

TO: Planning Commission

FROM: Kali Casper, AICP, Assistant Planning Director

RE: Zoning Ordinance Amendment #49 – Amendment to the Zoning Ordinance for changes to the Historic District relating to the list of contributing structures, Board membership, signage, review criteria, and parking

DATE: January 17, 2020

Amendments Proposed

Zoning Ordinance Amendment #49/Ordinance #1924 includes the following changes:

- revise the membership requirements for the Historic or Design Review Board (“HDRB” or “the Board”);
- incorporate Sign Guidelines into the Historic or Design Review Overlay District (“the Historic District” or “the District”);
- clarify how different types of applications are reviewed by staff or HDRB and clarify redevelopment plan submittal requirements;
- establish criteria for the provision of parking in the District; and
- update the list of contributing (historic) structures (“the List”) in the Blacksburg Historic or Design Review Overlay District.

The draft text of the amendments is attached. These changes are discussed by topic in this document.

Background

On September 10, 2019, Town Council referred an amendment to the Historic or Design Review Overlay zoning district to the Planning Commission for review (resolution attached). The boundaries of the District are as originally adopted in 1999. Structures within the Historic District were originally surveyed in 1986/1989 and 1996-1997 in order to establish the District. The survey information was updated in 2006 as part of a grant program but no changes were made to the list of contributing structures at that time.

In 2016, Hill Studio completed a historic district survey update and created sign design guidelines as part of a grant from the Virginia Department of Historic Resources (VDHR). For the survey update, Hill Studio completed 45 full re-surveys and 194 field checks of properties within the Historic District but again no changes were made to the List.

In 2011, a zoning amendment was approved that created binding review for demolition and redevelopment of contributing structures and changed the composition of the HDRB. In 2015, the

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Historic District was amended to add the Old National Bank building to the List as requested by the owner in order to be eligible for a newly created residential density bonus in conjunction with retention and rehabilitation of a contributing structure. Allowing residential on the ground floor in the Downtown Commercial zoning district in conjunction with retention and rehabilitation of a contributing structure was also added to the Zoning Ordinance at this time.

HDRB Membership

The proposed Zoning Ordinance amendment includes several changes to the requirements for the composition of the Historic or Design Review Board (HDRB) in Section 3271. The proposed text continues to require the following membership and changes the ownership requirement from “shall” to “should”. This reflects the difficulty HDRB has had in attracting owners who live or own property in the District to serve on the Board.

The Board must include:

- One member of Planning Commission
- One licensed architect or architectural historian
- Total minimum of two members with professional training in architecture, history, architectural history, planning, building or development

The Board should also include:

- One owner of commercial property within the District
- Two owners of property within the District that also reside in the District

These changes retain the intent of the current text and meet the requirements of maintaining Certified Local Government designation from the VDHR while allowing for some flexibility in filling vacancies with appointments to the Board.

Signage and Design Guidelines

The proposed Zoning Ordinance amendment incorporates the Sign Design Guidelines created by Hill Studio in 2016. The sign guidelines will be added as a reference document in Section 3282 to assist HDRB and staff with reviewing proposed signage in the Historic District. The Design Guidelines Overview as well as Guidelines for New Construction, Exterior Alterations & Additions, and Relocation & Demolition are already included in the Ordinance by reference and are called out specifically in the revised text. Project reviews for signs within the Historic District have become increasingly frequent but lack specific guidance for applicants as well as staff and HDRB in the review process. This amendment does not change the method or nature of review for sign projects.

Review Types

The proposed Zoning Ordinance amendment includes several changes to Section 3283 “Applicability of design guidelines” in order to provide clarity to citizens, applicants, staff, and HDRB regarding the method and nature of different review types. Projects are currently sorted into the following categories that remain unchanged:

- Exempt from review
- Advisory administrative staff review
- Advisory Board review
- Binding Board review

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The proposed amendment does move minor repair projects for windows from the category of exempt from review to an advisory administrative staff review. In working with the ordinance, staff has found this type of project particularly challenging in that it is difficult to determine what constitutes a minor repair for a window. If exempt from review, owners often have no guidance on whether their planned alterations are truly a minor repair. For example, replacing one windowpane with like glass is clearly a minor repair but replacing multiple panes with different glass and repairs to the framing may not be categorized as minor. In addition to this ambiguity, windows are frequently detailed in the architectural summary in the survey information for contributing structures meaning additional specificity and scrutiny may be beneficial.

Moreover, the Board has regularly asked about window replacements that occur within the District and has expressed interest in reviewing window replacements when materials change (wood to vinyl, etc.). While review by HDRB is not proposed for repair or replacement (where no change in design or material is proposed), the Board's concern about these projects highlights the importance of how windows are reviewed in the District. Windows are often a defining architectural feature and there is a desire to ensure that the repair is not going so far as to change the character of the structure.

All other changes to this section are based on implementation of the ordinance since its adoption and are intended to provide clarity and make the ordinance more accessible to citizens and applicants. Several of the changes provide examples and call out specific types of projects (for example, roof replacements) which were previously classified as exterior alterations. These project types still receive the same review type but provide more precise language for staff to determine which type of review a project should undergo.

Redevelopment Plan Criteria

The proposed Zoning Ordinance amendment includes several changes to Section 3287 "Redevelopment plan criteria" in order to provide clarity to citizens, applicants, staff, and HDRB regarding the expectations of submittals for redevelopment plans. These changes are proposed as a direct result of the two recent redevelopment plans that have been reviewed and approved by HDRB; the Old National Bank Building project and the Main & Lee Townhouse project. A few minor changes are also proposed to clarify the process for redevelopment plans.

Parking in the Historic District

The proposed Zoning Ordinance amendment includes new criteria for the provision of parking in the Historic District in Section 3289-3290. These sections are intended to address the significant impact that parking additions are having on the overall character of the Historic District. The criteria are separated into several types of parking; parking serving non-residential uses, off-site parking serving residential uses, and on-site parking serving residential uses. These categories of parking reflect different concerns within the District. Off-site parking serving residential uses and parking serving non-residential uses can lead to concerns when parking is the primary use on a parcel. Parking as the primary use on a parcel is of even greater concern when structures, typically small scale residential homes, are demolished to provide surface parking lots. On-site parking serving residential uses can adversely impact the District when large portions of front yard space are paved for parking that is not residential in nature and inconsistent with the character of the District. These concerns have been illustrated in the Historic District through several projects within

the last five years including the Slice parking lot on the corner of Clay and Church streets and the Blacksburg United Methodist Church parking lot on the corners of Lee, Penn, and Washington streets.

Conditional Use Permit (CUP) vs. By-right

The proposed amendment creates a conditional use permit process for all new parking serving non-residential uses and all new off-site parking serving residential uses. New on-site parking serving residential uses remains by-right if specific criteria are met related to driveway width, landscaping, and location of parking. If these criteria are not met, a conditional use permit is required.

Criteria for CUPs

Parking may be requested through the conditional use permit process within the Historic District as noted in the previous paragraph. Since parking can have a significant impact on the character of the Historic District, evaluation criteria to determine the appropriateness of the parking related use are needed. The criteria below are intended to minimize the negative impact on the District and to ensure that a context-sensitive and high-quality project is proposed. Proposed criteria include:

- Location and visibility of proposed parking
- Proposed driveway width
- Size of proposed parking area
- Impact on the relationship of the building to the street
- Landscaping, buffering, and screening to mitigate visual impacts
- Unusual shape or topography of a lot
- Location of existing structures
- Preservation of mature trees
- Consistency with existing development pattern in the Historic District
- Impact on adjacent properties
- Consideration of parking in keeping with the Historic District and the Guidelines
 - Proposed materials such as brick, concrete, or other textured surfaces
 - Two parallel narrow strips of concrete or other material with grass in between, known as a ribbon driveway
 - Use of permeable parking surfaces

Proposed criteria are based on the Blacksburg Historic District Design Guidelines, criteria for exceptions to parking in front of the front building line, and research from other localities.

The List of Contributing Structures

The Historic District includes contributing (or historic) structures and non-contributing structures. The division of structures within the District into these two categories is based upon two sets of survey work completed in 1986/1989 and 1996-1997. Since the adoption of the District, two additional sets of survey work (2006 and 2016) have been completed. The 2016 grant work was completed with the goal of updating Town records and creating a consistent and complete

inventory of resources. As part this effort, Hill Studio conducted a full resurvey of the 45 contributing structures surveyed in 1986/1989. The survey was consistent with the procedures established by the *Secretary of the Interior's Standards and Guidelines for Identification and for Documentation* and the VDHR survey manual, "Guidelines for Conducting Historic Resources Survey in Virginia".

