

## **West Main Street Corridor Overlay**

The West Main Street Corridor Overlay (WMCO) stretches from the North Carolina/Virginia border along West Main Street, north to its termination at the intersection of Rison Street to the east and Broad Street to the west. The Corridor includes each property along West Main Street with at least one property line adjacent to West Main Street.

The intent of the West Main Street Corridor Overlay is to provide regulated growth as the area develops and expands its amenities to the citizens of the City of Danville and its visitors.

- A. Open Space
  - 1. New commercial or multi-family development shall have a minimum of 15% open space. This may include storm water management.
- B. Parking Regulations
  - 1. A minimum of 50% of parking must be located behind the principal structure.
  - 2. Shared parking with adjacent uses is encouraged.
  - 3. Shared points of ingress/egress from the public street are encouraged.
- C. Additional Regulations
  - 1. Short Term Rentals (accessory or principal use) require a Special Use Permit.
  - 2. Mixed Use Development with residential use on the upper level(s) and commercial use on the street level is allowed by Special Use Permit in HR-C zoning district.
- D. Sign Regulations

RESERVED

- E. Landscape Regulations
  - 1. All private areas not covered with building or surface treatment shall be landscaped with plantings, grass, pedestrian walks, or similar features. Landscaping and Screening shall be maintained in good condition.
- F. Design Standards

RESERVED

- G. Streetscape

RESERVED

- H. Prohibited Uses
  - a. Adult Entertainment Establishments
  - b. Annuity Buying Services
  - c. Automobile Sales Lots
  - d. Bail Bondsmen
  - e. Body Art Establishments
  - f. Check Cashing Establishments
  - g. Fortune Tellers
  - h. Herbal Wellness Shops
  - i. Junkyards
  - j. Massage Parlors
  - k. Motor Vehicle Title Loan Establishments
  - l. Pawn Shops
  - m. Payday Loan Establishments

- n. Precious Metals Dealers
- o. Second Hand Shops
- p. Sporting Goods Stores
- q. Tanning Facilities
- r. Title Loan Establishments
- s. Vape Shops

## Definitions

*Adult entertainment establishment.* An establishment consisting of, including, or having the characteristics of any of the following:

1. Adult Bookstore. An establishment having most of its merchandise stock in trade books, magazines, publications, media, films, objects, or other similar items with an emphasis on matter depicting, describing, or relating to sexual activities or genitalia.
2. Adult Cabaret. Either:
  - A. An establishment devoted to adult entertainment, either with or without a liquor license, presenting material distinguished or characterized by their emphasis on matter depicting, describing, or relating to sexual activities or nudity; or
  - B. A cabaret that features nude, topless, or bottomless dancers, go-go dancers, strippers, burlesque or drag performers, or similar entertainers for observation by patrons.
3. Adult theater. An enclosed building used for presenting material distinguished or characterized by an emphasis on matter depicting, describing, or relating to sexual activities or genitalia.
4. Skill Game Parlor. A business that hosts any skill game available for play by the public.

*Annuity buying service.* Any business engaged in the purchasing of annuities or other structured or long-term payments for compensation. An *annuity buying service* shall not include a bank, savings institution, or credit union legally operating under the laws of the United States or the Commonwealth of Virginia.

*Automobile sales lot.* Any business used for the display or sale of new or used automobile or trailers and where no repair work is done. *Automobile sales lot* shall include but not be limited to businesses which only sale ancillary parts or components for automobiles and trailers such as tires, mufflers, and other similar ancillary parts or components.

*Automobile salvage yard.* Any lot or place which is exposed to the weather and upon which more than five (5) motor vehicles of any kind that are incapable of being operated and which it would not be economically practical to make operative, are placed, located, or found. The movement or rearrangement of vehicles within an existing lot or facility does not render this definition inapplicable.

*Bail bondsmen.* Any person who is licensed by the Commonwealth of Virginia to engage in the business of bail bonding.

*Body Art Establishment.* A business that performs body-piercing or tattoo services.

