



## ARLINGTON COUNTY, VIRGINIA

**County Board Agenda Item  
Meeting of June 13, 2009**

**DATE:** May 29, 2009

**SUBJECT:** Request to Advertise public hearings on proposed Zoning Ordinance amendments to Section 20. "CP-FBC" Columbia Pike Form Based Code Districts, Section 20. (Appendix A) "CP-FBC" Columbia Pike-Form Based Code Districts, Section 26. "C-2" Service Commercial - Community Business Districts, Section 26A. "C-TH" Commercial Town House Districts, and Section 27A. "C-R" Commercial Redevelopment Districts, to require Use Permits for businesses providing classes and/or instruction to children where twenty percent or more of the total enrollment is children under eighteen years of age or the total number of children under eighteen years of age enrolled in classes scheduled at the same time is ten or more.

**C.M. RECOMMENDATION:**

Adopt the attached resolution to authorize advertisement of public hearings by the Planning Commission on June 29, 2009, and the County Board on July 11, 2009, on the attached ordinance to amend, reenact, and recodify Sections 20 (and its Appendix A), 26, 26A and 27A of the Arlington County Zoning Ordinance to require Use Permits for businesses providing classes or instruction to children where twenty percent or more of the total enrollment is children under eighteen years of age or the total number of children under eighteen years of age enrolled in classes scheduled at one time is ten or more.

**ISSUES:** This is a request for authorization by the County Board to advertise amendments to the Zoning Ordinance Sections 20 (and its Appendix A), 26, 26A and 27A that would require Use Permits for businesses providing classes or instruction to children. No issues have been identified.

**SUMMARY:** This is a request to advertise proposed amendments to require Use Permits, within "C-2" (and by reference, in "C-3", CM", "M-1", "M-2" and "MU-VS"), "CP-FBC", "C-TH" and "C-R" Zoning Districts, for uses currently permitted by-right, that provide classes and/or instruction to children under 18 years of age. The proposed amendment would require Use Permits for businesses providing classes or instruction to children where twenty percent or more of the total enrollment is children under eighteen years of age or the total number of children under eighteen years of age enrolled in classes scheduled at the same time is ten or more.

County Manager: \_\_\_\_\_

County Attorney: \_\_\_\_\_

Staff: Deborah Albert, DCPHD, Planning Division

PLA-5286

**BACKGROUND:** Uses that provide instruction in specialized activities, such as, but not limited to, dance studios, health clubs and music conservatories, are permitted by-right in several commercial and industrial zoning districts (“CP-FBC”, “C-TH”, “C-R”, “C-2” and by reference, “MU-VS”, “C-3”, “CM”, “M-1”, and “M-2”). However, until November 14, 2008, administrative practice had been to require Use Permits for those uses when the students of the service were children. On November 14, 2008, the Zoning Administrator determined that activities that include children, under existing definitions, do not require a Use Permit in every case. At its November 15, 2008, meeting, the County Board requested that staff study whether the Zoning Ordinance should therefore be amended to require Use Permits for businesses providing instruction to children.

**DISCUSSION:** Staff has studied the issue presented above and recommends that the County Board consider amending the Zoning Ordinance to require Use Permits for uses that provide classes and instruction to children. Staff concludes that when children under the age of eighteen are the primary users of the service, there are additional land use impacts that may make Use Permit approval appropriate. Short term parking needs and frequent pick up and drop off of students to classes result in impacts to the subject property and to the surrounding neighborhood. These impacts could be mitigated through site-specific conditions associated with a Use Permit.

The proposed amendment would require a Use Permit for businesses in “C-2” (and by reference, in “MU-VS”, “C-3”, “CM”, “M-1” and “M-2”), “CP-FBC”, “C-TH” and “C-R” Zoning Districts, as well as in properties developed under the Form Based Code, that provide classes and/or instruction to children. The amendment would provide parameters to define the circumstances under which a Use Permit would be required, and would codify all by-right uses in the above mentioned districts as Special Exception uses when they involve children as students or users of the service, as follows:

- Uses that provide classes and/or instruction and at least 20% of the total enrollment is students under the age of 18.
- Uses that provide classes and/or instruction and the number of simultaneous students enrolled (at any one time) is at least ten children under the age of 18.