Hill Studio also conducted a field check of 194 properties in the Blacksburg Historic District for major modifications or demolitions and took updated photos of each resource. Any secondary resources added or demolished since the last survey were recorded. As part of the final report, Hill Studio recommended expanding the period of significance for the Blacksburg Historic District from 1940 to 1965 to recognize properties associated with the tremendous growth Blacksburg experienced following World War II. Further detail on this justification is detailed in the attached excerpt from the *Blacksburg Historic District Survey Report* prepared by Hill Studio. The contributing/non-contributing status of each property was also assessed based on this expanded period of significance.

In addition to this justification and the survey information, the Design Guidelines provide further reasoning for updating the List. The Design Guidelines note, "While significant historic content is limited to a small number of buildings, the aggregate of structures form loose historic patterns that can serve as a guide for future actions. Infill building, when appropriate in type, scale, massing and material, will benefit the downtown and adjacent neighborhoods. These guidelines provide a framework for design that reinforces the character of the district. New construction should be compatible with existing buildings by respecting established patterns of building orientation, type, volume, height, and scale." These remarks reinforce the importance of the fabric and character of the District as a whole.

The character of much of Downtown Blacksburg is expressed through its historical development pattern. Residents and visitors often compliment the charming nature and small town feel of Blacksburg. Beyond the architectural style of specific buildings, setbacks and orientation to the street, pedestrian scale, and massing all contribute to this character that is valued by the community. Demolition and redevelopment of a large number of the structures with modern buildings at the maximum height and floor-to-area ratio would result in a very different Town.

Based on this survey report and the information for individual structures, Hill Studio recommended updating the list of contributing structures. This recommendation includes adding 8 structures originally omitted from the list, adding 27 structures from the 2006 survey efforts, and 7 structures from the 2016 survey work. In the interim, 4 of these structures have been demolished, resulting in a total of 38 structures recommended to be added to the List. HDRB emphasized that one of these structures was demolished to allow for expansion of a surface parking lot. Since it was not a contributing structure, HDRB's recommendations to preserve the structure were not binding and there was no input on redevelopment of the parcel.

Town Council directed staff to put forward the 38 structures for consideration for addition to the list of contributing structures. No properties on the existing list of contributing structures will be removed. Staff understands this may be the most controversial element of the amendment. The proposed list by address and a map of the proposed list are attached.

Impact of Being Added to the List

For structures on the List, most exterior alterations to the structure will fall under advisory Board review. However, HDRB has binding protections over demolition of contributing structures and binding review over any redevelopment where structures have previously been demolished. Contributing structures may also qualify for a residential density bonus and/or allow for residential use on the ground floor in Downtown Commercial zoning district. The Old National Bank Building project is an example of a project that qualified for twice the residential density in conjunction with the retention and rehabilitation of a contributing structure. The Main & Lee Townhouse project is an example of a residential use on the ground floor in Downtown Commercial in conjunction with the retention and rehabilitation of a contributing structure. Ground floor residential is not otherwise allowed within the Downtown Commercial zoning district. Both of these projects also included approval to demolish contributing structures as part of their respective redevelopment plans. HDRB approved demolition of one contributing structure for the Old National Bank Building project and demolition of two contributing structures for the Main & Lee Townhouse project.

Other Changes

Several other sections of the Zoning Ordinance included in the proposed amendment are administrative in nature and are intended to ensure consistency with proposed changes. For example, one change is adding a reference to the R-5 zoning district that indicates additional standards may apply in the Historic or Design Review Overlay zoning district for parking related uses. These changes are detailed on pages 13-14 of the proposed text.

Zoning Ordinance Amendment Process

Town Council adopted a referring resolution to send potential Zoning Ordinance changes to the Planning Commission for review. The Town Council referred this amendment to the Planning Commission through resolution 9-A-19, attached.

HDRB Review

Since the 2016 survey update, HDRB has encouraged review and update of the Zoning Ordinance in order to incorporate the most recent survey work as well as omissions dating back to the original creation of the District. HDRB sent a letter dated April 17, 2017 to Town Council summarizing HDRB's concerns relating to delay in revisions to this ordinance. HDRB reviewed the draft text on November 18, 2019. Discussion primarily included questions to clarify language in the ordinance. A few minor changes were made to the draft text language based upon questions from HDRB to provide clarity and are reflected in the attached text. Overall, there was consensus in favor of the changes including the additions to the List and strong support for the additional protection granted to the Historic District in the ordinance.

ZORC Review

The Zoning Ordinance Review Committee (ZORC), a subcommittee of the Planning Commission, reviewed the draft text on December 9, 2019. Discussion primarily included the criteria for parking and the proposed list of contributing structures. Some concern was expressed that the parking regulations only apply to the Historic District when the issues exist in Town more broadly. Specifically, there was interest in prohibiting parking in front of the front building line in the Downtown Commercial zoning district that includes areas outside the Historic District.

Several members expressed significant concern regarding adding structures to the List and a few suggested removing structures already on the List. There was also discussion regarding demolition by neglect and approaches being pursued by other localities.

Public Input Meeting

An initial kickoff public input meeting was held on October 3, 2019 to inform owners and residents in the District that an amendment was being proposed and the sign-in sheet and meeting notes are attached. Another public input meeting was held on January 9, 2020 with draft text available for review and the meeting notes and sign-in sheets are also attached.

Attachments:

- **Zoning Ordinance Text DRAFT dated December 20, 2019**
- Town Council referring resolution 9-A-19
- Justification for expanded period of significance: Page 6 excerpted from *2016 Blacksburg Historic District Survey Report* prepared by Hill Studio
- Proposed List of structures to be added
- Map of proposed structures to be added to the List
- October 3, 2019 public input meeting notes and sign-in sheet
- January 9, 2020 public input meeting notes and sign-in sheets

Additional resources found at www.blacksburg.gov/historicdistrict:

- Individual surveys by address
- *2016 Blacksburg Historic District Survey Report* prepared by Hill Studio (full document)
- Blacksburg Historic District Sign Guidelines prepared by Hill Studio
- HDRB Letter dated April 17, 2017

Zoning Ordinance Amendment – Historic District Working Draft dated 12.20.2019

DIVISION 27. - HISTORIC OR DESIGN REVIEW OVERLAY DISTRICT

SUBDIVISION 1 - [PURPOSE AND DESIGNATION]

Sec. 3270 - Purpose.

A Historic or Design Review Overlay District is provided in recognition that certain buildings or structures within the Town have important historic, architectural, archaeological or cultural interest. In addition, certain areas of Town have special public value because of notable architectural, archaeological or other features relating to the cultural or artistic heritage of the community, of such significance as to warrant conservation and preservation. The historic overlay provides a vehicle for regulating building design, construction, reconstruction, alteration, restoration, and demolition in these areas.

The purpose of any such District is to provide for protection against destruction of or encroachment upon historic areas, buildings, monuments or other features, or buildings and structures of recognized architectural significance which contribute or will contribute to the cultural, social, economic, political, artistic, or architectural heritage of the Town of Blacksburg and the Commonwealth of Virginia.

This District is also intended to encourage compatible development in areas of the Town having historic or unique architectural value. Specifically, the district is intended to encourage new buildings which are compatible with the existing scale and character of the surrounding neighborhood, encourage the protection of existing neighborhoods and their physical characteristics, and encourage revitalization of the area.

The Historic or Design Review Board is intended to be used to implement architectural proffers for conditional or planned zoning districts, in addition to implementing the appropriate standards for any Historic or Design Review District. Any person who proffers architectural controls for a planned district should consider proffering the Historic or Design Review Board as the body which will implement those standards.

(Ord. No. 1206, § 3, 5-11-99; Ord. No. 1604, § 2, 3-8-11)

State Law reference— Va. Code § 15.2-2306.

Sec. 3271 - Historic or Design Review Board.

