

Martinsville, VA

SECTION X. - R-N, NEIGHBORHOOD RESIDENTIAL DISTRICT

A. - Purpose and intent.

The R-N, Neighborhood Residential District (formerly R-9) is intended to preserve and enhance existing medium density residential neighborhoods, including portions of the Forest Park, Druid Hills, Chatham Heights, Northside, and West End neighborhoods. The primary goal is to maintain the stability and attractiveness of these substantially built-out areas of the city. The R-N is also intended to accommodate the development of new medium density neighborhoods and projects.

With an average density of three (3) to four (4) units per acre, the R-N District is the city's medium density district for detached single family residences. The intent of the district is also to preserve existing natural features and vegetation, promote excellent site planning and design, facilitate the efficient layout and orientation of utilities and community infrastructure, and encourage housing with compatible scale and architectural character.

In cases where more creative residential development is desirable, cluster subdivisions may be implemented in the R-N District by right. Cluster subdivisions may be developed at a density that is generally greater than that which can be otherwise achieved by conventional R-N District lot and yard regulations. Applicants are encouraged to pursue cluster development where a mix of residential dwelling types is desirable, provided that access, infrastructure, terrain, and locational conditions are conducive to this form of land use. Multifamily dwellings shall require a special use permit.

Cluster subdivisions shall promulgate the efficient use of land, environmental protection, sound grading practices, adequate community facilities, and appropriate open space and recreation areas. Provisions are included herein to permit cluster subdivisions with densities greater than conventional subdivisions.

B. - Lot and building standards.

Regulated by Table 10.1; see following page.

LOT AND BUILDING STANDARDS	(Table 10.1)					R-N
	Single-Family Detached (Conventional)*	Single-Family Detached (Cluster)*	Single-Family Attached (Cluster)*	Multifamily (Cluster)*	Non-Residential (Institutional)*	
Use Permitted	P	P	P	SP	SP&P*	
Minimum District Size (Acres)	nr	5.0	5.0	5.0	SPR*	
Residential Density* (Maximum)	nr	5 du/ac*	8 du/ac*	14 du/ac*		
Lot Area (SF, Minimum)	9,000 sf	6,000 sf	1,800 sf	SP*	SPR*	

Lot Width (Minimum)					
Interior	70	50	20	SP*	SPR*
Corner	90	65	40	SP*	SPR*
Lot Depth (Minimum)					
Interior	100	90	85	SP*	SPR*
Corner	90	90	85	SP*	SPR*
Building Height (Maximum)	45*	45*	45*	60*	60*
Front Setback (Minimum)	35*	25	15	25	25, SPR*
Side Setback (Minimum)					
Interior	10	7.5	0	25	25, SPR*
Corner	30	20	20	25	25, SPR*
Rear Setback (Minimum)	30	25	25	25	25, SPR*
Maximum Lot Coverage (%)	50%	60%	SP*	SP*	SPR*
Open Space (% Minimum)	nr	20%*	20%*	20%*	SPR*

P = Permitted Use
 Use Permit
NP = Not Permitted
nr = Not Regulated

SP = By Special
SPR = Established by Site Plan and Plat
 * = See Additional Regulations Requirements
 Units in feet (!) unless otherwise noted

R-N

C. - Uses permitted by right.

1. Accessory uses and structures.
2. Bed and breakfast home stay.
3. Churches and places of worship.
4. Community gardens.
5. Duplex residential unit (subject to residential lot development plan approval).
6. Group homes (eight (8) or fewer residents).
7. Home occupations.
8. Public parks, playgrounds, and open space.
9. Residential cluster development (limited to single family attached or detached dwellings).
10. Single family detached dwellings.

D. - Uses permitted by special use permit.

1. Accessory residential dwelling unit. A maximum of one unit per lot, with location restricted to:
 - a. A portion of the primary dwelling;
 - b. A free standing cottage; or
 - c. The upper level of a free standing or attached garage serving the primary dwelling.

See additional regulations for supplemental lot and building standards.

2. Assisted living facilities.
3. Bed and breakfast inn.
4. Cemetery or mausoleum.
5. Commercial pool, tennis, or recreation facility.
6. Community recreation uses for subdivision residents.
7. Day care, for children.
8. Day care, for adults.
9. Golf course.
10. Group home (nine (9) or more residents).
11. Library.
12. Multifamily dwelling in a cluster development or adaptive re-use.
13. Museums or historic site.
14. Nursing home.
15. Private club, lodge, or fraternal organization.
16. Public buildings, infrastructure, and other facilities.
17. Residential uses in accord with Table 10.1.
18. Schools, colleges and academic institutions.
19. Temporary marketing offices for new residential development.
20. Waiver of minimum district size for cluster subdivisions.