The thresholds above were developed to recognize that limits to the number of students who need to be accompanied to class by an adult can also mitigate land use impacts. Twenty percent is typically used to define an accessory use, and staff concludes that if the total number of children is less than 20% of the total enrollment, most of the students would be adults and land use impacts would be minimized and would not require mitigating conditions. Similarly, if the use is limited to fewer than ten children at a time, land use impacts would be limited regardless of the percentage. Use Permit conditions that have been used to mitigate land use impacts for such uses in the past have required that children be escorted from the parking lot to the building; required that staff or volunteers of the business are available during defined hours to monitor traffic; or placed limits on class size, total enrollment and/or hours of operation; among other measures, where appropriate. Health and safety requirements are addressed by other County Codes, and Use Permit conditions for such uses also typically require that the business meet

requirements of the Child Care Ordinance, the Community Code Enforcement Office, the Environmental Health Bureau and the Fire Marshall's office.

Staff researched Use Permits issued for uses that involve classes and instruction. There are a total of seven Use Permits issued for uses where children are students, including four dance studios, two martial arts studios and a yoga studio. The proposed amendment would codify past administrative practice and therefore would not impact any of the existing Use Permits (none of the existing Use Permits have been discontinued as a result of the November 14, 2008, Zoning Administrator determination). New uses where children are students, established without a Use Permit since November 14, 2008, would be able to continue legally as nonconforming uses. The proposed amendment would not address classes and instruction in schools, as elementary and high schools, schools of higher instruction, and nursery schools are all defined uses in the Arlington County Zoning Ordinance, and are specifically listed as Special Exception uses where they are permitted. Businesses providing classes to adults would become subject to a Use Permit only if they were to make a change to enrollment practices, such that they offer classes to children and meet the proposed criteria. This would also be consistent with past administrative practice (prior to November 14, 2008).

**Community Process:** The proposed amendment was discussed at the Zoning Committee of the Planning Commission (ZOCO) meeting on May 12, 2009. Staff had initially proposed the Use Permit requirement in "C-2" Zoning Districts, for businesses meeting both of two thresholds: twenty percent of total enrollment is children under the age of 18 *and* simultaneous enrollment is ten students at any one time. ZOCO noted that the proposed amendment would allow a business providing classes to groups of nine children at a time to operate without a Use Permit, however, would require a Use Permit for a business providing classes to a group of eight adults and two children. ZOCO therefore suggested that staff consider requiring the Use Permit if either of the above thresholds were met, rather than both. Staff concurs with this suggestion, as it addresses the intent of staff's proposal, which is to address the land use impacts of pick up and drop off of students. The proposed amendment has been modified to more clearly meet this intent. ZOCO also asked staff to discuss regulation of similar uses in other zoning districts, which led to some further research by staff. The proposed amendment now includes all zoning districts where the list of by-right uses includes those likely to include classes for children, discussed in more detail in the discussion section of this report. Additional information requested by ZOCO is also discussed in this report, including clarification of the issues intended to be addressed by the proposed amendment; and a list of safety issues addressed in the County Code that would not be duplicated in the Zoning Ordinance.

**CONCLUSION:** Staff recommends that the County Board adopt the attached resolution to advertise public hearings by the Planning Commission on June 29, 2009, and the County Board on July 11, 2009, on Zoning Ordinance provisions in Sections 20, 20 (Appendix), 26, 26A and 27A of the Arlington County Zoning Ordinance, to require Use Permits for businesses providing classes or instruction to children.

