

XII. Policies and Plan Implementation

Administration of the Plan

The *Town of Christiansburg Comprehensive Plan* update represents the continuation of formal, organized planning for the Town and the immediate planning area. The Plan serves as a foundation for addressing local problems and recognizing future needs and demands of growth. The Plan offers an opportunity to the Town leaders to apply appropriate controls and direct both public and private investments in a logical manner to achieve short-term objectives and long-range goals.

However specific the state laws and local ordinances may be, or however carefully planning procedures may be followed, all of the laws and procedures, text, maps, special studies and outside funding programs cannot substitute in effectiveness for the support of the people of Christiansburg. The awareness of the Town's citizens of the advantages of a comprehensive long-range view in dealing with the problems and opportunities of the Town is an important tool. Maintaining such a long-range perspective is critical when the pace of growth is accelerating and the future of development depends upon the impacts of the changes occurring. The careful handling of growth management and facilities planning within a long-range view sets a favorable precedent for the Town.

The following sections address the legal status of the Plan and various policy and administrative functions to carry out the *Town of Christiansburg Comprehensive Plan*, which are required to promote an efficient application of plan provisions.

Planning Commission Responsibility

The Planning Commission is responsible for preparing the Comprehensive Plan and making recommendation to the Town Council on related matters. The Planning Commission should maintain knowledge of the facts and interrelationships of a broad range of subjects; furthermore, the Commission must be able to weigh the advantages and disadvantages of various possible courses of action.

With growth, the requirements for planning staff assistance will increase. Routine administration and review of building and subdivision proposals, enforcement of Codes, periodic revision of the Comprehensive Plan, participation in funding programs and special studies require full-time staff. Staff services will need to be supplemented at times by consultants and the New River Valley Planning District Commission.

The State Planning and Enabling Statutes provide for general content of the Plan and procedures for adoption. The Planning Commission is required to give notice and hold a public hearing before recommending the Plan to the Town Council for adoption. The Town Council must also give notice and hold a public hearing before it adopts the Plan.

Legal Status of the Plan

The legal foundation for the comprehensive plan is found in the Code of Virginia. This chapter addresses the procedures for plan implementation including the role of the Town Planning Commission in the review of the proposed plan and the relationship of the zoning and subdivision ordinances to the plan and their use in accomplishing the Plan's land use elements. In addition, Code of Virginia provides direction for capital improvements programming and presents the procedures for coordination of government activities at all levels.

The following excerpts from Title 15.2-2232, Code of Virginia supports the legal foundation for the comprehensive plan:

A. Whenever a local planning commission recommends a comprehensive plan or part thereof for the locality and such plan has been approved and adopted by the governing body, it shall control the general or approximate location, character and extent of each feature shown on the plan. Thereafter, unless a feature is already shown on the adopted master plan or part thereof or is deemed so under subsection D, no street or connection to an existing street, park or other public area, public building or public structure, public utility facility or public service corporation facility other than railroad facility, whether publicly or privately owned, shall be constructed, established or authorized, unless and until the general location or approximate location, character, and extent thereof has been submitted to and approved by the commission as being substantially in accord with the adopted comprehensive plan or part thereof. In connection with any such determination, the commission may, and at the direction of the governing body shall, hold a public hearing, after notice as required by Section 15.2-2204.

B. The commission shall communicate its findings to the governing body, indicating its approval or disapproval with written reasons therefor. The governing body may overrule the action of the commission by a vote of a majority of its membership. Failure of the commission to act within sixty days of a submission, unless the time is extended by the governing body, shall be deemed approval. The owner or owners or their agents may appeal the decision of the commission to the governing body within ten days after the decision of the commission. The appeal shall be by written petition to the governing body setting forth the reasons for the appeal. The appeal shall be heard and determined within sixty days from its filing. A majority vote of the governing body shall overrule the commission.

C. Widening, narrowing, extension, enlargement, vacation or change of use of streets or public areas shall likewise be submitted for approval, but paving, repair, reconstruction, improvement, drainage or similar work and normal service extensions of public utilities or public service corporations shall not require approval unless involving a change in location or extent of a street or public area.

