen from the driveway. Commissioner Carter did not want to trespass on other property and could not see them from the street.

Chairperson Moore reviewed the proposed amendment concerning traffic impact analysis. Commissioner Carter if that relates to 50% of the people. Ms. Hair responded that is related to traffic calming. Chairperson Moore continued to review the proposed amendment concerning traffic impact analysis. Commissioner Carter asked if this has evolved from the development by MegaBuilders. Commissioner Sowers responded yes. Commissioner Collins asked about voting on these individually. Chairperson Moore indicated they can be addressed however a motion is made. Ms. Hair stated it should be recommended as one ordinance, tweaking different parts. Chairperson Moore noted it was advertised as one but asked if certain sections could be dropped. Chairperson Moore stated motions could be made to exclude certain portions.

Chairperson Moore reviewed the proposed amendment concerning amateur radio towers. Chairperson Moore continued to review the proposed amendment. Commissioner Huppert asked if the one foot setback for each foot of the tower was added by the Town or is that State Code. Ms. Hair responded the Town added it and has mirrored Blacksburg's language. Commissioner Huppert asked about the advantage to it. Ms. Hair responded it is intended to protect the adjoining properties. Commissioner Huppert asked if that addressed the tower falling over. Ms. Hair responded she believed so. Commissioner Huppert asked about collapsing towers. Commissioner Collins asked if the attorney has looked at it. Ms. Hair responded she believed so. Commissioner Carter left the meeting at 8:04 p.m.

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Commissioner Akers stated commercial towers are self-collapsing and was taken into consideration when placing it close to the mall. He added Mr. Galloway's tower is self-collapsing in the footprint of the tower and the same consideration should be used. Commissioner Sowers agreed with the same guidelines. Commissioner Akers agreed with Mr. Galloway the restrictions seem excessive and onerous and serves to keep amateur radio out of the Town. He added there are very few properties where the setback requirements could be met. Commissioner Akers noted the other uses for towers are commercial and governmental and seems like the private owners are being held to a different standard. He added he did not think he could support it as written. Commissioner Huppert asked Mr. Galloway how the Town knows the tower is collapsing, if there are guarantees when the tower is bought. Mr. Galloway responded the tower is guaranteed for 90 mph wind with 1 inch of ice when fully extended at 41 feet. Commissioner Huppert asked if Mr. Galloway was referring to his tower. Mr. Galloway responded yes and stated he has recently retired from the National Weather Service and is cognizant of the weather. He has purchased a $1,000 motor to crank the tower up and down. He noted aircraft cables pull up as you crank and pulls the tower up into place. He stated a similar but taller tower was recently in place at the Rec Center on a truck as a portable device. He stated his tower has aircraft strength steel cable and pulleys that would be the most likely thing to fail. He added if it did fail, since the tower goes up one section at a time inside itself, the only way it collapses is straight down. Mr. Galloway stated he does not plan to have the tower up when he is not operating it and will put it down in inclement weather. He added the tower and antenna cost $9,000 so he does not want to risk damage to it by leaving it up. He continued home insurance covers the tower just as it would if his car brakes failed and he drove into his neighbor's home. He noted this neighbor has trees very close to the property line and that there is no setback for trees. Commissioner Huppert noted that ordinance applies to everyone and must take all locations into considerations. Mr. Galloway stated the tower is 12 feet tall when it is down. Mr. Galloway stated the Town has not done much research concerning tower collapse. He added Rohn, a maker of amateur radio towers and commercial towers, states their towers fail within 1/3 of the height of the tower. Mr. Galloway noted Roanoke's ordinance has setbacks of 40% of the height since they took into consideration the way towers fail and collapse. He added he does not see where studies show his type of tower or antenna fails in that manner where they would collapse completely onto a neighbor's property. Commissioner Collins asked if Mr. Galloway's tower would fit the regulations as is. Mr. Galloway responded it would not meet the one foot per one foot in height.

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Commissioner Collins asked about the height of Mr. Galloway's tower. Mr. Galloway responded the tower is 41 feet tall with 2 foot mast with antenna. He noted that he has the setback on three sides but the fourth side, the rear up the hill, would be 35 feet and prevent him from having a tower. He added that by-right he should be allowed a 75 foot tower and that with the restrictions, no one in Christiansburg could have a 75 foot tower based on lot size. He explained his lot has a 35 foot setback from the front lot line, his home is 30 feet deep which makes 65 feet, his lot is 100 feet deep, and all antenna structures must be in the rear, so setbacks cannot be met. Commissioner Huppert asked Chairperson Moore to read the paragraph. Chairperson Moore reviewed the paragraph on setbacks for amateur radio towers. Commissioner Collins asked Mr. Galloway how he would write this requirement. Mr. Galloway stated that the subcommittee had made adjustments to this requirement that were stricken at the last meeting. It had previously stated setbacks must meet primary structure setbacks and an additional setback of one foot for every foot in height above 35 feet. He stated that you could build a two story structure within 10 feet of the property line and if that structure collapsed, it could collapse onto another property. He added originally, it was one foot for every foot in height above 35 feet so a 45 foot antenna would need an additional 10 foot setback and could be 20 feet from the property line. Commissioner Huppert asked if Blacksburg had qualms with this. Ms. Hair responded no. Chairperson Moore asked about a modification for this section. Ms. Hair suggested making a motion to break out each section if Planning Commission wishes to do so. Commissioner Akers made a motion to break out the section on amateur radio towers. Commissioner Huppert seconded the motion which passed 6-0. Commissioner Collins stated that the Town of Christiansburg does not want to prohibit amateur radio towers. Commissioner Collins made a motion to modify #6 as follows: Amateur radio towers shall have a setback of one foot for every foot in height over 35 feet from all property lines as well as setback requirements of Chapter 6 "Antennas". Ms. Hair asked for clarification about setback for primary structures or accessory structures. Commissioner Collins responded he was thinking the primary structure. Commissioner Parsons asked Commissioner Collins to re-read the change. Commissioner Collins stated amateur radio towers shall have a setback of one foot for primary structures for every foot in height over 35 feet from all property lines as well as setback requirements of Chapter 6 "Antennas". Commissioner Collins stated it would give most residents a chance to have them. Mr. Galloway asked about primary setbacks being 10 feet. Ms. Hair responded 10 feet on sides typically, for R-1 the front setback is 35 feet and 35 feet from the rear property line. Mr. Galloway stated that if it is 35 feet from the rear, the setback would be at the rear of his home, so it would not be allowed. Ms. Hair indicated that is correct with that wording.

