

### 3. USES PERMITTED.

#### Sec. 27-461. Uses permitted.

(a) No use shall be allowed in the Commercial Zones, except as provided for in the Tables of Uses. In the tables, the following applies:

(1) The letter "P" indicates that the use is permitted in the zone indicated.

(2) The letters "SE" indicate that the use is permitted, subject to the approval of a Special Exception in accordance with the provisions of Part 4 of this Subtitle.

(3) The letters "PA" indicate that the use is permitted, subject to the following:

(A) There shall be no entrances to the use directly from outside of the building;

(B) No signs or other evidence indicating the existence of the use shall be visible from the outside building, other than a business identification sign lettered on a window. The sign shall not exceed six (6) square feet in area; and

(C) The use shall be secondary to the primary use of the building.

(4) The letters "PB" indicate that the use is permitted, subject to the following:

(A) The use shall be related to, dependent on, and secondary to a principal use on the premises;

(B) The use shall be located on the same record lot as the principal use;

(C) The use shall not be located within a building not occupied by the principal use;

and

(D) The floor area of any building (and the land area occupied by any structure other than a building) devoted to the use shall not exceed an area equal to forty-five percent (45%) of the gross floor area of the building within which the principal use is located.

(5) The letter "X" indicates that the use is prohibited.

(6) The letters "SP" indicate that the use is permitted subject to approval of a Special Permit, in accordance with Section 27-239.02.

(7) All uses not listed are prohibited.

(8) Whenever the tables refer to an allowed use, that use is either permitted (P), permitted by Special Exception (SE), permitted by Special Permit (SP), or permitted as a (PA) or (PB) use, as listed in the zone in which it is allowed.

(CB-58-1990; CB-12-2001; CB-14-2003)

(b) TABLE OF USES I.

USE	ZONE					
	C-O	C-A	C-S-C	C-W	C-M	C-R-C
<b>(1) COMMERCIAL:</b>						
<b>(A) Eating or Drinking Establishments:</b>						
(i) Eating or drinking establishment, with drive-through service (CB-49-2005; CB-19-2010)	X	X	P <sup>24</sup>	X	P <sup>24</sup>	X
(ii) Eating or drinking establishment, excluding drive-through service (CB-49-2005; CB-19-2010)	P	P	P	P	P	P
(iii) Eating or drinking establishment of any type, including music and patron dancing past the hours of 12:00 A.M., excluding adult-oriented uses (CB-49-2005; CB-19-2010)	X	X	SE	SE	SE	X
(iv) Eating or drinking establishment of any type providing adult-oriented performances (CB-49-2005; CB-19-2010)	X	X	X	X	P <sup>24, 51</sup>	X
<b>(B) Vehicle, Mobile Home, Camping Trailer, and Boat Sales and Service:</b>						
Bus maintenance accessory to:						
(i) A private school or educational institution	SE	X	SE	X	P	X
(ii) A church or other place of worship	SE	SE	SE	X	P	X
Boat fuel sales at the waterfront	X	X	P	P	P	X
Boat sales, service, and repair, including outdoor storage of boats and boat trailers:						
(i) Accessory to a marina	X	X	P	P	P	X
(ii) All others	X	X	SE	X	P	X
Boat storage yard	X	X	X	P	P	X
Car wash:						
(i) On a parcel of at least 10 acres with any structures located at least 200 feet from any land in any Residential Zone or land proposed to be used for residential purposes on an approved Basic Plan for a Comprehensive Design Zone, approved Official Plan for an R-P-C Zone, or any approved Conceptual or Detailed Site Plan	X	X	P	X	P	X

USE	ZONE					
	C-O	C-A	C-S-C	C-W	C-M	C-R-C
(ii) Self-service, coin operated, automatic car wash as an accessory use to the permitted use of a commercial parking lot, with shuttle service to Metro and located within two (2) miles of a Metro station (CB-76-1998)	X	X	P	X	X	X
(iii) All others (CB-76-1998; CB-114-2004)	X	X	SE	X	P <sup>24</sup>	X
Gas Station (in the C-M Zone, subject to Detailed Site Plan review in accordance with Section 27-358(a)(1),(2),(4),(5),(6), (7),(8),(9), and (10)) (CB-1-1989; CB-72-1999)	X	X	SE	SE	P	X
Incidental automobile service in a parking garage <sup>3</sup>	X	X	SE	X	X	X
Private Automobile and Other Motor Vehicle Auctions						
(i) Operating prior to January 1, 2011, as a use that conforms to the definition under Section 27-107.01, subject to the provisions of Section 27-464.06(c),(d) and (f)	X	X	X	X	P <sup>57</sup>	X
(ii) All Others, subject to the requirements of Section 27-464.06 (CB-59-2010)	X	X	X	X	P	X
Vehicle lubrication or tune-up facility, provided all sales and installation operations are conducted in a wholly enclosed building with no outdoor storage (CB-43-1987)	X	X	SE	X	P	X
Vehicle, mobile home, or camping trailer repair and service station (CB-50-1993)	X	X	SE <sup>19</sup>	X	P	X
Vehicle, mobile home, or camping trailer sales lot, which may include dealer servicing and outdoor storage of vehicles awaiting sale; but shall exclude the storage or sale of wrecked or inoperable vehicles, except as accessory to the dealership for vehicles which the dealership will repair <sup>37</sup> (CB-95-1987; CB-87-2000; CB-29-2002)	P <sup>42</sup>	X	SE	X	P	X
Vehicle or camping trailer rental (in the C-M Zone, subject to Section 27-417(a),(b)(2), and (c))	X	X	SE	X	P	X
Vehicle or camping trailer storage yard (CB-80-1996)	P <sup>26</sup>	X	X	X	P	X
Vehicle parts or tire store including installation facilities, provided all sales and installation operations are conducted in a wholly enclosed building with no outdoor storage:						

USE	ZONE					
	C-O	C-A	C-S-C	C-W	C-M	C-R-C
(i) On a parcel of at least 10 acres, with any structures located at least 200 feet from any land in any Residential Zone (or land proposed to be used for residential purposes on an approved Basic Plan for a Comprehensive Design Zone, approved Official Plan for an R-P-C Zone, or any approved Conceptual or Detailed Site Plan)	X	X	P	X	P	X
(ii) Accessory to a department store (CB-58-1990)	X	X	X	X	X	SE
(iii) All others (CB-21-1992)	X	X	SE	X	P	X
Vehicle parts or tire store without installation facilities	X	X	P	X	P	P
Vehicle towing station, provided it is enclosed by a sight-tight wall or fence at least 6 feet high, or an evergreen screen (CB-30-1992)	X	X	X	X	P	X
<b>(C) Offices:</b>						
Bank, savings and loan association, or other savings or lending institution:						
(i) Automatic teller machine, only	P	P	P	P	P	P
(ii) All others	P	P	P	X	P	P
Check Cashing Business (CB-23-2009)	SE <sup>55</sup>	SE <sup>55</sup>	SE <sup>55</sup>	X	SE <sup>55</sup>	SE <sup>55</sup>
Contractor's office (see paragraph (3), Miscellaneous)						
Office accessory to an allowed use	P	P	P	P	P	P
Office (except as otherwise provided):						
(i) Within an integrated shopping center, and not exceeding 10% of the gross floor area of the center	X	P	X	X	X	P
(ii) All others	P	X	P	X	P	P
Office of a certified massage therapist (CB-44-2000)	P	P	P	X	P	P
Office of a medical practitioner or medical clinic (which may include an accessory private spa)	P	P	P	X	P	P
Real estate subdivision sales office as a temporary use, in accordance with Sections 27-260 and 27-261	P	P	P	P	P	X

