

City of Rockville, MD Special Exception Standards for Filling Stations

(Sec. 25.15.02. Additional requirements for certain special exceptions)

c.

Automobile filling station, class I; automobile filling station, class II; restaurant with drive-through and mechanical carwash.

1.

Scope. The provisions of this subsection apply to automobile filling stations, class I; automobile filling stations, class II; restaurants with a drive-through; and mechanical carwashes.

2.

Additional findings required for automobile filling stations, class I; automobile filling stations, class II; restaurants with a drive-through; and mechanical carwashes. The Board must make the following additional findings:

(a)

That the use at the location proposed will not result in a multiplicity and saturation of similar uses in the same general neighborhood of the proposed use; and

(b)

That all the additional development and use requirements contained in subsections 25.15.02.c.3.(a)(i)—(v) of this section will be satisfied.

3.

Additional development standards.

(a)

All uses enumerated in this subsection 25.15.02.c. must be located in such a manner that the proposed use:

(i)

Will not preempt frontage on a major highway in a manner that substantially reduces the visibility and accessibility of an interior commercial area zoned or proposed for commercial use which is oriented to the same highway;

(ii)

Will not impair the movement of through traffic along an adjoining thoroughfare through congestion and reduction of street capacities or cause the standing or backup of vehicles in the public right-of-way while awaiting service on the property in question;

(iii) Will not cause frequent turning movements across sidewalks and pedestrian ways, thereby disrupting pedestrian circulation within a concentration of retail activity;

(iv) Will not result in a fragmentation of the development pattern, thereby creating unnecessary additional points of vehicular conflict with an adjoining highway and adversely affecting the orderly development of the surrounding neighborhood; and

(v) Will not preempt the use of any parking spaces or on-site driveways or cause vehicles waiting for service to back up into adjacent service drives or public roads by vehicles.

(b)

All restaurants with drive-through service are required to occupy a record lot that:

(i)

Is at least four hundred (400) feet away from any school site or parcel of land zoned or planned for single dwelling unit residential development or medium density residential use (this setback does not apply to residential or educational properties recommended for a nonresidential or noneducational use in the plan);

(ii)

Has a minimum of two hundred (200) feet of lot frontage on a business district road or major highway at the front lot line, and must preempt the utilization of such two hundred (200) feet of frontage by any other use; and

(iii)

Has a minimum lot size of forty thousand (40,000) square feet, and must preempt the utilization of such lot area by any other use.

4.

Additional parking, loading, and access requirements.

(a)

When a use enumerated in this subsection, 25.15.02.c.1., above occupies a corner lot, the ingress and egress driveways must be located at least seventy-five (75) feet from the point of intersection of the street line and the corner arc.

(b)

Open storage of motor vehicles or trailers, except those temporarily awaiting service during the business hours of the establishment, is prohibited.

(c)

Vehicular access to any residential street is prohibited.

5.

Additional screening and landscaping requirements. Lighting facilities must be arranged or screened so that they neither disturb the occupants of nearby residential properties nor interfere with the movement of traffic.

6.

Special development and use requirements for automobile filling station, class I and class II.

(a)

When located in the MXC zone, automobile filling stations, class I must:

(i)

Be an integral part of a neighborhood shopping center;

(ii)

Be contained in a structure limited in size to two (2) single car service bays plus rest rooms and office or supply storage space;

(iii)

Be limited in function to dispensing gasoline, oil, grease, antifreeze, tires, batteries, and automobile accessories directly to motor vehicles and to washing, polishing, and servicing motor vehicles only to the extent of installation of the enumerated items;

(iv)

Not rent or sell motor vehicles, trailers, or general replacement parts;

(v)

Not overhaul, tune up, or repair motors or bodies, or provide break relining or wheel alignment service, upholstery work, auto glass work, painting, welding, tire recapping, or auto dismantling; and

(vi)

Extinguish all floodlights at the close of business or 11:00 p.m., whichever is earlier.

(b)

Gasoline pumps or other service appliances must be located on the lot at least twenty (20) feet behind the building line, and all service, storage, or similar activities in connection with such use must be conducted entirely within the building.

(c)

The following additional parking, loading, and access requirements apply:

(i)

Parking of vehicles being serviced or stored for customers on streets, alleys, public sidewalks, or public park strips is prohibited; and

(ii)

When such use occupies a corner lot, the ingress and egress driveways must be located at least seventy-five (75) feet from the point of intersection of the street line and the corner arc, and these driveways must not exceed twenty-five (25) feet in width.

(d)

When located in a mixed-use zone, the design of the building and site layout should reflect the development standards set forth in article 13, consistent with the particular needs for an automobile filling station.