

ARTICLE 13

“B-3” BUSINESS DISTRICT

PREAMBLE

This district has been established to provide for commercial and recreational activities which primarily are conducted within an enclosed building

SECTION 1301

PRINCIPAL PERMITTED USES

- A. Any use permitted Section 1201. The Required conditions of Section 1304 shall be applicable.
- B. Any commercial activity, such as those enumerated below as examples, which fulfills all the requirements of the other sections of this Article, and is not listed initially as a permitted use Article 4 or any Industrial District.
 - 1. Auction house.
 - 2. Automobile repair garages excluding body shops
 - 3. Automobile service stations and laundries.
 - 4. Data processing centers
 - 5. Eating places No. 2.
 - 6. Heating, air conditioning, electrical and plumbing service and repair.
 - 7. Hotels and motels.
 - 8. Indoor recreation (wholly enclosed places of recreation or amusement not heretofore appearing as Permitted Use) except for adult entertainment facilities.
 - 9. Lawn mower service and repair.

SECTION 1302

ACCESSORY USES

- A. Accessory uses, buildings or other structures customarily incidental to any of the foregoing permitted uses.
- B. Temporary buildings for uses incidental to construction work, which buildings shall be removed upon the completion or abandonment of the construction work.

SECTION 1303

CONDITIONAL USES

The following Conditional Uses subject to approval in accordance with Article 4, Section 406.

- A. Heliports or helistops.
- B. Adult entertainment facilities in accordance with Section 1304 and Article 38.

SECTION 1304

REQUIRED CONDITIONS

No zoning certificate shall be issued for a B-3 use, until the applicant shall have certified to the Zoning Inspector that:

- A. The business activity will be conducted wholly within a completely enclosed building, except for automobile service stations. (No outdoor dismantling, wrecking or storage of automotive vehicles, parts or accessories shall be permitted.)
- B. The business establishment shall not offer goods, service, food, beverage or make sales directly to customers in automobiles, except for drive-in windows for pick up or delivery and which will be provided with adequate driveway space on the premises for waiting vehicles.
- C. All business shall be of retail or service character.
- D. No manufacturing, processing, packaging, repair or treatment of goods shall be carried on, except when incidental or accessory to the performance of services or the sale of goods to the public on the premises.
- E. Exterior lighting shall be shaded wherever necessary to avoid casting direct light upon any property located in a residential district or upon any public street.
- F. All premises shall be furnished with all-weather hard surface walks of a material such as bituminous or portland cement concrete, wood, tile, terrazzo or similar material, and, except for parking areas, the grounds shall be planted and landscaped.
- G. Where the property lines separate a business district from a residential district, a visual and mechanical barrier, a minimum of six (6) feet in height, shall be provided along the common lot lines, which may consist of any of the following:
 - 1. An evergreen hedge used with a chain link fence. Such hedge shall not be less than three (3) feet in height.

- 2. A solid fence of a nondeteriorating material.
- 3. Masonry wall.
- H. No noise from any operation conducted on the premises, either continuous or intermittent, shall violate the provisions of Article 34.
- I. No emission of toxic or noxious matter, which is injurious to human health, comfort or enjoyment of life and property or to animal or plant life shall be permitted. where such emissions could be produced accident or equipment malfunction, adequate safeguards considered suitable for safe operation in the business involved shall be taken.
- J. The emission of smoke or other air pollutants shall not violate the standards and regulations of the Montgomery County Combined General Health District. dust and other types of air pollution borne by the wind shall be kept to a minimum by appropriate landscaping, paving, or other acceptable means.
- K. There will be no emission of orders or odor-causing substances which can be detected without the use of instruments at or beyond the lot lines.
- L. There will be no vibrations which can be detected without the use of instruments at or beyond the lot lines.

Failure to comply with any of the Required Conditions by property owners or users will be considered a zoning violation appropriate for prosecution under the terms of this Resolution.

SECTION 1305 DEVELOPMENT STANDARDS

In addition to the provisions of Articles 26 thru 39, the following standard for arrangement and development of land and building are required in the B-3, Business District.

1305.01 HEIGHT REGULATIONS

No structure shall exceed forty (40) feet in height.

1305.02 LOT AREA, FRONTAGE AND YARD REQUIREMENTS

The following minimum requirements shall be observed.

Lot Area None
Lot Frontage 80 ft.*
Front Yard Depth** 25 ft.

Side Yard: None, except when adjacent to a Residential or Planned Residential District. In such case the side yard shall be not less than one-fourth (1/4) of the sum of the height and depth of the structure, but in any event not less than fifteen (15) feet.

Rear Yard: A rear yard shall be required adjacent to a Residential Zoning District or a Planned Residential District. Such rear yards shall be not less than one-fourth (1/4) the sum of the height and width of the structure, but in no case shall be less than twenty (20) feet. If a use is to be serviced from the rear, a yard shall be provided not less than forty feet deep.

(40)

Yard

*Or such lesser lot area and frontage as will permit compliance with the Side and Off-Street Parking Requirements.

**The front yard depth shall be measured from the established right-of-way lines as shown on the Official Thoroughfare Plan for Montgomery County.

1305.03 MAXIMUM LOT COVERAGE

Forty (40) percent of lot area.

1305.04 MAXIMUM FLOOR AREA RATIO

0.45