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Planning Commission public hearing for Council's intention to adopt an ordinance amending Chapter 26 "Subdivisions" and Chapter 30 "Zoning" of the *Christiansburg Town Code* in regards to traffic impact analysis requirements, as well as amending Chapter 30 "Zoning" of the *Christiansburg Town Code* in regards to provisions for planned housing developments, urban agriculture including the keeping of horses, and regulations for amateur radio antennas and communication structures – continued.

Chairperson Moore noted if the antenna is collapsible and less than 35 feet when collapsed, the setbacks of a secondary structure could be used. Ms. Hair stated the secondary structure setbacks are 3 feet or an easement width from the property line. Commissioner Collins asked if that would make more sense. Ms. Hair stated that it is Planning Commission's determination. Commissioner Akers noted this would allow for more leeway in the placement of the tower. Chairperson Moore suggested if a tower is less than 15 feet when down, it could use secondary setbacks since there is less potential for damage. Chairperson Moore stated for amateur radio towers greater than 20 feet when collapsed, they need to meet more stringent standards, if they are less than 20 feet, they can meet secondary setbacks. Commissioner Collins asked how that would serve the public. Mr. Galloway responded it would work well, his tower collapses down to 12 feet and the next tower height of 54 feet collapses to about 22 feet. He added his tower is five sections with each section being about 9 or 10 feet. Chairperson Moore asked about using 20 feet or 25 feet. Commissioner Sowers asked if the larger tower has the 2 foot mast. Mr. Galloway responded that it would have a 2 foot mast. Ms. Hair drafted amateur radio towers greater in height than 25 feet while collapsed shall utilize the primary structure setbacks for the district. Amateur radio towers less than 25 feet while collapsed shall utilize the accessory structure setbacks for the zoning district. Commissioner Collins amended his motion to reflect Ms. Hair's reading. Commissioner Sowers seconded the motion. Chairperson Moore asked Ms. Hair to re-read the change. Ms. Hair responded, "Amateur radio towers greater than 25 feet in height while collapsed shall utilize the Zoning District setback requirements for primary structures as well as setback requirements of Chapter 6 "Antennas". Amateur radio towers less than 25 feet in height while collapsed shall utilize the Zoning District setback requirements for accessory structures as well as setback requirements of Chapter 6 "Antennas". The motion passed 6-0. Commissioner Huppert suggested Mr. Galloway attend the Council meeting regarding this issue.

Chairperson Moore asked if another section should be broken out for discussion. Commissioner Akers made a motion to break out the section on traffic impact analysis. Commissioner Collins/Parsons seconded the motion which passed 7-0. Chairperson Moore explained that this section came about since a developer was required to complete a traffic impact statement; they requested that it be the same for everyone and expectations were laid out ahead of time. Commissioner Akers asked if this was what was asked of the developer. Ms. Hair responded yes that it follows VDOT standards. Commissioner Akers asked if it seemed reasonable and served our purpose at the time. Ms. Hair responded yes. Commissioner Akers made a motion to accept as is. Commissioner Collins/Parsons seconded the motion which passed 7-0. Ms. Hair noted some minor changes with parking requirements and planned housing development site plans. Chairperson Moore asked if there were any concerns regarding those items.

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Ms. Hair noted the next item is urban agriculture. Commissioner Parsons made a motion that urban agriculture be broken out. Commissioner Collins seconded the motion which passed 6-0. Ms. Hair stated including the urban agriculture in R-3 is a typo. Chairperson Moore stated it should be stricken for section 30-48 item (aa). Chairperson Moore reviewed the changes. Commissioner Parsons asked about 4, 000 square feet in acres. Ms. Hair responded it is 1/10 of an acre. Commissioner Collins asked which districts are being proposed to allow the use. Ms. Hair stated R-1 and R-2 and that R-3 is listed by mistake. Commissioner Collins stated that he likes horses but R-1 and R-2 are residential areas and that if you want horses, you must be in an agricultural area. Ms. Hair stated R-1A allows horse's by-right. Commissioner Sowers noted three locations in Town with R-1A zoning. Ms. Hair stated there are 137 R-1A parcels totaling 239 acres. Commissioner Parsons asked about where horses are currently allowed. Ms. Hair responded that horses are allowed in the R-1A and Agriculture. Commissioner Akers does not have a problem with keeping horses but that 4,000 square feet is too small an area for horses. Commissioner Parsons asked about changing from 4,000 square feet to 8,000 or 10,000 square feet. Ms. Hair stated most R-1 lots in Town are 10,000 square feet and the open are decreases with a structure and driveway. Commissioner Parsons stated that change would basically strike it. Commissioner Huppert asked about enclosed area versus lot area. Chairperson Moore reviewed the issue. Commissioner Parsons stated horses should not be allowed in R-1 or R-2 but that there should be size restrictions in the R-1A. Commissioner Sowers noted lots are larger in the R-1A. Ms. Hair stated R-1A lots are half an acre or more. Chairperson Moore summarized Commissioner Parsons' views. Commissioner Huppert stated Council may have discussed 8,000 or 10,000 square feet as well. Commissioner Parsons indicated she was leaning toward 8,000 square feet of R-1A uses for horses. Commissioner Akers asked if she meant per animal. Commissioner Parsons responded yes. Chairperson Moore asked about a restriction on total number. Commissioner Parsons asked if there was currently a limit. Ms. Hair and Chairperson Moore responded no. Chairperson Moore stated that Section 30-23 (b) would state enclosures of at least 8,000 square feet per horse. He asked if that section should indicated enclosed pasture. Ms. Hair responded that terminology can be used from above. Chairperson Moore reviewed the changes. Commissioner Parsons made a motion to strike the allowance of urban agriculture in Sections 30-31, 30-39, and 30-48 and also make the modification in 30-23 (b) to restrict the pasture size for horses to 8,000 square feet for the R-1A district. Ms. Hair read that the Town would allow one horse per 8,000 square feet of enclosed pasture or range and to be no closer to the street right-of-way than the dwelling. Commissioner Sowers seconded the motion. Ms. Hair stated if you are striking urban agriculture, you may also want to strike the provisions of section 30-200. Commissioner Parsons amended her motion to also strike section 30-200. Commissioner Sowers seconded the motion which passed 6-0.

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Ms. Hair noted the remaining changes to the proposed amendment regarding parking and planned housing development site plans. Ms. Hair reviewed the changes to the proposed amendment. Commissioner Parsons made a motion to recommend the ordinance to Town Council with the two modifications. Commissioner Akers seconded the motion which passed 7-0. Commissioner Huppert asked about how this will be presented to Council. Ms. Hair stated she will create a summary and determine when the process will move forward. Chairperson Moore noted appreciation for public input and the recommendation does go before Town Council and to continue to participate in the process.