D. Any public area, facility or use as set forth in subsection A which is identified within, but not the entire subject of, a submission under either Section 15.2-2258 for subdivision or provision 8 of Section 15.2-2286 for development or both may be deemed a feature already shown on the adopted master plan, and, therefore, excepted from the requirement for submittal to and approval by the commission or the governing body; provided, that the governing body has by ordinance or resolution defined standards governing the construction, establishment or authorization of such public area, facility or use or has approved it through acceptance of a proffer made pursuant to Section 15.2-2303.

E. Approval and funding of a public telecommunications facility by the Virginia Public Broadcasting Board pursuant to Article 12 (Section 2.2-2426 et seq.) of Chapter 24 of Title 2.2 shall be deemed to satisfy the requirements of this section and local zoning ordinances with respect to such facility with the exception of television and radio towers and structures not necessary to house electronic apparatus. The exemption provided for in this subsection shall not apply to facilities existing or approved by the Virginia Public Telecommunications Board prior to July 1, 1990. The Virginia Public Broadcasting Board shall notify the governing body of the locality in advance of any meeting where approval of any such facility shall be acted upon.

F. On any application for a telecommunications facility, the commission's decision shall comply with the requirements of the Federal Telecommunications Act of 1996. Failure of the commission to act on any such application for a telecommunications facility under subsection A submitted on or after July 1, 1998, within ninety days of such submission shall be deemed approval of the application by the commission unless the governing body has authorized an extension of time for consideration or the applicant has agreed to an extension of time. The governing body may extend the time required for action by the local commission by no more than sixty additional days. If the commission has not acted on the application by the end of the extension, or by the end of such longer period as may be agreed to by the applicant, the application is deemed approved by the commission.

Plan Adoption

The following provisions taken from Title 15.2, Code of Virginia outline the general procedures to be followed by the Christiansburg Town Council in adopting the Comprehensive Plan.

Section 15.2-2225. Notice and hearing on plan; recommendation by local planning commission to governing body.

Prior to the recommendation of a comprehensive plan or any part thereof, the local planning commission shall give notice in accordance with Section 15.2-2204 and hold a public hearing on the plan. After the public hearing, the commission may approve,

amend and approve, or disapprove the plan. Upon approval, the commission shall by resolution recommend the plan, or part thereof, to the governing body and a copy shall be certified to the governing body.

Section 15.2-2226. Adoption or disapproval of plan by governing body.

After certification of the plan or part thereof, the governing body, after a public hearing with notice as required by Section 15.2-2204, shall proceed to a consideration of the plan or part thereof and shall approve and adopt, amend and adopt, or disapprove the plan. In acting on the plan or part thereof, or any amendments to the plan, the governing body shall act within ninety days of the local planning commission's recommending resolution.

Section 15.2-2227. Return of plan to local planning commission; resubmission.

If the governing body disapproves the plan, then it shall be returned to the local planning commission for its reconsideration, with a written statement of the reasons for its disapproval.

The commission shall have sixty days in which to reconsider the plan and resubmit it, with any changes, to the governing body.

Section 15.2-2228. Adoption of parts of plan.

As the work of preparing the comprehensive plan progresses, the local planning commission may, from time to time, recommend, and the governing body approve and adopt, parts thereof. Any such part shall cover one or more major sections or divisions of the locality or one or more functional matters.

Maintenance of the Plan

Section 15.2-2229. Amendments.

After the adoption of a comprehensive plan, all amendments to it shall be recommended, and approved and adopted, respectively, as required by Section 15.2-2204. If the governing body desires an amendment it may direct the local planning commission to prepare an amendment and submit it to public hearing within sixty days after formal written request by the governing body. In acting on any amendments to the plan, the governing body shall act within ninety days of the local planning commission's recommending resolution.

Section 15.2-2230. Plan to be reviewed at least once every five years.

At least once every five years the comprehensive plan shall be reviewed by the local planning commission to determine whether it is advisable to amend the plan.