- (a) The Historic or Design Review Board, or "Board," shall have a membership of at least seven (7) and at most nine (9) members who are residents of the Town. All members shall be appointed by the Town Council, and shall have a demonstrated interest, competence, or knowledge in historic preservation. The membership ~~shall~~ must include a member of the Planning Commission, a ~~registered~~ licensed architect or architectural historian, and ~~should include, to the extent feasible,~~ should include, to the extent feasible, an owner of commercial property within the District and two (2) owners of property within the District who also reside within the District. At least two (2) of the members ~~should~~ must have professional training or equivalent experience in any of the following disciplines: architecture, history, architectural history, planning, building or development. The remaining members ~~shall~~ should be persons interested in the District or historic preservation, or additional residents and business owners in the District. The members shall serve staggered terms of four (4) years, and each member shall serve until his or her replacement is appointed. The Town Council may appoint members whose

property ownership, residence in the district or training or experience satisfies more than one (1) of the requirements of this section; ~~however, in no case shall there be less than three (3) property owners on the Board.~~

- (b) The Board shall review applications for development within an historic overlay district as directed by the ordinance establishing the district. The Board shall also hear appeals from decisions of the zoning administrator to deny a certificate of appropriateness.
- (c) Where the application of design criteria is mandatory, the Board shall issue or deny a certificate of appropriateness based upon the design criteria for the particular Historic or Design Review Overlay District in which the development is proposed to occur.
- (d) Any decision to deny a certificate of appropriateness shall be set forth in writing, stating the reasons therefore.
- (e) The Board may ask the Town Council to initiate a study of a proposed historic overlay district. The Board shall comment on studies and rezoning proposals as requested by the Planning Commission or Town Council.
- (f) The Board shall implement and enforce proffered conditions of conditional or planned zoning districts, if it is so designated in the ordinance creating the district.
- (g) The Board shall undertake such other tasks as the Town Council may direct.

(Ord. No. 1206, § 3, 5-11-99; Ord. No. 1604, § 2, 3-8-11)

Sec. 3272 - Designation of a Historic or Design Review Overlay District; process; overview.

There shall be a two-step process for designating any area as an Historic or Design Review Overlay District. The first step in the process shall be a study of the proposed district. The second step of the process shall consist of a zoning amendment, which shall be initiated or not pursuant to the provisions of Article I, Division 5 of this chapter [Appendix].

(Ord. No. 1206, § 3, 5-11-99)

Sec. 3273 - Same—Initiation of study.

- (a) The study of an area for possible Historic or Design Review Overlay designation may originate in one (1) of the following ways:
 - (1) By petition signed by at least fifty-one (51) percent of the owners of real property within the proposed district;
 - (2) By motion of the Planning Commission;
 - (3) By request of the Board;
 - (4) By resolution of Town Council.
- (b) Only Town Council has the authority to order the study of any proposed historic or design review district.
- (c) A petition signed by fifty-one (51) percent of the owners of real property within the proposed district may be submitted to the zoning administrator, who shall refer it to the Planning Commission, which shall hold a public hearing and make a recommendation to Town Council. Town Council shall hold a public hearing on the petition, after which it may order the study as requested, deny the petition, or order a study with some modifications to the petition's request.

- (d) The Planning Commission may make a recommendation to initiate a study on its own motion after a public hearing. The Town Council shall act to initiate a study only after a public hearing.
- (e) Public hearings conducted by the Planning Commission and Town Council under this section shall be conducted after notice and publication as provided in Zoning Ordinance section 1153, and Virginia Code § 15.2-2204.
- (f) The area to be studied shall have logical boundaries based upon existing streets, alleys, blocks, and established neighborhoods. A single lot may be designated for study.
- (g) Any proposed Historic or Design Review Overlay District, for which a study meeting the requirements of section 3271 and section 3273 has been completed prior to the original effective date of this section, shall be exempt from compliance with this section.

(Ord. No. 1206, § 3, 5-11-99; Ord. No. 1604, § 2, 3-8-11)

Sec. 3274 - Same—Study of proposed area.

A study of an area proposed for Historic or Design Review Overlay District designation shall address the following issues, among such other issues as may be identified by Town Council:

- (1) Does the study area contain one (1) or more buildings or structures, or other features with important historic, architectural, archaeological or cultural interest?
- (2) Does the study area have special public value because of notable architectural, archaeological or other features relating to the cultural or artistic heritage of the community, of such significance as to warrant conservation and preservation?
- (3) What design criteria are related to the study area's significance or character?
- (4) What types of development should be subject to an administrative review or board review?
- (5) What types of development, if any, should be exempt from administrative or board review?
- (6) Should the application of the design criteria be advisory or binding?

In addressing questions numbers (4) and (5), above, the purpose of the study shall be to recommend review procedures which will be relatively simple with minimum delay for those actions which will have little if any permanent effect on the character of the district or on a significant structure, but to require a more thorough review for actions which may have a substantial effect on the character of the district or on a significant structure. When the study is completed, it shall be submitted to the zoning administrator, who shall refer the study to the Planning Commission for review.

(Ord. No. 1206, § 3, 5-11-99; Ord. No. 1604, § 2, 3-8-11)

Sec. 3275 - Same—ReZoning Ordinance.

Any ordinance rezoning an area to a Historic or Design Review Overlay District shall contain the following provisions, among such others as Town Council may deem appropriate:

- (1) A finding that:
 - (a) The district includes buildings or structures or other features with important historic, architectural, archaeological or cultural interest, or

- (b) The district has special public value because of notable architectural, archaeological or other features relating to the cultural or artistic heritage of the community, of such significance as to warrant conservation and preservation.
- (2) Design review criteria which shall apply to development in the district. Design review criteria may be incorporated by reference to a separate document. The design criteria may include provisions for building materials; building orientation; building massing, volume, and scale; architecture; continuity of building facades; or other criteria necessary to preserve the features which qualify the district for historic or design review overlay designation.
- (3) The types of development which shall be subject to the design criteria, including a designation of an administrative or board review for different types of development.
- (4) The types of development, if any, which shall be exempt from the design criteria.
- (5) Whether the application of the design criteria is advisory or binding.

(Ord. No. 1206, § 3, 5-11-99; Ord. No. 1604, § 2, 3-8-11)

Sec. 3276 - Effect of designation.

- (a) Upon the designation of any area as a Historic or Design Review Overlay District, no building or structure, including signs, shall be erected, constructed, reconstructed, altered, restored, relocated, or demolished within any such district unless reviewed and where required approved by the zoning administrator or Board or, on appeal, by the Town Council, unless the development is declared exempt from the design criteria in the ordinance designating the district.
- (b) Any designated Historic or Design Review Overlay District shall be an overlay to the existing underlying zoning districts as shown on the Official Zoning Map and, as such, the provisions for the overlay district shall serve as a supplement to the underlying zoning district provisions. In case of conflict between the provisions or requirements of this district and the underlying district, the provisions of this district shall apply.

(Ord. No. 1206, § 3, 5-11-99; Ord. No. 1604, § 2, 3-8-11)

Sec. 3277 - Administrative review.

- (a) The zoning administrator shall review applications for development within a historic overlay district as provided by ordinance. Where the application of the design criteria is mandatory, the Board shall issue or deny a certificate of appropriateness based upon the design criteria for a District in which the development is proposed to occur. Any decision to deny a certificate of appropriateness shall be set forth in writing, stating the reasons therefore.
- (b) The applicant or any person aggrieved by a decision of the Board to grant or deny a certificate of appropriateness may appeal the decision to the Town Council. The appeal shall be initiated by submitting a written notice of appeal to the zoning administrator, setting forth the grounds of the appeal, within thirty (30) days of the Board's decision.

(Ord. No. 1206, § 3, 5-11-99; Ord. No. 1604, § 2, 3-8-11)

Sec. 3278 - Appeal to Town Council.

The applicant or any person aggrieved by a binding decision of the Historic or Design Review Board may appeal the decision to Town Council, by submitting a written notice of appeal

to the Zoning Administrator, setting forth the grounds for the appeal, within thirty days of the Historic or Design Review Board's decision. Town Council shall schedule a public hearing, and shall hear and decide the appeal within sixty days of receipt by the Zoning Administrator. Failure of the Town Council to decide the appeal within this time shall constitute denial of the appeal. The Town Council may uphold, reverse, or modify the Historic or Design Review Board's decision.

(Ord. No. 1206, § 3, 5-11-99)

Sec. 3279 - Appeal to circuit court.

The applicant or any person aggrieved by a final decision of the Town Council may appeal to the Circuit Court for Montgomery County by filing a petition at law, setting forth the alleged illegality of Town Council's action, within thirty days after the final decision is rendered by the Town Council. The filing of the petition shall stay the decision of the Town Council pending the outcome of the appeal to the court, except the filing of the petition shall not stay the decision of the Town Council if the decision denies the right to raze or demolish a historic landmark, building or structure. The court may reverse or modify the decision of the Town Council, in whole or in part, if it finds upon review that the decision is contrary to law or that its decision is arbitrary and constitutes an abuse of discretion, or it may affirm the decision of the Town Council.

