

ARTICLE 3.M: - HR-C, HIGHWAY RETAIL COMMERCIAL (Highway Retail Commercial District)

Highway Retail Commercial Zoning

A. - Purpose and Intent.

The HR-C District is established to provide suitable locations in Danville's heavily traveled collector streets and arterial highways for those commercial and business uses which are oriented to the automobile and which require regional access characteristics independent of the marketplace attributable to adjoining neighborhoods or pedestrian trade. The application of the HR-C District should be to those areas of the City where individual uses can be grouped into planned concentrations which limit the "strip" development effect on newly developing areas as well as on redevelopment areas where retail and business uses currently exist. In addition, the Corridor Overlay District may impact the regulation of uses in this district.

Adequate transportation and site planning of uses within the HR-C District should have the goal of minimizing conflicts with through-traffic movements along the entrance City's corridors and major arterial streets. The HR-C District is not intended to be applied to shopping centers. Given the implications of traffic, pedestrian access, landscaping, and inter-parcel connections, large-scale individual retailers in excess of 60,000 per establishment (typically referred to as "big boxes" or "superstores") shall require a special use permit.

Minimum site improvements for uses within the HR-C District shall include adequate on-site parking, public water and sewer service, public street frontage and safe access, pedestrian improvements, storm drainage, stormwater management facilities, and outdoor lighting for parking areas.

(Ord. No. 2004-02.04, Art. 3.M, § A, 2-17-04)

B. - Permitted Uses.

An individual use or structure intended for a single use with 60,000 square feet gross floor area or less, incorporating the following uses:

1. Automobile and light vehicle dealerships and retail sales establishments (with service and repair facilities as an ancillary use, with completely enclosed service facilities and screened outdoor storage of repair vehicles).
2. Automobile and light vehicle repair establishments (within completely enclosed structures with screened outdoor storage).
3. Banks and financial institutions.
4. Business services and office supply establishments.
5. Car washes.
6. Churches and places of worship.

7. Convenience stores (with or without gasoline sales).
8. Fast-food restaurants.
9. Funeral homes.
10. Gasoline sales establishments.
11. Health club, spa or fitness center.
12. Hospitals and health care facilities with inpatient services.
13. Hotels and motels.
14. Laundromats/dry cleaners.
15. Light intensity wholesale trade establishments (with no outdoor sales or display of products).
16. Medical offices and outpatient care facilities.
17. Mini-storage warehouses, with no exterior storage.
18. Movie theaters.
19. Offices (general and professional).
20. Parking lots (private and public with off-street parking as the principal use).
21. Personal service establishments.
22. Private post office and delivery service.
23. Public uses.
24. Repair service establishments (exclusive of automobile and light vehicle service and repair, with no outdoor storage).
25. Restaurants.
26. Retail sales and leasing establishments, with screened outdoor sales or display of products limited to no greater than 15% of the net developable lot area. (See Additional Regulations.)
27. Schools, colleges and universities (public and private).
28. Seasonal retail uses.
29. Temporary retail sales.
30. Exterminator.
31. Bicycle shop.
32. Adult day support services.
33. Child therapeutic day support services.
34. Contractor's offices and shops.
35. Cannabis dispensing facility.

(Ord. No. 2004-02.04, Art. 3.M, § B, 2-17-04; Ord. No. 2005-04.04, 4-5-05; Ord. No. 2009-12.08, 12-15-09; Ord. No. 2013-06.01, 6-4-13; Ord. No. 2014-08.09, 8-19-14; Ord. No. 2021-07.06, 7-6-21; Ord. No. 2022-02.03, Exh. A, 2-1-22)

C. - Uses Permitted by Special Use Permit.

An individual use otherwise permitted hereinabove by-right in the HR-C District, but having greater than 60,000 square feet gross floor area, or any of the following uses:

1. Auction establishments.
2. Bed and breakfast, inn or tourist home (as defined).
3. Bus stations.
4. Commercial recreation facilities (indoor and outdoor).
5. Conference centers.
6. Day care centers (adult and child).
7. Kennels, commercial.
8. Light warehousing uses related to an adjunct retail use permitted either by-right or special permit, provided that warehousing space does not exceed 50% of the gross floor area.
9. Drive-in movie theaters.
10. Parking garages and structures.
11. Pet clinics.
12. Plant nurseries.
13. Public utilities.
14. Research and development activities which do not cause any more smoke, dust, odor, noise, vibration or danger of explosion than other uses permitted in this district and which involve no more than 15% of the gross floor area in the assembling or processing of products. All assembling or processing shall only involve products developed on the premises. All services and storage shall be conducted within the principal structure which is to be completely enclosed.
15. Schools, colleges and universities (public or private).
16. Taxidermists.
17. Uses with lot frontage on the Dan River.
18. Vehicle sale, rental and ancillary service establishments, including mobile homes.
19. Veterinary clinics.
20. Waiver for increase in building heights to over 50 feet.
21. Waiver of yard requirements, subject to the prohibition of parking in front yards.

