

Bradley E. Grose, Mayor  
Robert R. Altice, Councilmember  
Carolyn D. Fidler, Vice Mayor  
Matthew S. Hare, Councilmember  
William "Wes" Nance, Councilmember



Vinton Municipal Building  
311 South Pollard Street  
Vinton, VA 24179  
(540) 983-0607

**Vinton Town Council**  
**Regular Meeting**  
**Tuesday, December 21, 2010**

**AGENDA**

Consideration of:

- A. **7:00 P.M.** – Roll Call and Establishment of a Quorum
- B. **INVOCATION**
- C. **PLEDGE OF ALLEGIANCE TO THE U. S. FLAG**
- D. **CONSENT AGENDA**
  - 1. Request to Approve Minutes for Joint Work Session on November 30, 2010
- E. **AWARDS, RECOGNITIONS, PRESENTATIONS**
  - 1. Introduction – New Human Resources Manager, Stephanie Dearing
- F. **CITIZENS' COMMENTS AND PETITIONS** - This Section is reserved for comments and questions for issues not listed on the agenda
- G. **TOWN ATTORNEY**
- H. **TOWN MANAGER**
  - 1. Request to Accept Greenway Trail Property
- I. **MAYOR**
- J. **COUNCIL**
- K. **ADJOURNMENT**

**NEXT TOWN COUNCIL MEETING:**

\* January 4, 2011

**NOTICE OF INTENT TO COMPLY WITH THE AMERICANS WITH DISABILITIES ACT.**

Reasonable efforts will be made to provide assistance or special arrangements to qualified individuals with disabilities in order to participate in or attend Town Council meetings. Please call (540) 983-0607 at least 48 hours prior to the meeting date so that proper arrangements may be made.

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**WORK SESSION**

1. Discussion – Urban Chicken Ordinance

**MINUTES OF A JOINT WORK SESSION HELD BY VINTON TOWN COUNCIL WITH THE VINTON PLANNING COMMISSION AND THE VINTON BOARD OF ZONING APPEALS ON TUESDAY, NOVEMBER 30, 2010 AT THE VINTON WAR MEMORIAL LOCATED AT 814 WASHINGTON AVENUE, VINTON, VIRGINIA**

**COUNCIL MEMBERS PRESENT:** Bradley E. Grose, Mayor  
Robert R. Altice  
Carolyn D. Fidler  
W. Wesley Nance  
Matthew S. Hare

**PLANNING COMMISSION MEMBERS PRESENT:** Dave Jones, Chairman  
William Booth  
Paul Mason  
Dawn Michelsen  
Robert Patterson

**BOARD OF ZONING APPEALS MEMBERS PRESENT:** Robert Benninger, Chairman  
Donald Altice  
Allen Kasey  
Frederick "Mick" Michelsen

**ABSENT:** Debra Hagins  
Craig Sheets, Alternate

Following a warm welcome and comments from the Mayor, everyone introduced themselves. The Town Clerk called the roll for Town Council and the Planning Director called the roll for the Planning Commission and the Board of Zoning Appeals.

The Town Manager introduced Lindsey Blankenship, a Planner from Roanoke County, who presented an over-view of the Vinton Area Corridor Study, a joint planning initiative between the Town of Vinton and Roanoke County. She reviewed several areas of the Corridor Study in which she was currently involved and noted that much information on the Corridor Study was available on Roanoke County's website.

Following Ms. Blankenship's presentation, the Vice Mayor commented on the Façade Program and noted that a property on Lee Avenue slated to become a restaurant, was a recipient of Façade grant funds. Mr. Lawrence added that the former location of Vinton Bookkeeping that is now Neilly's Accounting Services, was also a recipient of Façade Program funding.

Mr. Nance asked if the Façade Program would be expanded and was advised by Mr. Lawrence that he felt it would be expanded in the near future. He added that he felt that most people located in the Façade grant area that want to get involved in the program, have done so. Ms. McMillan noted that there are several businesses along Hardy Road and Washington Avenue that would like to see that area included in the Façade Grant Program. She added that they would also like to see a similar grant program developed for change of use from residential to business use. Mr. Lawrence added that there is money available for change of use, none of which has been used at this point.