(Ord. No. 1206, § 3, 5-11-99)

Sec. 3280 - Definitions applicable in Historic or Design Review Overlay Districts.

For the purposes of administering Historic or Design Review Overlay Districts, certain terms are defined as follows:

"Alteration" means any change or rearrangement in the supporting members of an existing building, affecting the exterior of a building or structure, or any enlargement or reduction of a building or structure, whether horizontally or vertically, or the relocating of a building or a structure from one (1) location to another. This term includes any change of, including removal of, any architectural details, or any addition to a part or the entire exterior of any structure. Depending upon the extent or nature of an alteration, it may constitute "demolition" and be subject to the provisions of this Article governing demolition.

"Certificate of Appropriateness" means a permit issued by the Historic or Design Review Board granting an applicant approval for the alteration, change, demolition, relocation, excavation, or new construction of a contributing site, contributing structure, landmark, noncontributing structure, or noncontributing site in an historic district.

"Contributing structure or property" means any building, structure, or site which contributes to the overall historic and architectural significance of the district and architectural integrity with little or no diminishment in value reflecting the character of that time or is capable of yielding important information about the historically significant period. Qualities of the building, structure or site which contribute to the overall historic and architectural significance of the district include, but are not limited to, setback, massing, height, materials, architectural features and/or fenestration. As approved by the Town Council and on file in the Town Clerk's Office, all contributing structures within the district(s) are set forth in the document entitled "Blacksburg Historic District Contributing Structures List-" dated March 10, 2020. Contributing structures include accessory structures whether individually identified in the List or identified as contributing secondary resources in the supporting survey information on file with the Town and with the Virginia Department of Historic Resources.

"Demolish" or "demolition" means the razing or destruction, whether entirely or in significant part, of a building, structure, site or object. Demolition includes the removal of a building,

structure, or object from its site or the removal or destruction of the façade or exterior surface, or exterior changes that destroy the historical significance of the building, structure or object.

"Development" means any manmade change to improved or unimproved real estate including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation, or storage of equipment or materials. The term "development" includes construction, reconstruction, alteration, restoration, and demolition of a structure. It also includes the erection of a new sign.

"Reconstruction" means the act or process of reproducing by new construction the form and detail of a vanished site, structure, landmark, or a part thereof, as it once appeared.

"Restoration" means the act or process of returning a building, structure, site or landmark to its former condition and/or appearance, such as a house museum to the time period of a famous resident.

(Ord. No. 1604, § 2, 3-8-11)

SUBDIVISION 2 - [ESTABLISHMENT AND DESIGN CRITERIA]

Sec. 3281 - Establishment of Blacksburg Historic Overlay District.

- (a) The Blacksburg Historic Overlay District, or "District," originally established by Ordinance 1222 in 1999, is hereby re-enacted. The boundaries of the District are shown on the "Blacksburg Historic District Boundary & Contributing Structures Map" dated November 29, 2010, and subsequently amended October 13, 2015 and March 10, 2020, as approved by the Town Council.

The District was established for the purpose of promoting the general welfare, education, and recreational benefit of the public through the recognition of this area of the Town as having historic, architectural, and cultural significance. Regulations of the District are intended to protect, restore, and preserve the architectural integrity of existing structures, to create an atmosphere for compatible growth for the future and to ensure that new structures and uses will be in keeping with the character of the District.

- (b) In re-enacting the District, the Town Council expressly re-affirms its earlier findings that it includes buildings or structures or other features with important historic, architectural, archaeological or cultural interest, including but not limited to the original Town plat, established in 1798, known as the "Sixteen Squares," which is a defining feature of the Town; the Croy-Dawson House of 1839; "Five Chimneys," built in 1840; the Andy Camper House, circa 1850; the Price House, built in 1853; the Thomas-Conner House, built in 1878; and the additional historic contributing buildings identified on the "Blacksburg Historic District Boundary & Contributing Structures Map" and the document entitled "Blacksburg Historic District Contributing Structures List," as last amended on October 13, 2015 March 10, 2020 and approved by the Town Council.

(Ord. No. 1604, § 2, 3-8-11; [Ord. No. 1770, § 1, 10-13-15](#))

Sec. 3282 - Design criteria.

- (a) Town Council adopts the design criteria contained in the pamphlets entitled "Blacksburg Historic District Design Guidelines, Overview, Exterior Alterations, New Construction, and Relocation and Demolition" prepared by Landmark Preservation Associates and Dunay + Albright Architects, as amended, dated November 5, 1999, and "Blacksburg Historic District Sign Guidelines," prepared by Hill Studio dated June 2016 as guidelines for development within this District. No building or structure, including signs, shall be erected, reconstructed,

altered, or restored within this District until reviewed for conformance with these design criteria by the zoning administrator or the Board as appropriate. This review shall be an advisory review, except as set forth in the following paragraph.

- (b) Notwithstanding the advisory nature of the guidelines as applied to the foregoing types of development, no contributing structure within this District shall be razed, demolished, or relocated until the razing, demolition, or relocating thereof is approved by the Board, or, on appeal, by the Town Council after consultation with the Board. Furthermore, no new building or structure shall be constructed or erected on the site of a razed, demolished or relocated contributing structure until a redevelopment plan for the site is approved and a certificate of appropriateness issued by the Board, or on appeal by the Town Council.

(Ord. No. 1604, § 2, 3-8-11)

Sec. 3283 - Applicability of design guidelines.

All non-exempt types of development described below require completion of the historic review application and cannot proceed until approval is granted.

- (a) For ~~all~~ contributing and non-contributing structures in the District, the following types of development shall be exempt from the design guidelines:
- (1) Repainting, except painting of masonry that has been unpainted;
 - (2) Interior alterations that have no visible effect upon the exterior of the structure;
 - (3) Minor repairs that maintain the integrity of existing walls, roofs, ~~windows~~, doors, fences, and other property features where no change in design or material is proposed;
 - (4) Planting grass, trees, and shrubs;
 - (5) Windows are not exempt and are addressed in subsection (b).
- (b) For ~~all~~ contributing and non-contributing structures in the District, the following types of development shall require an advisory administrative staff review for conformance to the design guidelines:
- (1) Any construction or alterations not visible from a public ~~street~~ right-of-way;
 - (2) Construction or replacement of fences in rear or side yards; fences in the front yard are subject to subsection (d);
 - (3) Development of decks in rear yards; decks in the front or side yard are subject to subsection (d);
 - (4) Replacement of side or rear stairs, stoops or porches; stairs, stoops, or porches in the front yard are subject to subsection (d);
 - (5) Repair or replacement of windows where no change in design or material is proposed;
 - (6) Replacement of windows, doors and shutters where different material is proposed; however enlargement Changes in sizing or redesign of windows visible from the street is subject to subsection (d) requires Board review;
 - ~~(6)~~(7) Removal of trees or landscaping plants.
- (c) ~~For non-contributing structures within the District~~ For non-contributing structures in the District, the ~~The~~ following types of developments ~~for non-contributing structures within the District~~ shall require an advisory administrative staff review for conformance to the design guidelines:
- (1) Demolition of ~~noncontributing~~ accessory structures;

(2) ~~Exterior alterations of noncontributing structures, except.~~ Proposed proposed additions are subject to an advisory review by the Board subsection (d).

(3) New signage or changes to existing signage. Signage changes for contributing structures are subject to subsection (d).

- (d) For contributing and non-contributing structures in the District, any ~~Any other type of development, change, or alteration not covered by subsections (a), (b), or (c) above of any structure within the District shall require the advisory review of the Board. Examples include additions to non-contributing structures, replacement of siding or roofing for contributing structures and signage changes for contributing structures. Site elements that are not attached to the structure, including but not limited to, walls, utilities, telecommunication facilities, driveways, and parking areas shall require the advisory review of the Board.~~
- (e) For non-contributing structures in the District, the ~~The razing, demolition or relocation of a noncontributing structure within the District shall be subject to an advisory review by the Board.~~
- (f) For contributing structures in the District, the ~~The razing, demolition or relocation of a contributing structure including accessory structures shall be subject to the mandatory review and approval of the Board. A mandatory review and approval of a plan shall be required by the Board for the redevelopment of a site that contains a contributing structure or previously contained a contributing structure that was razed, demolished or relocated.~~

(Ord. No. 1604, § 2, 3-8-11)

Sec. 3284 - Mandatory review by Historic or Design Review Board.