22. Caretaker's residence.
23. Homeless shelter.
24. Microbrewery or micro-winery.
25. Wholesale sales.
26. Indoor shooting facilities.
27. Distillery.
28. Urban agriculture.
29. Contractor's offices and shops with storage yards.
30. Heavy equipment sales, rental, and servicing (with screened service and storage areas).

(Ord. No. 2004-02.04, Art. 3.M, § C, 2-17-04; Ord. No. 2008-07.04, Art. 3.M, § C, 7-15-08; Ord. No. 2009-11.07, 11-5-09; Ord. No. 2012-09.09, 9-18-12; Ord. No. 2015-01.04, 1-20-15; Ord. No. 2016-04.03, 4-5-16; Ord. No. 2017-08.01, 8-3-17; Ord. No. 2018-09.08, 9-4-18; Ord. No. 2021-07.06, 7-6-21; Ord. No. 2023-04.02, 4-4-23)

D. - Lot Size Requirements.

1. Minimum district size: Not regulated, provided that districts should be located, sized and spaced to limit potential "strip" development impacts.
2. Minimum lot areas:
 - (1) Interior lot: 13,500 square feet.
 - (2) Corner lot: 15,000 square feet.
3. Minimum lot width:
 - (1) Interior lot: 90 feet.
 - (2) Corner lot: 150 feet.
4. No HR-C District lot shall be designed or employed for use in which an area more than 25% of the prescribed minimum lot area is comprised of either of the following physical land units: (a) wetlands or (b) water features.

(Ord. No. 2004-02.04, Art. 3.M, § D, 2-17-04)

E. - Bulk Regulations.

1. Maximum building height: 50 feet.
2. Minimum yard requirements:
 - a. Front yard: 30 feet, provided that a 20 foot setback is required for the outdoor display of items within the front yard. For a corner lot, the front yard shall be 20 feet if access is not provided onto a non-arterial or collector street.
 - b.

Interior and street side yards: 20 feet. Unless the property's interior side yard abuts a residential zoning district, then the required setback is 30 feet.

- c. Rear yard: 20 feet, provided, where rear yard abuts a residential district, the rear yard shall be 30 feet.
- d. In addition to the above regulations, buffer yard provisions shall apply in accordance with landscape and screening regulations.

3. Maximum floor area ratio: 0.50.

(Ord. No. 2004-02.04, Art. 3.M, § E, 2-17-04; Ord. No. 2022-02.01, Exh. A, 2-1-22)

F. - Open Space and Landscaping.

- 1. Stormwater management basins and structures and BMP facilities may be counted towards the minimum open space requirement provided that these basins, structures, and facilities include the appropriate landscaping and maintenance in accordance with the Landscape and Screening Regulations.

(Ord. No. 2004-02.04, Art. 3.M, § F, 2-17-04)

G. - Net Developable Area Calculation.

- 1. Notwithstanding governing lot size and yard regulations, the maximum number of lots for any conventional or cluster subdivision shall be calculated based on existing land conditions. The yield of a subdivision shall be based on its net developable area, with adjustment factors for physical land units as specified in the chart in the following section.
- 2. The subdivision plat and/or site plan for a project shall graphically depict the location and area for the physical land units as outlined herein below. A calculation of the net developable area shall be required for all subdivision and site plan submissions.

Physical Land Unit	Percent Credited Toward Net Acreage
Soils with high shrink/swell characteristics, as defined:	80%
Wetlands, existing water features and streams:	0%
Stormwater management basins and structures:	0%
Above-ground 69 KV or greater transmission lines:	0%

Public rights-of-way:	0%
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(Ord. No. 2004-02.04, Art. 3.M, § G, 2-17-04)

H. - Additional Regulations.

1. All uses shall be subject to site plan approval.
2. All refuse shall be contained in completely enclosed facilities. Refuse containers and refuse storage shall be located in a paved area and screened from public view by means of fences, wall or landscaping.
3. On a corner lot, no curb cut shall be located closer than 75 feet to the right-of-way line extended from the intersecting street.
4. No curb cut shall be located closer than 20 feet to a side or rear lot line, unless a common curb cut serves adjacent uses, and in no instance shall the distance between separate curb cuts serving adjacent uses be less than 60 feet.
5. A freestanding use shall have no more than two curb cuts on any single right-of-way, and such curb cuts shall have a minimum distance of 100 feet between them.
6. In addition to landscaping and screening requirements, there shall be a minimum landscaped buffer strip of 5 feet in depth along all HR-C District property frontage. No parking is permitted within the buffer strip.
7. The outdoor area devoted to storage, loading and display of retail goods shall be limited to a maximum 15% of the net developable lot area and shall provide screening as indicated on an approved site plan. Subject to special use permit approval, outdoor storage, loading and display areas of retail goods in excess of 15% of net developable lot area may be approved under special circumstances when the applicant can provide expanded and enhanced screening, buffers and landscaping. Screening of outdoor display and product sales areas only may be waived by administrative action of the Director of Planning/Zoning Administrator, provided that loading and storage areas not related to displays shall be screened.
8. Where a lot is contiguous to property located in a residential district, all buildings shall have a minimum setback of 30 feet from common property lines. A landscaped buffer strip shall be provided in accord with the transitional buffer yard requirements for commercial/residential properties (see Appendix), with landscape materials and placement subject to site plan approval.
9. Gasoline pump islands, canopies and structural elements shall be governed by the same regulations as applied to a principal structure.
10. Refer to the Floodplain Zoning Overlay District, where applicable.
- 11.