**RESOLUTION TO AUTHORIZE THE ADVERTISEMENT OF PUBLIC HEARINGS TO CONSIDER THE PROPOSED AMENDMENTS TO SECTIONS 20, 20 (APPENDIX A) 26, 26A AND 27A OF THE ARLINGTON COUNTY ZONING ORDINANCE AT THE JUNE 29, 2009, PLANNING COMMISSION AND THE JULY 11, 2009, COUNTY BOARD MEETINGS TO REQUIRE USE PERMITS FOR BUSINESSES PROVIDING CLASSES AND/OR INSTRUCTION TO CHILDREN IN ORDER TO REDUCE OR PREVENT CONGESTION IN THE STREETS, TO FACILITATE THE CREATION OF A CONVENIENT, ATTRACTIVE AND HARMONIOUS COMMUNITY; AND FOR OTHER REASONS REQUIRED BY THE PUBLIC NECESSITY, CONVENIENCE AND GENERAL WELFARE AND GOOD ZONING PRACTICE.**

The County Board of Arlington County hereby resolves to authorize advertisement of the following amendment to Sections 20, 20 (Appendix A), 26, 26A and 27A of the Arlington County Zoning Ordinance for public hearings at the June 29, 2009, Planning Commission and the July 11, 2009, County Board meetings. This amendment would amend, reenact and recodify the proposed zoning ordinance provisions in order to reduce or prevent congestion in the streets, to facilitate the creation of a convenient, attractive and harmonious community; and for other reasons required by the public necessity, convenience and general welfare and good zoning practice:

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**SECTION 20. "CP-FBC" – COLUMBIA PIKE FORM BASED CODE DISTRICTS**

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**A. Uses Permitted.**

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The following uses are permitted within the "CP-FBC" District, provided that : redevelopment of the subject property or properties involves an increase in total developed space of at least 50%; and the proposed redevelopment conforms to the Form Based Code as adopted by the County Board of Arlington County (See Subsection 20.D.). Properties within the Columbia Pike Special Revitalization District, which have not been redeveloped using the Form Based Code, shall be governed by all use limitations in the underlying zoning classification.

Provided, however, that if a use listed below provides classes or instruction to children and 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.

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**B. Special Exceptions.**

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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, and provided that the property has been redeveloped pursuant to the Form Based Code. In addition, if any use permitted under subsection 20.A. includes classes or instruction to children and, 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.

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**SECTION 26. "C-2" SERVICE COMMERCIAL--COMMUNITY BUSINESS DISTRICTS**

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**A. Uses Permitted.**

All of the uses listed below are permitted, provided, however, that if a use provides classes or instruction to children and 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.

1. All uses as permitted and regulated in "C-1" Districts.
2. Amusement enterprises, including a billiard or pool hall, boxing arena, games of skill, penny arcade, shooting gallery and the like, if conducted wholly within a completely enclosed building.
3. Animal hospital or veterinary clinic within a fully enclosed structure.
4. Blueprinting or photostating.
5. Business college operated as a commercial enterprise.
6. Catering establishment.
7. Cleaning or laundry establishment.
8. Dance studio
9. Department store, without restriction on minimum site area as imposed in "C-1" Districts.
10. Health club
11. Hotel or tourist court.
12. Indoor swimming pool.
13. Indoor theater or auditorium.
14. Mailing service, including bulk mailing.
15. Medical or dental laboratory.
16. Motor vehicle dealership, sales or rental lot, provided that the use is located on a site which is more than twenty thousand (20,000) square feet in area, and where

- 68 the use complies with the standards identified in subsection C.4., shall be  
69 permitted as a matter of right. In addition, motor vehicle dealership, sales or rental  
70 lot that is located on a site ten thousand (10,000) square feet or smaller shall not  
71 be permitted.
- 72 17. Music conservatory or music instruction.
  - 73 18. Nursery, flower or plant store, provided that all incidental equipment and  
74 supplies, including fertilizer, empty cans and garden tools are kept within a  
75 building or in designated areas outside as approved by the Zoning Administrator,  
76 provided that the location does not impede pedestrian or vehicular movement on  
77 the property.
  - 78 19. Office, without restriction on location within structures.
  - 79 20. Palmistry.
  - 80 21. Pawnshop.
  - 81 22. Plumbing or sheet metal shops, if conducted wholly within a completely enclosed  
82 building.
  - 83 23. Printing, lithographing or publishing.
  - 84 24. Public parking area of up to fifty (50) spaces or of a lot area of up to twenty  
85 thousand (20,000) square feet, when located and developed as required in Section  
86 33.
  - 87 25. Public service, including electric distributing substation, fire or police station,  
88 telephone exchange, and the like.
  - 89 26. Retail stores or business in addition to those permitted in "C-1-R" and "C-1"  
90 Districts.
  - 91 27. Sign painting shop, if conducted wholly within a completely enclosed building.
  - 92 28. Trade or commercial school, if not objectionable due to noise, odor, vibration or  
93 other similar causes.
  - 94 29. Upholstery shop, if conducted wholly within a completely enclosed building.
  - 95 30. Wedding chapel.
  - 96 31. Other uses which, in the judgment of the Zoning Administrator, are of the same  
97 general character as those listed in this subsection and will not be detrimental to  
98 the district in which located.
- 99 (1-5-80; Ord. No. 83-3, 1-8-83; Ord. No. 86-30, 6-1-87; Ord. No. 92-35, 8-8-92; Ord. No. 00-18,  
100 7-31-00)

