

The proposed amendments are presented in track changes.

- Black Text. Existing language that is not proposed to change.
- Highlighted Text. New language that is proposed.
- ~~Highlighted Strikethrough Text~~. Existing language that is proposed to be deleted.

CITY OF MASON ZONING

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CHAPTER 1145
Districts and Boundaries

1145.1	DIVISION OF CITY INTO DISTRICTS.	1145.5	UNCERTAINTY AS TO BOUNDARIES; INTERPRETATION.
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1145.1 DIVISION OF CITY INTO DISTRICTS.

For the purpose of this Zoning Ordinance, the City of Mason is hereby divided into categories or zoning districts designated as follows:

Residential Districts

R-1, R-2, R-3 and R-4 Single-Family Residential Districts. (Ord. 99-48, passed April 12, 1999)

R-6 Condominium and Landominium Residential District.

R-7 Multi-Family Residential District.

Nonresidential Districts

~~B-1 Central Business District~~ MM Downtown Mason Mile

B-2 Shopping Center District.

B-3 Road Service District.

B-4 Commercial Recreation District.

HT-1 High Tech Light Industrial District

I-1 Light Industrial District.

I-2 Industrial District.

O-1 Office Park District.

Planned Unit Development Districts

R-PUD Residential Planned Unit Development

B-PUD Business Planned Unit Development

I-PUD Industrial Planned Unit Development

MXD-PUD Mixed Use Planned Unit Development (Ord. 25-11, passed March 10, 2025)

1145.2 ZONING MAP; DISTRICTS AND BOUNDARIES ESTABLISHED.

The several zoning districts and boundaries thereof are hereby adopted and established as shown on the Zoning Map of the City of Mason, Ohio (latest revision) which Map, together with all notations, references, data, district boundaries and other information shown thereon, is hereby made a part of this Zoning Ordinance. Such Zoning Map, properly attested, shall remain on file in the office of the City Engineer.

1145.3 DISTRICT BOUNDARY DETERMINATION.

Except where referenced on the Zoning Map to a street or alley line or other designated line by dimensions shown on such Map, the district boundary lines follow lot lines or the center lines of streets or alleys as they existed at the time of adoption of this Zoning Ordinance. But where a district line obviously does not coincide with the lot lines as such, or center lines of streets or alleys, or where it is not designated by dimensions, it shall be deemed to be 150 feet back from the nearest street line parallel to which it is drawn.

1145.4 LOT DIVIDED; EXTENSION OF DISTRICT.

Where a district boundary line established in this chapter or as shown on the Zoning Map divides a lot which was in single ownership at the time of enactment of this Zoning Ordinance, the use authorized thereon and the other district requirements applying to the most restricted portion of such lot under this Zoning Ordinance shall be considered as extending to the entire lot.

1145.5 UNCERTAINTY AS TO BOUNDARIES; INTERPRETATION.

All questions concerning the exact location of district boundary lines, or the meaning and intent of textual provisions of this Zoning Ordinance, shall be determined by the Zoning Board of Appeals according to rules and regulations which may be adopted by it.

1145.6 VACATED STREET OR ALLEY.

Whenever any street, alley or other public way is vacated by official action as provided by law, the zoning district adjoining the side of such public way shall be extended automatically depending on the side or sides to which such lands revert, to include the right of way thus vacated, which shall thenceforth be subject to all regulations of the extended district or districts.

1145.7 PROPERTY NOT INCLUDED; ZONING CLASSIFICATION UPON

ANNEXATIONS. (Ord. 05-133, Passed November 14, 2005)

- A) In every case where property within the City has not been specifically included within a district, the same is hereby declared to be in the R-1 Single-Family Residential District. In every case where property annexed to the City has not been previously zoned in the township or county, such property shall, upon annexation to the City, be zoned R-1 Single-Family Residential District upon the effective date of the annexation.
- B) Where property is zoned in the township or county and such property is annexed to the City, the zoning regulations then in effect in the township shall remain in full force and shall be enforced by the township officials until the legislative authority of the City shall either officially adopt the existing township or county zoning regulations that apply to the property or adopt new zoning regulations for the property under the City's zoning code. Should the City choose to adopt the existing township zoning regulations for the property being annexed, the zoning regulations will be enforced by the City.
- C) A property owner who has executed a properly filed petition for annexation may, following approval of the annexation petition by the board of county commissioners, file with the City an application to rezone the property contemporaneously with the effective date of the annexation. In such case, the property owner by way of application or the City by motion may initiate a zoning change classification to the Planning Commission. The application will follow the normal and ordinary procedural steps established by the City's zoning code. The Planning Commission, upon the request of the City by motion or upon the filing of the application by the property owner or authorized agent of the owner, is authorized prior to the acceptance of the annexation by the City but after receipt of the annexation transcript from the county commissioners to take all procedural steps necessary, including but not limited to providing the appropriate notices, advertising, and holding public hearings, in order to make or be prepared to make its recommendation for the approval, denial, or modification of the proposed zoning classification to City Council.
- D) City Council shall not take final legislative action on the zoning application of the property owner or on motion of the City to rezone the property prior to the effective date of the ordinance approving the annexation.

1145.8 OVERLAY DISTRICTS (Ord. 05-136, passed November 28, 2005)

Overlay districts are zoning tools used for dealing with unique situations or accomplishing special planning and zoning goals. Overlay districts may be created where the land use regulations and associated development standards of the underlying zoning districts are deemed inadequate to be effective. As the name implies, overlay zoning districts are "overlaid" on top of base zoning districts. The overlay district alters or adds to the zoning requirements of the base zoning district or districts.