Refer to Landscaping and Screening Regulations for parking lot landscaping, rear lot screening, buffer yards, and related landscape architecture provisions.

12. Any subdivision or lot which is proposed to be developed on shrink/swell soils shall require a geotechnical report to be submitted with the preliminary plat and plans. Such report shall be prepared by a registered professional engineer and shall address the feasibility of development on the subject soils. No subdivision plat or site plan shall be approved for final recordation until a foundation engineering report has been reviewed by the City. All recorded plats for lots containing shrink/swell soils shall bear the following note: "This lot contains shrink/swell soils which require special engineering design for foundations and structural elements. No structure will be approved for issuance of a building permit until a foundation engineering design prepared by a certified professional engineer has been approved for the proposed structure."
13. Refer to Sign Regulations for signage regulations.

(Ord. No. 2004-02.04, Art. 3.M, § H, 2-17-04)

ARTICLE 3.G: - M-R, MULTIFAMILY RESIDENTIAL DISTRICT (Multifamily Residential District)

Multifamily Residential Zoning

A. - Purpose and Intent.

The M-R, Multifamily Residential District is intended to provide for multifamily residences at locations compatible with the Comprehensive Plan's goals for housing for the elderly and other limited high density residential development and redevelopment in Danville. No more than three (3) unrelated occupants may reside in any one multifamily or attached dwelling in the M-R District. The average density of sixteen (16) units per acre establishes this district as one recognizing garden-styled and mid-rise apartment units (including condominiums) as the dominant land use. Buildings shall not exceed five stories in height.

While no new garden apartment projects are recommended by the Comprehensive Plan, the M-R District is intended to promote housing for the elderly and well planned higher density residential developments. Retirement residential projects, independent living communities and nursing homes and housing for persons requiring assisted living care are encouraged under this district.

Elderly housing proposals may be granted higher densities (up to 24 or more units per acre) subject to superior design proposals as well as the results of the supporting transportation/parking studies which quantify a reduction in parking demand and overall traffic impacts attributable to elderly and assisted living projects. The development of townhouses are permitted in the M-R District and shall be subject to the requirements of the A-R, Attached Residential District.

This designation may be applied to existing multi-family development within stable areas of the City. Also, it is intended for application to certain undeveloped tracts and infill locations as recognized by the Comprehensive Plan, where housing for the elderly would be appropriate. In all instances, it is the intent of this district to promote development which is sensitive to existing natural features and vegetation, promotes excellence in site planning and landscape design and incorporates appropriate scale, materials and character of architecture. Development in the M-R District must be sensitive to land forms, environmental characteristics, adequate public infrastructure and quality transportation improvements.

(Ord. No. 2004-02.04, Art. 3.G, § A, 2-17-04)

B. - Permitted Uses.

1. Multiple family residential dwellings (with no more than four (4) unrelated occupants per dwelling unit).
2. Private community facilities, recreation uses and other common area improvements normally associated with a planned residential development limited to use by residents of the subdivision, (other than those requiring special use permits).
- 3.

Accessory uses, to include tool sheds, detached garages and carports, children's playhouses and doghouses.

4. Churches and places of worship.
5. Home occupation.

(Ord. No. 2004-02.04, Art. 3.G, § B, 2-17-04)

C. - Uses Permitted by Special Use Permit.

1. Bed and breakfast inn, or tourist home.
2. Cemeteries.
3. Commercial swimming pools and tennis courts.
4. Congregate care facility.
5. Day care centers (adult and child).
6. Group home.
7. Hospitals and health care facilities with inpatient services.
8. Housing for the elderly and assisted living residences requiring medical or food support structures.
9. Museum, and historic site and shrine.
10. Nursery schools.
11. Nursing homes (licensed, with medical offices).
12. Parking lots for recreational vehicles, except as part of a planned development.
13. Public uses and facilities.
14. Pump stations, utility sub-stations, transformers and similar public infrastructure.
15. Recycling centers (for use by the M-R District residents only).
16. Schools, colleges and universities (public and private).
17. Single family attached dwellings and duplex dwellings, subject to A-R District regulations, provided that such residences do not comprise more than 30% of the total planned residential units depicted on the General Development Plan approved with the rezoning of the property.
18. Single family detached residences, subject to NT-R District regulations, provided that such residences do not comprise more than 30% of the total planned residential units depicted on the General Development Plan approved with the rezoning of the property.
19. Temporary real estate marketing offices for new subdivisions.
20. Waiver of residential building height.
21. Waiver of maximum density for multifamily dwellings for elderly and assisted living units.
22. Waiver of minimum district size.

23. Homeless shelter.
24. Family day care home.
25. Accessory building or accessory use without a primary building being located on the parcel.
26. Short-term rental, as principal use.