There being no more business Chairperson Moore adjourned the meeting at 8:57 p.m.

_____ _____

Craig Moore, Chairperson Nichole Hair, Secretary Non-Voting

DRAFT

Petition to Oppose Zoning Request and/or Conditional Use Permit to Allow Horses in R-1 and R-2 Zones

We the undersigned oppose the (re)zoning proposal, conditional use permit, and/or any other special requests of Mr. Joseph Walker at 415 Miller Street, Christiansburg, VA 24073, to allow horses in the R-1 and R-2 districts in the Town of Christiansburg.

We do not believe it is appropriate to have horses, livestock, etc. in a residential zoned area of Town that does not adhere to Montgomery County provisions of two horses per five acres, with a maximum of four horses for parcels 10 acres or more in R-1 and R-2 zones (See Montgomery County Code Article II, Sections 10-24 and 10-25).

Potential issues over which residents are concerned include:

1. Overgrazing or wear and tear on the land by normal horse usage in a small space that could contribute to erosion and drainage issues.
2. Manure management practices and unpleasant odor.
3. Welfare of the horses – space constraints and no shelter provided.
4. Potential decline of property values.
5. Safety issues

Signature	Printed Name	Address
	Gary J. Cope	414 Miller St., C'burg, VA 24073
	Ginger M. Cope	414 Miller St., C'burg, VA 24073
	Barbara Falls-Jones	426 & 428 Miller St., C'burg VA
	Lori Schetselaar	495 Southview Terrace C'burg 24073
	Mark Schetselaar	495 Southview Terr. C'burg 24073
	Charlotte Harris	418 Miller St C'burg 24073
	Thomas Long	418 Miller St C'burg 24073

Thursday, September 08, 2011

Christiansburg council votes against allowing backyard chickens

The planning commission had recommended against passage because of concerns about noise, smell and environmental sensitivity.

By Lerone Graham | The Roanoke Times

One Christiansburg councilman stood alone Tuesday, as the rest of his elected peers voted against a long-researched ordinance that would allow residents to have backyard chickens.

Councilman Cord Hall said he had to be the "odd man out," because he grew up in town raising over 200 chickens and never had any complains.

"I just don't want the council to act on a fear that we've opened the floodgates," Hall said.

council's 5-1 vote was to abide by the planning commission's recommendation not to implement an ordinance that would allow chickens. The commission made that 5-3 recommendation last month, mainly based on concerns about noise, smell and environmental sensitivity, Chairman Craig Moore told the council.

Over the past few months, the commission had been reviewing a draft ordinance that addressed how residents can keep chicken hens and chicks - an ordinance that would have also made provisions for beehive stands and horses.

Current town code does not allow backyard chickens in residential areas.

The draft ordinance stated that residents could keep no more than six chicken hens or chicks and must get an approved permit. The animals were to be stored 15 feet from property lines and 50 feet from adjacent dwellings, according to the draft.

Other birds, such as roosters and ducks would not have been permitted.

Hall mentioned these parameters and said he didn't want the council to act "rashly," especially since the commission was split on its recommendation. Chickens don't make loud noise and are no health hazard when kept properly, especially in such small quantities, Hall said.

Councilman Jim Vanhoozier said he also raised chickens growing up, but opted to vote with the commission's recommendation. Vanhoozier, the council's commission liaison, said the issue was discussed at length after research on similar ordinances in other localities.

"It wasn't just a short-lived thing. It was reviewed consistently," he said.

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Horse Manure Management

Crystal Smith, Extension Agent, Warren County
Carrie Swanson, Extension Agent, Albemarle County

Introduction

Manure management is a vital part of modern day horse ownership. Many horses spend a significant portion of their day in stalls, accumulating large amounts of manure and stall waste. Horse owners generally have a limited amount of time to spend caring for their equine charges; thus, efficient manure removal and disposal is crucial. Additionally, horse facilities are often managed on relatively small acreage, limiting manure storage and application options.

The intent of this publication is to educate horse owners on the effective management of horse manure. Horse owners will first gain a thorough understanding of the quantity and characteristics of manure produced by horses. Finally, on-site options for handling, storing and treating manure will be discussed, keeping sound facility management and environmental stewardship in mind.

Managing horse manure can be a complex topic, and the principles presented here should be tailored to your specific situation. Please contact your local Extension agent or Natural Resources Conservation Service Field Office for technical support.

Horse Manure Production and Characteristics

Horses produce large amounts of manure. In fact, if the manure produced from one horse were allowed to pile up in a 12-foot-by-12-foot box stall for one year, it would accumulate to a height of six feet! On any given day, the average 1,000-pound horse will produce approximately 50 pounds of manure. This amounts to about eight and a half tons per year!

650 lb. horse = 32.5 lbs

Manure is not the only material being removed when stalls are cleaned. Wet and soiled bedding material must also be removed, and can equal almost twice the volume of the manure itself. The amount of bedding material removed will vary by type (shavings, sawdust, straw), but on average totals between eight and 15 pounds. Total stall waste produced averages between 60 and 70 pounds per day, which amounts to approximately 12 tons of stall waste per year!

When managed properly, horse manure can be a valuable resource. Manure is a source of nutrients for pasture production and can be utilized as part of a pasture management strategy to improve soil quality. The fertilizer value of the eight and a half tons of manure produced annually from a 1000-pound horse can amount to 102 pounds of nitrogen (N), 43 pounds of phosphorous (P_2O_5), and 77 pounds of potash (K_2O). Nutrient values for manure vary widely. The type and quantity of bedding material included also affects the overall fertilizer value. If a more accurate measure of nutrient content is needed, contact your local Cooperative Extension office for a list of laboratories that perform manure analysis.

Environmental and Health Impacts

Many horse owners do not have enough land or vegetative cover to properly apply large amounts of manure and nutrients. If not managed properly, manure can deposit excess nutrients into the environment via surface runoff or as leachate (water contaminated with manure) from improper manure storage and land application. This can negatively impact water quality and subject landowners to investigation, and in some cases, legal action under the Virginia Agricultural Stewardship Act. For these reasons, horse operations are encouraged to use best management practices and develop a nutrient man-

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VIRGINIA STATE UNIVERSITY

agement plan. Nutrient management plans describe the farm's manure production, soil fertility, and recommended manure application and removal rates. For more information on designing a plan specific to your farms needs or identifying other conservation resources contact your local Cooperative Extension office.