Overlay districts are shown on the official Zoning Map as dashed lines labeled with the overlay map designation or with the overlay district name. Overlay districts shall be given a two-letter designator that follows the designation of the underlying base zoning district. For example, a lot located in the ~~B-1 Central Business District~~ R-6, Condominium and Landoninium District ~~B-2 Shopping Center District~~ and in the Downtown Residential Density Overlay District shall have the zoning designation ~~B2R-61-RDO~~.

The following overlay districts are included in the City of Mason Zoning Code:

Overlay District Name	Zoning Map Designation
<u>Downtown Residential Density</u> Overlay District	<u>RDO</u>

1145.9 SUBDISTRICTS

Subdistricts are zoning tools used to refine regulations within a larger zoning district. They allow for more specific standards that address the character, scale, or unique development patterns of different areas while still aligning with the overall intent of the base district. A subdistrict functions as part of the base zoning district rather than an additional layer, and it establishes supplemental requirements such as building form, lot size, or permitted uses. Each subdistrict shall be identified by a suffix following the base district designation. For example, a property located in the Downtown Mason Mile District with a Low-Density Residential Subdistrict would be labeled MM-LDR.

District Name	Subdistrict Name	Zoning Map Designation
<u>Downtown Mason Mile</u>	<u>Low-Density Residential</u>	<u>MM-LDR</u>
	<u>Medium-Density Residential</u>	<u>MM-MDR</u>
	<u>Commercial Corridor</u>	<u>MM-CC</u>
	<u>Commercial Transition</u>	<u>MM-CT</u>
	<u>Downtown East</u>	<u>MM-DE</u>
	<u>Downtown West</u>	<u>MM-DW</u>



CHAPTER 1155

~~B-1 Central Business District~~~~1155.1 PURPOSE:~~~~1155.2 PRINCIPAL PERMITTED USES:~~~~1155.3 CONDITIONAL USES:~~~~1155.4 BUSINESS IN ENCLOSED BUILDINGS:~~~~1155.5 DEVELOPMENT STANDARDS:~~~~1155.6 OBJECTIONABLE USES:~~~~1155.7 FLAG LOTS~~~~1155.1 PURPOSE:~~

~~It is the purpose of the B-1 District to permit and to encourage the establishment of a wide variety of shopping goods and services in the central area in such a way as to attract consumers from a large trade area and encourage the reuse of existing older structures. Only those uses that will materially interfere with the overall function of the central area shall be excluded.~~

~~1155.2 PRINCIPAL PERMITTED USES:~~

~~No building, structure or land shall be used and no building or structure shall be erected, altered or enlarged which is arranged, intended or designed for other than one of the following uses, except as provided in Section 1155.1. No use within the B-1 district shall be developed with a drive-in or drive-through facility unless such facility complies with the standards in Section 1172.8.~~

~~1. Offices.~~

- ~~1. Business, professional and administrative offices.~~
- ~~2. Offices of business and professional associations.~~
- ~~3. Medical offices and clinics.~~

~~2. Retail, Commercial and Service Uses.~~

- ~~1. Specialty retail and commercial uses, including drug stores.~~
- ~~2. Specialty food stores.~~

- ~~3. Home furnishings, home improvements, materials and equipment stores with no outside storage.~~
- ~~4. Garden supply.~~
- ~~5. General merchandise and grocery stores.~~
- ~~6. Personal services.~~
- ~~7. Business and cleaning services.~~
- ~~8. Art studios.~~
- ~~9. Financial establishments without drive-through facilities.~~
- ~~10. Restaurants, standard, without drive-through facilities.~~
- ~~3. Institutional, Public and Cultural Uses.~~
 - ~~1. Public offices and buildings.~~
 - ~~2. Public and private elementary, junior high and high schools.~~
 - ~~3. Libraries, museums and art galleries.~~
 - ~~4. Churches and places of worship.~~
 - ~~5. Child day-care centers.~~

~~1155.3 CONDITIONAL USES.~~

~~The following uses shall be permitted only as specifically authorized by the Planning Commission and Council in accordance with any applicable provisions of this Zoning Ordinance.~~

~~Commercial Parking Garages and Lots. Commercial parking garages and lots for passenger vehicles only, provided a reservoir space is provided within the garage or lot for holding cars awaiting entrance, which reservoir space shall have a vehicular capacity of not less than two percent (2%) of the total parking capacity of such garages or lot, but in any event not less than two vehicles.~~

~~Residential Use. First floor residential use is prohibited, however residential use is permitted on the second floor or above. Residential use permitted by this section shall comply with minimum livable floor area requirements established for an R-6 Multi-Family Residential District in Chapter 1148.~~

~~Bed and Breakfasts as regulated in Section 1172.9.~~

~~1155.4 BUSINESS IN ENCLOSED BUILDINGS.~~

~~All business, services, processing or storage of materials shall be conducted wholly within a completely enclosed building, except for the sale of automotive fuel, lubricants and fluids at service stations, and such outdoor display or storage vehicles, of materials and equipment as hereinbefore specifically authorized or as may be authorized by the Zoning Board of Appeals.~~