*Body-piercing* means the act of penetrating the skin to make a hole, mark, or scar, generally permanent in nature. Body piercing does not include the use of a mechanized, presterilized ear-piercing system that penetrates the outer perimeter or lobe of the ear.

*Check Cashing Establishment.* Any business engaged in the cashing of checks, drafts, or money orders for compensation. A *check cashing establishment* shall not include a bank, savings institution, or credit union legally operating under the laws of the United States or the Commonwealth of Virginia. A *check cashing establishment* shall not include any business that:

1. Does not hold itself out to be a check cashing service;
2. Is principally engaged in the bona fide retail sale of goods or services;
3. Either as an incident to or independently of such a retail sale from time to time cashes checks, drafts, or money orders; and
4. Charges a fee or other consideration for the service that does not exceed the greater of two dollars (\$2) or two percent (2%) of the amount of the item.

*Electronic cigarette.* Any product containing or delivering nicotine, or any other substance intended for human consumption that can be used by a person to simulate smoking through inhalation of vapor or aerosol from the product. *Electronic cigarette* includes any such device, whether manufactured, distributed, marketed, or sold as an e-cigarette, e-cigar, e-pipe, e-hookah, or vape pen, or under any other product name or descriptor. *Electronic cigarette* also includes any component thereof and any nicotine-containing product that may be consumed through an electronic cigarette.

*Fortune telling.* Claiming to, pretending to, or holding oneself out as using occult or psychic powers, faculties, or forces, clairvoyance, palmistry, phrenology, craniology, psychometry, mediumship, seership, astrology, numerology, necromancy, witchcraft, or other craft, card, leaf, talisman, charm, potion, or magic of any kind to tell fortunes, commune with or resurrect the dead, overcome evil influences and bad luck, treat the sick or ailing, find lost, stolen, or hidden property, restore or procure love, or influence the weather. Fortune telling does not include performances in a licensed theater as part of an entertainment show or exhibition presented therein, provided that the person so performing clearly informs the audience that such performance is a show or exhibition intended for entertainment purposes only.

*Herbal wellness shop.* Any retail or service establishment that is not licensed by the Virginia Board of Pharmacy that devotes a majority (51%) of its floor area to the sale and display of products containing *mitragyna speciosa* (kratom), synthetic cannabis, cannabidiol (CBD), tetrahydrocannabinol (THC) including but not limited to Delta-8 THC and Delta-9 THC, other byproducts of derivatives of cannabis, or any combination thereof; or any establishment that permits members of the general public to consume such products on site.

*Junk.* Old or scrap copper, brass, rope, rags, batteries, paper, trash, rubber, debris, or waste; junked, dismantled, or wrecked automobiles or parts thereof; and old scrap iron, steel, or other ferrous or nonferrous material.

*Junkyard.* An establishment or place of business that is maintained, operated, or used for storing, keeping, buying, or selling junk or for the maintenance or operation of an automobile salvage yard. *Junkyard* includes garbage dumps and sanitary landfills.

*Massage.* A method of treating the external parts of the human body for comfort or the general well-being of the body or for remedial or hygienic purposes, consisting of rubbing, stroking, kneading, tapping, or vibrating with the hand or any instrument.

*Massage Parlor.* Any establishment or place where massages are administered or where any person engages in, conducts, or carries on, or permits to be engaged in, conducted, or carried on, any business of giving Russian, Turkish, Finnish, Swedish, Japanese, hot air, vapor, electric cabinet, magnetic, steam, mineral, sweat, salt, sauna, fomentation, alcohol, or any other kind or character of massage, bath, alcohol rub, fomentation, manipulation of the body, or other similar procedure. *Massage parlor* shall not include a hospital, nursing home, medical clinic, or the office of a duly licensed physician, surgeon, physical therapist, chiropractor, or osteopath, or to a massage therapist licensed by the Commonwealth of Virginia, or to barbershops or beauty salons in which massages are administered only to the scalp, the face, the neck, or the shoulders, or to ordinary tub baths where an attendant is not required.

