

Martinsville, VA

SECTION XIII. - C-N, NEIGHBORHOOD COMMERCIAL DISTRICT

A. - Purpose and intent.

The C-N, Neighborhood Commercial District (formerly C-1 and C-1A) serves as a transition between the large-scale, automobile-oriented Corridor Commercial District (C-C), and the more urban and walkable Uptown Business District (C-UB). Uses in the C-N District serve nearby neighborhoods with convenient service, office, and retail uses at a smaller scale than is permitted in the C-UB or C-C. Properties zoned C-N are primarily located at the edges of the uptown business district as well as in select areas along major streets and entrance corridors where larger footprint establishments would be less desirable.

Overall limits on building size and FAR discourage large shopping centers and big-box retail in the C-N District. Focusing on neighborhood and convenience-scaled retail, office, and non-residential uses, the intent of the district is to encourage attractive redevelopment and revitalization of existing uses, allow for creative infill development, preserve existing natural features and vegetation, promote high quality site planning and architectural design, and facilitate the efficient layout and orientation of utilities and community infrastructure.

The C-N District allows new residential development in the form of multifamily buildings, either standing alone, or as a component of mixed use development when implemented with the Traditional Neighborhood Development Overlay (TND-O) District.

B. - Lot and building standards.

Regulated by Table 13.1; see following page.

LOT AND BUILDING STANDARDS	(Table 13.1)		C-N	
	By-Right Uses	Special Permit Uses*	Residential Uses*	Mixed Use*
Minimum District Size (Acres)	District Size to Conform with Official Zoning Map			
Non-Residential FAR (Maximum)	0.5**	0.5**		
Lot Area (SF, Minimum)	10,000 sf*	10,000 sf*		
Lot Width (Minimum)			Multifamily Residential by Special Use Permit, Subject to Site Plan Approval*	Mixed-Use Permitted in TND Overlay, Subject to TND-O District Requirements*
Interior	100***			
Corner	125***	Regulations for Special Permit Uses		
Lot Depth (Minimum)	100***	Established by SUP Site Plan Process*		
Building Height (Maximum)	45			

Front Setback (Minimum)	15***
Side Setback (Minimum)	
Interior, abutting ED or C district	15*
Interior, abutting R or T district	25*
Corner, abutting any district	25*
Rear Setback (Minimum)	
Abutting ED or C district	20*
Abutting R or T district	25*
Maximum Lot Coverage (%)	75%
Open Space (% , Minimum)	nr

P = Permitted Use	SP = By	* = See Additional Regulations	
Special Use Permit		** = Conditioned on Parking Regulations	C-N
NP = Not Permitted		*** = Modified Per Site Plan Approval	
nr = Not Regulated		Units in feet (') unless otherwise noted	

C. - Uses permitted by right.

Permitted uses shall be those in the following land use categories which do not exceed ten thousand (10,000) gross square feet per individual establishment and a maximum project size limited to a floor area ratio (FAR) of 0.5:

1. Accessory uses and structures.
2. Alcoholic beverage retail sales.
3. Artisan craft production.
4. Artist studio.
5. Assisted living facilities.
6. Bakery or specialty food store.
7. Banks and financial services.
8. Bed and breakfast inn.
9. Catering establishment.
10. Churches and places of worship.
11. Coffee shop.

12. Commercial indoor entertainment.
13. Commercial indoor sports and recreation.
14. Commercial pool, tennis, or recreation facility.
15. Community gardens.
16. Conference center or performance venue.
17. Convenience store.
18. Day care, for children or adults.
19. Drug store or pharmacy.
20. Dry cleaning or laundromat.
21. Funeral home or mortuary.
22. Gasoline sales.
23. Grocery store.
24. Gym or health club.
25. Home occupations.
26. Library.
27. Medical or dental office or laboratory.
28. Micro-brewery or tap room.
29. Movie theater.
30. Museum or historic site.
31. Nursing home.
32. Personal services establishment.
33. Pet grooming and boarding.
34. Plant nursery or landscape sales.
35. Private club, lodge, or fraternal organization.
36. Professional office space.
37. Public parks, playgrounds, and open space.
38. Radio or television station.
39. Restaurant.
40. Restaurant, fast food.
41. Retail sales establishment.
42. Tailoring, alterations or shoe repair.
43. Urgent care center.
44. Veterinary clinic.
45. Vocational or trade school.
46. Data center or call center.

(Ord. No. [2019-Z-1](#), 1-22-2019)

D. - Uses permitted by special use permit.

1. Automobile parking (as a stand-alone use).
2. Automobile repair and service.
3. Automobile sales, including display lot.
4. Cemetery or mausoleum.
5. Multifamily dwelling.
6. Golf course.
7. Hospital.
8. Hotel or motel.
9. Live-work residence.
10. Outside storage.
11. Pawn shop.
12. Public buildings, infrastructure, and other facilities.
13. Rail or bus transit terminal.
14. Repair services establishment.
15. Research and development.
16. Residential uses in accord with Table 13.1.
17. Schools, colleges and academic institutions.
18. Telecommunications equipment and towers.
19. Temporary marketing offices for new residential development.
20. Warehouse or self-storage facility.
21. Wholesale food and beverage production.
22. Hydroponic agriculture.
23. Apartment over commercial.
24. Proprietor's apartment.