~~1155.5 DEVELOPMENT STANDARDS.~~

~~Lot area. No minimum lot area is required.~~

~~Lot width. No minimum lot width is required.~~

~~Front yard setback. The minimum front yard setback shall be the average of existing commercial structures on the same side of the street and facing thereon within the same block. Where there are no adjacent commercial structures, the front yard setback shall be not less than fifteen (15) feet measured from the street right of way, and sufficient to meet screening and buffer yard standards specified in the Landscape Ordinance.~~

~~Side and rear yards. No minimum side or rear yards shall be required, provided that the requirements of Chapter 1175 and the Landscape Ordinance are met.~~

~~Impervious surface ratio. The maximum impervious surface ratio shall be .90.~~

~~Site Plan. A site plan shall be submitted prior to obtaining a building permit as specified in Chapter 1135.~~

~~Maximum Building Height. No structure shall exceed three stories or forty feet in height except as provided in Chapter 1181.~~

~~Parking. Off-street parking shall be provided as specified in Chapter 1175, with up to fifty percent (50%) of total required spaces available through public parking lots and parking garages within a distance of 500 feet of the building line of such use.~~

~~Loading. Off-street loading facilities shall be provided as specified in Chapter 1175.~~

~~1155.6 OBJECTIONABLE USES.~~

~~No processes and equipment shall be employed or goods sold which are objectionable by reason of odor, dust, smoke, cinders, gas, fumes, noise, vibration, radiation, refuse matter or water-carried waste. Objectionable noise shall be any noise prohibited by the Noise Ordinance.~~

~~1155.7 FLAG LOTS. (Ord. 25-11, passed March 10, 2025)~~

~~Flag lots are not permitted in the B-1 zoning district.~~



Chapter 1155

MM Downtown Mason Mile

<u>1155.1 PURPOSE</u>	<u>1155.8 ACCESSORY USE TABLE</u>
<u>1155.2 ESTABLISHMENT OF SUBDISTRICTS</u>	<u>1155.9 ACCESSORY USE SUPPLEMENTAL STANDARDS</u>
<u>1155.3 DEFINITIONS</u>	<u>1155.10 TEMPORARY USE TABLE</u>
<u>1155.4 REVIEW AND DECISION-MAKING PROCESS</u>	<u>1155.11 TEMPORARY USE SUPPLEMENTAL STANDARDS</u>
<u>1155.5 BULK AND DIMENSIONAL STANDARDS</u>	<u>1155.12 BUILDING DESIGN STANDARDS</u>
<u>1155.6 PRINCIPAL USE TABLE</u>	<u>1155.13 ACCESS AND PARKING</u>
<u>1155.7 PRINCIPAL USE SUPPLEMENTAL STANDARDS</u>	

1155.1 PURPOSE

- A) **District Generally.** The Downtown Mason Mile (MM) District shall have the boundaries shown on the official zoning map maintained by the City of Mason.
- B) **District Purpose and Intent.** The purpose of the MM District is to regulate development of the parcels within the Downtown Mason Mile. This District is intended to provide greater flexibility and require high-quality design that fosters a sense of place to promote reinvestment and redevelopment that leverages the corridor as an asset.
- C) **Relationship to Other Zoning Regulations.** Unless otherwise stated in this Chapter, the provisions of the City of Mason Zoning Ordinance and Landscape Ordinance shall apply to all development within the MM District. Where conflicts exist between the standards of the MM District and those of the Zoning Ordinance, Landscape Ordinance, or citywide regulations, the standards of the MM District shall control.

1155.2 ESTABLISHMENT OF SUBDISTRICTS

- A) **Generally.** The MM District is comprised of unique areas with varying patterns of development, architectural styles, and goals as established in the Mason Mile Master Plan. In order to better regulate these areas, the MM District is divided into six subdistricts as detailed below. The purpose of the subdistricts is to capitalize on the unique character of each area of the MM District and accommodate existing development while encouraging opportunities for redevelopment and reinvestment.
- B) **Subdistricts.** Each subdistrict prescribes a set of uniform regulations for a defined geographic area. Table 1155.02 defines the purpose and intent of the base districts established by this Chapter.

Table 1155.02 Subdistrict Establishment, Purpose, and Intent	
<u>Subdistrict Name</u>	<u>Purpose and Intent Statement</u>
<u>MM-LDR Low-Density Residential</u>	<u>The MM-LDR Subdistrict, generally located along the outer edges of the MM District, is established to promote the retention, renovation, and construction of single-family residences in the Downtown.</u>
<u>MM-MDR Medium-Density Residential</u>	<u>The MM-MDR Subdistrict is established to accommodate existing single-family detached neighborhoods and allow for gentle to medium density increases that are context sensitive and responsive to established neighborhood character and patterns of development. The MDR Subdistrict is also intended to support small-scale retail, office, and service uses along major roads and on corners to provide residents with everyday needs within walking distance.</u>
<u>MM-CC Commercial Corridor</u>	<u>The MM-CC Subdistrict is established to accommodate a walkable mix of residential and non-residential uses. A range of commercial and institutional uses should be maintained and supported along Reading Road. Residential uses may be allowed on parcels and portions of parcels that do not directly front Reading Road, where they can support corridor activity without disrupting the commercial frontage.</u>
<u>MM-CT Commercial Transition</u>	<u>The MM-CT Subdistrict is established to provide a walkable, mixed-use environment along Reading Road. There should be a mix of moderate-intensity commercial and residential development that serves as a transition between the Downtown West, the Commercial Corridor, and adjacent neighborhoods. Development should support pedestrian activity, encourage infill of underutilized sites, and provide a walkable form with limited parking visibility.</u>