(Ord. No. 2004-02.04, Art. 3.G, § C, 2-17-04; Ord. No. 2009-11.07, 11-5-09; Ord. No. 2012-12.07, 12-18-12; Ord. No. 2013-02.03, 2-19-13; Ord. No. 2019-07.05, 7-2-19; Ord. No. 2023-04.06, 4-4-23)

D. - Maximum Density.

1. Multifamily dwellings (conventional): Sixteen (16.0) dwelling units per net developable acre.
2. Multifamily dwellings (proffered for elderly and assisted living residential dwellings): Twenty-four (24.0) dwelling units per net developable acre
3. Attached dwellings: Eight (8.0) dwelling units per net developable acre.

(Ord. No. 2004-02.04, Art. 3.G, § D, 2-17-04)

E. - Lot Size Requirements.

1. Minimum district size: Five (5) acres.
2. Minimum lot area for multifamily dwellings: Not regulated, provided that dwellings must be appropriately sited to respect physiographic, air, solar, landscape, screening and environmental characteristics of lot and their relationship to adjoining properties, as well as other criteria provided in the Additional Regulations of this district.
3. Minimum lot area for attached dwellings:
 - A. Interior lot: 1600 square feet.
 - B. Corner lot: 2400 square feet.
 - C. Condominium: See Additional Regulations.
4. Lot size, coverage and density for non-residential uses: The yard requirements for uses and structures other than residential dwellings and residential accessory uses shall be further regulated by floor area ratio and lot coverage ratios. A maximum floor area ratio equal to 0.50 shall apply to such non-residential uses and structures, with a maximum percentage of building coverage on the lot equal to 25%. The location of all such uses shall be subject to site plan approval.

(Ord. No. 2004-02.04, Art. 3.G, § E, 2-17-04)

F. - Bulk Regulations.

1. Maximum Height:

- A. Residential building height: 60 feet.
 - B. Public or semi-public building: 60 feet, provided that required front, rear and side yards shall be increased by 1 foot for each foot of height over thirty-five feet.
 - C. Cupolas, spires and steeples: 90 feet, by special permit.
 - D. Accessory structures: 24 feet.
2. Minimum yard requirements for multifamily dwellings and institutional uses:
 - A. Front yard: 30 feet, for any yard fronting a public right-of-way.
10 feet, for any yard fronting a private travelway and/or parking bay, provided that the minimum yard depth be measured from the building to either (1) the back of vehicular pavement curbing or (2) the back of sidewalk if located between building and vehicular pavement curbing, whichever is closer.
 - B. Street side yard: 30 feet.
Interior side yard: 15 feet.
 - C. Rear yard: 30 feet.
3. Minimum lot width for attached (townhouse) dwellings:
 - A. Interior lot: 18 feet.
 - B. Corner lot: 35 feet.
 - C. Condominiums: See Additional Regulations for M-R District.
4. Minimum lot width for duplex dwellings:
 - A. Interior lot: 35 feet subject to additional side yard regulations.
 - B. Corner lot: 50 feet.
 - C. Condominiums: See Additional Regulations for M-R District.
5. Other: Where a lot is to be subdivided into individual lots for the sale of single family attached dwelling units:
 - A. Lot lines shall conform with party wall centerlines; and
 - B. Each lot shall be required to include a privacy yard with a minimum area of 200 square feet.
The design of the privacy yard shall be detailed on the final site plan and shall include provisions for screening, fencing, paving, exterior lighting and/or special landscaping treatment.
6. Minimum yard requirements for attached and duplex dwellings:
 - A. Front yard: 25 feet.
 - B. Street side yard: 16 feet.
Interior side yard: 12 feet.

C. Rear yard: 25 feet.

(Ord. No. 2004-02.04, Art. 3.G, § F, 2-17-04; Ord. No. 2022-02.01, Exh. A, 2-1-22; Ord. No. 2023-04.07, 4-4-23)

G. - Open Space and Recreation Areas.

1. Twenty-five percent (25%) of the gross site area shall be common open space dedicated to common usage and ownership.
2. Fifty percent (50%) of the required common open space area shall be developed as active recreational areas and facilities. If a multifamily project is located within one-half mile of an existing City park, then the subdivision may apply to the Planning and Zoning Administrator for a waiver of the 50% recreational and active community open space requirement.
3. Active recreational areas may include playgrounds with recreational structures, tot lots, tennis courts, swimming pools, wading pools, spas and saunas, clubhouse facilities, community meeting rooms and other similar facilities intended for the exclusive use and participation of residents within the M-R development. The applicant shall establish that the type and quality of the planned improvements for the active recreation space shall satisfy the needs of the residents of the project. The location, mix, type, quality and phasing of active recreation facilities and open spaces shall be delineated on the General Development Plan and is subject to Planning Commission approval. A bond may be required for such improvements and facilities subject to the discretion of the Planning Commission.
4. Stormwater management basins and structures and BMP facilities may be counted towards the minimum open space requirement provided that these basins, structures, and facilities include the appropriate landscaping and maintenance in accordance with the Landscape and Screening Regulations.
5. No more than 40% of the required common open space shall consist of land classified as 100 year floodplain, stream valleys, wetlands, water features, stormwater management facilities, slopes greater than 30% and/or drainage easements.
6. Required open space shall be contiguous and shall occupy a single parcel within the M-R development unless otherwise approved with the General Development Plan.
7. Open space credit shall not be given for lands which are included in or reserved for public rights-of-way or private travelways, loading areas, required sidewalks or parking areas. Sidewalks and parking areas designed for and devoted entirely to the provision of access to open space may be counted towards open space in net developable area computations.
8. Common open space and active recreational areas shall be accessible to all attached residential lots within the development via dedicated pedestrian access easements. Walkways and other forms of pedestrian access shall form an interconnected system within the M-R District, serving as