Internal parasites, insects, rodents, and odors can be manure related health concerns on horse farms. These issues can be minimized through carefully planned manure storage and handling. Internal parasites may be found in horse manure and can compromise the health and welfare of the horses stabled or grazing the land. Composting manure and properly timed land application can limit the risk of parasite exposure. Insects, especially flies, become a nuisance on farms where stockpiled manure serves as the fly larvae habitat. Flies breed when spring temperatures rise above 65°F. Flies deposit their eggs in the top few inches of moist manure and these eggs can hatch in as little as seven days under optimal temperature and moisture conditions. Therefore, fewer flies will develop if you remove manure from the site or make it undesirable for fly breeding (through processes such as composting) within a maximum seven-day cycle. Naturally occurring fly predators can also be used to limit the fly population at the manure pile, but are no replacement for sound management practices. Rodents can be a problem when manure is stockpiled for extended periods of time; providing a warm, safe environment. Additionally, nuisance odor from manure piles can result in strained relationships with neighbors. Composting or timely removal of manure piles will help keep odors to a minimum. Finally, keep in mind that large piles of manure are not aesthetically pleasing to your neighbors or those visiting your farm. Keeping the manure storage site screened with vegetation, fencing, or by location will help to enhance the beauty of your farm.

Horse Manure Storage and Utilization

The average horse produces between 60 and 70 pounds of stall waste per day. Multiply this by several horses, and it is easy to see the importance of having methods in place to manage the manure produced on a daily basis. Letting manure pile up in stalls and paddock areas leads to a host of problems. It is not only unhealthy for your horse, inviting for pests and odors, and aesthetically unpleasing, but the sheer amount of manure produced will overwhelm you! Many handling and storage options exist, but it's up to you to choose the method that best suits your horse operation.

Horse operations with available land may choose to apply stall waste to pastures as fertilizer. This should be done based on soil-test results and nutrient needs. A soil analysis is needed to determine the fertility needs of a pasture. Soil analysis is provided through the Virginia Tech Soil Testing Laboratory for agricultural operations (which includes horse farms) free of charge. Contact your local Cooperative Extension office for instructions on how to take a soil sample. There are also private laboratories that offer soil-testing services.

In many situations, manure can be picked directly from the stall, deposited into a manure spreader, applied to the pasture, and harrowed into the soil. Barns not constructed with a management scheme allowing for stall access by a manure spreader, require manure to be carted from the stall to the manure spreader some distance away. In this case, ramps or dropped spreader parking can be helpful to avoid lifting the heavy, cumbersome stall waste. Keep in mind that when spreading manure from stalls bedded with sawdust or shavings, the applied stall waste can stunt plant growth. Wood products contain carbon that soil microbes use for energy, but not enough nitrogen to build proteins. The microbes draw nitrogen from the soil to make up for this deficit to such a degree that they can actually limit plant growth. To manage this nitrogen deficiency, nitrogen fertilizer can be applied. Or, to avoid the problem completely, manure can be composted before it is applied to the land.

When direct pasture application is not an option, manure storage facilities become a necessity. The storage facility should be convenient to the barn. A general rule of thumb is to plan for 180 days of long-term manure storage. This allows operations the flexibility to store manure when conditions are not ideal for manure application (frozen or wet fields). This storage area should be accessible to the equipment that will ultimately remove the accumulated stall waste. Manure storage facilities should also be downwind and screened from nearby homes to avoid potential complaints about odors and aesthetics. The size, type, and location of manure storage facilities will vary by horse operation based on the amount of manure produced, length of time the manure will be stored, and available land area. Always be sure to contact your local authorities regarding zoning regulations and additional restrictions.

Minimum separation distances commonly recommended for composting and manure-handling activities. Source: On-Farm Composting Handbook, NRAES-54

Sensitive area	Minimum separation distance (feet)
Property line	50-100
Residence or place of business	200-500
Private well or other potable water source	100-200
Wetlands or surface water (streams, ponds, lakes)	100-200
Subsurface drainage pipe or drainage ditch discharging to a natural water course	25
Water table (seasonal high)	2-5
Bedrock	2-5

Manure Storage Construction

Manure storage should be designed to limit the chance of leachate entering surface- and groundwater resources. Ideally, storage piles should be placed on gravel, hardened clay, or concrete pads that slope inward. The construction of manure storage sites will vary based on individual situations and soil types. For instance, concrete pads may be necessary in areas with sandy soils where contaminants are more likely to reach groundwater. Storage piles should not be placed in low-lying or flood-prone areas, and care should be taken to direct water from higher elevations away from the site. The Natural Resources Conservation Service or local Soil and Water Conservation District offices can provide individualized manure storage design specifications.

Composting

Composting horse manure is relatively simple, but does involve more than simply piling the waste. While many farms stockpile their manure, few truly compost. Composting is essentially managed decomposition. Managing the process can virtually eliminate odor, flies, weed seeds, and internal parasites found in horse manure and create a valuable soil amendment for resale or for pasture application. To manage a compost pile, the following factors must be taken into consideration: carbon to nitrogen ratio, oxygen, moisture, and temperature.

The microorganisms found in compost are most active when their diet contains about 30 times more carbon than nitrogen (or a C:N ratio of 30:1). Horse manure's C:N ratio is typically 40:1 due to the large amounts of bedding mixed with it, but generally doesn't require additional nitrogen provided it has enough moisture and oxygen.

Composting is an aerobic (requires oxygen) process. If a compost pile doesn't get enough oxygen, these anaerobic conditions can result in unpleasant odors (such as those normally associated with stockpiling manure) and slowed decomposition. There are several ways to provide oxygen to a compost pile. The most common way is to turn the pile. For large piles or windrows, turning is generally done using the bucket of a tractor or front-end loader. For smaller piles, a pitchfork will certainly get the job done, but these operations may want to consider using an aerated static pile design which doesn't require turning.

Benefits of Composting

- Creates valuable soil amendment
- Stabilizes nitrogen into a slow-release form
- Avoids the problem of nitrogen immobilization
- Reduces manure volume by 50 percent
- Destroys weed seeds, fly larvae, and internal parasites
- Eliminates or reduces the cost of off-site disposal

Typical horse-stall waste tends to be dry and will need added moisture to create the ideal conditions for compost microbes. The moisture content should be about 50 percent, or roughly the consistency of a wrung-out sponge. If rainfall does not provide enough additional moisture, the pile may need to be watered periodically. On the other hand, too much water can also be detrimental, displacing oxygen inside the pile and causing anaerobic conditions. If environmental conditions (rain or snow) are providing too much water, the pile may need to be covered. Some compost-storage designs call for permanent roofs, but properly anchored plastic tarps can be just as effective.