- (a) No contributing structure within this District shall be razed, demolished or relocated until the razing, demolition or relocating thereof is approved by the Board, or, on appeal, by the Town Council after consultation with the Board. If the razing, demolition or relocation of a contributing structure is (i) approved by the Board or the Town Council or (ii) permitted by Zoning Ordinance section 3286, no new building or structure shall be constructed or erected on the site of the razed, demolished or relocated contributing structure until a redevelopment plan for the site is approved by the Board, or, on appeal, by the Town Council. Once the redevelopment plan is approved, a certificate of appropriateness for the new construction shall be issued.
- (b) In determining the appropriateness of any application for the razing, demolition, or removal, the Board, or the Town Council on appeal, shall consider the criteria set forth in the "Relocation and Demolition" guidelines approved by Town Council. Where a development plan for a new use of the site is proposed and submitted, the Board shall review the proposed development pursuant to the regulations and intent of the district. The demolition application and redevelopment plan are not required to be submitted at the same time for review by the Board. Consideration shall be given to the benefits of the proposed redevelopment and the trade-offs for demolition of the building or structure.
- (c) Appeals of the decision of the Board regarding redevelopment plans shall be processed in the manner provided by Zoning Ordinance section 3285.

(Ord. No. 1604, § 2, 3-8-11)

Sec. 3285 - Appeals to Town Council.

- (a) The owner of a contributing structure who is denied approval to raze, demolish, develop or relocate by the Board may appeal the denial to Town Council as provided by Zoning

Ordinance section 3278. The applicant or any person aggrieved by a final decision of Town Council to grant or deny a permit to raze, demolish, develop or relocate an historic landmark, building or structure may appeal Town Council's decision to the Montgomery County Circuit Court in accordance with Zoning Ordinance section 3279.

- (b) An owner of property subject to the requirement of a redevelopment plan and certificate of appropriateness for construction or erection of a new building or structure on the property who is denied approval by the Board may appeal the denial to Town Council. The applicant or any person aggrieved by a final decision of Town Council to grant or deny a certificate of appropriateness may appeal Town Council's decision to the Montgomery County Circuit Court in the manner provided by Zoning Ordinance section 3279.

(Ord. No. 1604, § 2, 3-8-11)

Sec. 3286 - Demolition as matter of right.

- (a) In addition to the right of appeal to Town Council, the owner of a contributing structure shall, as a matter of right, be entitled to raze or demolish the contributing structure provided that:
 - (1) The owner has appealed the Board's decision to the Town Council;
 - (2) The owner has for the period of time set forth in the same schedule hereinafter contained and at a price no more than its fair market value, made a bona fide offer to sell the contributing structure, and the land pertaining thereto, to the Town or to any person, firm, corporation, government or agency thereof, which gives reasonable assurance that it is willing to preserve and restore the contributing structure and the land pertaining thereto; and
 - (3) No bona fide contract, binding upon all parties thereto, shall have been executed for the sale of any such contributing structure, and the land pertaining thereto, prior to the expiration of the applicable time period as set forth in the time schedule contained below in subsection (b).
- (b) As required by Virginia Code § 15.2-2306, the time schedule for offers to sell shall be as follows:
 - (1) Three (3) months when the offering price is less than twenty-five thousand dollars (\$25,000.00);
 - (2) Four (4) months when the offering price is twenty-five thousand dollars (\$25,000.00) or more but less than forty thousand dollars (\$40,000.00);
 - (3) Five (5) months when the offering price is forty thousand dollars (\$40,000.00) or more but less than fifty-five thousand dollars (\$55,000.00);
 - (4) Six (6) months when the offering price is \$55,000 or more but less than seventy-five thousand dollars (\$75,000.00);
 - (5) Seven (7) months when the offering price is seventy-five thousand dollars (\$75,000.00) or more but less than ninety thousand dollars (\$90,000.00);
 - (6) Twelve (12) months when the offering price is ninety thousand dollars (\$90,000.00) or more.
- (c) When a property owner has met the requirements in preceding subsection (a) to demolish or raze a contributing structure as a matter of right, the zoning administrator shall, upon request by the property owner, certify this fact in writing.
- (d) Any appeal to the Montgomery County Circuit Court from the decision of the Town Council, whether instituted by the owner or by any other aggrieved party, shall not affect the right of the owner to make a bona fide offer to sell the property per the terms of this section.

- (e) The time schedule in preceding subsection (b) shall commence when the owner has filed (i) the required appeal to Town Council and (ii) a statement documenting the bona fide offer to sell the property. If the property is not for sale at the time of the final action of Town Council the applicant shall proceed in a timely manner to offer the property for sale. In no case shall the offer to sell the property be made more than one year after the final action of Town Council. Upon the expiration of the applicable time schedule contained in subsection (b), the owner, or subsequent owner, shall have the right to relocate, raze or demolish the structures on the property.
- (f) Before making a bona fide offer to sell, an owner shall first file a statement with the director of the Planning and Building Department identifying the property, stating the offering price, the basis for the offering price, the date the offer of sale is to begin and the name of the real estate agent, if any. No time period as set forth in the schedule above shall begin to run until such statement has been filed. Within fourteen (14) days of receipt of a statement, the director of the Planning and Building Department shall distribute copies to the Board and to Town Council and the town manager.
- (g) When relocating, razing or demolition is authorized by this section, the director of the Planning and Building Department shall inform the property owner in writing of the requirements for a redevelopment plan and a certificate of appropriateness for any new building or structure to be constructed on the site of the relocated, razed, demolished or relocated historic landmark, building or structure.
- (h) Any appraisals required by this section to determine the fair market value shall be obtained and paid for by the Town. However, the property owner may submit an independent appraisal.

(Ord. No. 1604, § 2, 3-8-11)

Sec. 3287 - Redevelopment plan criteria.

- (a) Within three (3) months prior to the submission of a redevelopment plan, the property owner or the owner's agent shall schedule a pre-application meeting with the director of Planning and Building. The property owner or the owner's agent shall attend the pre-application meeting, which shall consist of a discussion of the proposed redevelopment and the requirements of this ordinance. The chair of the Board may assign two (2) members of the Board to attend the pre-application meeting.
- (b) The following is the redevelopment plan submittal criteria for sites where a contributing structure has been razed, demolished, or relocated. The Board reserves the right to request applicants return with additional specifications and any other relevant materials reasonably necessary for its review. In consideration of a redevelopment plan, the following are required for submittal and in addition to any required site plans, architectural plans or building permits, the Board may require any or all of the following information and any other relevant materials as may be deemed necessary for its review at the pre-application meeting or at a formal review of the redevelopment plan at a Board meeting:
 - (1) Statement of proposed use-, site design concept showing structure(s) and supporting infrastructure, and conceptual building design(s)
 - (2) Description of how the proposed project meets the design elements outlined in the Blacksburg Historic District Design Guidelines, "New Construction," specifically:
 - (a) Building type and design considerations;
 - (b) Strengthening street and continuous landscape;
 - (c) Balancing pedestrian areas and parking; and
 - (d) Material and craftsmanship.

- (3) Proposed building materials, including their composition, texture, finish, quality, color, and appearance, which may include product brochures, specifications, and samples. Design and material details of doors and windows, ornamentation, including any product specifications;
- (4) Designs for exterior signage, lighting and graphics, to include description of materials, colors, placement and means of physical support, lettering style and size.
- ~~(5) The following supplemental information may be submitted, but is not required:~~
 - ~~(5)(a) Statement of estimated construction time;~~
 - ~~(6)(b) Description of how the proposed project is consistent with the Comprehensive Plan and the Zoning District in which it is located. meets the goals, objectives and action strategies outlined in the Town's Comprehensive Plan, Blacksburg 2046;~~
 - ~~(c) Design and material details of doors and windows, ornamentation, including any product specifications;~~
 - ~~(7)(d) A written statement concerning construction methods to be employed and information on construction staging and sequencing.~~
- (c) Any material change to a binding redevelopment plan requires approval by the Board.
- ~~(e)(d)~~ No redevelopment plan shall be deemed complete until the zoning administrator has determined that the use of the proposed building or structure is permitted under the current zoning for such property or the property owner indicates with the historic review application intent to apply and request an appropriate zoning designation.
- ~~(e)(e)~~ A certificate of appropriateness shall become null and void if no significant improvement or alteration is made in accordance with the approved redevelopment plan within two (2) years from the date of approval. On written request from an applicant, the Board may grant a single extension for a period of up to two (2) years, if, based upon submissions from the applicant, the Board finds that conditions on the site and in the area of the proposed project are essentially the same as when approval originally was granted.
- ~~(e)(f)~~ Prior to the issuance of a certificate of occupancy permit by the building official, the applicant shall obtain a certificate of compliance from the zoning administrator indicating the compliance of the final building or structure with the terms and conditions of the approved redevelopment plan. The zoning administrator shall base the certificate of compliance on the certificate of appropriateness from the Board. The zoning administrator shall notify the chair of the Board when any certificate of compliance has been requested and provide the Board with copies of all correspondence related to the approval or denial of a certificate of compliance. The zoning administrator shall issue all certificates of compliance, whether the Board approved the redevelopment plan or whether the governing body approved it upon appeal. An applicant may appeal the denial of a certificate of compliance to the Board. The owner may appeal the decision of the Board on the certificate of compliance to Town Council in the manner provided by Zoning Ordinance section 3285.