USE	ZONE					
	C-O	C-A	C-S-C	C-W	C-M	C-R-C
Where not otherwise specifically permitted, any use allowed in the C-R-C Zone (excluding those permitted by Special Exception) may be located within an office building, provided that the uses shall not be located above the ground floor; not more than 15% of the gross floor area of the building shall be devoted to the use; and not more than 3,000 square feet of gross floor area shall be allotted to any one shop (CB-58-1990)	PA	X	X	X	PA	PA
Where not otherwise specifically permitted, any use allowed in the C-S-C Zone (excluding those permitted by Special Exception), may be located within an office building, provided that the uses shall not be located above the ground floor; not more than 15% of the gross floor area of the building shall be devoted to the uses; and not more than 3,000 square feet of gross floor area shall be allotted to any one shop	PA	X	X	X	PA	X
Where not otherwise specifically permitted, any use allowed in the C-S-C Zone (excluding those permitted by Special Exception) may be located within an existing building no more than three (3) stories in height, including a maximum of 65,000 square feet of gross leasable area, provided such building and its associated parking are located on one or more contiguous parcels of property abutting two (2) streets shown on the Master Plan as arterial or higher classification, and located at an intersection where the three (3) other corners of said intersection are zoned C-S-C, and where the parcel or parcels of property upon which the building and its associated parking are located abut land zoned C-S-C at a minimum of two (2) locations (CB-69-1999)	P	X	X	X	X	X
Where not otherwise specifically permitted, any use allowed by Special Exception in the C-S-C Zone may be located within an existing building no more than three (3) stories in height, including a maximum of 65,000 square feet of gross leasable area, provided such building and its associated parking are located on one or more contiguous parcels of property abutting two (2) streets shown on the Master Plan as arterial or higher classification, and located at an intersection where the three (3) other corners of said intersection are zoned C-S-C, and where the parcel or parcels of property upon which the building and its associated parking are located abut land zoned C-S-C at a minimum of two (2) locations (CB-69-1999)	SE	X	X	X	X	X
<b>(D) Services:</b>						
Ambulance service, private	X	X	X	X	P	X

USE	ZONE					
	C-O	C-A	C-S-C	C-W	C-M	C-R-C
Animal hospital, animal training, kennel	X	X	SE	X	SE	X
Artist's studio	P	X	P	X	X	P
Barber or beauty shop (CB-148-1987)	P	P	P	X	P	P
Bicycle repair shop:						
(i) Non-motorized only	X	X	P	X	P	X
(ii) All others	X	X	SE	X	P	X
Blacksmith shop	X	X	X	X	P	X
Blueprinting, photostating, or other photocopying establishment	X	X	P	X	P	P
Carpet or rug shampooing establishment	X	X	X	X	P	X
Catering establishment:						
(i) Accessory to an allowed use	P	X	PA	X	P	P
(ii) As a primary use but including banquet facilities and a restaurant	P	X	P	X	P	X
(iii) For food preparation and administrative office only (no banquet facilities)	X	X	P <sup>33</sup>	X	P	X
(iv) All others (CB-94-1996, CB-34-1999)	X	X	SE	X	P	X
Data processing	P	X	P	X	P	X
Dry cleaning or laundry pickup station (CB-127-1986)	X	P	P	X	SE	X
Dry cleaning store or plant: <sup>43</sup>						
(i) Retail, gross floor area under 3,000 square feet	X	P	P	X	P	X
(ii) Retail, unrestricted	X	X	X	X	P	X
(iii) Wholesale (may include retail service) (CB-55-2002)	X	X	X	X	P	X
Electric or gas appliance, radio, or television repair shop	X	P	P	PA	P	X
Employment agency	P	X	P	X	X	X
Farm implement repair	X	X	X	X	P	X

USE	ZONE					
	C-O	C-A	C-S-C	C-W	C-M	C-R-C
Fortune telling	P	X	P	X	P	X
Funeral parlor, undertaking establishment (CB-2-1989)	SE <sup>15</sup>	X	SE	X	P	X
Household appliance or furniture repair shop	X	P	P	X	P	X
Key or locksmith shop (CB-128-1986)	X	P	P	PA	SE	P
Laboratory:						
(i) Accessory to an allowed use	PA	PA	P	X	P	X
(ii) Dental laboratory	P	X	P	X	P	X
(iii) All other laboratories (CB-4-1986)	SE	X	P	X	P	X
Laundromat:						
(i) Accessory to an allowed use	X	X	X	P	X	X
(ii) All others	X	P	P	X	P	X
Laundry store or plant: <sup>43</sup>						
(i) Retail, gross floor area under 3,000 square feet	X	P	P	X	P	X
(ii) Retail, unrestricted	X	X	X	X	P	X
(iii) Wholesale (may include retail service) (CB-55-2002)	X	X	X	X	P	X
Lawn mower repair shop:						
(i) Non-motorized, only	X	P	P	X	P	X
(ii) All others, provided all repairs are performed within a wholly enclosed building	X	X	SE	X	P	X
Limousine service:						
(i) Storage of up to 10 limousines (not to include buses and vans), may include routine vehicle repair or servicing within a wholly enclosed building, with no outdoor storage	X	P <sup>24</sup>	P <sup>24</sup>	X	P <sup>24</sup>	X
(ii) All others (CB-120-1994)	X	X	X	X	P24	X

USE	ZONE					
	C-O	C-A	C-S-C	C-W	C-M	C-R-C
Machine shop accessory to an allowed use	X	X	X	P	PB	X
Massage establishment	X	X	SE	X	SE	X
Methadone Treatment Center (CB-103-1993)	SE	SE	SE	SE	SE	SE
Model studio	X	X	X	X	SE	X
Newspaper publishing establishment	X	X	SE	X	P	X
Pet grooming shop, provided all animals are confined to the interior of the building and adequate measures are taken to control noise and odor	X	X	P	X	P	X
Photographic processing plant	X	X	X	X	P	X
Photography studio or darkroom	P	X	P	X	P	P
Pizza delivery service, limited to off-premises delivery with no eat-in or drive-in service:						
(i) With carry-out service in a building with less than 2,500 sq. ft. of gross floor area	X	X	P	X	X	X
(ii) Unrestricted in size with no carryout service (CB-83-1986; CB-102-2001)	X	X	X	X	P	X
Printing shop:						
(i) Not exceeding 2,000 square feet of gross floor area	X	X	P	X	P	X
(ii) All others	X	X	SE	X	P	X
Sauna or steam bath	X	X	P	X	P	X
Septic tank service	X	X	X	X	P	X
Sewage dump station for camping trailers or boats	X	X	X	P	P	X
Shoe repair shop	X	P	P	X	P	P
Tailor or dressmaking shop (may include incidental dyeing and pressing allowed as a "PB" use)	X	X	P	X	P	P
Taxidermy (CB-30-1986)	X	X	P	X	P	X
Travel bureau	P	X	P	X	X	P

USE	ZONE					
	C-O	C-A	C-S-C	C-W	C-M	C-R-C
Upholstery shop (CB-65-1989)	X	X	PA	X	P	X
Veterinarian's office:						
(i) Outpatient	X	X	P	X	P	X
(ii) Inpatient (CB-96-1988)	X	X	PB	X	PB	X
Watch or jewelry repair shop	X	PA	P	X	X	P
Welding shop:						
(i) Accessory to an allowed use	X	X	X	P	P	X
(ii) All others	X	X	X	X	P	X
<b>(E) Trade (Generally Retail):</b>						
Adult book store (CB-65-1989; CB-53-1996)	X	X	X	X	X	X
Arts, crafts, and hobby supply store	X	X	P	PA	P	P
Bait shop	X	X	P	PA	X	X
Bakery products, wholesale (may include retail sales)	X	X	X	X	P	X
Bicycle (sales) shop:						
(i) Nonmotorized, only	X	X	P	X	P	P
(ii) All others	X	X	SE	X	P	SE
Book (except adult bookstore) or camera store (CB-71-1993)	X	X	P	X	P <sup>20</sup>	P
Bottled gas sales:						
(i) Accessory to an allowed use	X	X	P	P	P	X
(ii) All others	X	X	P	X	P	X