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

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

- 104 1. Audio-visual production studio.
- 105 2. Automobile service station, provided that any incidental vehicle repairs such as  
106 tube and tire repairing, battery charging and storage or merchandise and supplies  
107 shall be conducted wholly within a building, and that any lubrication or washing  
108 not conducted wholly within a building shall be permitted only if a masonry wall,  
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- 111 seven (7) feet in height, is erected and maintained between such uses and any  
 112 adjoining "R" District.
- 113 3. Automotive painting, upholstering, rebuilding, reconditioning, body and fender  
 114 work, truck repairing or overhauling and the like, so long as such activities are  
 115 conducted entirely within an enclosed structure.
  - 116 4. Bowling alley.
  - 117 5. Car wash.
  - 118 6. Carpet and rug cleaning establishments, excluding dyeing.
  - 119 7. Food delivery service.
  - 120 8. Any use otherwise permitted in this district with a drive-through window.
  - 121 9. Indoor and outdoor skating rink.
  - 122 10. Massage parlor and the like.
  - 123 11. Miniature golf course.
  - 124 12. Mortuary or funeral home, including a cremation unit within a mortuary or  
 125 funeral home.
  - 126 13. Reserved.
  - 127 14. Nightclubs and restaurants providing live entertainments, including dance halls.
  - 128 15. Outdoor swimming pool.
  - 129 16. Public garage.
  - 130 17. Tire shop.
  - 131 18. By site plan approval under Section 36.H., use regulations for areas designated as  
 132 "Special Revitalization Districts" on the General Land Use Plan may be modified  
 133 under the following conditions, and an additional F.A.R. of .5 may be allowed  
 134 under the following conditions applicable to such increases in density:  
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  - 138 19. Public parking area of more than fifty (50) spaces or of a lot area of more than  
 139 twenty thousand (20,000) square feet.
  - 140 20. Motor vehicle dealership, sales or rental lots located on-sites of twenty thousand  
 141 (20,000) square feet or less but more than ten thousand (10,000) square feet in  
 142 area shall be permitted by use permit, provided that the use complies with the  
 143 standards identified in subsection C.4.
  - 144 21. Residential Uses in projects that are not within the Columbia Pike Special  
 145 Revitalization District, the Lee Highway-Cherrydale Special Revitalization  
 146 District or the Clarendon Revitalization District but are part of a Unified  
 147 Commercial/Mixed Use Development as set forth in section 31.A.17.
  - 148 22. In addition, if any use permitted under subsection 26.A. includes classes or  
 149 instruction to children and, twenty (20) percent or more of the total number of  
 150 students enrolled in classes and/or instruction are children under eighteen (18)  
 151 years of age or the total number of children under eighteen (18) years of age  
 152 enrolled in classes scheduled to be held at any one time is ten (10) or more, the  
 153 use may only be established subject to obtaining a use permit as provided in  
 154 Section 36, "Use Permits," for each such use.