(Ord. No. 1604, § 2, 3-8-11)

Sec. 3288 - Right to repair or rebuild.

If any contributing structure in the District is damaged or destroyed by a natural disaster, act of God or accidental fire, the property owner may repair or rebuild the contributing structure to restore it to its structural configuration immediately preceding the damage or destruction without the requirement of a redevelopment plan as described in the preceding paragraph. Prior to any building permit being issued for such repairs or rebuilding, the Board shall review the proposed

measures for repair or rebuilding to confirm that the measures will restore the contributing structure to its structural configuration immediately preceding the damage or destruction. In all other cases a redevelopment plan shall be required.

(Ord. No. 1604, § 2, 3-8-11)

Sec. 3289 – Vehicular parking regulations in the Historic or Design Review Overlay District

Parking can have a significant impact on the character of an historic district. Much of Blacksburg’s historic district was constructed before the dominance of the automobile. The development pattern reflects this with buildings set closer to the street, the majority of off-street parking existing to the side and rear of the buildings typically accessed by an alley or narrow driveway, and limited on-street parking. The following criteria exist to ensure parking expansions or installation of new parking areas do not negatively affect the fabric and character of the Historic District.

All parking related uses, including but not limited to driveways, parking areas, structured parking, parking facilities, on- and off-site parking, within the District shall be required to adhere to the following standards and constructed only upon the issuance of a zoning permit and other permits as may be required:

- (1) For parking serving non-residential uses, any new surface parking lots, structured parking, or addition of parking spaces, whether classified as a parking facility, off-site parking, or on-site parking, requires a conditional use permit pursuant to the criteria in Section 3290.
- (2) For parking serving residential uses, the addition of off-site parking spaces require a conditional use permit pursuant to the criteria in Section 3290.
- (3) For parking serving residential uses, the addition of on-site parking spaces must meet the following standards:
 - (a) Driveways shall be limited to a single lane (maximum 12’ in width) where visible from the street and shall only widen behind the primary structure or when screened with landscaping or other approved materials.
 - (b) Parking shall be located fully behind the primary structure.
 - (c) For corner lots, parking areas shall be located behind the primary structure and set back as far as possible from the side street, but no less than 10 feet in commercial zoning districts and no less than 20 feet in residential zoning districts.
- (4) Any parking that cannot meet the above standards requires a conditional use permit pursuant to the criteria in Section 3290.

Sec. 3290 – Criteria for Conditional Use permit for parking related uses

Parking may be requested through the Conditional Use permit process within the Historic or Design Review Overlay District as referenced above. Evaluation criteria to determine the appropriateness of the parking related use requested include, but are not limited to, the following:

- (1) Location and visibility of proposed parking
- (2) Proposed driveway width
- (3) Size of proposed parking area
- (4) Impact on the relationship of the building to the street
- (5) Landscaping, buffering, and screening to mitigate visual impacts
- (6) Unusual shape or topography of a lot
- (7) Location of existing structures
- (8) Preservation of mature trees
- (9) Consistency with existing development pattern in the Historic District
- (10) Impact on adjacent properties
- (11) Consideration of parking in keeping with the Historic District and the Guidelines
 - (a) Proposed materials such as brick, concrete, or other textured surfaces
 - (b) Two parallel narrow strips of concrete or other material with grass in between, known as a ribbon driveway
 - (c) Use of permeable parking surfaces

Other Sections of the Zoning Ordinance to be revised

Sec. 4543 – Parking facility.

(d) Additional standards in the Historic or Design Review Overlay District: Parking facilities shall only be permitted by conditional use permit.

Sec. 2103 - Definitions of terms and use types.

~~HISTORIC ARCHITECTURE REVIEW BOARD~~ HISTORIC OR DESIGN REVIEW BOARD—
A board appointed by Town Council to effectuate the provisions of this article for the protection and preservation of historic or archaeological sites or structures in the Town.

District Standards

R-5 District

Sec. 3052 - Site development regulations.

(h) Additional standards apply in the Historic or Design Review Overlay District for parking related uses. See Section 3289.

OTR District

Sec. 3062 - Site development regulations.

(h) Additional standards apply in the Historic or Design Review Overlay District for parking related uses. See Section 3289.

RM-27 District

Sec. 3082 - Site Development Regulations.

(h) Additional standards apply in the Historic or Design Review Overlay District for parking related uses. See Section 3289.

DC District

Sec. 3142 - Site development standards.

(k) Additional standards apply in the Historic or Design Review Overlay District for parking related uses. See Section 3289.

O District

Sec. 3182 - Site development standards.

(k) Additional standards apply in the Historic or Design Review Overlay District for parking related uses. See Section 3289.

RESOLUTION 9-A-19

A RESOLUTION REFERRING TO THE PLANNING COMMISSION PROPOSED ZONING ORDINANCE AMENDMENTS RELATING TO THE LIST OF CONTRIBUTING STRUCTURES IN THE BLACKSBURG HISTORIC OVERLAY DISTRICT AND OTHER CHANGES REGARDING BOARD MEMBERSHIP, SIGNAGE, REVIEW CRITERIA AND PARKING IN THE DISTRICT

WHEREAS, the Blacksburg Town Council established the Blacksburg Historic Overlay District (the “District”) in 1999 with Ordinance 1222 to recognize that certain buildings, structures and sites within the District have important historic, architectural, archaeological, or cultural interest;

WHEREAS, as part of establishing the District, a list of Contributing Structures was adopted;

WHEREAS, policies in the Town’s Comprehensive Plan state that the Town will support and promote the Blacksburg Historic District as both a cultural resource and an economic development tool and that the Town will work with property owners to upgrade and renovate buildings in the District, including adaptive reuse options that support the goals of the District;

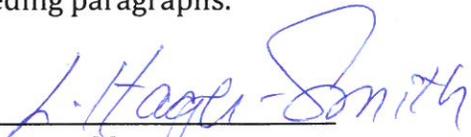
WHEREAS, professional surveys of the District and its characteristics were completed as part of the original establishment of the District, and were performed again in 2006 and 2016 with the goals of updating Town records, creating a consistent and complete inventory of resources, and updating the period of significance for the District, based on historical development patterns in Town; and

WHEREAS, to further improve the District and its administration, the Planning Commission is also requested to consider further changes to District Board membership requirements, signage guidelines, review criteria and parking in the District.

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

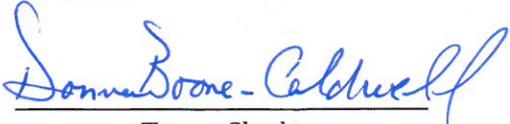
1. That the Planning Commission is hereby requested to do the following:

- (i) review the “Blacksburg Historic District Contributing Structures List,” as well as the 2016 Blacksburg Historic District survey report and the supporting materials,
 - (ii) provide its recommendation about the proposed additions to the Contributing Structures list contained in the 2016 and other survey reports,
 - (iii) review and consider and/or suggest revisions to membership requirements for the Historic or Design Review Board,
 - (iv) incorporate the signage guidelines into Zoning Ordinance Section 3282 “Design Criteria” and other related sections as needed,
 - (v) consider potential amendments to Zoning Ordinance Article IV, Division 27, Subdivision 2, “Establishment and Design Criteria,” to clarify how specific project types are reviewed, and
 - (vi) evaluate potential amendments to other related sections of the Zoning Ordinance to establish criteria for the provision of parking in the District.
2. That the Planning Commission is further requested to propose other amendments to related sections of the Zoning Ordinance, the Subdivision Ordinance or the Town Code as necessary for consistency with the amendments described in the preceding paragraphs.