*Motor vehicle title loan establishment.* Any business that engages in the making or underwriting of motor vehicle title loans as defined by Va. Code §6.2-2100. A *motor vehicle title loan establishment* shall not include a bank, savings institution, or credit union legally operating under the laws of the United States or the Commonwealth of Virginia.

*Pawn Shop.* Any business that lends or advances money or other things for profit on the pledge and possession of personal property, or other valuable things, other than securities or written or printed evidences of indebtedness, or that deals in the purchasing of personal property or other valuable things on condition of selling the same back to the seller at a stipulated price.

*Payday loan establishment.* Any business that engages in the making or underwriting of short-term loans as defined by Va. Code §6.2-1800. A *payday loan establishment* shall not include a bank, savings institution, or credit union legally operating under the laws of the United States or the Commonwealth of Virginia.

*Phototherapy device.* A piece of equipment that emits ultraviolet radiation and that is used by a health care provider in the treatment of a disease.

*Precious Metal Dealer.* Any person engaged in the business of purchasing secondhand precious metals or gems, removing in any manner precious metals or gems from manufactured articles not then owned by such person or buying, acquiring, or selling precious metals or gems removed from such manufactured articles. This definition shall not be construed so as to include persons engaged in the following:

1. Purchases of precious metals or gems directly from other dealers, manufacturers, or wholesalers for retail or wholesale inventories.
2. Purchases of precious metals or gems from a duly qualified fiduciary who is disposing of the assets of the estate being administered by such fiduciary in the administration of an estate.
3. Acceptance by a retail merchant of trade-in merchandise previously sold by such retail merchant to the person presenting that merchandise for trade-in.
4. Repairing, restoring, or designing jewelry by a retail merchant if such activities are within his normal course of business.

5. Purchases of precious metals or gems by industrial refiners and manufacturers, insofar as such purchases are made directly from retail merchants, wholesalers, or dealers or by mail originating outside the Commonwealth of Virginia.

6. Persons regularly engaged in the business of purchasing and processing nonprecious scrap metals which incidentally may contain traces of precious metals recoverable as a by-product.

*Secondhand Shop.* Any business that buys, sells, barter, or exchanges used or secondhand articles, including but not limited to such items as firearms, office machines, household appliances, electronics, sporting equipment, or any other secondhand merchandise intended to be resold for use as such. *Secondhand Shop* does not include those businesses that exclusively buy, sell, barter, or exchange used or secondhand clothing, furniture, books, or toys; nor does it include those businesses that buy, sell, barter, or exchange used or secondhand items defined and regulated as junk, scrap, or precious metals.

*Skill Game.* The same as the word is defined in Chapter 16 of the Code of the City of Danville, Virginia.

*Sporting Goods Store.* Any merchant engaged in the business of selling at retail any sports gear or equipment, firearm or firearm accessory or equipment, bow or archery accessory or equipment, or similar items used in recreational sporting activities. Sporting goods store does not include any merchant who does not sell any sporting good other than clothing, footwear, or bicycles and cycling equipment.

*Tanning device.* Any equipment that emits electromagnetic radiation with wavelengths in the air between 200 and 400 nanometers and that is used for tanning of human skin, including a sunlamp, tanning booth, or tanning bed. The term also includes any accompanying equipment, including but not limited to any protective eyewear, timer, or handrail. Tanning device shall not include a phototherapy device.

*Tanning facility.* A business that provides persons access to tanning devices.

*Tattoo.* To place any design, letter, scroll, figure, symbol, or any other mark upon or under the skin of any person with ink or any other substance resulting in the permanent coloration of the skin, including permanent make-up or permanent jewelry, by the aid of needles or any other instrument designed to touch or puncture the skin.

*Vape Shop.* Any retail or service establishment that is not licensed by the Virginia Board of Pharmacy that devotes a majority (51%) of its floor area to the sale and display of electronic cigarettes; or any establishment that permits members of the general public to vape with such products on site.