E. - Prohibited uses.

The specific uses which follow shall not be permitted in the C-N District:

1. Adult entertainment establishments.
2. Any use, establishment or activity which in the opinion of the city council would be injurious, offensive, or noxious by reason of odor, fumes, dust, smoke, vibration, glare, noise or other cause which may be deemed as hazardous to the health, welfare and safety of the public.
3. Uses prohibited in the ED-G and ED-I Districts.

F. - Additional regulations.

1. The C-N District shall require public water and sewer service, public streets, curb and gutter, and sidewalks as minimum subdivision improvements. No lots shall be permitted with private domestic wells or septic systems. New development shall incorporate fully coordinated storm drainage systems, low impact development measures, landscape improvements, and stormwater management facilities meeting the requirements of the state stormwater management regulations.

2. An environmental impact statement may be required for any permitted or special permit use. All uses shall conform to federal, state and city environmental regulations and performance standards and design criteria as related to:
 - a. Air pollution.
 - b. Fire and explosion hazards.
 - c. Radiation hazards.
 - d. Electromagnetic radiation and interference hazards.
 - e. Liquid, gas and solid wastes hazards.
 - f. Noise standards.
 - g. Vibration standards.
 - h. Illumination and glare.
 - i. Water quality.
3. In the evaluation of design and construction standards for any permitted or special permit use, the city council, at its sole discretion, may impose other conditions and additional restrictions to that use for the purposes of ensuring the mitigation of impacts and promulgating the health, safety and general welfare of the citizens of Martinsville.
4. All uses shall be subject to site plan approval.
5. All refuse stored on-site shall be contained in completely enclosed and screened facilities.
6. A freestanding use shall have no more than two (2) curb cuts for commercial entrances on any single right-of-way, and such curb cuts shall have a minimum distance of one hundred (100) feet between them.
7. Non-residential outdoor storage shall be subject to a special use permit. The location and use of outdoor storage, loading and display areas shall be limited to the designated area(s) on the approved site plan. The outdoor area devoted to storage, loading and display of goods shall be limited to a maximum of fifteen (15) percent of the total lot area and as otherwise designated on an approved site plan. Outdoor storage, loading and display areas in excess of fifteen (15) percent may be approved under special circumstances when the applicant can demonstrate need and provide expanded and enhanced screening, buffers and landscaping.
8. Where a lot is contiguous to property located in a residential district, a landscaped buffer yard shall be provided, with landscape materials and placement subject to site plan approval. Fencing may be required in such cases with fence material and heights subject to site plan approval.
9. All site development activities shall comply with the state stormwater management regulations in effect at the time of site plan application. The applicant shall be responsible for obtaining and providing the city with all requisite state and federal permits.
10. Refer to any applicable city-adopted design and construction standards for public infrastructure, transportation, stormwater management, low impact development, and other site improvements requirements.
11. For properties located within the Historic Preservation Overlay District (HP-O), refer to the HP-O District and Martinsville Historic District Design Guidelines for additional design standards and criteria. For properties located within the Historic District, no site plan shall be approved by the planning commission prior to the issuance of a certificate of appropriateness by the architectural review board. Conditions attached to the certificate of appropriateness shall be included with the site plan application and reflected on the site plan and building permit exhibits.
12. For properties located within a designated urban development area and TND-O District, the applicant, at its option, may elect to pursue site plan and building approvals under the provisions and requirements of the TND-O District.

13. Accessory residential dwelling unit. The ground floor area of a freestanding accessory residential unit shall not exceed one thousand (1,000) square feet of lot coverage or forty (40) percent of the lot coverage of the primary residential unit, whichever is less. Parking for the accessory residential unit shall be in addition to the parking requirement for the primary residential unit, provided that parking shall be restricted to two (2) additional vehicles on a lot. Setback requirements for an accessory residential dwelling unit shall be established by special use permit and as depicted on an approved residential lot development plan. See section III, General Provisions for additional regulations.
14. Non-residential uses shall establish off-street parking in accord with the parking standards. See section XXIII. No parking shall be located within the front yard setback for non-residential uses, provided that the zoning administrator may modify this requirement where justified by the applicant and subject to approval of acceptable on-site parking configuration on the pre-application plan and site plan.
15. Child or adult day care centers shall comply with all applicable state regulations and requirements.
16. Additional requirements for pawn shops:
 - a. Establishment must maintain and file a daily report, as specified by the Code of Virginia § 54.1-4009, electronically with local law enforcement.
 - b. All of the items collected must be contained within the confines of the actual pawnshop.
 - c. An approved anti-crime security system must be installed to safeguard the premises.
 - d. Establishment shall not be located within one thousand (1,000) feet of a similar establishment.
 - e. Establishment must be located at least one thousand (1,000) feet from churches, schools, playgrounds.
 - f. Establishment cannot open for business prior to 10:00 a.m. and must close by 9:00 p.m.
17. See section III.N. for requirements related to short-term rental occupancy.