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## **Sec. 36-423. CS - Commercial service district.**

- (1) *Purpose.* This district is intended for business uses which provide essential commercial services and support activities but which do not necessarily require high visibility and may have higher environmental impacts in terms of noise, dust, glare, etc., which make them incompatible with the office or retail character of the other business districts. This district is intended for on-site production of handcrafted items in conjunction with retail sales. This district is also intended for businesses that combine wholesale and retail sales and that conduct extensive outdoor activities. This district is intended to function as a transition between industrial development and commercial development. Areas zoned CS are intended to be at least five acres in size unless the zoning is based on an adopted plan or comprehensive zoning scheme.
- (2) *Permitted uses.*
  - (a) Accessory uses, as permitted by section 36-450, accessory structures and uses.
  - (b) Any residential dwellings existing at the time the district is mapped. As conforming uses, such a dwelling can be expanded or, if destroyed, replaced with another dwelling of the same type within 18 months of being destroyed.
  - (c) Ambulance services.
  - (d) Any establishment which provides supplies and/or services primarily to commercial and industrial customers, such as janitorial services, sign shops, packaging or shipping service, locksmith or printing, lithographing, engraving, photocopying, blueprinting, publishing and binding establishments.
  - (e) Auction sales, flea markets entirely within enclosed buildings, and swap meets.
  - (f) Automobile service garages, including body and fender repair and paint shops.
  - (g) Automobile service stations.
  - (h) Automobile washing businesses, including automatic, coin-operated, and moving-line facilities.
  - (i) Awning and canvas sales and rental.
  - (j) Bus stations.
  - (k) Campgrounds and recreational vehicle parks.
  - (l) Carpenter and cabinet shops.
  - (m) Catering businesses.
  - (n) Cemeteries.
  - (o) Churches and other places of worship, including parish houses, and Sunday schools.
  - (p) Commercial gardens and/or farmers markets with retail and/or wholesale sales on-site.
  - (q) Commercial laundry and dry cleaning establishments.
  - (r) Commercial off-street parking lots and structures.
  - (s) Commercial outdoor recreation use group.
  - (t) Construction equipment storage yards.
  - (u) Day care centers in accordance with chapter 36, article XI, Springfield City Code.
  - (v) Eating and drinking establishments use group.
  - (w) Entertainment-oriented use group.

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- (x) Feed stores.
  - (y) Frozen food lockers, for use by the general public.
  - (z) Funeral homes, mortuaries, and crematoriums.
  - (aa) General office use group.
  - (bb) General or medical office/retail sales/warehouse combinations, provided however, that if more than 85 percent of the gross building floor area for each establishment is used for warehouse purposes, a use permit shall be required.
  - (cc) Glass and mirror sales.
  - (dd) Household resource recovery collection centers, screened from all residential districts and public rights-of-way in conformance with section 36-480, screening and fencing.
  - (ee) Linen, towel, and diaper services.
  - (ff) Manufactured housing (mobile home) and trailer sales, leasing, service and storage.
  - (gg) Medical or comprehensive marijuana cultivation facility or microbusiness marijuana wholesale facility when not located adjacent to or across the street from any residential district. No facility shall be located within 1,000 feet of an existing elementary or secondary school, child day care center, church and as prescribed and subject to all other requirements in section 36-474, marijuana and medical marijuana facilities.
  - (hh) Medical, comprehensive or microbusiness marijuana dispensary facility. No facility shall be located within 1,000 feet of an existing elementary or secondary school or within 200 feet of an existing child day care center or church and as prescribed and subject to all other requirements in section 36-474, marijuana and medical marijuana facilities.
  - (ii) Medical or comprehensive marijuana-infused products manufacturing type 2 post-extraction facility. No facility shall be located within 1,000 feet of an existing elementary or secondary school or within 200 feet of an existing child day care center or church and as prescribed and subject to all other requirements in section 36-474, marijuana and medical marijuana facilities.
  - (jj) Medical office use group.
  - (kk) Monument sales.
  - (ll) Newspaper and magazine distribution agencies.
  - (mm) Nurseries, greenhouses and garden stores.
  - (nn) Personal services use group.
  - (oo) Pest control services.
  - (pp) Police and fire stations.
  - (qq) Private clubs and lodges.
  - (rr) Public and private parks, playgrounds, and golf courses, including miniature golf courses and driving ranges.
  - (ss) Public or private vehicle and boat storage garages, yards or lots.
  - (tt) Public service and public utility uses, as follows:
    - 1. Tier I wireless facilities in accordance with section 36-466, telecommunication towers.