Compost Trouble-Shooting*

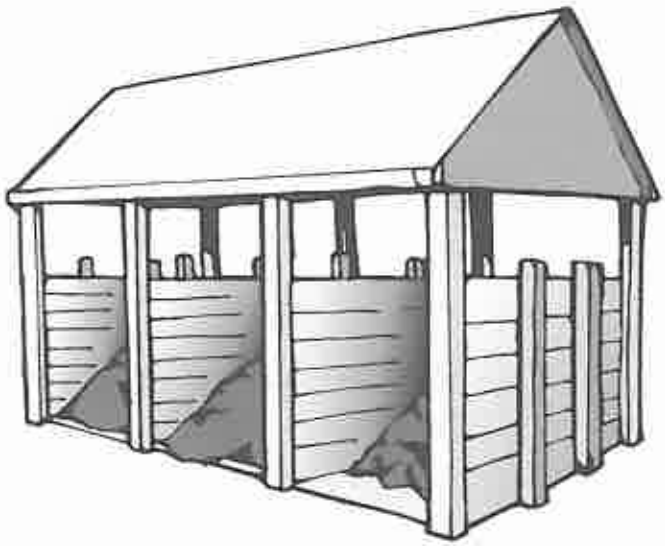
Problem	Possible Cause	Remedy
Fresh manure, but pile won't heat up	The pile is: 1. Too dry 2. Too wet; and/or 3. Outside temp is too cold	1. Add water evenly to pile 2. Aerate and cover 3. Wait for warmer temps and turn as needed
Pile was hot, but now temps are falling	1. Pile is settling 2. Moisture is less than 50%	1. Turn pile; and/or 2. Add water evenly to pile
Pile is more than 160°F and has gray ash-like mold	Pile is too dry	Add water evenly to pile
Pile has gone through two or more heat cycles, but still has some material that has not decomposed	Wood shavings decompose slowly.	Ensure that pile has proper moisture content; add water if needed.
Pile emits bad odor	Pile is too wet and has become anaerobic inside	Turn to aerate and increase water evaporation, apply cover to limit additional rainwater.

* Table does not include all scenarios; see Conclusions for more in-depth publications on the subject.

One of the best ways to monitor your compost pile is by using a thermometer. Compost thermometers should have a probe at least 36 inches long and are available through many garden supply stores. The goal is to have sustained temperatures of 130° to 150°F in the pile interior. This will optimize decomposition and also kill pathogens and weed seeds.

Compost-pile design and storage facilities will depend on the size of the operation and the equipment available. For a farm with two to six horses, small static piles, which use perforated PVC pipes to draw in air and don't require turning, may be ideal. While not necessary, the use of multiple bins can allow separation of distinct "batches." In this situation, horse manure should be piled approximately five to eight feet high with a base that is two times the width and length of the height. For example, a 10-foot-by-10-foot bin could accommodate a pile that is five feet high. PVC pipes should be placed after the pile is about one foot high and so that the ends remain visible as more manure is added.

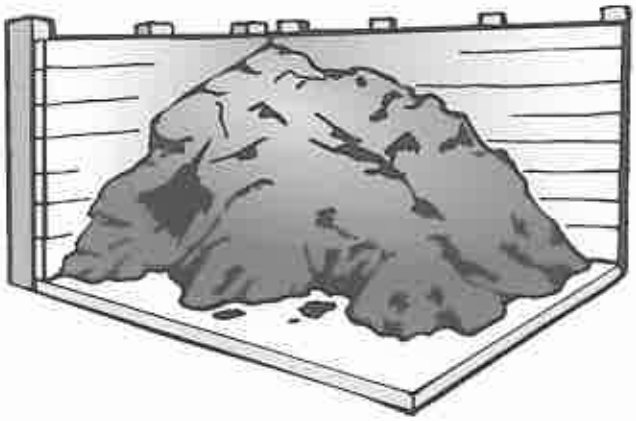
Aerated static pile with perforated PVC pipes.



Example of bins suitable for small farms – doors and roof are optional.

For larger farms with access to bucket loaders, manure spreaders, and/or specialized composting equipment, larger piles or windrows may be the most efficient design options. These piles may be slightly larger in height and width and considerably longer, but will require periodic turning.

Compost will decompose more efficiently if the mix is uniform. Starting with a uniform mix is even more important in the case of static piles, since they will not be turned during the decomposition process. Some farms utilize a temporary storage and mixing area to aid in this process.



Example of mixing/storage area with buck wall.

Conclusion

With careful planning, proper manure management not only protects the environment and increases the efficiency and aesthetics of your farm, but might also save you money while enhancing your pastures. The following resources provide more information on composting and additional facility design specifications:

Field Guide to On-Farm Composting and the On-Farm Composting Handbook, available from the Natural Resource, Agriculture, and Engineering Service (NRAES) at *www.NRAES.org*.

Horse Facilities Handbook, available from the MidWest Plan Service at *www.mwpshq.org*.

The Virginia Tech Agronomy Handbook contains information on soil production, soil sampling, nutrient management, utilization of organic waste and more; available at *www.ext.vt.edu/pubs/agronomy/index.html*.

Acknowledgments

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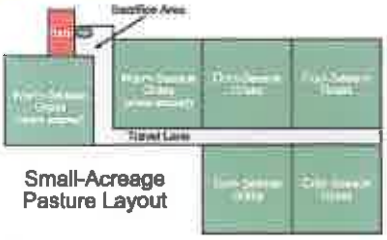
Maintaining Healthy Horse Pastures

C.D. Teutsch, Virginia Tech, and S.R. Smith, University of Kentucky

Well-maintained pastures can serve as an economical and high-quality feed source. Here, a mature pleasure horse grazes contentedly in a field of annual ryegrass.

Horses can graze very closely. In this photo a horse grazes a bermudagrass sod too close.

Close and frequent grazing weakened this sod, resulting in a pasture that is less productive and more susceptible to erosion and weed encroachment.



This is an example of a small-acreage pasture layout for pleasure horses. The inclusion of a warm-season grass provides grazing during the summer.

Pasture Management

Once pastures have been established (18-24 months after planting), sound pasture management is critical for maintaining a healthy and vigorous sod that benefits the horse, owner, and environment.

SOIL TEST PASTURES. Pastures should be soil tested every 2-3 years in order to provide a baseline for tracking changes in pH and fertility.

