

ARTICLE 21

RC/S-1 REGIONAL COMMERCIAL/SERVICE DISTRICT

PREAMBLE

The Regional Commercial/Service zoning district designates areas for retail sales, personal service establishments, public accommodations, entertainment, and related or complementary land uses, the service area for which may encompass a regional market. Additionally, certain research, development, and light manufacturing uses are allowed where negative impacts on neighborhoods and the environment are judged to be minimal.

The area bounded by I-70 on the north, Benchwood Road on the south, I-75 on the east and N. Dixie Drive on the west have been determined by special Butler Township planning studies to have regional significance as a “community gateway corridor.” Certain architectural standards for development within the corridor can be found in Article 38.

SECTION 2101 PRINCIPAL PERMITTED USES

- A. All principal permitted uses allowed in this district shall meet standards specified in Section 2104.
- B. Retail sales, personal service establishments, public accommodations, entertainment businesses, and professional and office uses, such as those enumerated below, fulfilling all requirements of other sections of this Article.
 1. Banquet and conference centers;
 2. Convenience food stores when combined with another permitted business;
 3. Dry cleaning and laundry pick-up outlets;
 4. Garden centers;
 5. Government offices and community facilities, including libraries, police and fire stations, and post offices;
 6. Medical offices;
 7. Professional and business offices;
 8. Restaurants, sit-down, drive-in, and carry-out;
 9. Retail businesses, including home improvement and lumber sales, provided all storage areas are screened or enclosed;
 10. Similar uses, as determined by the Board of Zoning Appeals in accordance with Article 4.

SECTION 2102 CONDITIONAL PERMITTED USES

The following land uses, fulfilling all requirements of other sections of this Article, shall be conditionally permitted. Unless specifically enumerated below, uses permitted by Section 2201 B. or permitted by Articles 23, 24, or 25, shall not be conditionally permitted.

1. Automated teller machines (ATMs);
2. Automobile self-service gasoline stations, in combination with either a mini-market or fast-food restaurant;

3. Automobile washing facilities, provided such facilities are fully automated, limited to two bays, and are accessory to another principal or conditional use allowed in this zoning district;
4. Commercial and business support services, including printing, compounding, assembly, treatment or fabricating establishments which may be characterized as light industry, provided all such uses are carried out within a completely enclosed structure and comply with minimum performance standards specified by Article 38;
5. Daycare and nursery facilities subordinate to a principal or conditional permitted use;
6. Hospitals;
7. Nightclubs, including taverns and lounges, but excluding adult entertainment;
8. Personal wireless service facilities;
9. Public utility substations;
10. Research and development facilities;
11. Residential uses above and independent of first-floor conforming commercial uses, provided there is also independent parking for such dwelling units;
12. Public and private educational facilities;
13. Theaters, excluding drive-ins;
14. Warehousing and distribution, provided such is an adjunct, complementary function of compounding, assembly, treatment or fabricating activities taking place on the premises.

SECTION 2103 REQUIRED CONDITIONS

Conditional permitted uses referenced by Section 2102 above shall be considered by the Board of Zoning Appeals, and may be approved for zoning certificate issuance, upon proper application to and approval from the Board of Zoning Appeals in accordance with Article 4, Section 406.

SECTION 2104 DEVELOPMENT STANDARDS

- A. Principal permitted uses shall be issued a zoning certificate in a RC/S-1 District upon sufficient evidence, supplied by a duly authorized representative for the premises, that all retail sales, personal service establishments, and professional offices are to be contained: a) within their own building, or b) as part of a larger building, such as in a shopping center or office complex. The gross square footage of any free-standing structure housing one or more permitted uses shall equal at least two-thousand (2,000) square feet.
- B. In addition to the provisions of Chapters VIII and IX, the following development standards shall apply:
 - 2104.01** **Height** – No structure shall exceed eighty (80) feet in height.
 - 2104.02** **Lot Area** – Minimum lot area shall be twenty-thousand (20,000) square feet.

- 2104.03** **Lot Frontage** – Minimum lot frontage shall be eighty (80) feet.
- 2104.04** **Front Yard Depth** – Minimum front yard depth, as measured from right of way boundaries established as optimal by the Official Thoroughfare Plan for Montgomery County, shall be fifteen (15) feet for structures and ten (10) feet for off-street parking and drive areas.
- 2104.05** **Side Yards** – None are required if a party wall is agreed upon by adjoining property owners. Otherwise, the least side yard shall be five (5) feet, except when a RC/S-1 zoning lot abuts a residential or planned residential zoning district. If an abutting zoning district principally permits residential dwelling units, an abutting side yard shall be required to be not less than one-fourth (0.25%) the sum of the height and depth of the principal structure. In no case of abutting residential zoning shall a required side yard be less than fifteen (15) feet, nor must it exceed thirty (30) feet.
- 2104.06** **Rear Yard** – Minimum rear-yard depth shall be ten (10) feet except when a RC/S-1 zoning lot abuts residential or planned residential zoning districts, in which case the rear yard shall be required to be not less than one-fourth (0.25%) the sum of the height and depth of the principal structure. Unless a principal structure has an opening utilized for loading/unloading or related servicing through a rear wall, the minimum required rear yard abutting a zoning district principally permitting residential dwelling units shall be not less than twenty-five (25) feet, nor must it exceed thirty-five (35) feet. If loading/unloading or related servicing has been designed to be accomplished through a rear wall, the minimum required rear yard abutting a zoning district principally permitting residential dwelling units shall be not less than forty (40) feet for structures and ten (10) feet for off-street parking and drive areas.
- 2104.07** **Gasoline Dispensing Facilities** – Gasoline pumps and service islands shall be a minimum distance of fifteen (15) feet from a property line. Any building accommodating an attendant, if larger than two-hundred (200) square feet, shall meet applicable yard regulations established by Section 2104. Pump island areas may be covered by a canopy, provided the area beneath is entirely open except for canopy-supporting members. Canopy supports may not be closer to a property line or right of way than gasoline pumps, and the plane of a canopy face may be no closer to a right of way or property line than ten (10) feet.
- 2104.08** **Adopted Development Plans** – Other provisions of this Article notwithstanding, required side and rear yards shall be

those which might be applicable under terms of the most restrictive zoning district which the Zoning Administrator and/or Board of Zoning Appeals judges to correspond with the most recently adopted development (land use) plan adopted by Butler Township trustees.