The Mayor asked if the locations for the bus shelters had been finalized. Ms. McMillan responded that Mike Kennedy, Consuella Caudill and she have looked at different sites for the first bus shelter and feel that the best location would be in front of the Vinton Library. She stated that staff is now waiting for Roanoke County Board of Supervisor's review and approval before submitting the site to Valley Metro. Mr. Kennedy reported that the second location for the bus shelter would be in front of First Citizens Bank which would probably not work. Ms. McMillan noted that a third and fourth site for a bus shelter is in front of McDonalds and on Walnut Avenue.

Mr. Kennedy reported on the Walnut Avenue Improvement Project. He briefly explained the VDOT program that would be funding this project called Urban Highway Construction. During his report, he noted that funding is based on population with a 2% share of the project being funded by the Town.

Mr. Kennedy reported that there would be two defined projects, one would be the replacement of the Walnut Avenue Bridge and the other, which is in the very early planning stages, would be the Lee Avenue intersection improvement. He advised that a third and final project would expand the project up to 1<sup>st</sup> Street but has not yet been defined because it has not been funded.

The Public Works Director reported that a citizen informational meeting on the issue had been held in May with 10 people in attendance. He noted that at that time they had addressed the options for putting the bridge in place. The options were to close the existing site and detour the traffic for 12 to 15 months and build a temporary bridge; close the old bridge and detour traffic; and lastly, staged construction (build ½ of the bridge at a time and then route traffic to travel on that half while the other half is being constructed).

Mr. Kennedy noted that construction of the new bridge will not begin until 2014 due to environmental issues that have to be worked out. He further noted that the cost estimate for the project is \$1.8 million to \$2 million. The new bridge would handle daily traffic of 8,300 vehicles; it will be from 70 to 75 feet long with a width of 50 feet. He advised that the height of the bridge will increase by 2 to 3 feet. Mr. Kennedy pointed out that the height increase along with the channel improvements would decrease the amount of flooding significantly although it would continue to flood. At this point, he displayed a schematic of how the proposed bridge and the area around it, would look. Mr. Kennedy noted that that the bridge would have open railings so that water can flow freely over it.

Mr. Jones pointed out that the staged plan (chosen by a majority of people at the public meeting) makes the most sense. He went on to say that if traffic has to be detoured, the only route would have to be through Midway and its roads could not handle Walnut Avenue traffic volume.

In further discussion, Mr. Kennedy stated that the proposed bridge will handle a multitude of needs and that staged construction would be the most cost effective way to build it. Ms. Fidler asked about utilities that are connected to the bridge. Mr. Kennedy replied that the only utility is a gas line and it will be relocated.

In conclusion, Mr. Kennedy advised Council that if they agree to what he is presenting for the Walnut Avenue Bridge replacement, he will give VDOT the okay to go ahead with finalizing the design for the project. Council concurred with Mr. Kennedy's recommendations for the bridge replacement..

Ms. McMillan gave an update on the Downtown Master Plan. She reported that the Town applied for a planning grant from the Department of Housing and Community Development (DHCD) and received a \$35,000 grant, of which \$32,000 was used to hire a consultant to assist in the preparation of the downtown plan. She further reported that part of the \$32,000 was used for an economic restructuring plan which involved the process of determining several options for "branding" for the community. Mr. Lawrence reported that developing a brand will be a very important piece of the overall master plan. He went on to say that the branding and tag line has not yet been finalized.

Ms. McMillan discussed the planning process for the Downtown Master Plan and pointed out the kinds of businesses that would be good for the downtown area. She identified five major areas in the town and noted recommended improvements for them. Also discussed was the rendering of proposed improvements for the old Vinton Ford Building on Pollard Street.