E. - Additional regulations.

1. Frontage, conventional subdivisions. All single family detached dwellings and lots related thereto in a conventional subdivision shall have frontage on and direct access to a public street.
2. Yard and setback modification. Many city neighborhoods were constructed prior to zoning regulations. Where new single family detached infill or redevelopment projects are proposed, the zoning administrator may modify the yard and setback requirements of the ordinance to better match the prevailing yard and setback dimensions of nearby homes. In doing so, the zoning administrator may consider modifications when fifty (50) percent or more of residential lots within five hundred (500) feet of the subject property contain existing single family detached dwellings, and may modify yard and setback requirements to match the average of existing single family detached dwellings within five hundred (500) feet of the subject property.
3. Pre-application conference. Applications for special permit uses within the R-N District shall require a pre-application conference and the submission of a concept plan.
4. Recreational vehicle parking shall not be permitted within front yard and side yard setbacks.

5. No private domestic well and septic systems shall be permitted on any lot approved after the date of adoption of this ordinance.
6. All exterior maintenance equipment, including HVAC equipment, electrical equipment, storage tanks, satellite dishes, and garbage dumpsters, shall be screened from off-site and on-site common area view in an architecturally integrated manner and otherwise in accord with the requirements of the zoning administrator. Utility infrastructure shall be located in areas that are not highly visible from the public.
7. The maximum allowable building height for institutional buildings in the R-N District shall include the height of cupolas, towers, and steeples.
8. Sidewalks shall be designed to provide for interior circulation as well as access to existing external public rights-of-way. Sidewalks shall be located to anticipate future adjacent development.
9. The outside edge of a driveway may be no closer than five (5) feet to any side yard property boundary. A residential dwelling lot may be served by more than one driveway entrance from the same street only where driveway entrances are separated by a horizontal distance equal to or greater than sixty (60) feet at the front property line (measured driveway centerline-to-centerline), unless otherwise waived by the zoning administrator. Driveway curb cuts shall be in accord with any applicable city design and construction standards.
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. Refer to general provisions (section III) for requirements and conditions for accessory uses within the R-N District.
12. For R-N zoned land that is located within a designated Entrance Corridor Overlay District, EC-O, the guidelines and requirements of the EC-O District shall be applied in addition to the R-N regulations, provided that the zoning administrator may, at its sole discretion, modify the R-N lot and building standards (Table 10.1) to more appropriately implement an adopted entrance corridor master plan for the street on which the property is located.
13. For R-N zoned land that is located within the Traditional Neighborhood Development Overlay district, the guidelines and regulations of the overlay district provide more flexible development options. The applicant shall work with the zoning administrator and planning commission to prepare an alternative set of project-specific lot and building standards to substitute for the lot and building standards for the district. Refer to TND-O District, section XIX. If TND-O zoned land is located within an Entrance Corridor Overlay District, EC-O, the guidelines and requirements of the EC-O shall be coordinated with and applied in addition to the TND-O regulations.
14. 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 thirty-three (33) 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.
15. All R-N District uses shall require public water and sewer service.
16. No more than one single family dwelling shall be permitted by-right per lot.
17. Child or adult day care centers shall comply with all applicable state regulations and requirements.
18. See section III.N. for requirements related to short-term rental occupancy.

F. - Cluster subdivision: Special requirements.

1. General. Cluster subdivisions are encouraged in the R-N District where terrain and environmental characteristics create conditions where smaller lot sizes, a mix of dwelling types, preservation of mature trees, and community amenities and open spaces would create a better living environment for

its residents. The cluster subdivision option permits the applicant to build on lots of varying size at greater density. Cluster development guidelines provide for open space and recreational features within the subdivision. In addition to single family detached dwellings, single family attached dwellings (townhouses) and multifamily dwellings may be permitted in the R-N, subject to approval of conditions attached to a special use permit.

2. Mix of units. The cluster subdivision option encourages a mix of residential dwelling units and lot sizes with single family detached dwellings being the dominant unit type. The number of single family attached dwellings and multifamily dwellings shall not exceed fifty (50) percent of the total number of approved residential units in the R-N cluster subdivision. There is no required mix of attached and multifamily dwellings.
3. Concept plan. A concept plan in accord with the requirements of section VIII shall be required with the application for a cluster subdivision special use permit. The applicant shall schedule a pre-application meeting with the zoning administrator to review the general scope of the project and to determine the specific requirements of the concept plan and other matters related to the special use permit application.
4. Frontage, cluster subdivisions. All residential uses and lots related thereto in a cluster subdivision shall have frontage on and direct access to either: (1) a dedicated public street, or (2) a private street (with or without combined parking located on the private street) subject to approval by the zoning administrator. If access is to be provided by means of a private street, the private street or combined private street and parking facilities shall be constructed in accordance with any applicable city design standards and private access and parking easement requirements.
5. Density of cluster development. The total number of residential dwelling units permitted in a cluster subdivision shall be based on the maximum residential density for each dwelling type (see Table 10.1) multiplied by the net developable area of the cluster subdivision. The net developable area is defined as the gross area of the site less the area of the following land characteristics:
 - a. Wetlands and water features;
 - b. Stream valleys, rivers, and one hundred-year floodplain; and
 - c. Soil limitations, geological features, and slopes greater than thirty (30) percent; and
 - d. Adverse terrain characteristics that are otherwise unsuited for the character and form of proposed residential development.