Table 1155.02 Subdistrict Establishment, Purpose, and Intent	
<i>Subdistrict Name</i>	<i>Purpose and Intent Statement</i>
<u>MM-DE Downtown East</u>	<u>The MM-DE Subdistrict is established to support moderate-intensity, mixed-use development along East Main Street. This district accommodates active ground-floor uses, upper-story residential and office uses, and civic spaces in a compact, walkable pattern, while serving as a buffer to adjacent lower-density residential areas.</u>
<u>MM-DW Downtown West</u>	<u>The MM-DW Subdistrict is established to preserve and enhance the historic commercial core as a dense, diverse, and walkable destination. Development should reinforce a sense of enclosure and consistent street wall with activated storefronts, ground floor commercial uses, and upper floor residential or office uses.</u>

1155.3 DEFINITIONS

The definitions in this section apply to terms used within the Downtown Mason Mile Code. Terms not defined in this Section shall have the meanings assigned in Chapter 1133 of the Zoning Ordinance.

A) “A” Definitions.

- 1) **Accessory Commercial Unit.** An occupation or profession conducted within a dwelling unit or building accessory to the dwelling unit by a resident of the dwelling unit that is incidental to the primary use of the dwelling as a residence.
- 2) **Alternative Financial Services.** An establishment that provides non-traditional financial products and services, including payday loans, check-cashing services, installment loans, title loans, and similar short-term or high-interest lending or cash access services.
- 3) **Artisan Manufacturing.** A fully indoor small-scale business that produces goods or specialty foods, primarily for direct sales to consumers, such as artisan leather, glass, wood, paper, ceramic, textile and yarn products, specialty foods and baked goods. This land use includes the design, processing, fabrication, assembly, treatment and packaging of products; as well as the incidental storage, sales and distribution of such products. This land use does not include uses producing noise, odor, vibration, or similar impacts perceivable by the natural senses outside of the structure or portion of the structure where the use is located.

B) “B” Definitions.

- 1) **Bar.** A business that serves beer, wine, and/or liquor for consumption on-premises as the predominant use, and where any food service is subordinate to the sale of alcoholic beverages.
- 2) **Boutique Hotels.** A building or portion thereof in which ten or more guestrooms are provided for occupancy for compensation by transient guests, not including transient extended-stay guests, as defined herein. Provisions for cooking may be allowed, provided such cooking devices are provided by the hotel owner or operator and are maintained in accordance with health, fire, and safety codes. Guestrooms are entered from a lobby, rather than directly from the parking area.
- 3) **Building Setback, Maximum.** The maximum allowed distance between the principal building and the lot lines of the lot on which it is located.
- 4) **Building Setback, Minimum.** The minimum required distance between the principal building and the lot lines of the lot on which it is located.

C) “C” Definitions.

- 1) **Car Wash.** A building, or portion thereof, where automobiles or other motor vehicles are automatically or manually washed regularly as a business.
- 2) **Contractor’s Yard and Related Establishments.** Building material yards, concrete mixing, contractor's equipment storage yard or plant; or storage yard for rental of equipment commonly used by contractors; storage and sales of grain, livestock feed or fuel; carting, express or hauling establishments, including storage of vehicles.

D) “D” Definitions.

- 1) **Data Center.** A facility housing a large group of networked servers and associated equipment used by organizations for the remote storage, processing, or distribution of large amounts of data.
- 2) **Dwelling, Cottage Home Court.** A group of small-scale, detached dwelling units located on a single lot or individual lots and arranged around a shared court visible from the street.
- 3) **Dwelling, Live-Work Unit.** A residential building type with a small commercial use on the ground floor and a residential unit above or behind with a common tenant in both spaces.
- 4) **Dwelling, Multi-Family; Above Ground Floor.** One or more residential units located above a ground floor non-residential use. The separate uses do not have to be inhabited by the same party.

- 5) **Dwelling, Multi-Family; Building Complex.** A group of separate buildings with multi-family dwellings operating under a common name or management.
- 6) **Dwelling, Quadplex.** A building designed as a single structure, containing four separate dwelling units, each of which is designed to be occupied as a separate permanent residence for one household.
- 7) **Dwelling, Triplex.** A building designed as a single structure, containing three separate dwelling units, each of which is designed to be occupied as a separate permanent residence for one household.
- 8) **Dwelling, Townhouse Cluster.** A residential building containing three or more townhome units, but not more than eight, stacked horizontally and developed as a unified structure.

E) **“E” Definitions.**

[reserved]

F) **“F” Definitions.**

- 1) **Farmers Market.** A common facility or area where the primary purpose is for growers and producers to gather to sell a variety of fresh fruits and vegetables and other locally produced farm and food products directly to consumers.
- 2) **Financial Establishment.** An establishment that engages in financial transactions that create, liquidate, or change ownership of financial assets. This includes banks, credit unions, and savings institutions that may perform central banking functions, accept deposits, and lend funds from these deposits. In addition to banks and credit unions, financial services institutions may include: credit agencies, trust companies, holding companies, savings and loan institutions, check cashing services, accounting services, bookkeeping services, payroll services, securities/commodity contract brokers and dealers, security and commodity exchanges, vehicle finance (equity) leasing agencies, and investment companies.
- 3) **Food Truck Court.** A permanent site for the location of multiple food trucks simultaneously.
- 4) **Food Truck.** A motorized or towed wheeled vehicle that is designed, equipped and used to prepare, or serve, and sell food at a transitory or static location, and is not situated in a permanent structure as an accessory to a business located in the structure for purposes of primarily serving patrons of the business.
- 5) **Fraternal and Social Associations.** A building housing the members of a fraternity or sorority group living together under a cooperative arrangement as distinguished from a boarding or lodging house.