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

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

- 199 supplies, including fertilizer and garden tools, are kept within a building or in  
 200 designated areas outside which are adequately screened as approved by the  
 201 Zoning Administrator.
- 202 30. Offices, business or professional.
  - 203 31. Pet store.
  - 204 32. Photography studio.
  - 205 33. Printing, lithographing or publishing.
  - 206 34. Public parking area of up to fifty (50) spaces or of a lot area of up to twenty  
 207 thousand (20,000) square feet when located and developed as required in Section  
 208 33.
  - 209 35. Public service, including electric distributing substation, fire or police station,  
 210 telephone exchange, and the like.
  - 211 36. Repair shop (small appliance, television, radio).
  - 212 37. Restaurant, including outdoor cafes associated with such uses (excluding drive-in  
 213 or fast food restaurants and dancing and entertainment, except as provided for in  
 214 subsection B). Delivery of food and beverages to off-site locations is permitted  
 215 when it involves less than thirty (30) percent of the amount of the sales from these  
 216 restaurants.
  - 217 38. Retail store or business.
  - 218 39. Shoe repair.
  - 219 40. Sign painting shop, if conducted wholly within a completely enclosed building.
  - 220 41. Tailor or dressmaker.
  - 221 42. Trade or commercial school, if not objectionable due to noise, odor, vibration or  
 222 other similar causes.
  - 223 43. Upholstery shop, if conducted wholly within a completely enclosed building.
  - 224 44. Wholesale merchandising broker, excluding wholesale storage.
  - 225 45. Other uses which, in the judgment of the Zoning Administrator, are of the same  
 226 general character of those listed in this subsection and will not increase the noise,  
 227 dust, smoke and traffic beyond the amount produced by other uses permitted in  
 228 the district in which located.

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

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 231 **B. Special Exceptions.**

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

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- 236 1. Bowling alley.
- 237 2. Carpet and rug cleaning establishment excluding dyeing.
- 238 3. Dance studio.
- 239 4. Fast food restaurant.
- 240 5. Health club.
- 241 6. Indoor tennis, racquet or handball court.
- 242 7. Amusement facility such as an indoor or outdoor miniature golf course, an indoor

- 243 or outdoor driving range, or an amusement game arcade.
- 244 8. Mortuary or funeral home, including a cremation unit within a mortuary or
- 245 funeral home.
- 246 9. Restaurant providing live entertainment or dancing limited to customers, or
- 247 restaurant associated with indoor or outdoor amusement facility.
- 248 10. Schools: private, elementary, secondary, kindergarten and nursery.
- 249 11. Secondhand store, if conducted wholly within a completely enclosed building.
- 250 12. Recycling centers.
- 251 13. Self-service storage facility.
- 252 14. Public parking area of more than fifty (50) spaces or of a lot area of more than
- 253 twenty thousand (20,000) square feet.
- 254 15. Uses in projects that are within the Clarendon Revitalization District and are part
- 255 of a Unified Commercial/Mixed Use Development as set forth in section 31.A.17.
- 256 16. In addition, if any use permitted under subsection 26A.A. includes classes or
- 257 instruction to children and, twenty (20) percent or more of the total number of
- 258 students enrolled in classes and/or instruction are children under eighteen (18)
- 259 years of age or the total number of children under eighteen (18) years of age
- 260 enrolled in classes scheduled to be held at any one time is ten (10) or more, the
- 261 use may only be established subject to obtaining a use permit as provided in
- 262 Section 36, "Use Permits," for each such use.

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264 **SECTION 27A. "C-R" COMMERCIAL REDEVELOPMENT DISTRICTS**

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266 **A. Uses Permitted.**

267 All of the uses listed below are permitted, provided, however, that if a use provides

271 classes or instruction to children and twenty (20) percent or more of the total number of students

272 enrolled in classes and/or instruction are children under eighteen (18) years of age or the total

273 number of children under eighteen (18) years of age enrolled in classes scheduled to be held at

274 any one time is ten (10) or more, the use may only be established subject to obtaining a use

275 permit as provided in Section 36, "Use Permits," for each such use.

- 276 1. All uses permitted in the "C-1" District.
- 277 2. Art or antique shop.
- 278 3. Bird store, pet shop or taxidermist.
- 279 4. Department, furniture or household appliance store.
- 280 5. Film exchange.
- 281 6. Hotels and tourist courts.
- 282 7. Indoor swimming pools.
- 283 8. Indoor theaters.
- 284 9. Interior decorating store.
- 285 10. Medical or dental clinics and laboratories.
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- 287 11. Music conservatory or music instruction.
- 288 12. Newsstand.
- 289 13. Multifamily dwelling units.

