

**AN ORDINANCE TO AMEND CHAPTER 42 – ZONING, ARTICLE I. – IN
GENERAL SECTION 42-1 DEFINITIONS, ARTICLE XI. – CENTRAL
BUSINESS DISTRICT B-2 SECTION 42-305 PERMITTED USES; ARTICLE XII.
– GENERAL BUSINESS DISTRICT B-3 SECTION 42-336 PERMITTED USES;
ARTICLE XIII. – LIMITED INDUSTRIAL DISTRICT I-1 SECTION 42-370
PERMITTED USES; AND ARTICLE XIV. – GENERAL INDUSTRIAL
DISTRICT I-2 SECTION 42-397 PERMITTED USES**

WHEREAS, notice of a public hearing before the Christiansburg Planning Commission concerning this ordinance was published two consecutive weeks (January 12, 2019 and January 19, 2019) in The News Messenger, a newspaper published in and having general circulation in the Town of Christiansburg; and,

WHEREAS, a public hearing of the Planning Commission was held January 28, 2019 and resulted in a recommendation by the Planning Commission that the following proposed zoning ordinance amendment be adopted; and,

WHEREAS, notice of the public hearing before the Town Council concerning this ordinance was published two consecutive weeks (February 13, 2019 and February 20, 2019) in The News Messenger, a newspaper published in and having general circulation in the Town of Christiansburg; and,

WHEREAS, the Town Council's public hearing was held February 26, 2019; and,

WHEREAS, Town Council has considered the following amendment to the Town's Zoning Ordinance and found that the public necessity, convenience, and good zoning practices deem it proper to do so;

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Christiansburg, Virginia, that Chapter 42 – “Zoning,” Article I – “In General,” Section 42-1 – “Definitions”; Article XI – “Central Business District B-2” Section 42-305 – “Permitted Uses”; Article XII – “General Business District B-3” Section 42-336 – “Permitted Uses”; Article XIII – “Limited Industrial District I-1” Section 42-370 – “Permitted Uses”; and Article XIV – “General Industrial District I-2” Section 42-397 – “Permitted Uses” of the *Christiansburg Town Code* be amended as follows:

Chapter 42 – ZONING

* * *

ARTICLE I. – IN GENERAL

* * *

Sec. 42-1. – Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

* * *

Automobile body shop means the maintenance and repair of the body panels, fenders, windows, and chassis parts of vehicles, including painting, with all major repair and related storage conducted under cover of a building.

Automobile graveyard means any lot or place which is exposed to the weather and upon which more than five motor vehicles of any kind, incapable of being operated, are placed or kept for purposes of disassembly and for sale or resale of parts, not including the retention of wrecked, stolen, impounded or unclaimed vehicles being kept or stored by a public garage while awaiting legal disposition. This shall not include property where a towing service is operating in compliance with a conditional use permit approved or amended after April 1, 2019. See also *Junkyard*.

Automobile service station means the retail dispensation of vehicle fuel and the minor repair or maintenance of vehicles including lubricants, tires, batteries, brakes, mufflers, and similar automotive accessories. This shall also mean a car wash, whether manual, automatic or self-service, where vehicles including cars, vans, and pick-up trucks are washed and/or cleaned and includes exterior and interior detailing services. This shall not include a structure where buses, tractor-trailers, tankers, or similar large commercial vehicles are washed and/or cleaned.

* * *

Commercial garage means the maintenance, service, and repair of vehicles, including all components of the mechanical systems with all major repair and related storage conducted under cover of a building. This shall not include an automobile body shop.

* * *

Towing service means the transport and temporary retention of wrecked, stolen, impounded or unclaimed vehicles awaiting legal disposition.

* * *

ARTICLE XI. – CENTRAL BUSINESS DISTRICT B-2

Sec. 42-305. – Permitted uses.

(9) Auto, truck and Home appliance services.

(17) Automobile service stations with major repair under cover.

(30) Commercial garage and/or or towing service, with major repair and related storage under cover, with a conditional use permit. See also *Auto and truck rental, sales and services* and *Automobile service stations*.

* * *

ARTICLE XII. – GENERAL BUSINESS DISTRICT B-3

Sec. 42-336. – Permitted uses.

(9) ~~Auto, truck and~~ Home appliance services. Also see Service stations and Commercial garages.

(17) Automobile service stations with major repair under cover.

(34) Commercial garage and/or towing service, with major repair and related storage under cover, with a conditional use permit. Also see Auto and truck rental, sales and service ~~Auto, truck sales and home appliance services~~ and Automobile service stations.

* * *

ARTICLE XIII. – LIMITED INDUSTRIAL DISTRICT I-1

Sec. 42-370. – Permitted uses.

* * *

(5) Automobile and truck or recreation vehicle assembling, painting, upholstering, repairing, rebuilding or reconditioning, body or fender work, including a commercial garage, towing service, or automobile body shop, with a conditional use permit. This shall not include an auto salvage or junkyard. ~~but not auto salvage or junk, with a conditional use permit.~~

* * *

ARTICLE XIV. – GENERAL INDUSTRIAL DISTRICT I-2

Sec. 42-397. – Permitted uses.

* * *

(9) The following uses and any similar industrial uses which are not likely to create any more offensive noise, vibrations, dust, heat, smoke, odor, glare or other objectionable influences than the minimum amount normally resulting from other uses permitted, and manufacture, compounding, processing, packaging or treatment of the following products or similar products. In cases of doubt regarding the nature of a process or use, the administrator may require an engineering report describing the process or use and the probable impact thereof at property lines in terms of the factors listed above or other significant factors as may be associated with a particular process or use. Where doubt remains following such engineering report, the proposal shall be considered as a potentially hazardous use and shall require conditional use permit approval.

* * *

f. Automobile, motorcycle, bus, tractor truck, pickup or panel truck manufacture, assembly, rental or repair, including a commercial garage or automobile body shop, but not a junk, salvage or wrecking yard.

* * *

(21) Towing service, with a conditional use permit.

This ordinance shall become effective upon adoption. If any part of this ordinance is deemed unlawful by a court of competent jurisdiction all remaining parts shall be deemed valid. Ordinances or parts of any ordinances of the Town whose provisions are in conflict herewith are hereby repealed.

Upon a call for an aye and nay vote on the foregoing ordinance at a regular meeting of the Council of the Town of Christiansburg, Virginia held March 12, 2019, the members of the Council of the Town of Christiansburg, Virginia present throughout all deliberations on the foregoing and voting or abstaining, stood as indicated opposite their names as follows:

<u>MEMBER</u>	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Samuel M. Bishop	X			
Harry Collins	X			
Steve Huppert	X			
Merissa Sachs	X			
Henry Showalter	X			
Bradford J. Stipes	X			
Mayor D. Michael Barber*				

*Votes only in the event of a tie.

D. Michael Barber
D. Michael Barber, Mayor

Michele M. Stipes
Michele M. Stipes, Town Clerk