- 6) **Frontage Build Out.** The percent of building elevation that meets the maximum setback allowed as measured by the linear feet of building frontage at the maximum setback by the linear feet of lot width at the front property line.
- 7) **Funeral Homes.** An establishment for preparing the dead for burial or internment and conducting funerals (i.e. providing facilities for wakes, arranging transportation for the dead, indoor stonecutting, and selling caskets and related merchandise). Funeral Homes may include crematoriums.

G) “G” Definitions.

- 1) **General Retail.** The sale of any product or merchandise to customers for their own personal consumption or use, not for resale.

H) “H” Definitions.

[reserved]

I) “I” Definitions.

[reserved]

J) “J” Definitions.

[reserved]

K) “K” Definitions

[reserved]

L) “L” Definitions.

- 1) **Library.** A public or private facility that is primarily engaged in the provision of books, periodicals, digital media, and other informational resources for borrowing, research, study, or reference. A library may include reading rooms, meeting spaces, computer access, and educational or cultural programming, but does not include lodging or overnight accommodation.
- 2) **Live-Work Unit.** See “Dwelling, Live-Work Unit”.

M) “M” Definitions.

- 1) **Manufacturing – Heavy Industrial Use.** A non-residential use which ordinarily uses heavy machinery, requires both buildings and open area for manufacturing, fabricating, processing, heavy repairing, dismantling, storage or disposal of raw materials, manufactured products and wastes, which is not injurious to health or safety of humans or animals or injurious to vegetation; and which is not noxious or offensive by reason of the emission of smoke, dust,

gas fumes, odors or vibrations beyond the limits of the premises upon which such industry is conducted.

2) Manufacturing – Light Industrial Use. A non-residential use which ordinarily uses only light machinery and is conducted entirely within an enclosed, substantially constructed building, and is not noxious or offensive by reasons of the emission of smoke, dust, gas fumes, odors, noises or vibrations beyond the confines of the building.

3) Micro – Brewery / Winery / Distillery. A combination retail, wholesale, and/or small-scale artisan manufacturing business that brews, ferments, processes, packages, distributes, and serves either beer, wine, or spirits for sale on- or off-site. These facilities may include an ancillary tasting room and retail component in which guests/customers may sample and purchase the product. Off-site distribution of the beverages shall be consistent with state law.

N) “N” Definitions.

[reserved]

O) “O” Definitions.

[reserved]

P) “P” Definitions.

1) Parks. The entirety of a tract or lot which is utilized as a public or private park.

2) Personal Service. An establishment primarily engaged in providing individual services generally related to personal needs or cosmetic services, such as hair and nail salons, barber shops, clothing alterations, shoe repair, tattoo shops, makeup services, and laundry services.

Q) “Q” Definitions.

[reserved]

R) “R” Definitions.

1) Residential Facilities. Foster homes and family foster homes as defined in R.C. Section 2159.011(B), family homes and group homes licensed pursuant to R.C. 5123.19 and adult family homes and adult group homes licensed pursuant to R.C. 3722.02.

S) “S” Definitions.

1) School, Vocational/Technical. A public or private institution for education or learning including athletic or recreational facilities. These schools offer vocational and technical training in a variety of technical subjects and trades. Training may lead to job-specific certification.

- 2) **Seasonal Sales.** Temporary outdoor sales, typically recurring on an annual basis, located on a lot with a principal use for which the seasonal sales are not associated.
- 3) **Storage, Self-Service.** A building containing separate enclosed storage spaces of varying sizes leased or rented on an individual basis.
- 4) **Street Side Yard.** The yard extending from the front yard setback to the rear lot line, located along a street side lot line. Any lot line, other than the front lot line, that abuts a public street right-of-way or private street. Lots with multiple street frontages may have more than one street side lot line, generally along the lot line abutting the street of lower classification.

T) “T” Definitions.

- 1) **Temporary Outdoor Seating/Display.** On-site or sidewalk outdoor dining areas by a restaurant, bar, or other establishment where food or beverages are served for consumption outside a permanent structure, and that are clearly related to the function of the establishment.

U) “U” Definitions.

[reserved]

V) “V” Definitions.

- 1) **Vehicle Sales, Leasing, Rental, and Service.** An establishment for the retail sales or rental of new or used vehicles, including automobiles, trucks, motorcycles and recreational vehicles.
- 2) **Vehicle Storage.** An indoor or outdoor area for the storage of motor vehicles owned or leased by an individual(s).

W) “W” Definitions.

- 1) **Wholesaling, Warehousing, Distribution, and Storage.** An establishment engaged in selling merchandise to retailers; to contractors, industrial, commercial, institutional, farm or professional business users; to other wholesalers; or acting as agents or brokers in buying merchandise for or selling merchandise to such persons or companies. This does not include selling to the public. Examples of these establishments include agents, merchandise or commodity brokers, and commission merchants; assemblers, buyers and associations engaged in the cooperative marketing of farm products; merchant wholesalers; stores primarily selling electrical plumbing, heating, and air conditioning supplies and equipment.

X) “X” Definitions.

[reserved]

Y) “Y” Definitions.

[reserved]

Z) “Z” Definitions.