Significant new developments, i.e. State highway proposals; location of new industry, shopping center, or residential subdivision; expansion of major public/private uses, etc.,

should trigger a re-evaluation of the adopted comprehensive plan. Review and appropriate revisions to the plan ensuring consistency with major proposals should be made to maintain it in a current condition. Changes in the plan should only be made in the best interest of established goals and objectives. Development proposals that are contrary to the plan require serious consideration within the context of the plan's provisions. The end result of unwarranted plan revisions would be to leave the Town without an enforceable plan.

Plan Implementation

Private property development and public improvement efforts can be coordinated with the plan through the use of applicable regulatory measures: zoning ordinance, subdivision regulations, building, housing and other codes. An adopted Capital Improvement Program also provides a mechanism for the local governing body to schedule public improvements in accordance with the plan over both a five-year period and on an annual basis.

Section 15.2-2224. Surveys and studies to be made in preparation of plan; implementation of plan.

A. In the preparation of a comprehensive plan, the local planning commission shall survey and study such matters as the following:

1. Use of land, preservation of agricultural and forestal land, production of food and fiber, characteristics and conditions of existing development, trends of growth or changes, natural resources, historic areas, ground water, surface water, geologic factors, population factors, employment, environmental and economic factors, existing public facilities, drainage, flood control and flood damage prevention measures, transportation facilities, the need for affordable housing in both the locality and planning district within which it is situated, and any other matters relating to the subject matter and general purposes of the comprehensive plan.

However, if a locality chooses not to survey and study historic areas, then the locality shall include historic areas in the comprehensive plan, if such areas are identified and surveyed by the Department of Historic Resources. Furthermore, if a locality chooses not to survey and study mineral resources, then the locality shall include mineral resources in the comprehensive plan, if such areas are identified and surveyed by the Department of Mines, Minerals and Energy. The requirement to study the production of food and fiber shall apply only to those plans adopted on or after January 1, 1981.

2. Probable future economic and population growth of the territory and requirements therefor.

B. The comprehensive plan shall recommend methods of implementation and shall include a current map of the area covered by the comprehensive plan. Unless otherwise required by this chapter, the methods of implementation may include but need not be limited to:

1. An official map;
2. A capital improvements program;
3. A subdivision ordinance;
4. A zoning ordinance and zoning district maps; and
5. A mineral resource map.

The Zoning Ordinance and Subdivision Regulations for the Town of Christiansburg are intended to accompany this plan document under separate cover. Legal enforcement is explained within the text of these regulations. The comprehensive plan must be used as the reference by which zoning requests, development proposals and the zoning and subdivision regulations are reviewed for approval or disapproval. Zoning and subdivision regulations are the tools intended to accomplish the plan's objectives.

Regional Review and Coordination

Local town planning requires coordination with other adjacent jurisdictions, Montgomery County, regional, Federal and State development proposals and plans. Without coordination among these jurisdictions, the danger of planning efforts being duplicated or conflicting will result in ineffective programs and unnecessarily high development costs. The New River Valley Planning District Commission is an appropriate agency to provide regional coordination and review of related plans.

Level of Professional Planning Assistance

As important as the statutory mechanisms for plan implementation, however, are the various funding and technical assistance programs available to local governments.

Planning assistance is presently provided to Town of Christiansburg by its planning staff and through the contracted services of private planning consultants for special projects. Special needs, which may warrant additional, planning assistance, include the following:

1. Maintenance of the Comprehensive Plan. Unforeseen changes in development trends, population growth or effects of economic changes resulting from new industrial commercial development, annexation or consolidation; all would have a major impact on long range community planning which would need to be reflected in the Comprehensive Plan.

2. The need for a detailed housing assessment, an economic development study and the long-range planning of utility and community facilities may evolve from the recommendations contained in the Comprehensive Plan. Such special studies should be

used to expand on plan generalities and be treated as amendments to the adopted Comprehensive Plan.

3. Review and administration of housing, building, zoning and subdivision regulations and development proposals, which affect provisions of the Comprehensive Plan.