access to open space, recreational areas and other pedestrian destinations. Pedestrian systems shall be delineated on the required General Development Plan. These access easements may be counted towards open space in net developable area computations.

- 9. Where community bike and pedestrian trails intended for public use have been designated by the City's adopted Comprehensive Plan or the Capital Improvements Plan, the applicant shall connect interior pedestrian trails and sidewalks within the project to these community trails.
- 10. All open space shall be further regulated by landscaping and buffer yard requirements.
- 11. All common open space, recreational areas and other common properties shall be preserved for their intended purpose as shown on the approved Plan of Development and shall be established by metes and bounds on the Final Subdivision Record Plat.
- 12. Common open space, recreational areas and other common properties shall be owned, administered and maintained by a not-for-profit, property owners' association, provided that a portion or all of such properties may be dedicated to the City at the sole discretion of the City Council for acceptance at the time of plat recordation. Property owners' association by-laws, articles of incorporation, restrictive covenants and a schedule of maintenance shall be submitted with any application for a subdivision plat or site plan approval.
- 13. For common open space, recreational areas and other common properties to be retained by the property owners' association, the initial developer/owner of the project must establish the owners' association as a legal entity prior to the recordation of the final plat. Membership in the association shall be mandatory for all property owners within the development. The owners' association shall own all common open space and recreational facilities and shall provide for their perpetual administration, maintenance and operation.

(Ord. No. 2004-02.04, Art. 3.G, § G, 2-17-04)

H. - Net Developable Area Calculation for the M-R District.

- 1. Notwithstanding governing lot size and yard regulations, the maximum number of units for multifamily and attached residential development or subdivision shall be calculated based on existing land conditions. The yield of a multifamily development project shall be based on its net developable area, with adjustment factors for physical land units as specified in the chart in the following section.
- 2. The final plat and/or site plan for a project shall graphically depict the location and area for the physical land units as outlined below. A calculation of the net developable area shall be required for all subdivision and site plan submissions.

Physical Land Unit	Percent Credited Toward Net Acreage
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Soils with high shrink/swell characteristics, as defined:	80%
Floodplains, wetlands, existing water features and streams:	0%
Stormwater management basins and structures:	0%
Above-ground 69 KV or greater transmission lines:	0%
Public rights-of-way	0%

3. No M-R District residential lot shall be configured such that more than 10% of the minimum lot area for a subdivided residential lot is comprised of one or more of the following physical land units: (a) slopes of 30% or more, (b) wetlands, (c) 100-year floodplains or (d) water features. Stormwater management and BMP facilities shall not be constructed within the boundaries of a residential lot.

(Ord. No. 2004-02.04, Art. 3.G, § H, 2-17-04)

I. - Additional Regulations.

1. Waiver of Minimum District Size: The Planning Commission may approve a special permit waiving the five acre minimum district size requirement for the M-R District provided that the owner shall successfully demonstrate that the consolidation of contiguous parcels or lots necessary to meet the minimum district size represents an undue economic hardship or physical impossibility. Further, the owner shall establish that such proposed M-R development will have no deleterious effect on contiguous properties while satisfying the purpose and intent of the district.
2. Refer to Parking and Loading Requirements for parking regulations.
 - A. Parking spaces for each dwelling unit shall be assigned and located within a reasonable walking distance deemed reasonable (by the Planning Director) to the individual dwelling unit served.
 - B. Separate parking spaces shall be allocated and reserved for recreational vehicle parking on the basis of one (1) recreational vehicle parking space per six (6) dwelling units. No recreational vehicle parking space shall front on a public street.
 - C. ADA (American Disabilities Act) parking requirements and dimensions shall be incorporated as a required improvement into all plats and site plans.
 - D. Recreational vehicle parking shall not be permitted on residential lots within the M-R District. Refer to Parking and Loading Requirements for commercial parking lots and specific requirements for recreation vehicle and boat storage.