MAINTAIN ADEQUATE SOIL PH. Soil pH can dramatically affect nutrient availability and plant growth. Maintain pH between 6.2 and 6.5 for grass-legume pastures by applying lime according to the soil test.

MAINTAIN ADEQUATE PHOSPHORUS AND POTASSIUM. Phosphorus and potassium should be maintained in the high range as determined by soil testing.

DISTRIBUTE DUNG PILES. Drag pastures to distribute dung piles and encourage uniform grazing.

PROVIDE 2-3 ACRES PER HORSE. If land area is limited, grazing must be controlled to maintain healthy pastures.

SUBDIVIDE PASTURES. Establish four or more pastures and graze them rotationally.

REST PASTURES BETWEEN GRAZING EVENTS. Resting pastures allows plants to replenish food reserves. Allow pastures to regrow to a height of 8-10". In the spring when cool-season grasses are growing rapidly, rest periods will be shorter. In mid-summer when plant growth is slower, rest periods will be longer.

LEAVE PLENTY OF LEAF AREA. Do not graze closer than 2-4". Leaving plenty of leaf area results in faster regrowth and helps maintain a vigorous sod. Horses tend to graze some areas closer than others, so rotate horses to a fresh pasture when heavily grazed areas are at 2-4". Clip ungrazed areas of the pasture.

DO NOT GRAZE PASTURES WHEN PLANTS ARE NOT GROWING. Feed hay in a sacrifice area to avoid overgrazing pastures during the winter and summer.

REMOVE HORSES FROM PASTURES DURING WET WEATHER. Hoof action can seriously damage established sods during wet periods of the year. Place horses in the sacrifice area and feed hay when the soil is soft.

Pasture Layout and Design

Proper pasture design allows horse owners to control grazing. In some cases it is advisable to establish a permanent perimeter fence and cross-fence with temporary fencing until a suitable layout is found.

INDIVIDUAL PASTURES SHOULD BE SQUARE. Long and narrow or odd shaped pastures are not uniformly grazed.

PASTURES SHOULD BE UNIFORM. Pastures should contain similar forage species, soil types, slopes, and aspects.

HORSES SHOULD HAVE ACCESS TO FRESH WATER AND SHADE. Ideally, each pasture should contain water and shade. In some cases lanes can allow access to the barn from all pastures (see small-acreage example).

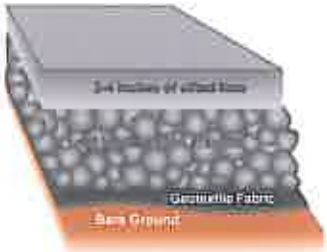
LIMIT ACCESS TO TREES. Trees should be fenced out to prevent girdling.

ESTABLISH A SACRIFICE AREA. Allow 600 to 1,000 sq ft per horse of well-drained area located near the barn. In most cases a rock pad will be required to keep area from becoming muddy (see diagram of rock pad).

USE ELECTRIFIED POLYTAPE TO CONTROL GRAZING. For this type of fencing to be effective, it must be electrified at all times.

Healthy pasture sods supply a safe exercise surface for growing foals.

Sacrifice areas often become muddy and require the construction of a rock pad.



Rock pads are constructed by placing geotextile fabric over the soil, covering it with 4-6" of No. 4 rock, and capping the rock with 2-4" of sifted lime.

Trees must be fenced out to avoid girdling by horses. In this photo an unfenced tree has been totally injured.

For more information on maintaining healthy horse pastures, contact your local Virginia Cooperative Extension Office or visit the Virginia Cooperative Extension website at http://www.ext.vt.edu/resources/.

VirginiaTech Invent the Future
Virginia Cooperative Extension
www.ext.vt.edu
UK University of Kentucky

Publication 418-105
Reviewed by Colleagues
Common Extension agents
Animal and Poultry Sciences

AN ORDINANCE AMENDING CHAPTER 26 "SUBDIVISIONS" AND CHAPTER 30 "ZONING" OF THE *CHRISTIANSBURG TOWN CODE* IN REGARDS TO TRAFFIC IMPACT ANALYSIS REQUIREMENTS, CHAPTER 30 "ZONING" OF THE *CHRISTIANSBURG TOWN CODE* IN REGARDS TO AMATEUR RADIO ANTENNAS AND COMMUNICATIONS STRUCTURES, PLANNED HOUSING DEVELOLOPMENTS, HORSES IN THE R-1A DISTRICT AND PARKING.

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 September 10, 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 _____; and,

WHEREAS, Council deems proper so to do,

Be it ordained by the Council of the Town of Christiansburg, Virginia that Section 26-2 of Chapter 26 "Subdivisions" of the *Christiansburg Town Code* be amended by the addition of the definition of "traffic impact statement"as follows:

ARTICLE I. IN GENERAL

Sec. 26-2. Definitions.

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

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 30-155-60. 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.**

(Code 1972, § 26-2; Ord. of 11-3-98; Ord. of 2-2-99; Ord. of 5-4-99; Ord. of 11-2-99(2); Ord. 2002-5 of 6-18-02)

Cross reference(s)--Definitions and rules of construction generally, § 1-2.

Be it ordained by the Council of the Town of Christiansburg, Virginia that Section 26-6(c) of Chapter 26 "Subdivisions" of the *Christiansburg Town Code* be amended as follows:

ARTICLE II. PLATS

Sec. 26-6. Review and approval process.

(a) *Plat approval required before sale of lots.* Whenever any subdivision of land is proposed, and before any permit for the erection of a structure shall be granted, the subdivider or his agent shall apply in writing to the agent for the approval of the subdivision plat and submit three copies of the preliminary plat including the lot, street and utilities layout. No lot shall be sold until a final plat for the subdivision shall have been approved and recorded in accordance with this section.

(b) *Preliminary sketch.* The subdivider may, if he so chooses, submit to the agent a preliminary sketch of the proposed subdivision prior to his preparing engineered preliminary and final plats. The purpose of such preliminary sketch is to permit the agent to advise the subdivider whether his plans in general are in accordance with the requirements of this chapter. The agent, upon submission of any preliminary sketch, shall study it and advise the subdivider wherein it appears that changes would be necessary. The agent may mark the preliminary sketch indicating necessary changes. The preliminary sketch shall include the following: the location of all proposed and existing streets, lots, parks, playgrounds and other proposed uses of the land to be subdivided and shall include the approximate dimensions.

(c) *Preliminary plat--Contents.* The preliminary plat shall include the following information:

(1) Name of subdivision, owner, subdivider, surveyor or engineer, date of drawing, number of sheets, north point and scale. If true north is used, method of determination must be shown.