4. Assist in determining the most appropriate State and Federal assistance programs through which Christiansburg may participate to aid in implementing proposed community improvements.

5. Promote local citizen involvement in planning by conducting public education programs on the Comprehensive Plan and related planning processes.

Public Education and Community Involvement

The Town of Christiansburg should develop a public awareness program to inform local citizenry of local planning efforts and issues. The intent of such a program is to solicit citizen participation in making planning decisions and to promote public support for existing and future community improvement efforts. Local planning commission members should be encouraged to attend Planning Commissioner Institute training sessions offered periodically throughout the year by the Virginia Department of Housing and Community Development (VDHCD). Educational materials are also available from VDHCD, which should be distributed to local planning commissioners.

Additional measures that can be promoted by the Town to increase public awareness of local planning include the following:

1. Development of a brochure or graphic foldout depicting the Future Land Use Map and Potential Future Growth Area Map and Future Transportation Plan.

2. Exhibits and displays of important Plan elements placed in the Christiansburg Town Hall, local bank lobbies, the library, Virginia Tech, Radford University, New River Community College, public schools, etc.

3. Newspaper coverage of comprehensive plan adoption process, highlights of land use and special zoning issues, in-depth series of articles on land use problems and opportunities in and around Christiansburg, series of interviews with individuals in responsible positions in local and regional governmental agencies, business and industry who influence future land use decisions.

The Zoning Ordinance

Of the various legal devices available for implementation of the Comprehensive Plan, zoning will probably receive most attention during the coming years and will reach most persistently into the lives of the Town's residents. While the truth of this is more obvious with respect to the overall distribution of land uses and the protection of natural resources, zoning can also be useful in smaller ways to improve the quality of development and the attractiveness of the Town of Christiansburg.

The extent to which zoning can improve living conditions and guide the growth of Christiansburg in accordance with the Comprehensive Plan will be largely dependent upon the attitudes and interests of the people of Christiansburg as expressed by them and expressed through their leaders in enactment of regulations and subsequent sustained enforcement of regulations. The problems will be varied since Christiansburg is an urbanizing community with the potential for different kinds of development. If the people of Christiansburg truly desire an orderly, efficient land use development pattern which is an objective of the Comprehensive Plan; and if they wish to channel development to designated areas, and protect the water resources and environmentally sensitive areas, then zoning is available to implement a program which, over the long run, can accomplish these objectives.

The phrase "over the long run" is important when viewing a zoning objective. Application of the zoning ordinance to a specific proposal may appear to produce harsh results for the applicant at times, seemingly without affecting the character of the area in which the proposal is located or improving anything in the future of Christiansburg. Yet to succumb to an attitude of futility is fatal. It simply takes an accumulation of small improvements "over the long run" to provide clear evidence of a change of direction for the better.

The zoning map should remain generally consistent with the General Land Use Plan. Within the overall pattern of land use established by the Plan, there is nevertheless considerable room for variation between the Plan and the zoning map. The land use categories need not be identical and the one need not be amended every time the other is. Actually, the timing of a zoning change to best implement a land use change will require repeated judgments by the Town Planning Commission and the Town Council. In addition, the system of review of individual projects by a special use permit process or by means of special exceptions will require many separate decisions based on the guidelines of the Plan and the zoning ordinance and conditions of the locale where change is proposed.

An important part of Christiansburg's continuing planning effort will be the recommendations of the Town Planning Commission regarding proposed changes, the continuing effort to keep these changes within the overall perspective of the Comprehensive Plan, and the continuing effort to study and adjust implementation devices and programs which can assist with accomplishment of the goals and objectives of the Comprehensive Plan.

The Subdivision Ordinance

The regulations of the subdivision ordinance are primarily concerned with the platting of lots, the layout of streets, the location of public spaces and building of public improvements associated with the process of subdividing land. In addition, they contribute to the keeping of clear and accurate land records. These are matters deserving serious public concern. Once established, a street is difficult to move, and when an opportunity is missed for improved street locations or lot arrangements, such missed opportunities are difficult or impossible to retrieve.

