

**AN ORDINANCE TO AMEND ZONING ORDINANCE SECTIONS 3150, 3151, AND 4528.2 PERTAINING TO RESIDENTIAL DEVELOPMENT AND HOTEL/MOTEL DESIGN STANDARDS IN THE GENERAL COMMERCIAL DISTRICT**

**WHEREAS**, the intent of the General Commercial zoning district is to provide locations for commercial, retail and service uses, and preserving commercial land is an important town goal;

**WHEREAS**, the General Commercial zoning district is also an implementing district for mixed use development, and its regulations should provide clarity on the parameters for project components and ensure a balance of commercial and residential uses in the project;

**WHEREAS**, property owners have requested more flexibility for multi-family development in the General Commercial zoning district when it is part of a larger mixed use development;

**WHEREAS**, new single-family detached development is not appropriate in the General Commercial zoning district; and,

**WHEREAS**, the public necessity, convenience, general welfare and good zoning practice so require.

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the Town of Blacksburg:

1. That Town Zoning Ordinances 3150, 3151 and 4528.2 are amended and reordained, as follows:

**ARTICLE III DISTRICT STANDARDS**

**DIVISION 15. - GENERAL COMMERCIAL DISTRICT**

**Sec. 3150 - Purpose.**

The General Commercial district is designed for a variety of commercial uses, both pedestrian and automobile oriented. The intent of the district is to provide for more intense commercial uses than the Downtown Commercial district, but in a manner which is consistent with the Town's character. Modern "strip" commercial development is not in keeping with the small-town character of Blacksburg, and this district is intended to discourage such development. Instead, a vital and lively streetscape, created by commercial buildings with windows and *customer* entrances oriented to the street, is an important goal of this district. *While residential uses are allowed in the district under some circumstances, such uses should complement the commercial uses that serve as the primary intent in this district.*

**Sec. 3151 - Permitted uses.**

(a) The following uses and structures are permitted by right subject to all other applicable requirements contained in this ordinance.

Residential

Single-family, Detached, *existing as of February 12, 2019*

Civic\*

Administrative Services  
Community Recreation  
Cultural Services  
Day Care Center  
Educational Facilities, Primary/Secondary  
Educational Facilities, College/University  
Home for Adults  
Laboratory  
Life Care Facility  
Nursing Home  
Open Space  
Post Office  
Public Parks and Recreational Areas  
Public Recreation Assembly  
Religious Assembly  
Safety Services  
Shelter  
Utility Services, Minor

Office\*

Financial Institutions  
General Office  
Medical Office

Commercial\*

Adult Entertainment Establishment  
Adult Store  
Automobile Renting/Leasing  
Automobile Parts/Supply, Retail  
Bed & Breakfast  
Brewpub  
Business Support Services  
Car Wash  
Clinic  
Commercial Indoor Establishment  
Commercial Indoor Amusement  
Commercial Indoor Sports and Recreation

Communication Services  
Construction Sales and Services  
Consumer Repair Services  
Funeral Home  
Garden Center  
Grocery Store  
Hospital  
Hotel/Motel  
Kennel, Commercial  
Neighborhood Convenience Store  
Parking Facility  
Pawn Shop  
Personal Improvement Services  
Personal Services  
Private Farmers Market  
Public Farmers Market  
Restaurant, Fast Food  
Restaurant, General  
Restaurant, Small  
Retail Sales  
Specialty Shop  
Studio, Fine Arts  
Veterinary Hospital/Clinic

Miscellaneous

Accessory Structures

\* Without external speakers only. Any use which incorporates an external speaker may be permitted only with a conditional use permit.