(2) Location of proposed subdivision by an inset map showing adjoining roads, their names and numbers, towns, subdivisions and other landmarks.

(3) The boundary survey or existing survey of record shall be acceptable; total acreage, acreage of subdivided area, number and approximate area and frontage of all building sites, existing buildings within the boundaries of the tract, names of owners and their property lines within the boundaries of the tract and adjoining such boundaries shall be shown.

(4) All existing, platted and proposed streets, their names, numbers and widths; existing utility or other easements, public areas; culverts, drains and watercourses, their names and other pertinent data shall be shown.

(5) The complete drainage layout, including all pipe sizes, types, drainage easements and means of transporting the drainage to a well defined open stream which is considered natural drainage shall be shown.

(6) A cross section showing the proposed street construction, depth and type of base, type of surface, etc.

(7) A profile or contour map showing the proposed grades for the streets and drainage facilities including elevations of existing and proposed ground surface at all street intersections and at points of major grade change along the centerline of streets together with proposed grade lines connecting therewith.

(8) Proposed connections with existing sanitary sewers and existing water supply or alternate means of sewage disposal and water supply where public service is not available.

(9) All parcels of land to be dedicated for public use and the conditions of such dedication.

(10) A traffic impact statement whenever a proposed subdivision 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.

(d) *Same--Review.* The agent or his appointed representative shall discuss the preliminary plat with the subdivider in order to determine whether or not his preliminary plat generally conforms to the requirements of this chapter and of the Zoning Ordinance. The subdivider shall then be advised within 45 days, which may be by formal letter, by legible markings on his copy of the preliminary plat, by telephone, or by personal meeting concerning any additional data that may be required and the character and extent of public improvements that will have to be made.

(e) *Same--Approval no guarantee of final approval.* Approval by the agent of the preliminary plat does not constitute a guarantee of approval of the final plat.

(f) *Same--Six-month limit.* The subdivider shall have not more than six months after receiving official notification concerning the preliminary plat to file with the agent a final subdivision plat in accordance with this chapter. Failure to do so shall make preliminary approval null and void. The agent may, on written request by the subdivider, grant an extension of this time limit.

(g) *Final plat--Contents.* The subdivision plats submitted for final approval by the developer and subsequent recording shall be clearly and legibly drawn to scale on a minimum 18' x 24' sheet. In addition to the requirements of the preliminary plat, the final plat shall include the following:

(1) A blank oblong space three inches by five inches shall be reserved for the use of the approving authority.

(2) Certificates signed by the surveyor or engineer setting forth the source of title of

the owners of the land subdivided and the place of record of the last instrument in the chain of title.

(3) A statement to the effect that the subdivision as it appears on this plat is with the free consent and in accordance with the desires of the owners, proprietors and trustees, if any, which shall be signed by the owners, proprietors and trustees, if any, and shall be duly acknowledged before some officer authorized to take acknowledgments of deeds.

(4) When the subdivision consists of land acquired from more than one source of title, the outlines of the various tracts shall be indicated by dashlines and identification of the respective tracts shall be placed on the plat.

(5) The accurate location and dimensions by bearings and distances with all curve data on all lots and street lines, boundaries of all proposed or existing easements, parks, school sites, all existing public streets, their names and widths, utility and drainage easements, watercourses and their names, names of owners and their property lines, both within the boundary of the subdivision and adjoining such boundaries.

(6) Distances and bearings must balance and close with an accuracy of not less than one in 10,000.

(7) The data of all curves along the street frontage shall be shown in detail at the curve or in a curve data table containing the following: Delta, radius, arc, tangent, chord and chord bearings.

(h) *Same--Conditions for approval.* The plat shall not be approved until the subdivider has complied with the general requirements and minimum standards of design in accordance with this chapter and has made satisfactory arrangements for surety bond, cash or cash bond to cover the cost of necessary improvements, in lieu of construction, to the satisfaction of the agent. Approval of final plat by the Town Council shall be written on the face of the plat by the agent. The subdivider shall record the plat within 60 days after notification of final approval by the agent; otherwise, the approval shall become invalid.

(i) *Vacation of plat before sale of lot therein; ordinance of vacation.* Where no lot has been sold, the recorded plat, or part thereof, may be vacated according to either of the following methods:

1. With the consent of the governing body, or its authorized agent, of the locality where the land lies, by owners, proprietors and trustees, if any, who signed the statement required by Code of Virginia, § 15.2-2264 at any time before the sale of any lot therein, by a written instrument, declaring the plat to be vacated, duly executed, acknowledged or proved and recorded in the same clerk's office wherein the plat to be vacated is recorded and the execution and recordation of such writing shall operate to destroy the force and effect of the recording of the plat so vacated and to divest all public rights in, and to reinvest the owners, proprietors and trustees, if any, with the title to the streets, alleys, easements for public passage and other public areas laid out or described in the plat; or

2. By ordinance of the governing body of the locality in which the property shown on

the plat or part thereof to be vacated lies, provided that no facilities for which bonding is required pursuant to Code of Virginia, §§ 15.2-2241--15.2-2245 have been constructed on property and no facilities have been constructed on any related section of the property located in the subdivision within five years of the date on which the plat was first recorded.

The ordinance shall not be adopted until after notice has been given as required by Code of Virginia, § 15.2-2204. The notice shall clearly describe the plat or portion thereof to be vacated and state the time and place of the meeting of the governing body at which the adoption of the ordinance will be voted upon. Any person may appear at the meeting for the purpose of objecting to the ordinance. An appeal from the adoption of the ordinance may be filed within thirty days of the adoption of the ordinance with the circuit court having jurisdiction of the land shown on the plat or part thereof to be vacated. Upon appeal the court may nullify the ordinance if it finds that the owner of the property shown on the plat will be irreparably damaged. If no appeal from the adoption of the ordinance is filed within the time above provided or if the ordinance is upheld on appeal, a certified copy of the ordinance of vacation may be recorded in the clerk's office of any court in which the plat is recorded.

The execution and recordation of the ordinance of vacation shall operate to destroy the force and effect of the recording of the plat, or any portion thereof, so vacated, and to divest all public rights in and to the property and reinvest the owners, propriertors and trustees, if any, with the title to the streets, alleys, and easements for public passage and other public areas laid out or described on the plat.