Ms. Fidler inquired as to how or whether the proposed improvements would affect future parades, festivals, etc. Mr. Lawrence responded that the medians will result in some complications for these events but can be worked out. He went on to say that this plan is conceptual and not a formal plan

Ms. McMillan reported that Mr. Dunman wishes to move his floral business from the Pollard Street location and to convert his existing space to mixed use retail. Another option noted would be to move the Vinton Library into the space. Ms. McMillan advised that another issue needing consideration is whether the Zoning Ordinance should be amended to require special use permits for gas stations and big box stores like Lowes or Walmart.

Ms. McMillan pointed out that she had included cost estimates in their packets for each of the five development areas that were previously mentioned at a total of \$1,000,000 and would be included in a CDBG grant request. She stated that the money spent would have to create jobs or new businesses and affordable housing for lower and moderate income residents.

The Planning Director advised that she would be meeting with State representatives the following week to update them on what the Town will need for funding and to see whether or not the Town would qualify for a CDBG grant.

Ms. McMillan noted that the Downtown Plan has not been adopted by Vinton Town Council and would need to be reviewed by the Planning Commission. The Planning Commission would then forward the Plan to Town Council with a recommendation for Town Council's consideration. She stated her wish to forward the Plan to the Planning Commission in January.

The Mayor asked if the Town would be locked into the entire concept if the grant is approved. Ms. McMillan reassured him that they would have three months before applying for the grant to put the details in place. She added that the project would be done in phases if the grant is approved. She asked that Council advise her of any changes to the Plan as soon as possible.

Mr. Jones pointed out that the Town would need to fix the drainage problem at the Post Office before any other improvements can be accomplished. Mr. Altice agreed but noted that there is no funding to do it. Mr. Kennedy added that it could take up to \$600,000 to put in a storm drain in that area.

Mr. Hare questioned the long term relationship for improvements on property that is privately owned. Mr. Lawrence replied that he did not have an answer to the question but would look into the matter and get back to him.

Following further discussion, the meeting adjourned at 8:00 p.m.

APPROVED:

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Bradley E. Grose, Mayor

ATTEST:

\_\_\_\_\_  
Darleen R. Bailey, Town Clerk

**ACTION NO:** \_\_\_\_\_

**ITEM NO:** H. 1

**TO:** TOWN MANAGER'S OFFICE

**FROM:** Anita J. McMillan, Planning and Zoning Director

**DATE:** December 17, 2010

**SUBJECT:** Woodland Place, LLC (Tommy and Karen Wood) Property Dedication to Town of Vinton for Gladetown Loop Trail Development

**ISSUE/PURPOSE:** On October 31, 2005, Staff received a letter from Mr. Lyn and Mrs. Peggy Bryant. The letter stated that Mr. Joe Banks, who resides on Franklin Avenue in Vinton, has requested that the Town of Vinton consider building a trail from the Gladetown Community to Niagara Road. In early spring of 2006, several members of Town Staff, Mr. and Mrs. Lyn Bryant walked an existing footpath from the Craig Avenue Recreational Center to Niagara Road.

Due to limited resources, Staff submitted a grant application to the Virginia Department of Conservation and Recreation (DCR) in February 2007, for funding to do Phase I of the Gladetown Loop Trail, which would be located on Town owned property. The Town did not receive the grant funding and decided to seek assistance from the Pathfinders for Greenways to assist the Town to build the trail with the limited Town resources.

In the course of siting the Gladetown loop trail in early fall 2009, Staff found out that a portion of the proposed loop trail will have to be built on a property owned by Woodland Place, in order to be out of the wet area. Additionally, from the walking survey and aerial map, it appears that a portion of the existing footpath is located in the middle of the privately owned property of Falcun Corporation. The Town Manager and Planning and Zoning Director met with the owners of Woodland Place, Mr. Tommy and Mrs. Karen Wood, in October 2010 to show them the proposed loop trail and the portion of the trail that is to be located on their property. During the meeting, the Woods stated that instead of granting an easement, they would rather dedicate in fee-simple, a triangle portion of their property to the Town for the trail.

Parker Design Group was hired in November to have the portion to be surveyed and platted. The portion to be dedicated to the Town will be combined into the existing Town-owned property which is used for stormwater detention basin. Additionally, as requested by the Woods, Miller and Long Appraisal Company was also hired to have the property appraised.