[reserved]

1155.4 REVIEW AND DECISION-MAKING PROCESS

A) Applicable Review Procedures. Applications for development or redevelopment within the MM District shall follow the applicable approval procedures outlined in the Zoning Ordinance, including:

- 1) Chapter 1103 Subdivision Process,**
- 2) Chapter 1135 Administrative Procedures, and**
- 3) Section 1172.2 Conditionally Permitted Uses Approval Procedures.**

1155.5 BULK AND DIMENSIONAL STANDARDS

A) Residential Subdistricts. Table 1155.05(A) establishes the bulk and dimensional standards for the LDR and MDR Subdistricts.

Table 1155.05(A) Residential Subdistrict Bulk Standards						
Standard	LDR	MDR				
		1 = Single-Family Detached, Duplex				
		2 = Triplex/Quadplex				
		3 = Townhouse Cluster				
4 = Cottage Home Court						
5 = All Other Uses						
		1	2	3	4	5
Lot Standards (minimum)						
Lot Area (sq ft)	5,000	5,000	7,500	15,000	20,000	5,000
Lot Width (ft)	40	40	40	120	80	40
Building Standards						
Height, minimum (stories)	n/a	n/a				
Height, maximum (ft)	35	35 [1]				
Frontage Build Out, minimum (%)	n/a	n/a				
Impervious Coverage, maximum (%)	50	60				
Building Setbacks (in feet)						
Front Yard, minimum	15	10 [2]				
Front Yard, maximum	30	20 [2]				
Street Side Yard, minimum	15	10 [2]				
Side Yard, minimum	5	5				
Rear Yard, minimum	10	10				
Building Setbacks for Accessory Structures (in feet)						
Front, minimum		[4]				
Side and Rear, minimum		5				
Notes						
[1] A maximum building height of 45 feet is allowed on parcels greater than five acres if the height transition standard of Section 1155.05(C) can be met.						
[2] Properties fronting Mason-Montgomery Road, West Main Street, and Buerkle Drive in the MDR Subdistrict shall have a minimum front or street side setback of five feet and a maximum front setback of 10 feet.						
[3] Accessory structures not permitted in front yards.						

B) All Other Subdistricts. Tab 1155.05(B) establishes the bulk and dimensional standards for the CC, CT, DE, and DW Subdistricts.

Table 1155.05(B) All Other Subdistricts District Bulk Standards				
Standard	CC	CT	DE	DW
Lot Standards (minimum)				
Lot Area (sq ft)	n/a	n/a	n/a	n/a
Lot Width (in feet)	n/a	n/a	n/a	n/a
Building Standards				
Building Height, minimum (in stories)	n/a	2	n/a	2
Building Height, maximum (in feet) [1]	35	45	55	55
Building Height Step Back, minimum [2]	n/a	n/a	35	35
Impervious Coverage, Maximum (%)	60	80	80	100
Frontage Buildout, Minimum (%)	70	100 [3]	100 [3]	100 [3]
Building Setbacks (in feet)				
Front, minimum	5	0	0	0
Front, maximum	n/a	15	10	0
Street Side, minimum	5	0	0	0
Side, minimum [5]	10 [6]	0	0	0
Side, maximum	n/a	15	10	0
Rear, minimum	10	5 [8]	0 [9]	0 [9]
Building Setbacks for Accessory Structures (in feet)				
Front (ft)	[7]			
Side and Rear (ft)	5			
Notes				
[1] Buildings greater than 35 feet in height shall meet the building height transition standards of Section 1155.05(C).				
[2] A single step back shall be provided after the third story, with a minimum depth of 10 feet.				
[3] The frontage buildout may be reduced only as necessary to provide for required access to the parcel where no alternative access is available, subject to approval by Planning Commission.				
[4] The Unobstructed Sight Distance standards in Section 1171.9 shall apply.				
[5] Setbacks shall be occupied by outdoor dining areas, landscaping, pedestrian plazas, pedestrian amenities, access easements, or other unique design concepts subject to the approval of Planning Commission. The area shall not include parking or private driveways.				
[6] The minimum side building setback may be reduced to five feet on lots along Reading Road.				
[7] Accessory structures not permitted in front yards.				
[8] A minimum 10-foot rear yard setback is required on properties abutting LDR or MDR.				
[9] While no minimum rear yard setback is required, areas beyond 70 feet from the front property line must comply with Parking and Access Easement Standards of Section 1155.13(D)(3).				

C) Height Transition Requirement. Any building on a lot abutting the MDR or LDR Subdistricts, or any district outside of the MM District, that exceeds 35 feet, shall be setback a minimum of five feet for each story exceeding 35 feet. The increased setbacks shall be applied to the building façade adjacent to the applicable property.

1155.6 PRINCIPAL USE TABLE

A) The following key shall be used in the interpretation of Table 1155.06(A) below.

- 1) Permitted Uses (P).** Uses which are marked as “P” in the table shall be allowed uses subject to all applicable regulations of this Chapter.
- 2) Conditional Uses (C).** Uses which are marked as “C” in the table shall require approval as a Conditional Use as detailed in Section 1172.
- 3) Prohibited Uses.** A blank space in the table indicates that a use is prohibited.
- 4) Uses Not Listed.** A use not specifically listed is prohibited unless, the Zoning Administrator determines if the use is substantially similar to a use listed in the tables. If it is, the use shall be treated in the same manner as the substantially similar use.
- 5) Supplemental Standards.** If a use has supplemental standards, they are referenced in the Supplemental Standards column. Supplemental standards shall apply to the use, regardless of whether it is a permitted or conditional use.

