

ARTICLE 31. "C/S-1" COMMERCIAL/SERVICE DISTRICT

Preamble. The intent of the "C/S-1" District is to provide for the development of a broad range of commercial and service-related activities, uses that are generally characterized by having little or no negative impact on the community and environment. This district is also intended to encourage development and redevelopment of property along designated major thoroughfares, where established conventional zoning districts have been deemed ineffective in addressing changes in market trends.

Section 31.1 Principal Permitted Uses.

A. Residential Uses

1. Bed & Breakfast
2. Dwelling, Multi-Family
3. Dwelling, Secondary (Upper Floor)
4. Dwelling, Two-Family
5. Long-Term Care Facility
6. Residential Care Facility

B. Agriculture / Public & Semi-Public Uses

1. Agriculture, Large Scale
2. Clinic
3. Community Center
4. Community Garden
5. Event / Conference Center
6. Government Facility, Non-Office
7. Government Facility, Office
8. Hospital
9. Library

10. Museum
11. Nature Preserve
12. Park / Playground
13. Place of Worship
14. School (Grades Pre-School through 12)
15. Theater
16. Trade or Business School
17. University / College

C. Commercial Uses

1. Auto-Oriented Use, Light
2. Auto Sales, New
3. Auto Rental
4. Bar / Lounge
5. Brewpub
6. Convenience Store
7. Daycare Center, Adult or Child
8. Dry Cleaning / Laundromats
9. Farmer's Market
10. Financial Institution
11. Fitness Center
12. Funeral Home
13. Grocery Store
14. Hookah Bar
15. Hotel
16. Instructional Center

17. Liquor Store
18. Massage Services, Therapeutic
19. Office
20. Personal Care Services
21. Recreation, Indoors
22. Restaurant
23. Retail, General
24. Retail, Small-Scale
25. Retail, Wholesale
26. Social Club
27. Veterinarian Office

D. Industrial Uses

1. Builder's Supply Store
2. Contractor's Office
3. Research & Development

Section 31.2 Accessory Uses.

Accessory uses, buildings or other structures normally associated with and incidental to any listed permitted or conditionally permitted use.

Section 31.3 Conditional Uses.

The following Conditional Uses subject to approval in accordance with Section 4.6.

A. Residential Uses

1. Adult Group Home
2. Dwelling, Single-Family
3. Family Child-Care Home

B. Agriculture / Public & Semi-Public Uses

1. Agriculture, Small Scale
2. Cemetery

C. Commercial Uses

1. Adult Entertainment Establishments
2. Auto-Oriented Use, Heavy
3. Auto Sales, Used

D. Industrial Uses

1. Distribution Facility
2. Food & Beverage Production
3. Light Industrial Assembly & Distribution
4. Microbrewery / Artisan Distillery

Section 31.4 Minimum Performance Standards.

In addition to other applicable requirements contained in this zoning resolution, the following standards shall apply to all uses within the "C/S-1" District:

- A. Outdoor Storage.** Except as hereinafter specified all outdoor storage shall be prohibited.
- B. Business Activity Enclosed.** All business activity shall be conducted wholly within a completely enclosed building.
- C. Exterior Building Materials.** The exterior building wall face oriented towards the front lot line shall be constructed with a minimum of 50% decorative brick or block, stone, wood/vinyl siding or similar building materials. No more than 50% of the exterior building wall face oriented towards the front lot line shall be constructed with a metal sheeting or similar building materials.
- D. Storage of flammable materials.** The outdoor storage of flammable liquids, or of materials that produce flammable or explosive vapors or gases may be permitted when such storage is directly related to a permitted or conditionally permitted use, and when such storage meets all applicable state and local regulations governing such storage.

E. Storm Water Control. All uses within the "C/S-1 " District shall be provided with adequate drainage facilities and a storm water run-off control plan that meets the design requirements of the Montgomery County Engineer's Office.

F. Lighting. Exterior lighting shall be shaded wherever necessary to avoid casting direct light upon property located in any residential district or upon any public right-of-way.

G. Noise. No noise from any operation conducted on the premises, either continuous or intermittent, shall violate the provisions of Article 41.

H. Adult Entertainment Facilities.

1. No Adult Entertainment Facility shall be established within a radius of 500 feet of any School or Library.
2. No Adult Entertainment Facility shall be established within a radius of 250 feet of any Residential District.
3. No Adult Entertainment Facility shall be established within a radius of 500 feet of any Public Park or Recreation Area.
4. No Adult Entertainment Facility shall be established within a radius of 500 feet of any Church or Church Grounds.
5. No Adult Entertainment Facility shall be established within 1,000 feet of an existing Adult Entertainment Facility.
6. All distances shall be measured in a straight, horizontal line, without regard for intervening structures. Measurements from the Adult Entertainment Facility shall be made from the closest part of the building housing any part of the Adult Entertainment Facility to the closest real estate parcel boundary of any parcel containing a School, Library, Public Park or Recreation Area, Church or Church Grounds, or a parcel within a Residential District. Measurements from one Adult Entertainment Facility to another existing or proposed Adult Entertainment Facility shall be made from the closest part of the building housing any part of an Adult Entertainment Facility to the closest part of the building housing, or planned to house, any part of the other Adult Entertainment Facility.
7. All building openings, entries, windows, etc. for Adult Entertainment Facility uses shall be located, covered, or serviced in such a manner as to prevent a view into the interior from any public area, sidewalk, or street. For new construction, the building shall be oriented so as to minimize any possibility of viewing the interior from public areas.