Mayor

ATTEST:



Town Clerk

Date of Adoption: September 10, 2019

CHAPTER 3: JUSTIFICATION FOR EXPANDED PERIOD OF SIGNIFICANCE

DEVELOPMENT OF BLACKSBURG AFTER WORLD WAR II

The 1989 NRHP Blacksburg Historic District nomination defines the period of significance from 1789 to 1940, encompassing its development from the establishment of the town's original sixteen-block grid plan through its continued growth in the nineteenth century and subsequently its alteration and virtual rebuilding associated with the establishment of Virginia Polytechnic Institute and State University (Virginia Tech) in the late-nineteenth and early-twentieth centuries. This period of significance also applies to the local historic district. As the town and college experienced tremendous growth following World War II, it is recommended that the period of significance be expanded to 1965 to recognize those properties associated with this continued development as contributing resources to the district. The Blacksburg Historic District, as it developed through the mid-1960s, remains unique as a mid-size town sustained by its close association with the university rather than serving as a county seat.

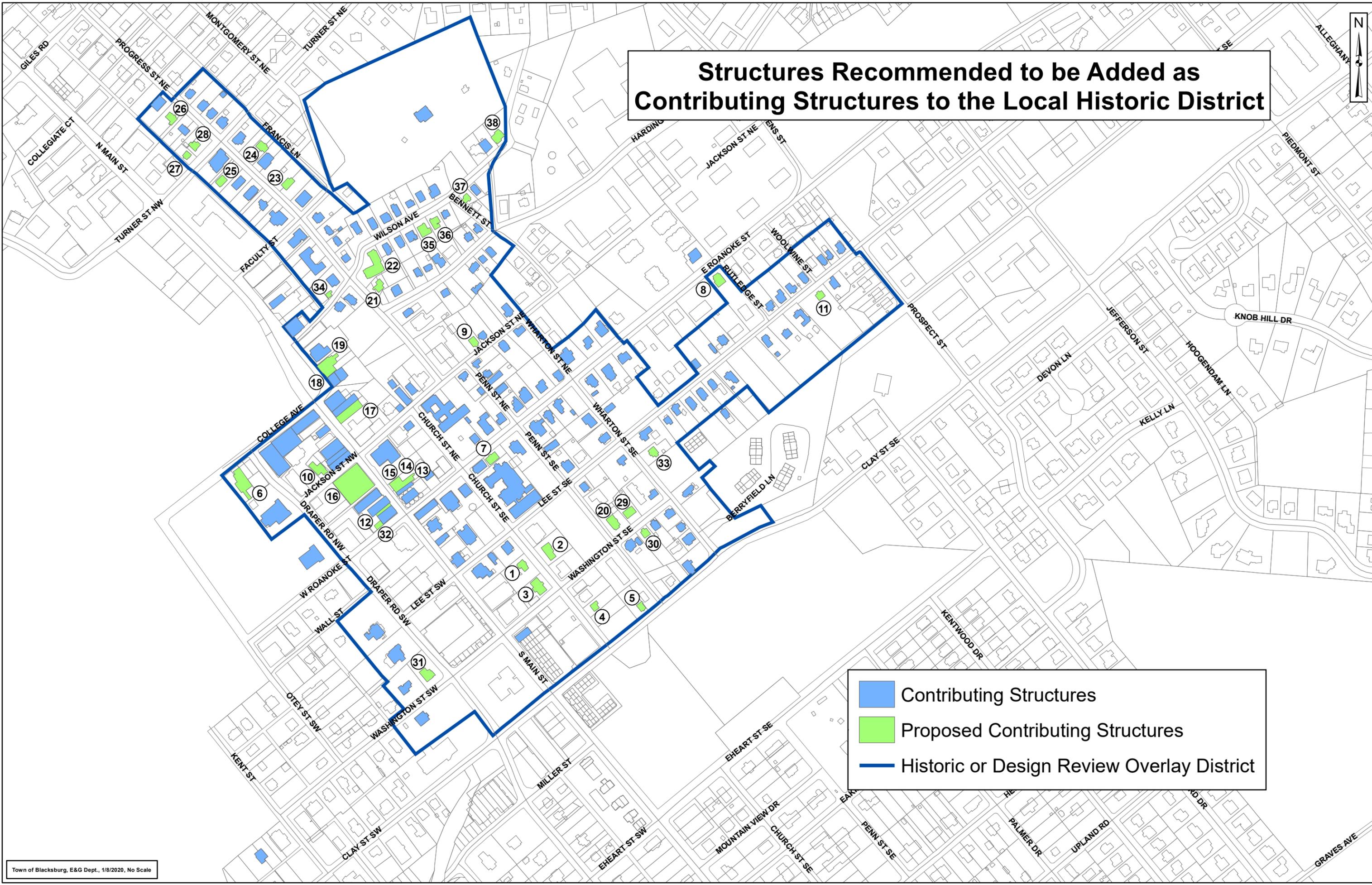
Blacksburg continued to grow during World War II and in the period of nationwide prosperity that followed. Between 1940 and 1950, the town population increased by 53 percent from 2,133 to 3,358. In 1941, the Radford Army Ammunition Plant (RFAAP) was established in Montgomery and Pulaski counties. The arsenal was built in an effort to increase ammunition production in anticipation of US involvement in World War II. Located only 10 miles west of Blacksburg, the arsenal brought an influx of new residents to town to aid the war effort. Blacksburg continued to grow after World War II, as it experienced both the national population boom and the flood of returning veterans to Virginia Tech taking advantage of the GI Bill. In the following decade, the town experienced its most dramatic growth as it increased by more than 100 percent to 7,070 in 1960. This growth in population continued an additional 33 percent by 1970 to 9,384. Meanwhile, enrollment at Virginia Tech more than doubled in the first year after the war from 2,331 in the 1945-1946 school year to 4,971 in 1946-1947. While this growth slowed in the following years, it remained steady with a total increase of 65 percent in the first decade following the war. With the increased enrollment, Virginia Tech's employment also increased dramatically during these years and contributed significantly to the growth of the town.

Although the majority of new construction related to this dramatic growth in population took place on the Virginia Tech campus and in post-World War II residential developments outside of the historic district, residential and commercial buildings continued to be built within the original sixteen-block grid of the town. As noted in the 1989 nomination, the two blocks of College Street were fully developed with commercial buildings by 1950. Notable new buildings on Main Street included the National Bank of Blacksburg at 100 North Main Street (1942), the Montgomery County Savings & Loan Building at 103 Jackson Street (1950) and Rose's Department Store at 125 North Main Street (1965). Two new apartment buildings, located on Progress Street and Church Street, were constructed in 1948 in response to the growing demand for housing with the increased population. These buildings, along with other smaller commercial buildings and residences built throughout the district in the two decades following World War II, illustrate the continued growth of the town. While they may differ in architectural style, form and materials from the earlier structures, these mid-twentieth century buildings continued the development patterns of the district and contribute to its density and cohesiveness. Contributing status should be given to these resources, as they represent the continued development of the town within the recent past.

Historic District Update - Zoning Ordinance Amendment #49 / Ordinance #1924
Structures recommended to be added as contributing structures to the local Historic District
by address

Number	Address
1	202 Church Street SE
2	203 Church Street SE
3	204 Church Street SE
4	307 Church Street SE
5	204 Clay Street
6	217 College Avenue
7	203 East Roanoke Street
8	448 East Roanoke Street
9	303 Jackson Street NE
10	126 Jackson Street NW
11	508 Lee Street
12	109 North Main Street
13	112 North Main Street
14	114 North Main Street
15	116 North Main Street
16	125 North Main Street
17	208 North Main Street
18	304 & 306 North Main Street
19	312, 314, & 316 North Main Street
20	207 Penn Street SE
21	304 Progress Street
22	306 Progress Street NE
23	504 Progress Street NE
24	510 Progress Street
25	511 & 513 Progress Street
26	605 Progress Street
27	107 Turner Street NE
28	109 Turner Street NE
29	301 Washington Street SE
30	304 Washington Street SE
31	200 Washington Street SW
32	106 West Roanoke Street
33	203 Wharton Street SE
34	107 Wilson Avenue
35	208 Wilson Avenue
36	210 Wilson Avenue
37	302 Wilson Avenue
38	405 Wilson Avenue

Structures Recommended to be Added as Contributing Structures to the Local Historic District



-  Contributing Structures
-  Proposed Contributing Structures
-  Historic or Design Review Overlay District

Public Input Meeting
Historic District Zoning Ordinance Amendment #49

Thursday, October 3, 2019

6:05 pm -7:05 pm

Kali Casper, Assistant Planning Director with the Town of Blacksburg, provided an overview of the Historic District, background information on surveys, types of historic review and the changes that Town Council has asked staff to address with this Zoning Ordinance Amendment. Maeve Gould, liaison to the Historic or Design Review Board (HDRB), was also in attendance.