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2. Tier III wireless facilities in accordance with section 36-466, telecommunication towers, provided wireless towers 60 feet or greater in height allow collocation of at least one additional provider's facilities.
  3. Tier IV wireless facilities in accordance with section 36-466, telecommunication towers, provided wireless towers are setback from any residential district at least two feet for every one foot of tower height and allow collocation of at least one additional provider's facilities or at least two additional providers' facilities if the tower height is 120 feet or greater.
  4. Water reservoirs, water standpipes, and elevated and ground-level water storage tanks.
- (uu) Retail sales use group.
- (vv) Repair shops, home appliance.
- (ww) Repair shops, small-engine.
- (xx) Schools or development centers for persons with handicaps or development disabilities.
- (yy) Schools, business and industrial.
- (zz) Self-service storage facilities.
- (aaa) Short-term rental type 3 in accordance with section 36-473 and subject to conditions in subsection (2)(b), if applicable.
- (bbb) Substance abuse treatment facilities for 50 or fewer residents, provided the facility:
1. Is located at least 2,000 feet from any other substance abuse treatment facility, or 2,000 feet from any emergency shelter, soup kitchen, transitional service shelter or community corrections facility, as measured from property lines; and
  2. A plan of operation, including, but not limited to: administration contact information, patron access requirements, hours of operations and security measures, is on file with the City of Springfield Planning and Development Department.
- (ccc) Swimming pool sales and display.
- (ddd) Taxi dispatch yards and offices.
- (eee) Taxidermists.
- (fff) Temporary uses, as permitted by section 36-452, temporary uses.
- (ggg) Temporary vendors as permitted under subsection 36-452(3)(b)2.
- (hhh) Towers other than wireless facilities, less than 100 feet in height and related facilities.
- (iii) Overnight shelters or transitional service shelters for 50 or fewer residents, which are located at least 500 feet from a residential district, as measured from property lines provided that no overnight shelter or transitional service shelter shall locate within a 2,000-foot radius of another transitional service shelter, soup kitchen, overnight shelter, substance abuse treatment facility or community correctional facility as measured from property lines, in accordance with subsection 36-363(10)(b)5. In no event shall a certificate of occupancy be issued for a transitional service shelter herein if it is less than 1,000 feet from an elementary or secondary school as measured from property lines.
- (jjj) Truck stops.
- (kkk) Upholstery shops.
- (III) Veterinary clinics, animal hospitals and outdoor kennels provided that at the time the use is established any outdoor activities are clearly accessory to the primary use and provided that no

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outdoor activities are located closer than a 300-foot radius from a building used for a church, school, hotel, motel, or restaurant, or from a property zoned residential or a building used for residential purposes.

(mmm) Wholesale sales use group.

(3) *Conditional uses.* The following conditional uses may be permitted provided they meet the provisions of, and a conditional use permit is issued pursuant to, section 36-363, conditional use permits, of this article:

- (a) Overnight or transitional service shelters for 50 or fewer residents, which are located within 500 feet from a residential district, as measured from property lines provided that no overnight shelter, transitional service shelter or soup kitchen may locate within 2,000 feet of any other overnight shelter, transitional service shelter, soup kitchen, substance abuse treatment facility or community corrections facility, as measured from property lines, in accordance with subsection 36-363(10)(b)5.
- (b) Go-cart tracks.
- (c) Medical or comprehensive marijuana cultivation facility or microbusiness marijuana wholesale facility when located adjacent to or across the street from any residential district. No facility shall be located within 1,000 feet of an existing elementary or secondary school, child day care center or church and as prescribed and subject to all other requirements in section 36-474, marijuana and medical marijuana facilities.
- (d) Soup kitchens.
- (e) Tier V wireless facilities in accordance with section 36-466, telecommunication towers.
- (f) Towers other than wireless facilities, exceeding 100 feet in height, and related facilities, in accordance with subsection 36-363(10)(b)1.
- (g) Veterinary clinics, animal hospitals and outdoor kennels provided that at the time the use is established any outdoor activities are clearly accessory to the primary use and provided that no outdoor activities are located closer than a 300-foot radius from a building used for a church, school, hotel, or motel, or from a property zoned residential or a building used for residential purposes, or closer than a 100-foot radius from a building used for a restaurant.
- (h) Warehouses, storage and distribution centers.