(j) *Same—Vacation, relocation of boundary lines.* The boundary lines of any lot or parcel of land may be vacated, relocated or otherwise altered as a part of an otherwise valid and properly recorded plat of subdivision or resubdivision approved as provided in such Subdivision Ordinance, or properly recorded prior to the applicability of a Subdivision Ordinance, and executed by the owner or owners of such land as provided in Code of Virginia, § 15.2-2275, as amended, provided such action does not involve the relocation or alteration of streets, alleys, easements for public passage, or other public areas; and provided further, that no easements or utility rights-of-way shall be relocated or altered without the express consent of all persons holding any interest therein.

(Code 1972, § 26-6; Ord. of 3-5-85, § 26-6(j); Ord. of 8-5-97; Ord. of 11-3-98)

Cross reference(s)--Public utilities, Ch. 21; water and sewers, Ch. 29; zoning, Ch. 30.

Be it ordained by the Council of the Town of Christiansburg, Virginia that Section 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.**

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 30-155-60. 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, 30-15(n), 30-23(i), 30-31(h), 30-39(i), 30-48, 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. 30-8. 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. 2012-6 of 6-19-12)

Sec. 30-9. Lighting and minimum off-street parking.

(a) *Specific requirements by use.* Except as otherwise provided in this chapter, when any building or structure is hereafter erected or structurally altered, or any building or structure hereafter erected is converted, accessory off-street parking spaces shall be provided as follows:

Use or Use Category	*Off-street Parking Spaces Required*
Single-family, private driveway	**16' wide x 18' long parking area**
~~Single-family or~~ two-family dwelling	2 per dwelling unit
Townhouse	2 per dwelling unit
Multi-family dwelling, three or more dwelling units: One or more bedroom apartments, roomers	 2 per dwelling unit 1 for each roomer
Church, temple, synagogue, or similar place of assembly	1 per 5 seats or bench seating spaces (seats in main auditorium only)
College or high school	1 per 5 seats or bench seating spaces (seats in main auditorium, gymnasium or field house only, whichever is larger) or one for each five students, whichever is greater
Elementary, junior high, or nursery school	1 per 10 seats in main assembly room or 2 per classroom, whichever is greater
Private club without sleeping rooms	1 per 5 members or 1 for each 400 square feet of floor area, whichever is greater
Public library, museum, art gallery, or community center	10 per use plus 1 additional space for each 300 square feet of floor area in excess of 1,000 square feet
Private clubs, fraternities, sororities, and lodges, with sleeping rooms	2 per 3 sleeping rooms or suites or 1 per 5 active members, whichever is greater
Sanitarium, convalescent home, home for aged, or similar institution	1 per 3 patient beds
Motel, motor hotel, motor lodge hotel, or tourist court	1 per sleeping room or suite plus 5 spaces for general use

Use or Use Category	*Off-street Parking Spaces Required*
Rooming, boarding, or lodging house, bed and breakfast establishment	1 per sleeping room
Hospital	2 per patient bed
Hospital, veterinary	1 per 400 square feet of floor area; 4 spaces minimum
Office or office building (other than medical), post office, studio	1 per 400 square feet of floor area; 3 spaces minimum
Medical offices or clinic	1 per 200 square feet of floor area; 10 spaces minimum for a clinic
Funeral home	1 per 50 square feet of floor area excluding storage and work area; 30 spaces minimum
Restaurant or other establishment for consumption of food or beverages inside a building on the premises	1 per 100 square feet of floor area, 3 spaces minimum
Restaurant, drive-in	1 per 100 square feet of floor area, 10 spaces minimum
Retail store or personal service establishment and banks	1 per 250 square feet of floor area for the first 5,000 square feet 1 per 300 square feet of floor area of the second 5,000 square feet 1 per 350 square feet of floor area for the third 5,000 square feet of all subsequent square footage
Shopping center	1 per 250 square feet of floor area for the first 5,000 square feet 1 per 300 square feet of floor area of the second 5,000 square feet 1 per 350 square feet of floor area for the third 5,000 square feet of all subsequent square footage
Automobile service station	3 for each service bay or pump island, whichever is greater. Parking for refueling may be credited toward required parking spaces if the

Use or Use Category	*Off-street Parking Spaces Required*
	Administrator determines parked vehicles do not interfere with traffic
Furniture or appliance store, machinery, equipment, mobile home, and automobile and boat sales and service	1 per 300 square feet of floor area; 2 spaces minimum. Automobile sales and service, 10 minimum
Auditorium, theater, gymnasium stadium, arena, or convention hall	1 per 4 seats or seating spaces
Bowling alley	5 per lane
Food storage locker	1 per 200 square feet customer service area
Outdoor sales area, open air market or flea market	4 for each rented stall, table, or sales space
Self service storage, miniwarehouse	1 for each 25 storage areas plus 3 spaces for the office, if provided (driving aisle between units must be paved or concrete)
Amusement place, dancehall, skating rink, swimming pool or exhibition hall, without fixed seats	1 per 100 square feet of floor area. Does not apply to accessory uses
General service or repair establishment, printing, publishing, plumbing, heating, broadcasting station	1 per 2 employees on premises; auditorium for broadcasting station requires seating as above
Manufacturing or industrial establishment, research or testing laboratory, creamery, bottling plant, wholesale, warehouse, or similar establishment	1 per 2 employees on maximum working shift plus space for storage of trucks or other vehicles used in connection with the business or industry

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. Any amateur radio towers not meeting the requirements and limitations set forth shall require for a Conditional Use Permit approval.

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 or stealth appearance.

(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 a licensed surveyor, engineer or other appropriate licensed professional, 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 tower guys and accessory facilities must satisfy the minimum Zoning District setback requirements for primary structures. Amateur radio towers greater than 25 feet in height while collapsed shall utilize the Zoning District setback requirements for primary structures as well as setback requirements of Chapter 6 "Antennas". Amateur radio towers less than 25 feet in height while collapsed shall utilize the Zoning District setback requirements for accessory structures as well as setback requirements of Chapter 6 "Antennas.

(Ord. 2000-2 of 4-18-00; Ord. 2004-4 of 9-7-04, § 30-177; Ord. 2007-1 of 4-3-07; Ord. 2007-1 of 4-3-07, § 30-199; Ord. 2010-9 of 12-21-10)

Be it further ordained by the Council of the Town of Christiansburg, Virginia that Section Section 30-23(b) of Chapter 30 "Zoning" of the *Christiansburg Town Code* be amended as follows:

ARTICLE III. RURAL RESIDENTIAL DISTRICT R-1A

Sec. 30-23. Permitted uses.

(b) ~~Agriculture and forestry, but not including pens as herein defined or the raising or keeping of swine or goats.~~ **Enclosures for horses of at least 8,000 square feet for each horse.**

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