(b) The following uses may be permitted with a conditional use permit:

Residential

*Multi-family on the ground floor in accordance with Section 3151(d)*

*Townhouses on the ground floor in accordance with Section 3151(d)*

Civic

Club

Public Assembly

Utility Services, Major

Commercial

Automobile Dealership

Automobile Repair Services

Commercial Outdoor Recreation

Commercial Outdoor Entertainment

Dance Hall

Equipment Sales/Rental  
Gasoline Station  
Mini-Warehouse  
Restaurant, Drive-in  
Retail Sales, Large Format

Industrial

Custom Manufacturing  
Research and Development  
Transportation Terminal

Miscellaneous

Broadcasting and Communication Facility  
Outpatient Substance Abuse Treatment Center

(c) Residential uses are permitted by right on upper floors of multi-story buildings, and in basements of structures in the General Commercial District:

(1) Residential Use Types

Two-family Dwelling  
Multifamily Dwelling  
Home Occupation

(2) Residential support facilities

i. *All support facilities associated with residential uses must be located (i) on upper floors of multi-story buildings or (ii) in basements, including, but not limited to facilities such as clubhouses, meeting rooms, study areas, tanning salon and fitness centers. A leasing office may be located on the ground floor but must be scaled to the size of a residential project component and be accessory to other ground floor uses.*

ii. *When residential uses are included in a development, parking located on the ground floor within the building envelope is not allowed unless the following criteria, as appropriate, are met:*

a) *For a lot size of one acre or greater, parking spaces within the building envelope must comprise less than 30% of the square footage of the ground floor and the remaining 70% is comprised of non-residential uses;*

b) *For a lot size of less than one acre, parking spaces within the building envelope can comprise up to 50% of the square footage of*

*the ground floor and the remaining 50% is comprised of non-residential uses;*

- c) Lots must be existing as of February 12, 2019 and may not be subdivided for the purpose of creating multiple lots of less than 1 acre; and*
- d) Parking spaces must be screened from view from the public street or screened from a driveway that functions as a private street.*

*iii. Parking spaces that are entirely below grade (located underneath the main ground floor of the building) is allowed.*

*(d) A single or multi-story building with residential uses on all floors, with or without residential parking on the ground floor, may be requested by Conditional Use Permit when the residential building is part of a mixed-use development. The following criteria must be met:*

- 1. The applicant must demonstrate that the residential development is not the principal use in the mixed-use development project. This can include a comparison of the square footage and acreage of the project components;*
- 2. The residential and non-residential components of the mixed-use project must be integrated and share common infrastructure which can include, but is not limited to, the following: common access to the public right-of-way, shared parking areas, common utility lines, and joint stormwater management facilities;*
- 3. The design of the residential development should incorporate principles from the Residential Infill Guidelines in the Comprehensive Plan to promote a walkable and pedestrian scaled urban environment;*
- 4. The residential development should be oriented to the public street or to the driveway that may be functioning as a private street for access;*
- 5. Public streets and driveways functioning as a private street must contain sidewalks to connect the residential development to the non-residential portions of the mixed-use development project and must contain street trees; and*
- 6. Parking must be screened from the public street or driveways functioning as a private street. Parking must be located behind the front building line of the principal building. Town Council may grant a special exception to this requirement as authorized by Section 1112.*

**Sec. 3152 – Site development standards**

**Sec. 3153 - [Reserved]**

**Sec. 3154 - Joint and cross access**

**Sec. 3155 - Maximum residential occupancy.**

The maximum dwelling unit occupancy shall *will* be a family, plus two persons unrelated to the family; or no more than four unrelated persons.

**ARTICLE IV –USE AND DESIGN STANDARDS**

**Division 5 –Commercial uses**

**4528.2 - Hotel/motel.**

Additional standards in the MXD, DC and GC zoning districts:

- (1) Parking shall *will* be located behind the front line of the principal building. Town Council may grant a special exception to this requirement as authorized by Section 1112.
- (2) *A hotel/motel cannot consist of a single ground floor of hotel/motel use with all other floors used for multi-family development. At least fifty percent (50%) of the building's total square footage must be a hotel/motel use.*

2. That this ordinance will be effective on and after the date of its adoption.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Town Clerk

1<sup>st</sup> Reading: \_\_\_\_\_

Public Hearing & Adoption: \_\_\_\_\_

APPROVED AS TO CONTENT:

\_\_\_\_\_  
Director of Planning and Building

APPROVED AS TO LEGAL SUFFICIENCY:

  
\_\_\_\_\_  
Town Attorney