<u>Table 1155.06(A) Permitted Uses</u>							
<u>Principal Use</u>	<u>Supplemental Standards</u>	<u>LDR</u>	<u>MDR</u>	<u>CC</u>	<u>CT</u>	<u>DE</u>	<u>DIE</u>
<u>Residential Uses</u>							
<u>Agricultural (minimum of 10 acres)</u>							
<u>Child Day-Care Center</u>	<u>1172.4</u>	<u>C</u>	<u>C</u>	<u>P</u>			
<u>Convalescent, Nursing, or Rest Homes</u>	<u>1172.5</u>	<u>C</u>	<u>C</u>	<u>P</u>			
<u>Dwelling, Single-Family</u>		<u>P</u>	<u>P</u>				
<u>Dwelling, Townhome</u>			<u>P</u>				
<u>Dwelling, Two-Family</u>			<u>P</u>				
<u>Dwelling, Triplex / Quadplex</u>			<u>P</u>				
<u>Dwelling, Multi-Family; 5-12 units</u>	<u>1155.07(B)</u>		<u>P</u>	<u>P</u>			
<u>Dwelling, Multi-Family; more than 12 units</u>	<u>1155.07(B)</u>		<u>P</u>	<u>P</u>	<u>P</u>		
<u>Dwelling, Multi-Family, above-ground floor</u>					<u>P</u>	<u>P</u>	<u>P</u>

Table 1155.06(A) Permitted Uses							
<i>Principal Use</i>	<i>Supplemental Standards</i>	<i>LDR</i>	<i>MDR</i>	<i>CC</i>	<i>CT</i>	<i>DE</i>	<i>DW</i>
<u>Dwelling, Multi-Family Building Complex</u>			<u>P</u>				
<u>Dwelling, Cottage Home Court</u>	<u>1155.07(A)</u>		<u>P</u>				
<u>Dwelling, Live-Work Unit</u>	<u>1155.07(C)</u>		<u>P</u>			<u>P</u>	<u>P</u>
<u>Golf Courses</u>							
<u>Group Homes</u>		<u>P</u>	<u>P</u>				
<u>Institutions, Public and Cultural</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Parks</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Places of Worship</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Residential Facilities</u>		<u>P</u>	<u>P</u>				
<u>Non-Residential Uses</u>							
<u>Alternative Financial Services</u>							
<u>Animal Hospitals, Veterinarian Clinics and Kennels</u>	<u>1172.11</u>			<u>C</u>	<u>C</u>		
<u>Arcades</u>					<u>P</u>	<u>P</u>	<u>P</u>
<u>Art Studios</u>				<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Artisan Manufacturing</u>	<u>1155.07(E)</u>			<u>P</u>			
<u>Automobile Repair (major)</u>							
<u>Automobile Repair (minor), Body Shops, Automobile Accessories</u>							
<u>Automobile Service Stations, Accessories</u>							
<u>Automobile Washing Facilities</u>							
<u>Bed and Breakfast</u>	<u>1172.9</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Boutique Hotels</u>	<u>1155.07(F)</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Car Wash</u>							
<u>Cellular or Wireless Communications Systems</u>							
<u>Commercial Entertainment and Recreation, indoor</u>				<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Commercial Entertainment and Recreation, outdoor</u>				<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Concert Halls, Meeting, and Banquet Halls with Structures Setback at Least 50 Feet From any Residential Property</u>				<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>

Table 1155.06(A) Permitted Uses							
<i>Principal Use</i>	<i>Supplemental Standards</i>	<i>LDR</i>	<i>MDR</i>	<i>CC</i>	<i>CT</i>	<i>DE</i>	<i>DW</i>
<u>Contractor's Yard and Related Establishments</u>							
<u>Data Center</u>							
<u>Financial Establishment</u>	<u>1155.07(G)</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Food Truck Court</u>	<u>1155.07(H)</u>				<u>P</u>	<u>P</u>	<u>P</u>
<u>Fraternal and Social Associations</u>				<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Funeral Homes</u>							
<u>General Retail; 5,000 sq ft or greater</u>				<u>P</u>	<u>P</u>		
<u>General Retail; less than 5,000 sq ft</u>	<u>1155.07(I)</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Hospital</u>				<u>P</u>			
<u>Hotels</u>				<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Indoor Movie Theaters</u>				<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Institutional, Public, and Cultural Uses</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Libraries, Museums, and Art Galleries</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Manufacturing – Heavy Industrial Use</u>							
<u>Manufacturing – Light Industrial Use</u>							
<u>Manufacturing, Fabricating, Assembly, Testing, Repair, Servicing, and Processing</u>							
<u>Medical / Dental Office or Clinic</u>	<u>1155.07(J)</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Micro - Brewery / Winery / Distillery</u>	<u>1155.07(K)</u>			<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Motels</u>							
<u>Parking Garage/Lots, Commercial</u>	<u>1155.07(M)</u>			<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Personal Service; 5,000 sq ft or greater</u>				<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Personal Service; less than 5,000 sq ft</u>			<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Professional Service; 5,000 sq ft or greater</u>				<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Professional Service; less than 5,000 sq ft</u>			<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Restaurants, Fast Food</u>				<u>P</u>			
<u>Restaurants, with Drive-Through Facilities</u>							
<u>Restaurants, without Drive-Through Facilities</u>	<u>1155.07(L)</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>School Vocational / Technical</u>			<u>P</u>	<u>P</u>			
<u>School, Primary, Secondary, College, or University</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>