The preliminary plat has been forwarded to the Town Attorney for her review and for a property dedication ordinance to be prepared for Vinton Town Council consideration.

Once Phase I of the trail is completed, Staff is hoping to work with the Greenway Coordinator

to request a greenway easement at a location acceptable to Falcun Corporation and the Town, in order for the Gladetown Greenway Phase II to be completed. Once this greenway is complete, the residents of the Gladetown community, users of the Craig Avenue Recreational Center, and residents from the adjoining subdivisions will be able to use the greenway to go to Lake Drive Shopping Center and Wolf Creek Greenway. The project will be a cooperative effort of the Town of Vinton, County of Roanoke, Roanoke Valley Greenway Commission, and Pathfinders for Greenways. The proposed greenway will be an 8-foot wide cinder surface, similar to the Wolf Creek Greenway.

**ACTION REQUESTED:** Review and approve the proposed property dedication for the proposed Gladetown Trail.

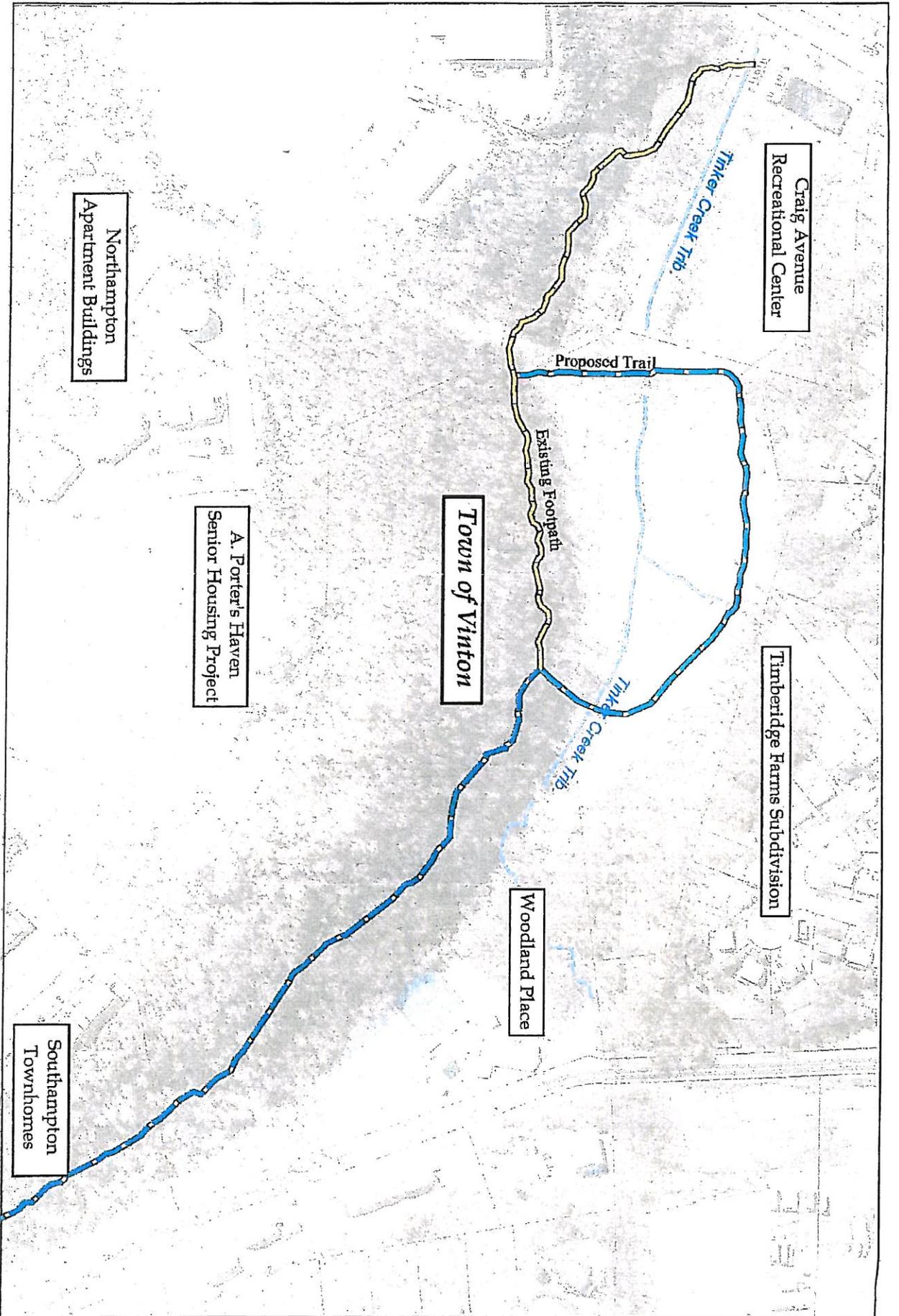
**DATE ACTION NEEDED:** December 21, 2010.