USE	ZONE					
	C-O	C-A	C-S-C	C-W	C-M	C-R-C
Building supply store:						
(i) Wholly enclosed, except for nursery stock	X	X	P	X	P	X
(ii) With outdoor storage on not more than 50% of the lot, provided it is enclosed by a slightly opaque wall or fence at least 8 feet high (CB-76-1992)	X	X	X	X	P	X
Bulk retailing:						
(i) Products allowed to be sold in a C-S-C Zone (CB-65-1989; CB-25-1999)	X	X	P <sup>32</sup>	X	P	X
(ii) Products allowed to be sold in a C-M Zone	X	X	X	X	P	X
Buying of items within guest rooms and vehicles, pursuant to Section 27-115(a)(2)	X	X	X	X	X	X
Carpet or floor covering store	X	X	P	X	P	P
Clothing, dry goods, millinery, or shoe store (CB-58-1985; CB-71-1993)	X	X	P	X	P <sup>20</sup>	P
Confectioner (not exceeding 40,000 square feet of gross floor area):						
(i) Retail (CB-65-1989)	X	X	P	X	X	P
(ii) Wholesale (may include accessory retail sales)	X	X	X	X	P	X
Department or variety store, excluding pawnshops						
(i) Not exceeding 125,000 square feet of gross floor area	X	X	P	X	P <sup>20, 31</sup>	P
(ii) Exceeding 125,000 square feet of gross floor area within the developed tier or a designated Revitalization Tax Credit Area (as long as the department or variety store does not contain any food or beverage component) <sup>24, 52</sup> (CB-19-2005)	X	X	P	X	P <sup>20, 31</sup>	P
(iii) All others, <sup>40</sup> in accordance with Section 27-348.02 (CB-71-1993; CB-28-1997, CB-4-1999; CB-2-2002)	X	X	SE	X	SE	P
Drug paraphernalia display or sales, pursuant to Section 27-115(a)(1)	X	X	X	X	X	X
Drug store:						
(i) Not exceeding 3,000 square feet of gross floor area	X	P	P	X	X	P

USE	ZONE					
	C-O	C-A	C-S-C	C-W	C-M	C-R-C
(ii) Within an office building or complex, and not exceeding 25% of the gross floor area, or 2,000 square feet, whichever is less (CB-65-1989)	P	X	P	X	P	X
(iii) All others	X	X	P	X	X	P
Farm implement sales	X	X	X	X	P	X
Feed sales	X	X	X	X	P	X
Firewood sales as a temporary use in accordance with Sections 27-260 and 27-261	P	P	P	X	P	X
Farmer's market or flea market as a temporary use, in accordance with Sections 27-260 and 27-261 (CB-63-1998)	X	X	P	X	P	X
Florist shop	X	X	P	X	P	P
Food or beverage goods preparation on the premises of a food or beverage store, provided the goods are only sold on the premises and at retail	X	PB	PB	PB	PB	PB
Food or beverage goods preparation for wholesale sales:						
(i) Not exceeding 1,500 square feet of gross floor area	X	X	P	X	P	X
(ii) Containing 1,501 to 3,000 square feet of gross floor area	X	X	SE	X	P	X
(iii) All others (CB-37-1992)	X	X	X	X	SE	X
Food or beverage store:						
(i) Not exceeding 3,000 square feet of gross floor area	X	P	P	PB	SE	P
(ii) Not exceeding 125,000 square feet of gross floor area	X	P	P	X	SE	P
(iii) In combination with a department or variety store on the same or adjacent site, in accordance with Section 27-348.02	X	X	SE	X	SE	X
(iv) All others (CB-112-1986; CB-65-1989; CB-2-2002)	X	X	P	X	SE	P
Garden supplies store, floricultural or horticultural nursery, which may include the outdoor display of nursery stock, such as plants, shrubbery, and trees (CB-65-1989)	X	P	P	X	P	X

USE	ZONE					
	C-O	C-A	C-S-C	C-W	C-M	C-R-C
Gift, jewelry, music, souvenir, or other specialty store not specifically listed (CB-71-1993)	X	X	P	X	X	P
Hardware store (CB-65-1989)	X	X	P	X	P	P
Household appliance or furniture store:						
(i) Not exceeding 50,000 square feet of gross floor area	X	X	P	X	P	P
(ii) Exceeding 50,000 square feet of gross floor area (CB-32-1986; CB-77-1998)	X	X	X	X	P	P
Ice vending machine (not exceeding 8 ton capacity)	X	X	X	P	P	X
Lawn mower (sales) store	X	X	P	X	P	X
Monument and headstone sales establishment (CB-22-2004)	X	X	X	X	P <sup>49</sup>	X
Newspaper, magazine, or tobacco shop	X	P	P	PA	X	P
Nursery and garden center, which may include the outdoor display of nursery stock, such as plants, shrubbery, and trees	X	P	P	X	P	X
Outdoor display of merchandise for sale (except as otherwise specified) and excluding merchandise displayed on gasoline pump islands associated with gas stations which is allowed):						
(i) Not more than 6 feet from main building (subject to Section 27-388)	X	P	P	P	P	X
(ii) More than 6 feet from main buildings(subject to Section 27-388)	X	X	SE	SE	P	X
Paint or wall covering store	X	X	P	X	P	P
Pawnshop:						
(i) In accordance with Section 27-250.01	X	X	X	X	X	X
(ii) In accordance with Section 27-394.01 (CB-28-1997; CB-22-2010)	X	X	SE	X	SE	X
Pet (sales) shop, provided all animals are confined to the interior of the building and adequate measures are taken to control noise and odor; may include the sale of pet feed and supplies (CB-2-1991)	X	X	P	X	X	P

USE	ZONE					
	C-O	C-A	C-S-C	C-W	C-M	C-R-C
Retail shop or store (not listed) similar to one permitted (P) in the:						
(i) C-S-C Zone	X	X	P	X	X	X
(ii) C-M Zone	X	X	X	X	P	X
(iii) C-R-C Zone (CB-65-1989; CB-58-1990)	X	X	X	X	X	P
Sales from guest rooms and vehicles, in accordance with Section 27-115(a)(2)	X	X	X	X	X	X
Seafood market:						
(i) Containing less than 3,000 square feet of gross retail space	X	X	P	PB	P	X
(ii) Containing less than 7,000 square feet of gross retail space	X	X	P	X	P	X
(iii) Unrestricted in size (CB-49-1987)	X	X	P	X	SE	X
Seasonal decorations display and sales as a temporary use, in accordance with Sections 27-260 and 27-261	P	P	P	X	P	P
Septic tank sales (CB-65-1989)	X	X	X	X	P	X
Sporting goods shop, which may include marine equipment and supplies	X	X	P	P	P	P
Stationery or office supply store which may include the sale of furniture or business machines	X	X	P	X	P	P
Swimming pool or spa sales and service:						
(i) Excluding outdoor display	X	X	P	X	X	X
(ii) Including outdoor display, provided it is enclosed by a 6-foot high fence (subject to Section 27-388)	X	X	X	X	P	X
Toy store (CB-71-1993)	X	X	P	X	P <sup>20</sup>	P
Video game or tape store	X	X	P	X	P	P
Wayside stand:						
(i) As a temporary use, subject to Sections 27-260 and 27-261	P	P	P	X	P	X

USE	ZONE					
	C-O	C-A	C-S-C	C-W	C-M	C-R-C
(ii) All others (CB-122-1986)	P	P	P	X	P	X
<b>(2) Institutional/Educational:</b>						
Adult day care center	SE	SE	SE	X	P	SE
Assisted living facility, subject to the requirements of Section 27-464.04 (CB-72-1996)	X	X	X	X	P	X
Church or similar place of worship, convent, or monastery (CB-23-1988)	P	P	P	P	P	X
Day care center for children:						
(A) In accordance with Section 27-464.02 <sup>12</sup>	P	P	P	P	P	P
(B) All others (CB-23-1988)	SE	SE	SE	SE	SE	SE
Eleemosynary or philanthropic institution:						
(A) A building containing no more than 7,000 square feet of gross floor area on a lot or parcel with not more than 1.5 acres for use by an organization providing benevolent services; any change in occupant or use shall require Detailed Site Plan approval by the District Council	X	X	P	X	X	X
(B) All others (CB-8-1998)	X	X	X	X	X	X
Hospital (may include a private spa)	SE	X	SE	X	P	X
Modular classroom as a temporary use, in accordance with Sections 27-260 and 27-261 (CB-106-1989)	P	X	X	X	X	X
Nursing or care home (may include a private spa)	SE	X	SE	X	P	SE
School, Private:						
(A) Driving school, automobile only	P	X	P	X	P	X
(B) For artistic instruction (including a studio)	P	X	P	X	P	X
(C) Of business or trade, where the business or trade is permitted (P) in the respective zone	P	X	P	PA	P	P