8. No screens, loudspeakers or sound equipment shall be used for adult motion picture theaters (enclosed or drive-in) that can be seen or discerned by the public from public areas, or adjoining private areas not owned by the owner of the adult motion picture theater.
9. "Established" means and includes any of the following:
 - a. The opening or commencement of any Adult Entertainment Facility as a new business; The conversion of an existing business.
 - b. Whether or not an Adult Entertainment Facility, to any of the Adult Entertainment Facilities defined in this zoning resolution.
 - c. The addition of any of the Adult Entertainment Facilities defined in this zoning resolution to any other Adult Entertainment Facility.
 - d. The relocation of any such Adult Entertainment Facility.
10. No more than one classification of Adult Entertainment Facility may be operated in any one location, structure, or parcel of real estate.

I. Pawn Shops & Secondhand Dealers

1. **Recording of Transaction.** All dealers shall keep and preserve a separate book or record in which the dealer shall enter in the English language, at the time of each purchase, receipt, or exchange of such articles the following information:
 - a. The name, address, social security number or date of birth of the individual making the transaction.
 - b. A description of the person from whom the article was purchased or received.
 - c. The date and time of the transaction.
 - d. A complete and accurate description of the article(s) purchased, received, or exchanged, including the name of the maker or manufacturer, initials, serial numbers or other identifying features, including the price paid for each article.
 - e. The dealer shall require the seller of any article to sign their name on the page on which that person's transaction is recorded.
2. **Inspection of Records.** The book or record shall be open to inspection by any enforcement official or law enforcement officer during normal business hours.

- 3. Maintenance of Records.** Each page of the book or record shall consist of one or more sequentially and consecutively numbered forms which shall contain appropriate blanks for furnishing all the information required in Section 21.4(O). The numbering of the forms shall begin with the number one and all numbers thereafter shall be accounted for.
- 4. Preservation of Records.** The dealer shall preserve the book or record for a period of not less than one year after making the final entry on any purchase or exchange of property recorded therein.
- 5. Screening.** Where any required yard abuts a residential district and is not separated from the residential district by a dedicated street, there shall be a permanently maintained 25-foot buffer located along the abutting lot lines. Within the buffer shall be located a screen of sufficient density or opaqueness to obstruct the view of the structures or activities within the nonresidential district.
 - a. Types of Screening Permitted.** Screening may be one of the following or a combination of two or more:
 - i.** Solid masonry wall.
 - ii.** Decorative fence, excluding chain link with slats.
 - iii.** Dense evergreen plantings.
 - iv.** Landscaped mounding with ground cover.
 - b. Height of Screening.** At the time of placement or planting, all screening material shall be a minimum of six feet in height.
 - c. Required Ground Cover.** The space between any screening, the adjoining property line and the perimeter of the buffer zone shall be landscaped with appropriate ground cover.
 - d. Maintenance, Repair and/or Replacement of Screening.** All screening shall be maintained in good condition and free of all advertising or other signs and repaired and replaced as needed to maintain the integrity of the screen as originally designed.

Section 31.5 Development Standards.

In addition to other provision of this zoning resolution, the Following standards for arrangement of land, buildings and/or structures shall be applicable to all uses within the "C/S-1" Commercial/Service District.

- A. Height Regulations.** No structure shall exceed 40 feet in height.
- B. Minimum Lot Area.** The minimum lot area shall be 20,000 square feet.

C. Minimum Lot Width. The minimum lot width shall be 100 feet.

D. Minimum Yard Setbacks.

- 1. Front.** There shall be a minimum setback of not less than 25 feet. The front yard setback depth shall be measured from the established right-of-way lines as shown on the official thoroughfare plan for Montgomery County.
- 2. Side Yards.** There shall be a minimum side yard of not less than ten feet, except when adjacent to any residential district the minimum side yard shall be 25 feet with screening as provided for in Section 31.4(J)(5).
- 3. Rear Yard.** There shall be no minimum rear yard requirement, except when adjacent to a residential district the minimum rear yard setback shall be 25 feet with screening as provided for in Section 31.4(J)(5).

E. Maximum Lot Coverage. 50% of the lot.

F. Maximum Floor Area Ratio. 0.5

Section 31.6 Minor Modifications.

The community and economic development director shall have the authority to make minor modifications to specifications contained in the "C/S-1" District.