

## **SECTION 26A. "C-TH" COMMERCIAL TOWN HOUSE DISTRICTS**

The purpose of the "C-TH" classification is to encourage commercial development of structures with the physical characteristics of town houses and to provide tapering of heights between higher density commercial development and lower density residential uses. The district is designed for use in the vicinity of the metrorail stations and, to be eligible for the classification, a site shall be located within an area designated "service commercial" or "general commercial" on the general land use plan and zoned for general commercial uses.

The following regulations shall apply to all "C-TH" Districts:

### **A. Uses Permitted.**

All of the uses listed below are permitted, provided, however, that if a use provides classes or instruction to children and, either twenty (20) percent or more of the total number of students enrolled in classes and/or instruction are children under eighteen (18) years of age or the total number of children under eighteen (18) years of age enrolled in classes scheduled to be held at any one time is ten (10) or more, the use may only be established subject to obtaining a use permit as provided in Section 36, "Use Permits," for each such use. (Ord No. 09-06, 7-11-09)

1. Animal hospital or veterinary clinic within a fully enclosed structure.
2. Art or antique shop.
3. Bakery.
4. Bank.
5. Barbershop or beauty parlor.
6. Blueprinting or photostating.
7. Book or stationery store.
8. Business college operated as a commercial enterprise.
9. Catering establishment.
10. Clothes cleaning or laundry establishment, including laundrette self-service type establishment.
11. Clothing or wearing apparel shop.
12. Confectionery store.
13. Department store.
14. Drugstore.
15. Dry goods or notion store.
16. Dwelling units.
17. Florist or gift shop.
18. Grocery, fruit or vegetable store.
19. Hardware, paint or appliance store.
20. Home furnishings.
21. Hotel or tourist court.
22. Indoor swimming pool.
23. Indoor theater or auditorium.
24. Jewelry store.
25. Meat market or delicatessen.
26. Medical or dental clinic or laboratory.
27. Music conservatory or music instruction.
28. Newsstand.
29. Nursery, flower or plant store, provided that all incidental equipment and supplies, including fertilizer and garden tools, are kept within a building or in designated areas outside which are adequately screened as approved by the Zoning Administrator.
30. Offices, business or professional.
31. Pet store.
32. Photography studio.
33. Printing, lithographing or publishing.
34. Public parking area of up to fifty (50) spaces or of a lot area of up to twenty thousand (20,000) square feet when located and developed as required in Section 33.
35. Public service, including electric distributing substation, fire or police station, telephone exchange, and the like.

36. Repair shop (small appliance, television, radio).
37. Restaurant, including outdoor cafes associated with such uses (excluding drive-in or fast food restaurants and dancing and entertainment, except as provided for in subsection B). Delivery of food and beverages to off-site locations is permitted when it involves less than thirty (30) percent of the amount of the sales from these restaurants.
38. Retail store or business.
39. Shoe repair.
40. Sign painting shop, if conducted wholly within a completely enclosed building.
41. Tailor or dressmaker.
42. Trade or commercial school, if not objectionable due to noise, odor, vibration or other similar causes.
43. Upholstery shop, if conducted wholly within a completely enclosed building.
44. Wholesale merchandising broker, excluding wholesale storage.
45. Other uses which, in the judgment of the Zoning Administrator, are of the same general character of those listed in this subsection and will not increase the noise, dust, smoke and traffic beyond the amount produced by other uses permitted in the district in which located.

(Ord. No. 88-19, 11-22-88; Ord. No. 92-35, 8-8-92)

### **B. Special Exceptions.**

Any of the following uses may be established subject to obtaining a use permit as provided in Section 36, "Use Permits," for each such use:

1. Bowling alley.
2. Carpet and rug cleaning establishment excluding dyeing.
3. Dance studio.
4. Fast food restaurant.
5. Health club.
6. Indoor tennis, racquet or handball court.
7. Amusement facility such as an indoor or outdoor miniature golf course, an indoor or outdoor driving range, or an amusement game arcade.
8. Mortuary or funeral home, including a cremation unit within a mortuary or funeral home.
9. Open-air markets, which shall be subject to conditions placed on the use permit by the County Board at the time of approval including but not limited to conditions governing customer and vendor parking, landscaping, maintenance, impact on neighboring residential areas, management of trash, management of noise, times and days of the week of operation, including the number of vendors that would be permitted under the use permit. In addition, any open-air market shall meet the following requirements:
  - a. No open-air market shall be located within one thousand (1,000) feet of another open-air market. However, the County Board may modify this requirement as part of the use permit review process, if it finds that the location of the open-air market in proximity to other market(s) will not have a substantial adverse impact on surrounding neighborhoods;
  - b. No open-air market shall be located within one hundred (100) feet of the boundary of any "R" zoning district. However, the County Board may modify this requirement as part of the use permit review process, if it finds that the location of the open-air market in proximity to an "R" zoning district will not have a substantial adverse impact on surrounding neighborhoods; and
  - c. An application for a use permit for an open-air market shall include a parking plan that is drawn to scale, showing the number and location of customer and vendor parking spaces. Customer and vendor parking identified as available for market use shall be sufficient to not have a substantial adverse impact on the surrounding neighborhoods. (Ord. No. 11-01, 06-11-2011)
10. Restaurant providing live entertainment or dancing limited to customers, or restaurant associated with indoor or outdoor amusement facility.