USE	ZONE					
	C-O	C-A	C-S-C	C-W	C-M	C-R-C
(D) Of business or trade, where the business or trade is permitted by Special Exception (SE) in the respective zone	SE	X	SE	SE	SE	X
(E) Tutoring establishment	P	X	P	X	P	P
(F) Private college or university	P <sup>28</sup>	SE	P <sup>28</sup>	SE	P <sup>28</sup>	SE
(G) Private schools, subject to Section 27-463	P	P	P	P	P	P
(H) All others (CB-40-1988; CB-50-1988; CB-113-1994; CB-93-1996; CB-94-2000)	SE	SE	SE	SE	SE	SE
<b>(3) Miscellaneous:</b>						
Accessory structures and uses, except as otherwise provided	P	P	P	P	P	P
Adaptive reuse of a surplus public school, when not otherwise allowed	SE	SE	SE	SE	SE	SE
Adaptive use of a Historic Site, when not otherwise allowed (CB-58-1987)	SE	SE	SE	SE	SE	X
Auction house	X	X	SE	X	P	SE
Buildings and uses, serving public health purposes, on land owned by Prince George's County, Maryland, upon which hospitals or health centers are located, except if otherwise allowed as a Permitted (P) use <sup>13</sup> (CB-55-1988)	P	P	P	P	P	P
Carpentry, cabinet making, or other woodworking shop:						
(A) Accessory to an allowed use	X	X	X	P	P	X
(B) All others	X	X	X	X	P	X
Cemetery or crematory:						
(A) Cemetery, accessory to a church, convent, or monastery <sup>18</sup>	P	P	P	P	P	P
(B) All others (CB-11-1991)	X	X	X	X	SE	X
Collection of recyclable materials as a temporary use, in accordance with Sections 27-260 and 27-261	P	P	P	P	P	X
Commercial recreational development (CB-35-2000; CB-60-2009)	X	X	X	X	X	X

USE	ZONE					
	C-O	C-A	C-S-C	C-W	C-M	C-R-C
Consolidated Storage (CB-147-1986; CB-65-1989; CB-45-1999; CB-29-2000)	X	X	P <sup>34</sup>	X	X <sup>36</sup>	X
Contractor's office (general) as a permanent use, including the businesses of siding, flooring, roofing, plumbing, air conditioning, heating, painting, carpentry, electrical work, landscaping and the like, with buildings, and uses accessory to the business (as well as the office) use:						
(A) With no outdoor storage of materials or equipment	P	P	P	X	P	X
(B) With outdoor storage of materials, located only in a side or rear yard; enclosed by a slightly, opaque wall or fence at least 6 feet high; with no storing of material higher than the fence; but excluding the use or outdoor storage of earthmoving or other heavy equipment, or outdoor storage of machinery	X	SE <sup>25</sup>	X	X	P	X
(C) Including the fabrication (only within a wholly enclosed building) of plumbing, air conditioning, heating, carpentry and lighting (and the like) parts for installation off the site (CB-110-1994; CB-46-1995)	X	X	X	X	P	X
Contractor's office (must include sanitary facilities), Construction yard or shed, or storage building (in Connection with a construction project) as a Temporary use:						
(A) In accordance with Sections 27-260 and 27-261	P	P	P	P	P	P
(B) All others	SE	SE	SE	X	SE	X
Hardware fabrication and manufacturing of products from material produced elsewhere <sup>26</sup> (CB-39-1996)	X	X	X	X	P	X
Mobile home, with use for which amusement taxes collected <sup>2</sup>	P	P	P	X	P	X
Recycling collection center as a temporary use, in accordance with Sections 27-260 and 27-261	P	P	P	P	P	X
Recycling collection center, paper only (limited to collection, storage, and shipping):						
(A) On a lot contiguous to a railroad siding and not abutting land in any Residential Zone (or land proposed to be used for residential purposes on an approved Basic Plan for a Comprehensive Design Zone, approved Official Plan for an R-P-C Zone, or any approved Conceptual or Detailed Site Plan), subject to Section 27-391(a)(2) and (3)	X	X	X	X	P	X

USE	ZONE					
	C-O	C-A	C-S-C	C-W	C-M	C-R-C
(B) All others	X	X	X	X	SE	X
Rental business:						
(A) Rental of motor vehicles or camping trailers(in the C-M Zone subject to the requirements of Section 27-417)	X	X	SE	X	P	SE
(B) Rental of boats	X	X	SE	P	P	X
(C) Rental of any other merchandise allowed to be sold in the respective zone	X	X	P	PA	P	X
Sanitary landfill, rubble fill, or Class 3 fill <sup>45</sup> (CB-8-2003; CB-87-2003)	SE	SE	SE	X	SE	X
Sign, in accordance with Part 12:						
(A) Outdoor advertising (billboard)	X	X	X	X	X	X
(B) All others (CB-65-1989; CB-24-1991)	P	P	P	P	P	P
Sign shop	X	X	P <sup>54</sup>	PA	P	X
Stationery or office supply corporate headquarters including office, showroom, and distribution (no retail sales) also including office furniture as an accessory use, within an office building complex of at least twenty acres (CB-116-1986)	SE	X	X	X	X	X
Storage, wholly enclosed, accessory to an allowed use	P	P	P	P	P	P
Temporary shelter for commercial display, sale, or service use permitted (P) in the respective zones, as a temporary use, in accordance with Sections 27-260 and 27-261	X	X	P	P	P	P
Trash removal services (CB-17-2002)	X	X	X	X	P <sup>39</sup>	X
Wholesaling, distribution, and related storage:						
(A) Incidental to any use allowed and in an office building, but limited to a floor area ratio of 0.1	X	X	X	X	PA and PB	X
(B) Of materials (products) not used or produced on the premises (CB-61-1995; CB-5-2004)	X	X	P <sup>48</sup>	X	P <sup>14</sup>	X

USE	ZONE					
	C-O	C-A	C-S-C	C-W	C-M	C-R-C
Wholesaling of products incidental to the retail sales of the products on the premises	X	X	PA	PA	PA	PA
<b>(4) Public/Quasi Public:</b>						
Ambulance service, private	X	X	X	X	P	X
Community building, except as otherwise provided	SE	P	P	P	P	P
Library, private	P	P	P	P	P	P
Post Office	P	P	P	P	P	P
Public building and use, except as otherwise prohibited	P	P	P	P	P	P
Sanitary landfill or rubble fill <sup>17</sup> (CB-15-1990)	SE	SE	SE	X	SE	X
Voluntary fire, ambulance, or station <sup>1</sup> (CB-70-2008)	P	P	P	P	P	X
<b>(5) Recreational/Entertainment/Social/Cultural:</b>						
Adult Entertainment (CB-46-2010)	X	X	X	X	X	X
Amusement arcade:						
(A) Not exceeding 2,500 square feet of gross floor area, with adult supervision on the premises during all hours of operation; provided the use is located either within a wholly enclosed shopping mall, or within the main group of stores of an integrated shopping center having a minimum gross floor area of 150,000 square feet	X	X	P	X	SE	SE
(B) All others	X	X	SE	SE	SE	X
Amusement Center (CB-35-1994)	X	X	P	X	P	X
Amusement park:						
(A) Within a wholly enclosed shopping mall	X	X	SE	X	SE	X
(B) All others	X	X	X	X	SE	X
Archery or baseball batting range	X	X	SE	X	P	X
Arena or stadium (which may include a private spa)	X	X	X	X	SE	X

USE	ZONE					
	C-O	C-A	C-S-C	C-W	C-M	C-R-C
Athletic field:						
(A) With no seating or nonpermanent bleacher-type seating for not more than 100 spectators	P	P	P	X	P	X
(B) With permanent bleacher-type seating for more than 100 spectators	SE	SE	SE	X	P	X
Auditorium	X	X	P <sup>56</sup>	X	P <sup>56</sup>	X
Beach	X	X	P	P	P	X
Billiard or pool parlor	X	X	SE	X	P	X
Boat ramp	X	X	P	P	P	X
Bowling alley:						
(A) On a parcel of at least 10 acres, provided all structures are located at least 200 feet from any Residential Zone (or land proposed to be used for residential purposes on an approved Basic Plan for a Comprehensive Design Zone, approved Official Plan for an R-P-C Zone, or any approved Conceptual or Detailed Site Plan)	X	X	P	X	P	X
(B) All others	X	X	SE	X	P	X
Carnival, circus, fair or similar use, not exceeding seventeen (17) days duration and located at least 250 feet from any dwelling, as a temporary use in accordance with Sections 27-260 and 27-261	P	P	P	X	P	X
Catering Establishment (CB-46-2010)	X	X	P	X	P	X
Club or lodge (private) except as otherwise provided	SE	X	P	SE	P	X
Employees' recreational facilities (private, nonprofit) accessory to an allowed use	P	P	P	X	P	X
Fishing pier	X	X	P	P	P	X
Go-cart track	X	X	X	X	SE	X
Golf course or country club:						
(A) Accessory to a commercial use	P	X	P	P	P	X
(B) All others	SE	X	SE	P	P	X
Golf driving range	SE	X	SE	P	P	X