(4) *Use limitations.*

- (a) No motor vehicle repair or maintenance work shall take place outdoors within 200 feet of the boundary of any residential district.
- (b) All sales, display or outdoor storage areas that would be routinely disturbed because of the nature of the activity being conducted or because of vehicular traffic, except those areas of nurseries and garden centers where living plants are located, shall be paved or otherwise improved with an all-weather, dust-free surface.
- (c) No vibration, glare, or heat shall be detectable at the district boundary line.
- (d) All uses shall operate in accordance with the noise standards contained in section 36-485, noise standards.
- (e) No use shall emit an odor that creates a nuisance as determined by chapter 2A, article X, Springfield City Code.
- (f) Uses on parcels not served by public water and public sewer shall meet the requirements of subsection 36-303(22).

- (g) Streets through adjacent residential areas shall not be used to provide principal access for truck traffic to any nonresidential use in this district except on streets classified as expressways, arterials, or collectors.

(5) *Bulk and intensity of use regulations.*

- (a) *Maximum structure height:* None, except that all structures shall remain below a 30-degree bulk plane as measured from the boundaries of R-SF or R-TH districts.
- (b) *Minimum yard requirements:*
  - 1. *Front yard:* None.
  - 2. *Side yard:* None, except as required by the bufferyard requirements in subsection (8).
  - 3. *Rear yard:* None, except as required by the bufferyard requirements in subsection (8).

However, in no event may a structure be erected closer to the centerline of an existing or planned street than as prescribed below, except as permitted by subsection 36-303(17)(b) and subsection 36-303(17)(d).

Street Classification	Required Setback from Right-of-Way Center Line
Freeway	150 feet plus the required yard setback
Expressway	65 feet plus the required yard setback
Primary arterial	50 feet plus the required yard setback
Secondary arterial	35 feet plus the required yard setback
Collector	30 feet plus the required yard setback
Commercial/industrial local	30 feet plus the required yard setback
Residential local	25 feet plus the required yard setback
Highway access road	20 feet plus the required yard setback
Downtown streets	Required yard setback from right-of-way line

(6) *Open space requirements.*

- (a) *Minimum open space:* Not less than 15 percent of the gross site area shall be devoted to open space including required yards and bufferyards unless modified in accordance with subsection 36-482(15). Open space shall not include areas covered by buildings, structures, parking, storage, loading and other paved areas and internal streets or areas containing plants for display and sale. Open space shall contain living ground cover and other landscaping materials.
- (b) *Maximum impervious area:* The combined area occupied by all main and accessory buildings or structures, parking, loading and other paved areas and any other surfaces which reduce and prevent absorption of stormwater shall not exceed 85 percent of the total lot area unless modified in accordance with subsection 36-482(15).

(7) *Design requirements.*

- (a) A site plan, meeting the requirements of section 36-360, site plan review, shall be submitted and approved.
- (b) A landscape plan, meeting the requirements of sections 36-482, landscaping and bufferyards, and 36-483, off-street parking and loading area design standards, shall be submitted and approved.
- (c) All off-street parking and vehicular use areas shall be screened from all residential uses in accordance with section 36-480, screening and fencing.

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- (d) Refuse storage areas shall be screened from view in accordance with section 36-480, screening and fencing.
  - (e) Mechanical and electrical equipment, including air conditioning units shall be screened from view in accordance with section 36-480, screening and fencing.
  - (f) Lighting shall be designed to reflect away from any adjacent residential area and in accordance with section 36-484, lighting standards.
  - (g) Accessory buildings and structures shall meet the requirements of section 36-450, accessory structures and uses.
- (8) *Bufferyard requirement.* Whenever any development in a CS district is located adjacent to a different zoning district, screening and a bufferyard shall be provided in accordance with sections 36-480, screening and fencing, and 36-482, landscaping and bufferyards.

(Zoning Ord., § 4-3300; G.O. 4763, 12-15-97; G.O. 4852, 11-23-98; G.O. 5094, 7-9-01; G.O. 5127, 10-29-01; G.O. 5343, 1-12-04; G.O. 5471, 6-27-05; G.O. 5585, 7-26-06; G.O. 5665, 4-9-07; G.O. 5702, 8-27-07; G.O. 5744, 3-24-08; G.O. 5773, 8-11-08; G.O. 5843, 11-9-09; G.O. 5861, 2-8-10; G.O. 5879, 7-26-10; G.O. 5880, 7-26-10; G.O. 5928, 4-18-11; G.O. 5952, 10-3-11; G.O. 6026, 12-17-12; G.O. 6048, 5-6-13; G.O. 6053, 6-3-13; G.O. 6058, 6-17-13; G.O. 6093, 6-3-13; G.O. 6094, 1-13-14; G.O. 6467, § 1(Exh. A), 7-16-18; G.O. 6497, § 1, 1-28-19; G.O. 6528, § 1, 5-20-19; G.O. 6775, § 1, 1-31-23)