Attachment: Ordinance to be prepared by Town Attorney.



# Town of Vinton: Gladetown Greenway

Generated : February 05, 2007



Craig Avenue  
Recreational Center

Timberidge Farms Subdivision

Woodland Place

Town of Vinton

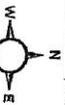
A. Porter's Haven  
Senior Housing Project

Northampton  
Apartment Buildings

Southampton  
Townhomes

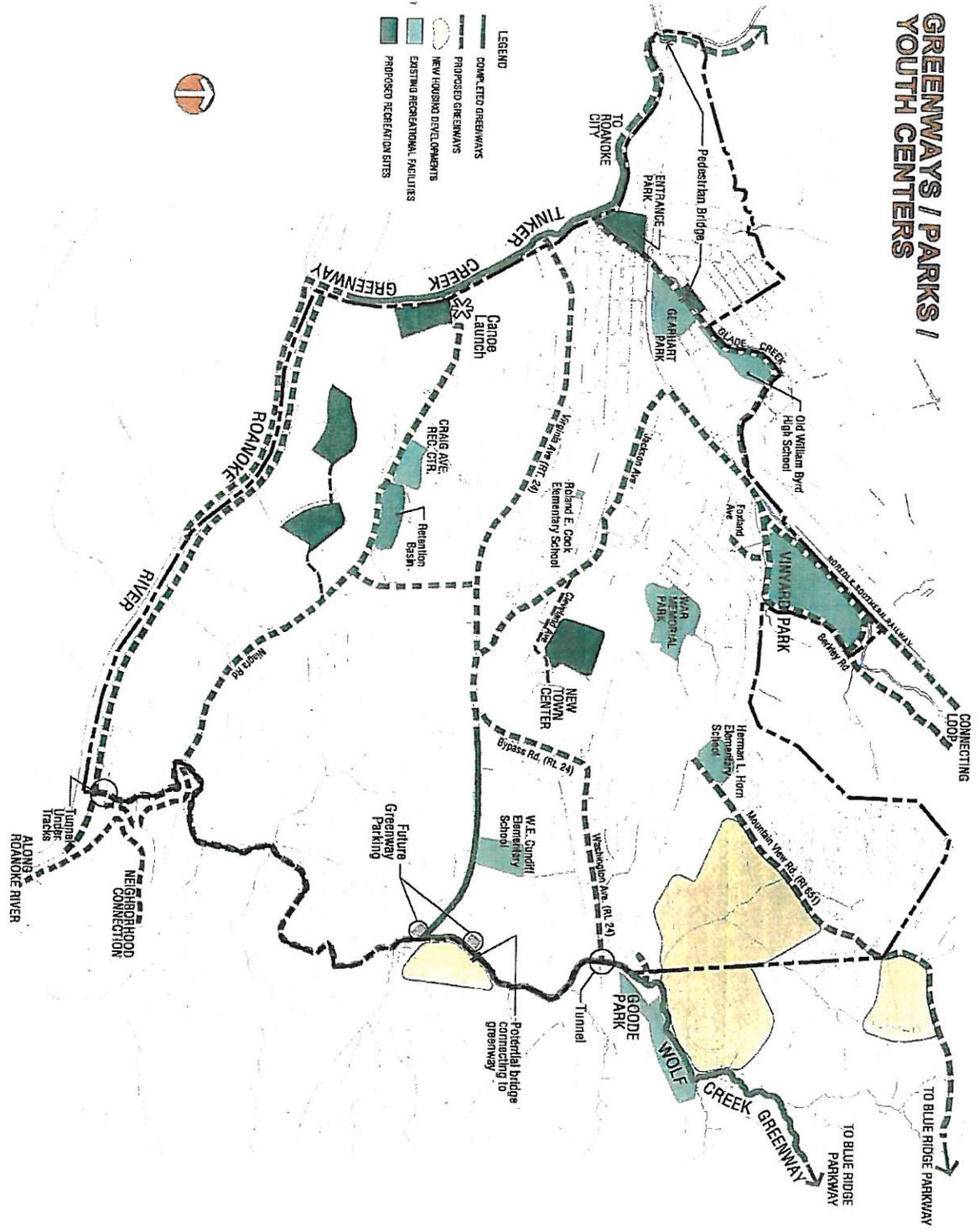
### Trails

- Existing Footpath
- Proposed Trail (Phase I)
- Proposed Trail (Phase II)
- Tinker Creek Tributary



0 50 100 200  
 Feet  
 1 inch equals 250 feet

# GREENWAYS / PARKS / YOUTH CENTERS





**TO:** TOWN MANAGER'S OFFICE

**FROM:** Anita J. McMillan, Planning and Zoning Director

**DATE:** December 15, 2010

**SUBJECT:** Chickens in Urban Residential Areas

**ISSUE/PURPOSE:** The Town has received a request from two citizens; Janet Scheid, 1453 Wolf Creek Drive, and Dawn Michelsen, 225 North Maple Street, for the Town to consider allowing them to raise chickens. Currently, under the Town Code, livestock including, but not limited to cattle, horses, sheep, goats, swine, fowl or rabbits are not allowed to be kept in the town limits.

**BACKGROUND:**

1. Town Staff including Chris Lawrence, Elizabeth Dillon, Anita McMillan, and Keith Dalton met on April 19, 2010, with Ms. Scheid and Ms. Michelsen. According to them, they would like to be able to raise chickens on their property for eggs.
2. On September 21, 2010, Vinton Town Council was briefed on the request of allowing chickens in the town. The Town Council was also given information on keeping of chickens in the surrounding jurisdictions.