USE	ZONE					
	C-O	C-A	C-S-C	C-W	C-M	C-R-C
Marina (CB-72-1987)	X	X	SE	SE	SE	X
Miniature golf course	SE	X	P	P	P	X
Museum, aquarium, art gallery, cultural center, or similar facility	P	X	P	P	P	P
Park or playground	P	P	P	P	P	P
Performance arts center, in accordance with Section 27-464.05 (CB-12-2001)	SP	X	SP	X	SP	X
Race track	X	X	X	X	SE	X
Recreational campground (in the C-M Zone subject to paragraphs (1) thru (7) of Section 27-400(a))	X	X	X	SE	P	X
Recreational or entertainment establishment of a commercial nature, if not otherwise specified:						
(A) Abutting residential property or land residentially zoned	X	X	SE	SE	SE	X
(B) All others (CB-72-1998)	X	X	SE	SE	P	X
Reducing/exercise salon or health club	X	X	P	X	P	X
Riding stable	X	X	X	X	P	X
Rifle, pistol, or skeet shooting range:						
(A) Indoor	X	X	SE	X	P	X
(B) Outdoor	X	X	X	X	SE	X
Skating rink	X	X	SE	X	P	X
Spa (community)	P	P	P	P	P	X
Spa (private), accessory to an allowed dwelling unit	P	P	P	P	P	X
Spa (public):						
(A) Accessory to a hotel or motel	X	X	P	SE <sup>7</sup>	P	X
(B) Accessory to a reducing/exercise salon or health club	X	X	P	X	P	X
(C) Accessory to a commercial swimming pool	X	X	P	P	P	X
(D) Accessory to a recreational campground	X	X	X	SE <sup>8</sup>	P	X

USE	ZONE					
	C-O	C-A	C-S-C	C-W	C-M	C-R-C
(E) Accessory to a summer camp	X	X	X	P	P	X
(F) Unrestricted	X	X	SE	X	SE	X
Summer camp	X	X	X	P	P	X
Swimming pool:						
(A) Accessory to a hotel or motel (CB-9-2004)	P	X	P	SE <sup>7</sup>	P	X
(B) Accessory to a recreational campground	X	X	X	SE <sup>8</sup>	P	X
(C) Community	P	P	P	P	P	X
(D) Indoor	X	X	P	P	P	X
(E) Private, accessory to an allowed one-family detached dwelling	P	P	P	P	P	X
(F) All others	X	X	X	P	P	X
Tennis, basketball, handball, or similar court:						
(A) Indoor (within a permanent wholly enclosed building)	P	X	P	X	P	X
(B) Outdoor	P	P	P	P	P	X
(C) With a temporary removable cover (bubble)	SE	SE	P	P	P	X
Theatre:						
(A) Indoor	SE	X	P	X	P	P
(B) Outdoor (including drive-in)	X	X	X	X	P	X
Zoo, not publicly owned	X	X	X	X	SE	X
<b>(6) Residential/Lodging:</b>						
Apartment housing for the elderly or physically handicapped	X	X	SE	X	X	X
Artists' residential studios, in accordance with Section 27-464.05 (CB-12-2001)	SP	X	SP	X	SP	X
Country Inn	X	X	P	SE	P	X
Dwelling, Multifamily (CB-75-2003; CB-28-2004)	P <sup>46</sup>	X	P <sup>50</sup>	X	X	X

USE	ZONE					
	C-O	C-A	C-S-C	C-W	C-M	C-R-C
Dwelling, provided that it was legally erected prior to the date upon which the property was classified in a Commercial Zone, or was legally erected in a Commercial Zone under prior regulations	P	P	P	P	P	X
Dwelling unit within a building containing commercial uses:						
(A) Not exceeding 3 units per building, to be located above the ground floor, except where otherwise allowed	P	P	P	P	P	X
(B) Not exceeding 3 units per building, with 1 unit at ground level for a resident manager, caretaker, or night watchman (and family)	X	X	X	P	P	X
(C) In a building containing 4 or more stories, provided the units are located above the third story (CB-97-2005)	SE	X	SE <sup>53</sup>	X	SE	X
Hotel or motel:						
(A) Hotel or motel in general	P <sup>22</sup>	X	P	SE	P	P
(B) Including any use allowed in the C-S-C Zone (but not generally allowed in the C-M Zone, excluding those permitted by Special Exception), when located within a hotel, provided the uses shall not be located above the ground floor; not more than fifteen (15) percent of the gross floor area of the building shall be devoted to the uses; and not more than 3,000 square feet shall be allotted to any one use (CB-105-1985; CB-58-1990)	X	X	X	X	PA	X
Multifamily retirement community (CB-85-2003)	P <sup>47</sup>	X	X	X	X	X
Planned retirement community (CB-22-2002)	P <sup>41</sup>	X	X	X	X	X
Tourist cabin camp	X	X	X	SE	SE	X
Tourist Home	X	X	P	X	P	X

USE	ZONE					
	C-O	C-A	C-S-C	C-W	C-M	C-R-C
Transitional Shelter for the Homeless:						
(A) Operated in conjunction with an adjacent eleemosynary institution; and containing 8 or fewer residential units	P	X	X	X	X	X
(B) All others (CB-62-1991)	X	X	X	X	X	X
<b>(7) Resource Production/Recovery:</b>						
Agricultural use						
(A) Other than animal or poultry raising	P	P	P	P	P	P
(B) Animal or poultry raising (other than customary household pets)						
(i) on lots 20,000 square feet or more	P	P	P	P	P	P
(ii) on lots under 20,000 square feet	SE	SE	SE	SE	SE	SE
(iii) on lots under 20,000 square feet adjoining occupied residentially-zoned property <sup>38</sup> (CB-71-2001)	X	X	X	X	X	X
Sand and gravel wet-processing	SE	SE	SE	X	SE	X
Surface mining	SE	SE	SE	X	SE	X
<b>(8) Transportation/Parking/Communications/Utilities:</b>						
Airport, airpark, airfield, airstrip, heliport, helistop	SE	X	SE	X	SE	X
Antennas and related equipment buildings and enclosures, other than satellite dish antennas, in accordance with Section 27-464.03 (CB-65-2000)	P	P <sup>30</sup>	P	P	P	P
Broadcasting studio (without tower)	P	X	P	X	P	X
Bus station or terminal	X	X	SE	X	P	X
Monopoles and related equipment buildings and enclosures, in accordance with Section 27-464.03 (CB-65-2000)	P	P <sup>30</sup>	P	P	P	P
Parking garage, commercial	P	X	P	X	P	P
Parking garage or lot or loading area, used in accordance with Part 11	P	P	P	P	P	P