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291 **B. Special Exceptions.**

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293 The following uses may be established subject to obtaining a use permit under the  
294 procedures established in Section 36.

- 295 1. Schools: private, elementary and high, kindergartens and day nurseries.
- 296 2. Billiard or pool halls.
- 297 3. Indoor/outdoor tennis, racquet and handball courts.
- 298 4. Dancing studio.
- 299 5. Health clubs.
- 300 6. Nightclubs and restaurants providing live entertainment including dance halls.
- 301 7. Outdoor commercial enterprises including games of skill and science.
- 302 8. Outdoor fair, carnival, circus, trade show.
- 303 9. Animal hospitals within fully enclosed structures.
- 304 10. Unscreened telecommunications equipment.
- 305 11. By site plan approval: Mixed use office, retail and residential development at the  
306 densities set forth in subsection I. below.
- 307 12. In addition, if any use permitted under subsection 27A.A. includes classes or  
308 instruction to children and, twenty (20) percent or more of the total number of  
309 students enrolled in classes and/or instruction are children under eighteen (18)  
310 years of age or the total number of children under eighteen (18) years of age  
311 enrolled in classes scheduled to be held at any one time is ten (10) or more, the  
312 use may only be established subject to obtaining a use permit as provided in  
313 Section 36, "Use Permits," for each such use.

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318 **The Columbia Pike Special Revitalization District Form Based Code**  
319 **Section 20 (Appendix A) of the Zoning Ordinance "CP-FBC" Columbia Pike Form Based**  
320 **Code Districts**

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322 **Section III. The Regulating Plans**

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326 **B. Rules for the Regulating Plan and New Development Plans**

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330 **5. RETAIL**

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Primary Retail	
Art or antique shop, including art work, art supplies and framing materials	Meat or fish market
Bakery	Newsstand
Pet shop	Nursery, flower, or plant store
Book, stationery, or card store	Restaurant
Clothing shop	Optical store (operating as a commercial enterprise with incidental eye exam)
Coffee shop	Secondhand or consignment shop
Delicatessen	Shoe store
Department, furniture, home furnishings, or household appliance store	Specialty food store (fish market, breads, pastries, wine, etc.)
Drugstore	Sporting goods store
Dry goods or notion store	
DVD/Video tape or record store	<b>*The following uses are permitted</b>
Day spa	<b>with Special Exception Use Permit</b>
Electronics store	<u>If any of the aforementioned uses provide classes or instruction to children and 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.</u>
Florist or gift shop	
Grocery, fruit, or vegetable store	
Hardware, paint, or appliance store	
Hobby or handcraft store	
Ice cream or confectionery store	
Indoor theatres	
Variety store	Amusements
Interior decorating store (with incidental interior service)	Bowling alley
Jewelry store	Nightclubs and restaurants with live entertainment or dancing
Leather goods/luggage	Restaurant with drive-through window
	Self-storage facilities
Secondary Retail	
Animal hospital or veterinary clinic within a fully enclosed structure	Private postal service
Automobile rental (retail functions only—no auto servicing) or automobile accessories and supplies (excluding installation)	Shoe or small appliance repair shop

Bank or other financial institution (including check cashing)	Sign painting shop
Barbershop or beauty salon	Tailor or dressmaker
Blueprinting, photostatting, or photo copy service	Tax service
Business college operated as a commercial enterprise	Trade or commercial school
Catering establishment	
Clothes cleaning or laundry establishment	<b>*The following uses are permitted</b>
Dance studio	<b>with Special Exception Use Permit</b>
Employment agencies	<u>If any of the aforementioned uses provide classes or instruction to children and 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.</u>
Film processing or film exchange	
Health club	
Insurance sales	
Locksmith	Audio-visual production studio
Medical or dental offices, clinics or laboratories	Automobile service station
Music conservatory or music instruction	Carpet and rug cleaning (excluding dying)
Office (such as real estate broker, travel agency, medical, etc.)	Food delivery service
Palmistry	Miniature golf course
Pawnshop	Mortuary or funeral home
Photo studio	Tire shop
Printing, lithographing, or publishing	Upholstery shop