Two classes of problems should be considered in connection with subdivision regulations. One class includes major policy issues, which must be decided in advance, usually in connection with the Comprehensive Plan and perhaps outside the scope of the text of the subdivision regulations themselves. A second class has to do with matters of design, with standards, and with administrative practice and review policies. Most of the problems in the second category can be set forth clearly within the text of the subdivision regulations.

In addition, the whole question of the public power to control the timing and location of development will be subject to continuing debate. Similarly, the public power to require setting aside of certain open spaces and critical environmental areas, in some special cases without compensation to the landowner, must be studied at length. Study of problems such as these as they relate to local conditions should be part of the continuing planning program.

Capital Improvements Programming

A Capital Improvements Program (CIP) is the five-year schedule of capital expenditures by the Town. The program's long-range plans are developed by the Planning Commission with consideration of the Town's financial resources. Section 15.1-464 of Virginia's planning enabling legislation permits a Planning Commission to prepare and review annually a Capital Improvements Program based upon the Comprehensive Plan and to do so either on its own initiative or at the direction of the governing body.

While adoption and implementation of the Capital Improvements Program is the responsibility of the Town Manager and the Christiansburg Town Council, the Planning Commission should provide the advice and direction since it is the body charged with preparing for the needs of the Town in the coming years. The Commission should be acquainted with local revenues and expenditures and budgets over the past several years. This will insure that long-range plans will be compatible with the locality's financial resources and that the Town can amortize the Capital Improvements Program for the next five years.

As shown by the Town of Christiansburg Capital Improvements Program included on the following pages, a list of needed improvements is developed and prioritized for a five-year period. Cost estimates and sources of funding are also identified. As each year of the program is completed, an additional year of improvements is recommended by the Planning Commission to maintain a five-year plan for the future.

Summary of Estimated Funds Available For Capital Improvements

FY 2003-2004 through FY 2007-2008

<u>Fiscal Year</u>	<u>Funds Available</u>
2003-2004	\$5,618,380*
2004-2005	\$9,665,815
2005-2006	\$7,883,907
2006-2007	\$4,944,330
2007-2008	<u>\$5,033,490</u>
	TOTAL \$33,145,923

* Includes carry-over funds

**MAJOR CAPITAL OUTLAY PROGRAM
FY 2003-2004 through FY 2007-2008**

	FY 2003-2004 REQUIREMENTS	ADDITIONAL 4-YEAR REQUIREMENTS	TOTAL 5-YEAR REQUIREMENTS
MAJOR EQUIPMENT OUTLAY	\$819,520	\$2,780,000	\$3,599,520
OTHER CAPITAL PROJECTS			
Street Department:			
Plant Mix	\$300,000	\$1,200,00	
Thoroughfare Projects	\$10,000	\$160,00	
Drainage Improvements	\$48,000	\$50,000	
Bridge Repair	\$50,000	\$360,000	
Sidewalk Repair	\$20,000	\$80,000	
Material New Construction	\$125,000	\$100,000	
Landfill Closure Costs	\$100,000	\$300,000	
Municipal Building Renovation	\$1,262,000	\$1,000,000	
Parks and Recreation	\$1,000,000	\$8,000,000	
Public Works Complex	\$30,000	\$60,000	
Grant Match For Downtown	\$230,000	\$300,000	
Industrial Park Drainage	\$26,000	\$0	
Contributions, Land, etc	\$110,160	\$440,000	
Water Extensions and Replacement	\$190,300	\$700,000	
Water Tank Construction/Maintenance	\$150,000	\$150,000	
Sewer Extension/Replacement	\$598,500	\$400,000	
TOTAL CAPITAL IMPROVEMENTS	\$4,249,960	\$13,300,000	\$17,549,960
ESTIMATED FUNDS AVAILABLE			\$21,149,480
Bond issue and previous appropriations			
TOTAL CAPITAL IMPROVEMENTS			\$21,149,480

Source: Town of Christiansburg Budget FY 2003-2004.