3. Private Travelways, Combined Travelways with Parking Bays and General Access:
 - A. All dwellings shall have access to a private travelway providing for two-way traffic on twelve (12) foot travel lanes with a minimum width of 24 feet (edge of pavement to edge of pavement, excluding shoulders), within a minimum 30-foot private vehicular access easement which shall be recorded with the subdivision plat.
 - B. Travelways combined with single loaded perpendicular parking bays (90 degree parking stalls) shall be a minimum width of 42 feet (edge of pavement to edge of pavement, excluding shoulders), 18 feet of which shall be allocated to and striped for parking. Travelways combined with double loaded perpendicular parking bays shall be a minimum width of 60 feet (edge of pavement to edge of pavement, excluding shoulders), with 18 feet allocated to the depth of each parking bay space.
 - C. Private travelways and combined travelways with parking bays shall be constructed to geometric and pavement design standards as specified by the City's Design and Construction Standards Manual, as revised.
 - D. All travelways and parking bays shall be constructed with a storm water conveyance system.
 - E. No attached dwelling unit may be accessed directly from a public street unless approved by special permit.
4. Refuse and Solid Waste Buffering and Screening:
 - A. All refuse facilities shall be completely enclosed and screened according to the provisions established in the Landscaping and Screening Regulations and the City's solid waste regulations in the City Code.
5. Additional Setback and Lot Requirements:
 - A. Where adjacent properties are zoned to a district other than the M-R District, all buildings shall be set back at least 30 feet from the common district property line(s) or as otherwise provided by screening and buffer requirements.
 - B. Front lot lines shall be common with private vehicular access easement lines, provided that where a perpendicular parking stall, recreational feature and/or a sidewalk intended for common usage are located outside of the private vehicular access easement, a minimum landscaped front yard of twelve (12) feet shall be provided.
6. Separation and Grouping of Units:
 - A. Building structures for multifamily residential units shall be separated from one another by a minimum of twenty-five (25) feet and single-family attached dwelling units shall be separated from one another by a minimum of twenty (20) feet.
 - B.

No more than thirty (30) multifamily units (residences) shall be included in any one building structure, provided that greater than thirty (30) units per building may be permitted for housing for the elderly by special permit.

- C. No more than ten (10) single-family attached units (townhouses) shall be included in any one physically contiguous grouping.
 - D. Multifamily and townhouse groupings shall be designed to minimize "flat," row-house architectural facades. Architectural projections, off-sets, window bays, porches, mixed materials and colors and other design elements shall be employed to achieve this result.
 - E. Architectural treatment of attached dwellings shall vary so that no more than two abutting units are substantially the same and so that no more than four units in any group are substantially the same.
7. Required Improvements and Maintenance of Improvements:
- A. For any development in the M-R District, all common area improvements (including open space, recreational facilities, private travelways, walkways, parking areas and other community facilities) shall be maintained by the developer/owner of the M-R District development until such time as the developer/owner conveys said common area to a non-profit property owners association.
 - B. On-site lighting, signage and mailboxes (as approved by U.S. Postal Service) shall be provided by the owner/developer of the M-R District development. These improvements shall be of compatible scale, materials and colors with the proposed development and adjacent uses. The designs for these improvements shall be provided with the final site plan.
8. Property Owners' Association and Covenants:
- A. Prior to final approval of a subdivision plat or site plan which includes common properties or common property improvements to be owned by a property owners association, the City Attorney shall review and approve the applicant's property owners' association bylaws, articles of incorporation, restrictive covenants and a schedule of common property maintenance.
 - B. Deed restrictions and covenants shall be included with the conveyance of common property and common property improvements to include, among other things, that assessments, charges and costs of maintenance of such common areas shall constitute a pro-rata share lien upon the individual dwelling lots, such lien being inferior only to taxes and recorded trusts.
 - C. Restrictive covenants shall specify the detailed means by which the non-profit entity shall govern and manage itself and maintain building exteriors, landscaping, lighting, recreation areas, walkways, pedestrian trails, parking areas, snow removal travelways and other common elements of the development.
9. Additional Land Development and Site Plan Requirements:

- A. All uses within the M-R District shall require a General Development Plan for zoning and/or special permit approval. The General Development Plan shall serve as the master land use plan for the specific development proposal.
 - B. The development of any and all sections within the M-R District shall require site plan approval in conformance with the General Development Plan.
 - C. A Traffic Impact Assessment may be required for any M-R District application by the Planning and Zoning Administrator.
 - D. Refer to Article 9, Landscape and Screening Regulations for additional screening buffer yard and open space landscaping provisions.
 - E. Refer to the City's Design and Construction Standards Manual for additional residential design standards and criteria.
10. Condominiums:
- A. Any proposed condominium development established under the Virginia Condominium Act shall be subject to the following provisions:
 - (1) All setbacks, density and other M-R District provisions shall be met.
 - (2) Minimum lot and yard requirements shall be met as if lot lines existed.
11. No private domestic well and septic systems shall be permitted.
12. Any subdivision or lot which is proposed to be developed on shrink/swell soils shall require a geotechnical report to be submitted with the preliminary plat and plans. Such report shall be prepared by a registered professional engineer and shall address the feasibility of development on the subject soils. No subdivision plat or site plan shall be approved for final recordation until a foundation engineering report has been reviewed by the City. All recorded plats for lots containing shrink/swell soils shall bear the following note: "This lot contains shrink/swell soils which require special engineering design for foundations and structural elements. No structure will be approved for issuance of a building permit until a foundation engineering design prepared by a certified professional engineer has been approved for the proposed structure."
13. Refer to the Floodplain Zoning Overlay District, where applicable.