- An attendee asked if the list of contributing structures is changed, will the owners be notified and will they have a say in whether their property gets added.
- A business owner asked if signs that are already existing are prohibited by new regulations, will they no longer be allowed and required to be eliminated.
- An attendee commented that they have seen the list of structures to be added and many are not historic. The attendee stated that Blacksburg does not have a robust Historic Ordinance. The citizen commented that we do not have a demolition by neglect clause, while we are requiring good owners to pay tens of thousands of dollars to maintain chimneys for example. They stated that student behavior has gotten worse over time and the litter in the district is a problem. Also the lack of sidewalks is a safety issue that the citizen noted and is not conducive to a Historic District. They feel that it is not worth restoring a historic structure for a business if the business cannot continue due to the partying. The attendee stated that it is not worth the investment as much as there is a desire to have an art gallery or Bed & Breakfast in the district. The ADA access needed for commercial buildings was cited as a challenge. The citizen commented that all decisions by HDRB should be voluntary. The attendee stated that until the police start enforcing laws, we do not have a viable historic district. The citizen asserted that the way to go after this is to go after the owners. They feel that police are not solving these public nuisance problems. Another issue the attendee noted is traffic, especially with the new Midtown Redevelopment project happening soon. The attendee stated that when people move out of these historic buildings, they are going to turn into rentals. They said that property values lower dramatically for those on the contributing structures list because it reduces options and opportunities. The citizen commented that this amendment will probably reduce investment in the district, rather than improve it. They feel that the Historic Board needs to start listening to the district residents, and a majority of the Board members should own contributing structures in the district.
- An attendee commented that behavioral issues in the district are a problem and that we need more parking in Town. They would prefer that houses be torn down for parking to keep the businesses going rather than the addition of another party house.
- A business owner commented that Roanoke Street should have been turned into a commercial area a long time ago. They stated that there are some good examples of restoration in the district. The business owner asked how many residential structures in the Historic District are owner occupied? They asked how can we save the district? The attendee commented that it is a beautiful district and has the

potential to be really nice. They feel that the proximity to the university makes it very desirable for student housing. They would like the Town to enforce litter and drunk in public laws.

- A citizen asked if the Town is wanting suggestions about the list of contributing structures to be added and asked what the parameters are for being added.
- A business owner asked if it is typical for a Historic District to tell citizens what is historic and should be added, or is this just something Blacksburg does? The business owner commented that their building is on the list of recommended structures.
- An attendee asked if the Town can put an owner's building on the list without their consent and whether the Town can force someone not to let it go to disrepair.
- A citizen expressed surprise that more people were not in attendance at this meeting and asked if everyone in the district was notified of the meeting.
- Another citizen asked if the list provided is the complete list that the Town is recommending to add to the district currently and whether the district boundary is proposed to be changed.

Public Input Meeting
Historic District Zoning Ordinance Amendment #49

January 9, 2020

6:05 pm -7:25 pm

Kali Casper, Assistant Planning Director with the Town of Blacksburg, provided an overview of the Zoning Ordinance Amendment timeline, the boundaries of the Historic District, background information on surveys, types of historic review and the changes that Town Council has asked staff to address with this Zoning Ordinance Amendment. Ms. Casper also explained that this is the second public input meeting and that the Historic or Design Review Board (HDRB) and the Zoning Ordinance Review Committee (ZORC) have reviewed the proposed language and provided feedback. Maeve Gould, Comprehensive Planner and liaison to HDRB, was in attendance as well as Larry Spencer, Town Attorney.

- An attendee asked if the Hill Studio Survey is available.
- A citizen asked who elects the HDRB members and if there has ever been a board member whose background is only in building and development. The attendee commented that they have off-street parking behind their house in the Historic District. They asked if they were to have issues with this parking, if they need to get permission from the Town to put up a “No Parking” sign.
- A citizen asked what is meant by infrastructure for a site design concept in the revised text regarding the redevelopment plan criteria.
- A citizen asked if a contributing structure in the Historic District burns down, is it true that nothing bigger than the footprint of the previous structure can be rebuilt. The citizen expressed concern about existing parking in the Historic District not meeting the standards proposed in the revised text. They asked if it would be permitted to build a parking lot if a contributing structure burned down. They wondered if the parking and redevelopment restrictions are unique to the Historic District.
- An attendee asked for clarification of the statement “a concern for loss of historic development pattern to parking” from the PowerPoint presentation.
- A citizen asked if they could build a new driveway in the Historic District.
- Another citizen asked, if you have a gravel driveway and parking area to the rear of a residential use, is there a special process to go through to pave it?
- A citizen asked if they have parking for two vehicles that is not visible from the street behind a house in the Historic District and they do not change the driveway width, would they need a Conditional Use Permit (CUP).
- Regarding the new criteria for proposed parking in the Historic District, a citizen asked if the size of the parking lot is currently considered, without these changes.
- An attendee asked if all the criteria for a CUP for proposed parking in the Historic District must be met. They asked how many criteria must be met, and who decides this. The citizen commented that when the

original contributing structures were added, it was because they were at least 50 years old and had a recognizable style of architecture. They asked if this is the same criteria being used now. They asked for clarification on what the historic “fabric” is. They commented that this seems subjective. They asked if any thought has been given to the structural integrity of the buildings being added to the list of contributing structures.

- Bruce Wicker, the property owner at 508 Lee Street, asked if there is a way to get his property off the list of proposed contributing structures. He stated that he would like for it to be deleted from consideration as an additional contributing structure in the historic district. He stated that he believes it does not have any historical significance.
- A citizen asked if the Town has the right to add properties as contributing structures.
- A citizen asked if the proposed changes mean they cannot install a window that is more energy efficient if their property is a contributing structure.
- An attendee asked if they owned a contributing structure that is in disrepair, could they demolish it and redevelop. They asked what this process would be and if they have to wait a year before they can demolish it.
- A citizen asked to receive a copy of the survey for their proposed contributing structure. They asked if one of the reasons for being added is the address.
- An attendee asked that given discussions with Development Strategies about density downtown, and now this amendment, whether these are contradictory and if we, as a town, are pulling in two different directions.
- A citizen asked if the list of proposed structures and map can be found online.
- A citizen asked if their property is already a contributing structure and in the Live/Work/Sell Art District, do these proposed changes impact whether they can add a studio on their property.
- A citizen asked if the density bonus and residential on the ground floor in the Historic District only apply to properties zoned Downtown Commercial, or also to properties with residential zoning. They asked if this could be added to the residential zoning districts. The citizen asked if there has ever been a survey of the residents on their opinion of the Historic District. The attendee asked if there has been a greater good or benefit from the Historic District, since it was founded. They asked if there are incentives for residential property owners to improve their properties in the Historic District. They stated that they are concerned that adding more contributing structures is going to disincentivize people from improving their properties in the Historic District.
- A citizen responded stating that they own a contributing structure in the Historic District and they do not see it as adding many restrictions, and that the primary challenge would only be if they wanted to demolish it.
- An attendee stated that the Town should consider some sort of low-income loan scheme to create incentives for improvement of properties in the Historic District.

- A citizen stated that when the Historic District was first proposed, the public was told that it would improve the neighborhood. They asked if these proposed changes are going to improve the neighborhood.
- An attendee expressed concern that adding more processes and restrictions to make changes to properties does not incentivize people to improve them.
- A citizen expressed concern that if they sell their property in the 16 squares, a family will not move in after them, because it is surrounded by fraternities and partying students. They stated that the only option will be to rent to students.
- Another citizen stated that most of the successes talked about tonight in the Historic District are on Main Street. Given this, they stated, when more restrictions are added to areas that are less monetarily competitive than Main Street, they doubt that there will be successes.
- A citizen suggested adding more contributing structures on Draper Road because they believe it is actually historic.
- A citizen stated that it would be nice to have these discussions with Town Council members, and to have Town Council members in attendance at these public input meetings. They stated that they would like to have an informal meeting where there is public input with the people who are making these decisions, such as two Town Council members, perhaps the mayor, and two Planning Commissioners.
- An attendee commented that everyone is thinking about the price of his or her own house, rather than the integrity of the Town of Blacksburg as a whole. They stated that many citizens talk poorly of the students, but they believe that without the students many people would not have jobs or live in town. They stated that it is important to also think about the integrity of Blacksburg. The attendee said that the Town is doing the best they can, but maybe Town Council should be more selective about the developments approved.
- The owner of 207 N. Main Street stated that their property is already a contributing structure in the Historic District and that they would like their property deleted from the current list of contributing structures.

Thursday, January 9, 2020, 6:00 PM

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