The subdivision application shall provide map exhibits and calculations for the net land area of the property. (For example, if thirty-three (33) percent of a hypothetical fifty (50) net acres of a site is to be allocated to townhouse development, the allowable townhouse density would be calculated as follows: thirty-three (33) percent times fifty (50) net acres times eight (8) DU/AC = one hundred thirty-two (132) townhouse dwelling units.) However, in no instance shall the applicant be limited to a number of clustered residential dwellings that can be demonstrated by the applicant to yield less than what could otherwise be legally achievable on the property under conventional R-N District lot size and yard regulations.

6. Lot characteristics. Individual residential lots within a cluster subdivision shall be designed and platted such that not greater than twenty (20) percent of the required minimum lot area for each lot is comprised of one or more of the following physical land units:
 - a. Slopes thirty (30) percent or greater;
 - b. Stormwater management facilities;
 - c. Wetlands or water features;
 - d. One hundred-year floodplains; and
 - e. Transmission lines and easements.
7. No more than one single-family detached dwelling may be located on a single lot in a cluster subdivision.

8. A single-family attached buildings shall contain at least two (2) but no more than eight (8) side-by-side dwelling units.
9. The facades of attached dwellings in a group shall be varied in their setbacks, exterior architectural materials, or design so that no more than three (3) abutting dwellings will have the same or essentially the same architectural treatment of facades and rooflines.
10. Single-family attached buildings shall maintain a minimum setback of fifteen (15) feet of separation from private streets, alleys, travel aisles.
11. Single family attached dwellings shall maintain a minimum setback of ten (10) feet from on- or off-street parking areas, sidewalks, and pedestrian trails.
12. Open space requirement. Twenty (20) percent of the gross site area of a cluster subdivision shall be common open space dedicated to common usage and ownership. Twenty-five (25) percent of the required open space area shall be developed as active recreational space and active community open space to serve the needs of the residents of the cluster neighborhood. The uses of this space shall be defined with the special use permit and may include playground equipment, tot lots, picnic areas, shelters, grills, ball playfields, sports courts, jogging paths, walking and biking trails, gardens or seasonal planting areas for the subdivision, swimming pools, community facilities and other improvements.
13. No more than thirty-three (33) percent of the required common open space in a cluster subdivision shall consist of land classified as one hundred-year floodplain, stream valleys, wetlands, water features, stormwater management and BMP facilities, adverse terrain and slopes greater than thirty (30) percent, and/or drainage easements.
14. Required open space shall be contiguous and shall occupy a single parcel or lot within the subdivision unless a mix of parcels or lots are otherwise approved by the planning commission. Open space, recreational areas and other common properties are not subject to the lot requirements as established by R-N, Table 10.1, but the lot shall be subject to additional special use permit conditions.
15. Open space credit shall not be given for land which is included in or reserved for public rights-of-way or private travelways, loading areas, yard requirements for attached and multifamily dwellings, 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.
16. Open space shall be accessible to all residential lots and residents within the cluster subdivision via dedicated pedestrian access easements. Access easements may be counted towards open space requirement.
17. A landscaped perimeter buffer shall be provided around a portion or all of the perimeter of a cluster development when the zoning administrator determines it is necessary to protect existing adjacent development from adverse visual impacts or to present an appearance compatible with an established pattern of adjacent development. The buffer design shall be depicted on the landscape plan.
18. All common open space, recreational areas and other common properties shall be developed and preserved for their intended purpose as shown on the approved site plan and shall be established by metes and bounds on the subdivision plat.
19. Homeowners' or property owners' association. Common open space, recreational areas and other common properties in a cluster subdivision shall be owned, administered, and maintained by a not-for-profit, property owners' association, provided, however, that a portion or all of such properties may be dedicated to the city subject to and at the sole discretion of the city council for acceptance at time of plat recordation. For open space, recreational areas, and other common properties to be retained by the property owners' association of a cluster subdivision, the initial developer/owner of the subdivision shall establish the property owners' association as a legal entity prior to the recordation of the final plat.
20. Property owners' association by-laws, articles of incorporation and restrictive covenants shall be submitted with any application for subdivision plat and site plan approval. Restrictive covenants shall

specify the detailed means by which the property owners 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.

21. Prior to final approval of a subdivision plat including properties to be owned by a property owners' association, the city attorney may review the bylaws, articles of incorporation and restrictive covenants.
22. Condominiums. Any proposed condominium development shall be established to ensure full conformity with the Virginia Condominium Act, and shall be subject to the following provisions:
 - a. All setbacks, density, and other R-N District provisions shall be met.
 - b. Minimum lot and yard requirements shall be met as if lot lines existed.
 - c. A site plan shall be required and shall govern the location of all site structures and improvements on final plans.