(Ord. No. 2004-02.04, Art. 3.G, § I, 2-17-04; Ord. No. 2023-02.02, 2-7-23)

ARTICLE 3.E: - OT-R, OLD TOWN RESIDENTIAL DISTRICT (Urban Areas Single Family Residential District)

Old Town Residential Zoning

A. - Purpose and Intent.

The OT-R, Old Town Residential District provides for single family residences which are compatible with the Comprehensive Plan's goals for harmonious new development, redevelopment, adaptive reuse, and revitalization in and around existing, older urban residential neighborhoods in Danville. The principle objective of the OT-R District is to maintain, reinforce and enhance the "sense of neighborhood" which exists in some of the best examples of the City's historic downtown residential areas and to promote new residential development of compatible scale, historic character and architectural massing. The average density of five (5.0) units per acre establishes this district as one encompassing a reasonably high density for single family detached, two family, and duplex residences served by public water and sewer, public streets with adequate drainage systems, street lighting, and sidewalks.

The application of the OT-R District is intended for undeveloped tracts in the downtown residential planning areas as well as infill lots situated within the City's urban residential environs. Properties subject to this district shall be developed with the objective of preserving existing historic and natural features, providing adequate public facilities and infrastructure, promoting excellence in site organization and landscape design, and encouraging housing with a compatible scale and character of architecture to that which is found in many of the City's stable urban neighborhoods.

(Ord. No. 2004-02.04, Art. 3.E, § A, 2-17-04; Ord. No. 2023-02.02, 2-7-23)

B. - Permitted Uses.

1. Single family detached dwellings.
2. Accessory uses, limited to detached carport and garages, tool sheds, children's playhouses and play structures, and doghouses.
3. Churches and places of worship.
4. Home occupations.
5. Public parks and playgrounds.

(Ord. No. 2004-02.04, Art. 3.E, § B, 2-17-04)

C. - Uses Permitted by Special Use Permit.

1. Attached residential (townhouse dwellings).
2. Duplex residential dwellings (one dwelling per subdivided lot).
3. Bed and breakfast inn, or tourist home (as defined).

4. Cemeteries.
5. Commercial swimming pools and tennis courts (except as may be approved on a general development plan).
6. Cupolas, spires and steeples for public and semi-public uses.
7. Day care centers (adult and child).
8. Golf course, not including a miniature golf course.
9. Group home.
10. Libraries.
11. Museums, historic sites and shrines.
12. Nursery schools.
13. Private swimming pools and tennis courts.
14. Schools, colleges and universities (public or private).
15. Public uses and utilities.
16. Private clubs and lodges.
17. Private community facilities, recreation uses and other common area improvements normally associated with a planned residential development limited to use by residents.
18. Storage lots for recreational vehicles (for residences within the OT-R District).
19. Temporary real estate marketing offices for new subdivisions.
20. Waiver of side yard requirement for accessory uses.
21. Waiver of minimum lot size and width for single family detached residences located on infill lots with existing public street frontage.
22. Zero lot line residential units (only permitted for new construction).
23. Accessory building or accessory use without a primary building being located on the parcel.
24. Family day care home.
25. Transitional living shelter.
26. Post-release housing.
27. Agriculture.
28. Urban agriculture.
29. Short-term rental, as principal use.

(Ord. No. 2004-02.04, Art. 3.E, § C, 2-17-04; Ord. No. 2012-08.02, 8-21-12; Ord. No. 2012-12.07, 12-18-12; Ord. No. 2013-06.01, 6-4-13; Ord. No. 2013-10.06, 10-17-13; Ord. No. 2015-07.05, 7-21-15; Ord. No. 2019-07.05, 7-2-19; Ord. No. 2023-04.06, 4-4-23)

D. - Maximum Density.

1. Five (5.0) dwelling units per net developable acre.

(Ord. No. 2004-02.04, Art. 3.E, § D, 2-17-04)

E. - Lot Size Requirements.

1. Minimum district size: Not regulated.
2. Minimum lot area:
 - A. Conventional single family lot: 6500 square feet.
 - B. Duplex lot (1 attached unit/lot):
 - (1) Interior lot: 4000 square feet.
 - (2) Corner lot: 4500 square feet.
3. Minimum lot width:
 - A. Conventional single family lot:
 - (1) Interior lot: 50 feet.
 - (2) Corner lot: 60 feet.
 - B. Duplex attached residential lot (1 attached unit per lot):
 - (1) Interior lot: 35 feet.
 - (2) Corner lot: 40 feet.
4. Minimum lot depth:
 - A. Conventional single family lot:
 - (1) Interior lot: 100 feet.
 - (2) Corner lot: 100 feet.
 - B. Duplex attached residential lot (1 attached unit per lot):
 - (1) Interior lot: 100 feet.
 - (2) Corner lot: 100 feet.

(Ord. No. 2004-02.04, Art. 3.E, § E, 2-17-04)

F. - Bulk Regulations.

1. Height:
 - A. Residential building height: 35 feet (principal and accessory uses).
 - B. Public or semi-public building: 45 feet, provided that required front, rear, and side yards shall be increased by 1 foot for each foot of height over thirty-five feet.
 - C. Cupolas, spires and steeples: 50 feet.