USE	ZONE					
	C-O	C-A	C-S-C	C-W	C-M	C-R-C
Parking lot, commercial:						
(A) With shuttle service to Metro and within two (2) miles of a Metro station	SE	SE	P	X	P	P
(B) All others (CB-14-2003)	SE <sup>44</sup>	X	SE	X	P	X
Parking of mobile home, except as otherwise specified	X	X	X	X	X	X
Parking of a mobile home in a public right-of-way <sup>4</sup>	X	X	X	X	X	X
Parking of vehicles accessory to an allowed use	P	P	P	P	P	P
Public utility uses or structures:						
(A) Underground pipelines, electric power facilities or equipment, or telephone facilities or equipment; and railroad tracks or passenger stations, but not railroad yards	P	P	P	P	P	P
(B) Other public utility uses or structures (including major transmission and distribution lines and structures, but excluding towers and poles not otherwise permitted, railroad yards, roundhouses, car barns, and freight stations) (CB-25-1987; CB-61-1988; CB-8-1990; CB-123-1994; CB-102-1997; CB-65-2000)	SE	SE	P	SE	P	P
Satellite dish antenna, in accordance with Section 27-451.01:						
(A) Up to 10 feet in diameter, to serve only 1 dwelling unit	P	P	P	P	P	P
(B) More than 10 feet in diameter to serve only 1 dwelling	SE	SE	SE	SE	SE	SE
(C) All others (CB-19-1985)	P	P	P	P	P	P
Storage of any motor vehicle which is wrecked, dismantled or not currently licensed, except where specifically allowed <sup>6</sup> (CB-4-1987)	X	X	X	X	X	X
Taxicab dispatching station:						
(A) Without cab storage, repair, or servicing	P	X	P	X	P	X
(B) With cab storage	X	X	SE	X	P	X
(C) With cab repair or servicing within a wholly enclosed building (CB-50-1987)	X	X	X	X	P	X

USE	ZONE					
	C-O	C-A	C-S-C	C-W	C-M	C-R-C
Taxicab stand	P	P	P	P	P	P
Telegraph or messenger service	P	X	P	X	P	P
Towers or poles (electronic, public utility when not otherwise permitted, radio, or television, transmitting or receiving):						
(A) Nonprofit, noncommercial purposes, with no height restrictions	P	P	P	P	P	P
(B) Freestanding for commercial purposes, not exceeding 100 feet above ground level	P	X	P	P	P	P
(C) Attached to a roof for commercial purposes, not exceeding 40 feet above the height of the building	P <sup>23</sup>	X	P <sup>23</sup>	P <sup>23</sup>	P <sup>23</sup>	P <sup>23</sup>
(D) All others (CB-8-1990; CB-41-1994; CB-123-1994; CB-65-2000)	SE	X	SE	SE	SE	SE

- 1** Provided the site is either:
  - (A) In the proximity of an area designated as a fire or rescue station on an approved Functional Master Plan of Fire and Rescue Stations;
  - (B) In a location which the Fire Chief has indicated (in writing) is appropriate; or
  - (C) Occupied by a station that was in use immediately prior to July 1, 1982.

The following activities are considered to be ancillary uses permitted within the hall/assembly area of a voluntary fire, ambulance, or rescue station: bingo (with an approved license from the Department of Environmental Resources), weddings, dinners, community events, organization functions, and private events (with no advance or at the door ticket sales).

All events must comply with County or State regulations, and events requiring a specific license must obtain such license to be considered a permitted ancillary use. All events must be organized by the voluntary fire, ambulance, or rescue corporation or company and/or a community group from within the immediate vicinity of the station. For weddings, receptions, and dinners, the event may be organized by an individual in conjunction with the voluntary fire, ambulance, or rescue corporation or company and/or a community group within the immediate vicinity of the station. A permitted ancillary use does not include the leasing of the station facility for use by a promoter. Private events may not have advance or at the door ticket sales. All events must end by 10:00 p.m., Sunday through Thursday (except that bingo events must end by 11:00 p.m.), and by midnight on Friday and Saturday, with all patrons off the site within thirty (30) minutes after closing. (CB-70-2008)

- 2** Provided:
  - (A) The mobile home is located on a lot having a net area of at least five (5) acres;
  - (B) The use of the mobile home is in connection with another use on the property for which the County levies or collects an amusement tax;
  - (C) The occupants of the mobile home are employed by or reasonably connected with the other use; and
  - (D) The mobile home shall not be located on the property for more than one hundred twenty (120) cumulative days per calendar year, except mobile homes used in connection with pari-mutuel racetracks when the use shall not exceed two hundred eighteen (218) cumulative days per calendar year.
- 3** Provided:
  - (A) The service shall be limited to supplying gasoline, oil, water, tire pressure, and washing;
  - (B) Only automobiles parking in the parking garage may be served;
  - (C) No signs visible from outside the structure shall indicate the presence of the service facilities; and
  - (D) The garage shall be wholly enclosed.
- 4** Except in an emergency. In this case, the parking shall be subject to the traffic and parking regulations applicable to the right-of-way.
- 5** Reserved.
- 6** This shall not apply to:
  - (A) Storage accessory (and related) to an allowed use; or
  - (B) One (1) such vehicle stored in a wholly enclosed garage.
- 7** Approval as an accessory use with approval of the Special Exception for the hotel or motel. (CB-28-1985)
- 8** Approval as an accessory use with approval of the Special Exception for the recreational campground. (CB-28-1985)

- 9** Provided:
- (A) The minimum seating capacity is one hundred fifty (150);
  - (B) More than fifty percent (50%) of its revenue is derived from the sale of food;
  - (C) The operation is limited to the sale of food and beverages for consumption on the premises;
  - (D) Customer service is at table side. No counter service and no cafeteria-style service is provided; and
  - (E) The restaurant is not open to the public before 11:00 A.M.
- (CB-104-1985)
- 10** The requirement for at least 6 businesses and a 50,000 square feet minimum gross floor area does not apply to a fast-food restaurant which is legally existing or which is subsequently constructed pursuant to a building permit filed prior to May 6, 1986.
- (CB-29-1986)
- 11** This does not provide for accessory antennas or overhead distribution lines.
- (CB-25-1987)
- 12** In a publicly-owned recreational facility, a school, a church, or a public building, a day care center shall only be permitted as an accessory use. A church must provide its tax-exempt identification number when applying for a Detailed Site Plan or a building or use and occupancy permit for an accessory day care center for children.
- (CB-23-1988; CB-98-1988; CB-44-1989)
- 13** Provided the health center is located on a minimum of twenty-five (25) acres.
- (CB-55-1988)
- 14** Provided it is an adaptive reuse of existing space, such space having been previously utilized for bulk retailing, and only where the property on which the use is located abuts land in the I-3 Zone.
- (CB-61-1988; CB-81-1993; CB-123-1994; CB-61-1995)
- 15** May include an accessory crematory.
- (CB-2-1989)
- 16** Delivery service is permitted provided an additional parking space, over and above the required number of parking spaces, is provided for each vehicle used for delivery. No more than six (6) vehicles shall be permitted for the delivery service.
- (CB-126-1989)
- 17** A sanitary landfill or rubble fill may include a rock crusher only if it is approved as part of the Special Exception.
- (CB-15-1990)
- 18** Provided both uses were existing as of January 1, 1991.
- (CB-11-1991)

- 19** For:
- (A) The relocation of such uses, provided the last site on which the use was located was in the I-1 Zone, not more than three (3) miles from the subject property, is currently used by a public entity for a mass transit facility, and was acquired prior to June 1, 1993; or
  - (B) A property of 15,000 to 20,000 square feet, formerly the site of a full-service gas station, abutting on at least one side property in the C-S-C Zone, limited to repair of vehicles with a maximum gross vehicle weight of 17,000 pounds.  
(CB-50-1993; CB-68-1999; CB-90-2000)
- 20** Provided the use is on a parcel or contiguous parcels of land in the C-M Zone, the gross tract area of which is a minimum of fifty (50) acres, which is contiguous to an existing street right-of-way at least one hundred twenty (120) feet wide, and of which no more than thirty-five percent (35%) is occupied by the uses subject to this requirement. The entire tract of land in the C-M Zone shall require Detailed Site Plan approval in accordance with Part 3, Division 9 of this Subtitle. Each use subject to these requirements shall consist of at least twenty-five thousand (25,000) square feet of gross floor area, and uses consisting of less than fifty thousand (50,000) square feet of gross floor area are permitted only if there is one existing retail use consisting of more than one hundred thousand (100,000) square feet of gross floor area for every two (2) retail uses consisting of less than fifty thousand (50,000) square feet of gross floor area. Clothing, dry goods, millinery, and shoe stores shall be permitted by Special Exception in all other cases. For the purposes of this footnote, the word "contiguous" shall include parcels that are separated only by a right-of-way. However, a department or variety store consisting of no more than fifteen thousand (15,000) square feet of gross floor area shall be permitted upon a parcel or contiguous parcels of land in the C-M Zone, the gross tract area of which is no more than three (3) acres, and which is contiguous to an existing street right-of-way at least one hundred twenty (120) feet wide, subject to Detailed Site Plan approval in accordance with Part 3, Division 9, of this Subtitle.  
(CB-71-1993; CB-70-1998)
- 21** If the use has a valid use and occupancy permit as of September 30, 1993, and a sight-tight fence or wall at least six (6) feet in height is erected along the perimeter of all abutting residential property as of December 31, 1993, the use shall be permitted by right. Change in ownership of the use shall not affect the conforming use status.  
(CB-89-1993)
- 22** Subject to Detailed Site Plan approval, in accordance with Part 3, Division 9, of this Subtitle, if the use is abutting land in a residential zone, or land proposed to be used for residential purposes on an approved Basic Plan, approved Official Plan, or any approved Conceptual or Detailed Site Plan.  
(CB-90-1993)
- 23** Provided the building to which it is attached is at least fifty (50) feet in height. Otherwise, a Special Exception is required.  
(CB-41-1994)
- 24** Subject to Detailed Site Plan approval in accordance with Part 3, Division 9, of this Subtitle. Any fast-food restaurant operating pursuant to an approved Special Exception as of the effective date of CB-49-2005 shall remain valid, be considered a legal use, and shall not be deemed a nonconforming use. Such fast-food restaurants and their underlying special exceptions may be modified pursuant to the existing provisions relating to revisions or amendments to special exceptions generally and fast-food restaurants specifically as they exist in the Zoning Ordinance.  
(CB-120-1994; CB-19-2010; CB-46-2010)
- 25** Provided the property abuts property in a commercial zone, a residential zone in common ownership with the subject property, or a transportation facility right-of-way.  
(CB-46-1995)
- 26** Provided the property on which the use is located is under single ownership which includes the I-1 and C-M zones, where the uses on the C-M zoned portion are an expansion of the currently existing uses on the I-1 zoned portion of the property.  
(CB-39-1996)