3. City of Salem has been discussing whether to allow chickens in the residential areas since September but decided not to make any changes at this time. Currently, the City of Salem does not allow chickens except in agricultural districts.

Condensed Version of the Other Localities' Regulations:

- City of Roanoke allows up to 10 chickens on any parcel 20,000 square feet or less, no closer than 50 feet to any house or building being used as a residence. Chicken are not permitted to roam at large. Roosters are not allowed.
- Roanoke County allows chickens only in their Agricultural Districts.
- Town of Blacksburg allows chickens only in their Rural Residential Districts (same as Agricultural Districts).
- Town of Rocky Mount allows chickens but must be kept at least 500 feet from any residence or commercial building.
- City of Harrisonburg allows up to four (4) chickens for each single-family dwelling with a minimum of two (2) acres of land. Chickens can only be raised for domestic purposes and no commercial use such as selling eggs or selling chickens for meat. All chicken hens must be kept at all times in an enclosed secure pen that contains a minimum of four (4) square feet per bird, and must be at least 25 feet from adjoining property lines. Roosters are not allowed.
- City of Richmond allows chickens for any parcel that is at least 50,000 square feet (an acre is 43,560 square feet) in fenced areas that are at least 500 feet from any house.
- City of Alexandria allows chickens but they must not be within 200 feet of any residence.
- City of Manassas requires a permit be obtained from the chief of police, adequate fencing

and must be at least 250 feet from the nearest dwelling, other than that of the owner of the chickens.