D. Accessory structures: 24 feet.

2. Minimum yard requirements:

A. Conventional single family lot:

(1) Front yard: 20 feet, When there are buildings on the adjacent lots on both sides, the front yard shall not be required to be greater than the average of the front yards of the buildings on the adjacent lots. However, when one of the adjacent lots is vacant, the structure shall not be required to have a front yard greater than the average front yard of the existing buildings where forty (40%) or more of the frontage on one side of the street within the same block is improved with buildings. The side line of a building on a corner lot shall not be a factor in these calculations.

(2) Interior side yard: 10 feet, unless a lot of record, then 6 feet.

(3) Rear yard: 25 feet (residences).

5 feet (accessory uses)

B. Duplex lot:

(1) Front yard: 25 feet, except where forty percent (40%) or more of the frontage on one side of the street within the same block is improved with buildings, no building on that side of the street within the same block shall be required to have a front yard greater than the average front yard of the existing buildings. However, when there are buildings on the adjacent lots on both sides, the front yard shall not be required to be greater than the average of the front yards of the buildings on the adjacent lots. The side line of a building on a corner lot shall not be a factor in these calculations.

(2) Interior side yard: 12 feet.

Street side yard: 20 feet. If a lot of record, then accessory building setback is 5 feet.

(3) Rear yard: 25 feet (residences).

5 feet (accessory uses)

3. A maximum floor area ratio equal to 0.25 shall apply to uses other than residential.

(Ord. No. 2004-02.04, Art. 3.E, § F, 2-17-04; Ord. No. 2022-02.01, Exh. A, 2-1-22)

G. - Open Space.

1. In subdivisions with 25 or more lots, 10% of the gross site area shall be open space dedicated to common usage and ownership, 50% of such area shall be developed as recreational and active community open space, as defined.

2.

If a subdivision with 25 or more lots is located within one-half mile of an existing City park, then the subdivision may apply to the Director of Planning/Zoning Administrator for a waiver of the 50% recreational and active community open space requirement.

3. Stormwater management basins and structures and BMP facilities may be counted towards the minimum open space requirement provided that these basins, structures, and facilities include the appropriate landscaping and maintenance in accordance with the Landscape and Screening Regulations.
4. No more than 40% of the dedicated open space shall consist of land classified as 100 year floodplain, stream valleys, wetlands, stormwater management and BMP facilities, slopes greater than 30% and/or drainage easements.
5. All dedicated open space is regulated by landscaping requirements.
6. In no instance shall open space credit be given for lands which are included in or reserved for public rights-of-way, private travelways, loading areas, required sidewalks or parking areas.

(Ord. No. 2004-02.04, Art. 3.E, § G, 2-17-04)

H. - OT-R District Subdivisions: Net Developable Area Calculation.

1. Notwithstanding governing lot size and yard regulations, the maximum use intensity for any conventional subdivision or lot shall be calculated based on existing land conditions. The yield of a subdivision shall be based on its net developable area, with adjustment factors for physical land units as specified in the table in the following section.
2. The subdivision plat and/or site plan for a project shall graphically depict the location and area for the physical land units as outlined herein below. A calculation of the net developable area shall be required for all subdivision and site plan submissions.

Physical Land Unit	Percent Credited Toward Net Acreage
Soils with high shrink/swell characteristics, as defined:	80%
Floodplains, wetlands, existing water features and streams:	0%
Stormwater management basins and structures:	0%
Above-ground 69 KV or greater transmission lines:	0%
Public rights-of-way	0%

3. No OT-R District residential lot shall be designed in which an area more than 25% of the minimum lot area is comprised of one or more of the following physical land units: (a) slopes 30% or more, (b) wetlands, (c) 100-year floodplains, and (d) water features.

(Ord. No. 2004-02.04, Art. 3.E, § H, 2-17-04)

I. - Additional Regulations.

1. Refer to Landscaping and Screening Regulations for screening and buffer yard provisions.
2. Refer to the FP-O, Floodplain Zoning Overlay District, where applicable.
3. Recreational vehicle parking shall not be permitted within front yard and side yard setbacks.
4. No private domestic well and septic systems shall be permitted.
5. Any subdivision or lot which is proposed to be developed on shrink/swell soils shall require a geotechnical report to be submitted with the preliminary plat and plans. Such report shall be prepared by a registered professional engineer and shall address the feasibility of development on the subject soils. No subdivision plat or site plan shall be approved for final recordation until a foundation engineering report has been reviewed by the City. All recorded plats for lots containing shrink/swell soils shall bear the following note: "This lot contains shrink/swell soils which require special engineering design for foundations and structural elements. No structure will be approved for issuance of a building permit until a foundation engineering design prepared by a certified professional engineer has been approved for the proposed structure."
6. Refer to City's Design and Construction Manual for residential design standards and criteria.
7. All uses within the OT-R District shall require a General Development Plan for zoning amendment approval and a site plan for special use permit approval.
8. Refer to Sign Regulations, Article 10 for signage provisions, where applicable.

(Ord. No. 2004-02.04, Art. 3.E, § I, 2-17-04)