- 27** Provided the property on which the use is located is abutting an existing vehicle storage yard with a valid use and occupancy permit.  
(CB-80-1996)
- 28** If not conducted in an existing office building, a Detailed Site Plan shall be approved in accordance with Part 3, Division 9, of this Subtitle.  
(CB-93-1996)
- 29** **Reserved.**
- 30** Except when located on a tract of land which is less than 1.5 acres in size and surrounded on all sides by land in any residential zone in order to ensure safety on contiguous parcels and to minimize negative aesthetic impact on neighboring areas. A maximum of one (1) monopole and antennas for four (4) carriers are permitted. For any use for which the original permit was applied for prior to November 25, 1997, and legally issued, telecommunications-related equipment may be moved inside an existing structure without obtaining a special exception for the alteration of a nonconforming use.  
(CB-102-1997; CB-38-1998; CB-29-2003)
- 31** Provided:
- (A) The store shall be no less than 10,000 square feet nor more than 15,000 square feet;
  - (B) The use involves the demolition and redevelopment of a commercial use that has been vacant for a minimum of five years; and
  - (C) The site contains a minimum of three (3) acres and is adjacent to, or across from, an enclosed mall of at least 500,000 square feet.
- (CB-4-1999)
- 32** If located outside a Revitalization Tax Credit Area in a commercial center with less than thirty (30) acres, a bulk retailing store may not have gross floor area greater than 50,000 square feet. But if the store was in use and had necessary permits issued on or before September 1, 1998, then the restriction in this note does not apply and the store is not subject to nonconforming use requirements in Part 3, Division 6, unless the store discontinues bulk retailing operations for 180 or more consecutive calendar days. In this note, a commercial center is one or more contiguous, commercially-zoned lots separated from other commercially-zoned lots by public streets or rights-of-way.  
(CB-25-1999)
- 33** Provided the use does not exceed 5,000 square feet.  
(CB-34-1999)
- 34** Limited to the adaptive re-use of vacant or partially vacant property in former or existing shopping centers which are limited in their ability to modify or expand. The C-S-C parcels in the shopping center shall:
- (A) Lie adjacent to federal government property;
  - (B) Include not less than 10 or more than 15 acres;
  - (C) Be confined by road networks which limit access changes to the parcels; and
  - (D) Lie contiguous to and below the grade of a multilane limited-access highway.
- All such consolidated storage units shall meet the requirements of Sections 27-375(a)(5), (6) and (7), and 27-281 through 27-290.  
(CB-45-1999)
- 35** Reserved.

- 36** Special Exception applications filed prior to January 1, 2000, may continue through the review and hearing procedures in Part 4. Uses which are approved may continue in effect, may be revised or amended under procedures in Part 4, and shall not be considered nonconforming. The maximum height of structures not approved by January 1, 2000, shall be thirty-six (36) feet.  
(CB-29-2000)
- 37** Except for new vehicle sales lots, the use shall be located on a tract of land containing a minimum of 25,000 square feet. All such uses on property less than 25,000 square feet in existence on September 1, 2000, may not be certified as nonconforming uses and must cease operations on or before August 31, 2003.  
(CB-87-2000)
- 38** All such uses in existence on September 1, 2001, may not be certified as nonconforming uses and must cease operations, with removal of all animal or poultry facilities, by February 1, 2002.  
(CB-71-2001)
- 39** (A) The subject C-M Zone property shall have at least seventy-five (75) feet of frontage on a street shown on the Master Plan as a collector or higher classification, be at least twenty-five thousand (25,000) square feet in area, and be the subject of a use and occupancy permit for commercial vehicle storage issued prior to January 1, 1990.  
(B) In addition, the use may be placed on a C-M Zone property contiguous to property meeting the requirements in paragraph (A), but only if both properties are in the same ownership and the paragraph (A) property has a valid use and occupancy permit for trash removal services.  
(CB-17-2002)
- 40** Permits for a store approved before January 15, 2002, without a special exception may continue in effect and be revised or amended, and such a store shall not be considered a nonconforming use. No permits for new food or beverage operations in such a store may be approved without a Special Exception.  
(CB-2-2002)
- 41** Provided:
- (A) The property in the C-O Zone is within a Special Taxing District and adjoins or lies across a public right-of-way from land in the R-H Zone with an existing planned retirement community.
- (B) The Planning Board approves a Detailed Site Plan, in accordance with Part 3, Division 9, and makes the following findings:
- (1) The site plan meets all Special Exception requirements in Section 27-395; and
- (2) The proposed project will serve, in a high quality, well-designed retirement community, the needs of a retirement-aged population while not adversely affecting the character of the surrounding neighborhood.  
(CB-22-2002)
- 42** Provided the use is an expansion of an existing vehicle sales lot onto surplus land owned by a State agency, but is not in use as a street or right-of-way. The subsequent conveyance of the State land shall not result in the use becoming nonconforming.  
(CB-29-2002)
- 43** All such uses with permits validly issued or applied for as of July 1, 2002, including those on properties rezoned from C-S-C to M-U-I, are deemed permitted uses, are not nonconforming, and may be altered, enlarged, or extended.  
(CB-55-2002)