- City of Petersburg allows up to 20 chickens and to be at least 30 feet from any structure owned by another.

If chickens are to be allowed in the Town of Vinton, the following conditions are recommended:

### **Article III. Animals Other Than Dogs and Cats**

#### **Sec. 10-92.3. Fowl, chickens and other domestic birds.**

(a) *Definitions.* *Fowl* is defines as any various domestic birds by way of example but not limited to: Chickens, roosters, ducks, geese, turkeys, guinea fowl, emus, rheas, ostriches and pigeons.

(b) It shall be unlawful for any person to keep, permit or allow any domesticated fowl within the corporate limits of the town, or to allow any domesticated fowl to run at large within the corporate limits of the town, except as specifically permitted below.

(c) It shall only be lawful for a person to keep, permit or allow chickens within the corporate limits of the town on residential property only, under the following terms and conditions:

1. No more than **four (4) chicken hens** shall be allowed for each single-family dwelling. No chickens shall be allowed on townhouse, duplex, apartment or manufactured housing park properties.
2. Each single-family dwelling shall contain at a minimum **an acre (43,560 square feet)** of land.
3. Chicken hens shall be kept in an enclosed secure movable or stationary pen that contains at a minimum **two (2) square feet per bird**. Birds should not be allowed to roam free.
4. No roosters shall be allowed.
5. All enclosed pens must be at least **150 feet** from adjoining property lines and shall not be located in any drainage area that would allow fecal matter to enter any storm drainage system or stream.
6. All enclosed pens must be kept dry, well-ventilated, and in sanitary condition at all times, and must be cleaned on a regular basis to prevent offensive odors.
7. Chicken hens allowed under this section shall only be raised for domestic purposes and no commercial use such as selling eggs or selling chickens for meat shall be allowed. There shall be no outside slaughtering of chickens.

8. Adequate shelter, care and control required. Any person allowed to keep chicken hens under this section shall comply with all of the provisions and definitions of the Code of Ordinances regarding care, shelter, sanitation, health, rodent control, cruelty, neglect, noise, reasonable control and any other requirements pertaining to the adequate care and control of animals in the town.
  9. All feed or other material intended for consumption by the chickens shall be kept in containers impenetrable by rats or other rodents, and such container shall be equipped with tightly fitting caps or lids. Ground feeding shall be prohibited. All unused or unconsumed food shall be adequately secured and stored after every feeding as to prevent access by other animals or rodents. All feeding shall be conducted in a manner as to prevent unconsumed food to be left open or accessible by other animals or rodents. The presence of rodents in an area used for the keeping of chickens shall be prima facie evidence that such area is maintained in violation of this section.
  10. Chicken litter and waste shall not be deposited in any trash container that is collected by any public or private waste collector and shall be disposed of by composting either on site or at a landfill in accordance with the applicable permit. Also, any dead bird shall not be deposited in any trash container that is collected by any public or private waste collector but shall be taken to the landfill to be composted in accordance with the applicable permit.
  11. Persons wishing to keep chicken hens pursuant to this subsection must file an application with the town's **Animal Control Officer/Planning and Zoning Department**, which said application shall include a sketch showing the area where the chickens will be housed and all types and size of enclosures in which the chickens shall be housed along with a **twenty-five dollar (\$25.00)** fee. The sketch must show all dimensions and setbacks. Once the site and enclosures have been inspected and approved by the town's animal control officer, the animal control officer shall issue a permit, which shall be valid for one (1) year. Each existing permit must be renewed annually in January by filing a renewal application with the town's **animal control officer/planning and zoning department** along with the payment of the **twenty-five (\$25.00) annual fee** and by having the town's animal control officer make another inspection of the site.
- (d) The above subsection (c) shall not apply to indoor birds, such as, but not limited to parrots or parakeets, or to the lawful transportation of fowl through corporate limits of the town.
- (e) Any person found guilty of violating this section shall be guilty of a **Class 3** misdemeanor and subsequent violations of this section by the same person shall constitute a **Class 2** misdemeanor.