11. Schools: private, elementary, secondary, kindergarten and nursery.
12. Secondhand store, if conducted wholly within a completely enclosed building.
13. Recycling centers.
14. Self-service storage facility.
15. Public parking area of more than fifty (50) spaces or of a lot area of more than twenty thousand (20,000) square feet.
16. Uses in projects that are within the Clarendon Revitalization District and are part of a Unified Commercial/Mixed Use Development as set forth in section 31.A.17.
17. In addition, if any use permitted under subsection 26A.A. includes classes or instruction to children and, either twenty (20) percent or more of the total number of students enrolled in classes and/or instruction are children under eighteen (18) years of age or the total number of children under eighteen (18) years of age enrolled in classes scheduled to be held at any one time is ten (10) or more, the use may only be established subject to obtaining a use permit as provided in Section 36, "Use Permits," for each such use. (Ord No. 09-06, 7-11-09)

(Ord. No. 90-31, 10-6-90; Ord. No. 91-33, 9-14-91; Ord. No. 92-35, 8-8-92; Ord. No. 93-19, 10-9-93; Ord. No. 09-04, 4-25-2009)

### **C. Area Requirements.**

No minimum site area required.

### **D. Bulk Requirements.**

1. *Height Limit:* No building, except for penthouses, shall be hereafter erected to exceed fifty-five (55) feet in height, except:
  - a. For properties which abut an "R" District that also is designated "low" residential (one (1) through ten (10) units per acre) on the general land use plan, building heights shall not exceed forty-five (45) feet, including penthouses, for the first fifty (50) feet of property measured from the property line abutting the "R" District.
  - b. Penthouses shall be permitted above the fifty-five (55) foot height limit, provided that they are set back a distance equal to their height from the building edge and shall not exceed eighteen (18) feet.
2. *Density.*
  - a. There is no limitation on floor area ratio for office, commercial and multiple-family dwelling uses.
  - b. The maximum density permitted for hotel uses shall not exceed one hundred ten (110) units per acre.
  - c. Density for one-family and two-family dwellings is as specified for "R-5" Districts.

### **E. Streetscape Requirements.**

1. The periphery of any site fronting on public rights-of-way shall be landscaped by the provision of curb, gutter, sidewalk, street light, street furniture and other elements, from face of curb to face of building according to the streetscape standards set forth in the adopted sector plan for the area in which the site is located. Sites which are not located within sector plan areas shall provide streetscape improvements consistent with the master walkway policy plan:
  - a. The Zoning Administrator may approve the use of a portion of the public right-of-way to provide the area needed to fulfill the streetscape requirements, when that is consistent with all of the adopted elements of the comprehensive plan and provides uniformity with adjacent sites.
  - b. In cases where an existing building is preserved and the sidewalk section is less than the standard, the Zoning Administrator may waive the required width of paved sidewalk area for an abutting property, in conjunction with development of that property, in order to

achieve uniformity in the streetscape. The total required width of the walkway and streetscape area shall be maintained.

2. All aerial utilities on and at the periphery of the site shall be put underground with redevelopment or new construction.
3. Surface parking shall be allowed. Surface parking areas shall be screened from public plaza areas, public sidewalks, and adjacent residentially zoned properties by landscaping and a four-foot high brick wall, except that where parking areas abut an "R" District that also is designated "low" residential (one (1) through ten (10) units per acre) on the general land use plan the wall shall be a minimum height of six (6) feet. When parking is provided at or above grade within a structure, a facade treatment shall be provided for the parking area which is consistent, in terms of materials, with the building facade.
4. Trash collection and storage areas shall be provided inside the principal structure or in a designated area outside the structure which is screened by a brick wall or a masonry wall of similar material as the building and which is a minimum of six (6) feet in height.

#### **F. Physical Requirements.**

Buildings shall have exterior physical characteristics that are compatible with and generally similar to residential town houses in bulk, placement, exterior materials and other external characteristics. Building facades should be of materials commonly used for residential structures such as brick, wood, stone, stucco or other natural finish materials.

#### **G. Parking Requirements.**

1. One (1) parking space for each five hundred eighty (580) square feet of gross floor area of commercial or office space.
2. One and one-half (1 1/2) parking spaces for each dwelling unit.
3. One (1) parking space for each hotel unit.
4. Any parking area may include up to fifteen (15) percent of the parking spaces for compact car spaces.

(Ord. No. 02-12, 5-18-02)

#### **H. Landscaping.**

Ten (10) percent of the total site is required to be landscaped open space in accordance with the requirements of Section 32.A., "Landscaping."

#### **I. Additional Regulations.**

1. For supplemental regulations, see Section 31.
2. Bulk, coverage and placement requirements as regulated in Section 32, unless otherwise stated above.
3. Loading space to be provided as required in Section 33.
4. Signs as regulated in Section 34.
5. Self-service storage facilities may be permitted subject to the following requirements:
  - a. The facility must be located in a multi-story structure;
  - b. That portion of the ground floor of the building in which the facility is located and which fronts on public streets shall have retail or service commercial uses. Retail or service uses shall be a minimum of sixty (60) percent of the gross floor area on the ground floor level of any building which contains self-service storage facilities;
  - c. One (1) parking space for each eight thousand (8,000) square feet of gross floor area, or fraction thereof, which is used for self-service storage facilities and which has direct access only from within a building, and one (1) additional space for each employee of the self-service storage facility shall be provided;

- d. A minimum of two (2) covered and enclosed loading spaces for the first one hundred thousand (100,000) square feet of gross floor area of storage space, or fraction thereof, and one (1) covered and enclosed loading space for each additional fifty thousand (50,000) square feet shall be provided; and
- e. The parking spaces required by subsection 26A.I.5.c. above shall be located adjacent to the storage entrance for drop-off and pick-up of goods being stored.

(Ord. No. 85-12, 3-2-85; Ord. No. 91-33, 9-14-91)