- 44** Permitted use without requirement for a Special Exception provided:
- (A) The property is located within one thousand (1,000) feet of an existing mass transit rail station operated by the Washington Metropolitan Area Transit Authority (WMATA) and within the boundaries of a TDOZ approved prior to 1990;
  - (B) Permits may not be issued for the commercial parking lot until the Planning Board approves a Detailed Site Plan in accordance with Part 3, Division 9, of this Subtitle;
  - (C) The Planning Board shall find that the site plan meets the requirements of any applicable TDOZ Development Plan; and
  - (D) All commercial parking lot operations on the property shall cease by September 1, 2008.
- (CB-14-2003)
- 45** A Class 3 fill in existence as of October 7, 2003 that is operating pursuant to any validly issued grading permit, and is not in violation, shall be permitted to continue in operation as a matter of right, but is limited to the fill area established by any previously issued grading permit, not to exceed two renewals of the permit. Those fill operations that are in violation on October 7, 2003 have until December 31, 2003 to comply, or their permit is void.
- (CB-8-2003; CB-87-2003)
- 46** Multifamily condominium or rental units are permitted provided:
- (A) The use is located on one or more lots of less than twelve (12) acres in size;
  - (B) The property is located within a Center or a Corridor designated by the General Plan;
  - (C) The adjoining properties are developed with institutional, commercial office, and residential uses;
  - (D) Development of the site is subject to the regulations of the R-18 Zone for this use; and
  - (E) A Detailed Site Plan shall be approved in accordance with Part 3, Division 9, of this Subtitle. The site plan shall include architectural review in order to ensure compatibility with the existing neighborhood.
- (CB-75-2003; CB-69-2004)
- 47** Provided:
- (A) The community is located on a minimum of five (5) acres and a maximum of eleven (11) acres;
  - (B) The property is located within a Center or a Corridor designated by the General Plan;
  - (C) The property upon which the community is located shall be located adjacent to property, also zoned C-O, which includes medical offices, an assisted living facility, adult day care center, and/or other facility designed for senior citizens, but in no event shall the use be deemed nonconforming if the adjacent C-O property is no longer occupied by one of the aforementioned uses;
  - (D) Each multifamily building shall consist of at least three (3) stories, and shall be served by an elevator;
  - (E) The community shall include a clubhouse consisting of at least five thousand (5,000) square feet;
  - (F) At least one (1) resident of each household shall be at least fifty-five (55) years old and no permanent resident of the retirement community shall be under eighteen (18) years old;
  - (G) A Detailed Site Plan shall be approved in accordance with Part 3, Division 9 of this Subtitle;
  - (H) Covenants setting forth the minimum age of the residents shall be submitted with the Detailed Site Plan application. The covenants shall run to the benefit of the Maryland-National Capital Park and Planning Commission; and
  - (I) Development of the community is subject to the regulations of the R-18C Zone for multifamily dwellings.
- (CB-85-2003)

- 48** Provided:
- (A) The use is an adaptive reuse of a furniture warehouse store, which has or had a valid use and occupancy permit prior to January 1, 2004, and is in an existing shopping center that is located on a parcel(s) containing not less than five (5) or more than eleven (11) acres;
  - (B) The use is located in a building of at least sixty-five thousand (65,000) square feet and was constructed after 1980 with a minimum of 16-foot ceilings; and
  - (C) A Detailed Site Plan must be approved in accordance with Part 3, Division 9, of this Subtitle. The site plan should address, but not be limited to, ingress and egress, truck traffic and parking on the site, and screening for any on-site truck storage.
- (CB-5-2004)
- 49** Provided the use is located on a lot or parcel with not more than one-half (1/2) acre and is located within one-half (1/2) mile of an existing cemetery.
- (CB-22-2004)
- 50** Multifamily condominium units are permitted provided:
- (A) The multifamily dwellings shall be located on a parcel(s) containing at least six (6) acres;
  - (B) The property is contiguous to an existing mass transit rail station operated by Washington Metropolitan Area Transit Authority (WMATA);
  - (C) The bedroom percentages for multifamily dwellings as set forth in Section 27-419 shall not be applicable;
  - (D) A Detailed Site Plan shall be approved in accordance with Part 3, Division 9, of this Subtitle;
  - (E) Regulations concerning the height of structure, lot size and coverage, frontage, setbacks, density, and other requirements of the C-S-C Zone shall not apply. All such requirements shall be established and shown on the Detailed Site Plan;
  - (F) Density regulations shall be in accordance with the R-10 Zone for multifamily dwellings;
  - (G) The Detailed Site Plan shall include architectural review in order to ensure high quality design and construction materials; and
  - (H) Covenants setting forth that appropriate condominium fees are necessary to provide adequate maintenance of required landscaping to ensure the aesthetics of the property shall be submitted with the Detailed Site Plan application. The covenants shall run to the benefit of the local citizens' association.
- (CB-28-2004)
- 51** Subject to the following conditions:
- (A) The hours of operation shall be limited to 7:00 P.M. to 11:00 P.M.
  - (B) The establishment shall be located at least one thousand (1,000) feet from any school, or any other building or use providing adult-oriented performances and at least three hundred (300) feet from any residential zone or from land used for residential purposes in any zone.
  - (C) Any establishment providing adult-oriented performances lawfully established, operating and has a validly issued use and occupancy permit prior to the effective date of these conditions must conform to the permitted use and location requirements on or before November 30, 2007.
- (CB-49-2005; CB-19-2010)
- 52** This provision shall not apply to property which is located within the Developed Tier for which any portion of same:
- (A) Has an approved Preliminary Plan of subdivision for property which is split-zoned I-3 and R-R, and is located on and inside the Capital Beltway at an existing interchange with said Beltway, or
  - (B) Is the subject of any future Preliminary Plan of subdivision or Detailed Site Plan for an integrated shopping center developed pursuant to CB-65-2003; or
  - (C) Is the subject of a building permit issued for said use prior to September 1, 2005. All such uses on property meeting the above criteria shall be deemed permitted uses and shall not be considered nonconforming.
- (CB-19-2005)

- 53** Condominium residential dwellings may be permitted in the C-S-C Zone within the Developed Tier on property that is the location of an existing hotel, if located along the Capital Beltway and within one (1) mile of a WMATA station, subject to an approved Detailed Site Plan as provided in Part 3, Division 9. The use is permitted only if:
- (A) The units are part of a mixed-use development of commercial and retail/commercial;
  - (B) The minimum percentage of any single use is ten percent (10%) for either residential, commercial, or retail of the gross square footage of floor area; and
  - (C) The density, bulk, height, and other regulations are as required for townhouses in the R-T Zone and for multi-family units in the R-18 Zone.
- (CB-97-2005)
- 54** Provided:
- (A) The use does not exceed 3,000 square feet of gross floor area;
  - (B) Outdoor storage and outdoor fabrication of signs are prohibited;
  - (C) The occupant of the premises shall be allowed to park no more than two (2) commercial vehicles each of which does not exceed a manufacturer's gross vehicle weight of 8,500 pounds; and
  - (D) The use employs digital, graphic design, or other technological equipment to produce the signage.
- (CB-14-2008)
- 55** Businesses with a valid state license for check cashing issued prior to September 1, 2009 may continue as a matter of right and shall not be deemed nonconforming. Any change in tenancy or ownership of the check cashing business requires approval of a special exception for this use prior to issuance of the Use & Occupancy permit.
- (CB-23-2009)
- 56** Businesses with a valid use and occupancy permit issued prior to May 1, 2010, may continue as a matter of right and shall not be deemed nonconforming if the use does not include any form of adult entertainment.
- (CB-46-2010)
- 57** Any private automobile and other vehicle auction operating in the C-M Zone prior to January 1, 2011, shall not be certified as a nonconforming use and shall meet the requirements of Section 27-464.06 (c), (d) and (f). If the use is not brought into conformance within the prescribed two-year time period, the property owner shall cease all auction operations on the property.
- (CB-59-2010)

(c) TABLE OF USES II.

USE	ZONE				
	C-1	C-2	C-C	C-G	C-H
<b>All uses allowed in the C-M Zone:</b>					
(A) As a permitted (P) use	X	X	X	X	P
(B) As a use permitted by Special Exception (SE)	X	X	X	X	SE
(C) As a use permitted as a "PA" use	X	X	X	X	PA
(D) As a use permitted as a "PB" use	X	X	X	X	PB
<b>All uses allowed in the C-S-C Zone (except as otherwise provided in this table):</b>					
(A) As a permitted (P) use	P	P	P	P	X
(B) As a use permitted by Special Exception (SE)	SE	SE	SE	SE	X
(C) As a use permitted as a "PA" use	PA	PA	PA	PA	X
(D) As a use permitted as a "PB" use	PB	PB	PB	PB	X
New vehicle sales (may include outdoor display) and, as an integral part of, on the same premises as, and under the control of the dealership, the sale of used vehicles, or vehicle repair and service, as accessory uses	X	P	X	X	X
Rental (may include outdoor display) of vehicles and cargo trailers as the only use on the premises	X	P	X	X	X
Warehouse (wholly enclosed), provided development of the warehouse was approved by Special Exception, or was a condition of C-2 Zoning granted by the District Council, prior to November 1, 1978. (The development shall be permitted only in accordance with any conditions of the approved Special Exception or conditional Zoning Map Amendment. Upon completion of the warehouse development, and upon the issuance of use and occupancy permit for it, the warehouse development shall be deemed a nonconforming use, subject to all applicable regulations) (CB-28-1984; CB-39-1984; CB-94-1984; CB-108-1984; CB-33-1985)	X	P	X	X	X

