AN ORDINANCE AMENDING CHAPTER 30 "ZONING" OF THE *CHRISTIANSBURG TOWN CODE* IN REGARDS TO SIDEWALK REQUIREMENT IN THE B-1 LIMITED BUSINESS, B-2 CENTRAL BUSINESS AND B-3 GENERAL BUSINESS DISTRICTS

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 Planning Commission public hearing regarding the intention of the Town Council to pass said ordinance was published two consecutive weeks (March 9, 2013 and March 16, 2013) in The News Messenger, a newspaper published in and having general circulation in the Town of Christiansburg; and,

WHEREAS, notice of the intention of the Town Council to pass said ordinance was published two consecutive weeks (March 20, 2013 and March 27, 2013) 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 March 25, 2013 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 April 16, 2013; and,

WHEREAS, Council deems proper so to do,

Be it ordained by the Council of the Town of Christiansburg, Virginia that Sections 30-103(f) of Chapter 30 "Zoning" of the *Christiansburg Town Code* be amended as follows:

ARTICLE X. LIMITED BUSINESS DISTRICT B-1

(e) Sidewalks shall be required for all new development. **In lieu of sidewalks, an owner or developer may provide a paved multi-use trail a minimum of ten (10) feet in width connecting to the street right-of-way adjoining other properties and to each lot within the development by a hard surface connection with Town Manager approval.** The Zoning Administrator/Town Manager may waive this requirement in circumstances that sidewalks do not provide desired connectivity and/or are not physically practical due to site limitations provided the owner/developer makes a contribution in an amount approximate to the sidewalk installation cost to the Town of Christiansburg to be utilized for sidewalk improvements and/or repairs in other locations. The Zoning Administrator/Town Manager may refer the decision regarding the connectivity and/or practicality to the Planning Commission should there be any doubts. The Town Manager/Town Engineer shall make the determination of the approximate sidewalk installation cost.
(Code 1972, § 30-70; Ord. of 5-2-89; Ord. of 6-20-89; Ord. of 7-2-91; Ord. of 6-2-98; Ord. 2004-4 of 9-7-04, § 30-70)

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ARTICLE XI. CENTRAL BUSINESS DISTRICT B-2

Sec. 30-98. Frontage, yards and height.

There shall be no minimum frontage, side yard setback, or rear yard regulations except that no building or structure shall be located closer than ten feet to the boundary of a Residential District. However, no building or structure shall be located within any easement or right-of-way. Additionally, gas station pump island locations shall comply with Virginia Department of Transportation setbacks. There shall be no height regulation with the exception that structures greater than 70 feet shall require Conditional Use Permit approval. Town water tanks shall be exempt from the Conditional Use Permit requirement.

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(Code 1972, § 30-76; Ord. of 6-20-89; Ord. of 6-2-98; Ord. 2004-4 of 9-7-04, § 30-76; Ord. 2012-6 of 6-19-12)

ARTICLE XII. GENERAL BUSINESS DISTRICT B-3

Sec. 30-103. Frontage and yards.

(f) Sidewalks shall be required for all new development. **In lieu of sidewalks, an owner or developer may provide a paved multi-use trail a minimum of ten (10) feet in width connecting to the street right-of-way adjoining other properties and to each lot within the development by a hard surface connection with Town Manager approval.** The Zoning Administrator/Town Manager may waive this requirement in circumstances that sidewalks do not provide desired connectivity and/or are not physically practical due to site limitations provided the owner/developer makes a contribution in an amount approximate to the sidewalk installation cost to the Town of Christiansburg to be utilized for sidewalk improvements and/or repairs in other locations. The Zoning Administrator/Town Manager may refer the decision regarding the connectivity and/or practicality to the Planning Commission should there be any doubts. The Town Manager/Town Engineer shall make the determination of the approximate sidewalk installation cost.

(Code 1972, § 30-81; Ord. of 5-2-89; Ord. of 6-20-89; Ord. of 7-2-91; Ord. of 6-2-98; Ord. 2001-5 of 11-6-01; Ord. 2004-4 of 9-7-04, § 30-81)

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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 xx, 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

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