Table 1155.06(A) Permitted Uses							
<i>Principal Use</i>	<i>Supplemental Standards</i>	<i>LDR</i>	<i>MD R</i>	<i>CC</i>	<i>CT</i>	<i>DE</i>	<i>DW</i>
<u>Sexually Oriented Businesses</u>	<u>1189</u>						
<u>Taverns, Bars, and Nightclubs</u>				<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Utility Substations</u>							
<u>Vehicle Sales, Leasing, Rental, and Service</u>							
<u>Vehicle Storage</u>							
<u>Warehousing</u>							
<u>Wholesaling, Storage, and Mini-Storage</u>							

1155.7 PRINCIPAL USE SUPPLEMENTAL STANDARDS

A) Dwelling, Cottage Home Court.

1) Size of Buildings.

- a) A cottage home court building utilized as a dwelling shall have a maximum floor area of 1,800 square feet.
- b) A cottage home court building utilized as an accessory community / recreation center shall have a maximum floor area of 4,000 square feet.

2) Number of Units. A cottage home court building utilized as a dwelling shall have one dwelling unit only.

3) Number of Buildings. A cottage home court development site shall have a minimum of four and a maximum of 12 buildings per site.

4) Common Court Open Space.

- a) Buildings in a cottage home court shall be arranged around a common court.
- b) The common court shall be open to and visible from the public right-of-way.
- c) The common court shall have a minimum area of 2,500 square feet.
- d) The common court shall have a minimum width of 30 feet as measured from the interior of the pedestrian walkway.
- e) A maximum of 30 percent of a common court open space may be used for stormwater management if designed as a rain garden or bioswale.

5) Pedestrian Access.

- a) A pedestrian walkway with a minimum width of five feet shall connect all buildings to the public right-of-way, common court open space, and parking areas.
- b) The pedestrian walkway shall be setback a minimum of three feet from building entrances.

6) Vehicle Access and Parking.

- a) Parking and driveways shall be located to the rear of buildings in a cottage home court.
- b) Parking shall be accessed by an alley if an alley exists.
- c) If no alley exists, parking shall be accessed by a single driveway.
- d) The driveway shall be located either:
 - i) Off the side yard and leading to the secondary street, or
 - ii) To the interior side of the buildings on the development site.

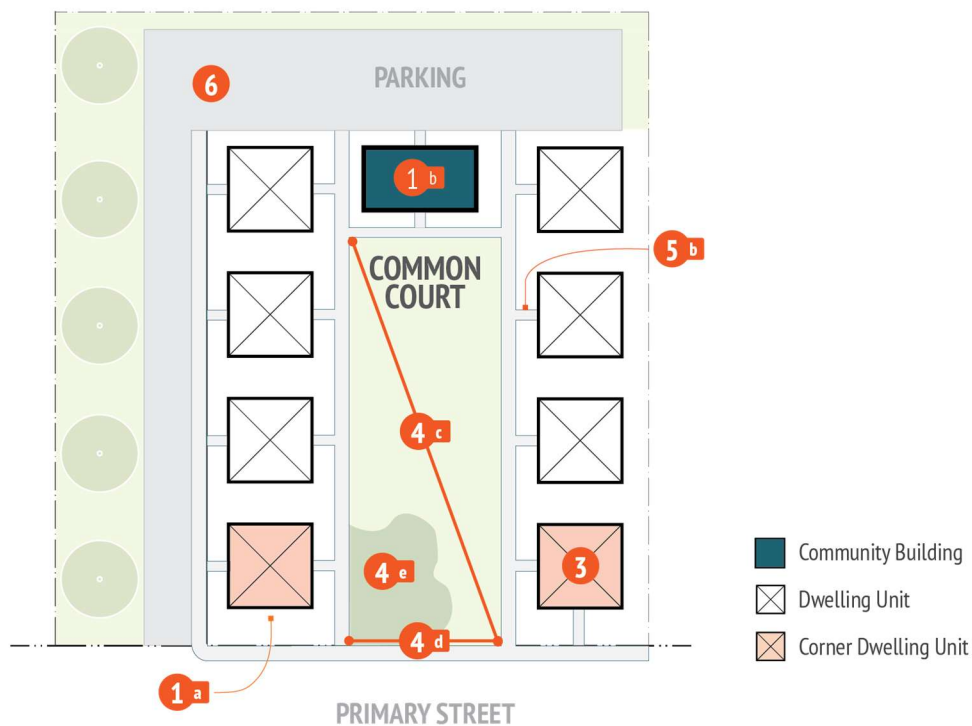


Figure 1 - Cottage Home Court

B) Dwelling, Multi-Family.

1) CC Subdistrict. Multi-Family dwellings within the CC Subdistrict are permitted only on:

- a) Parcels that do not front Reading Road, or
- b) Parcels developed with a mix of uses, where the multi-family dwelling is located behind a commercial use. The commercial use must occupy the portion of the site that fronts Reading Road.

C) Dwelling, Townhomes.

1) Vehicle Access and Parking.

- a) Parking and driveways shall be located to the rear of buildings in a townhome cluster.
- b) Parking shall be accessed by an alley if an alley exists.
- c) If no alley exists, parking shall be accessed by a single driveway.
- d) The driveway shall be located either:
 - i) Off the side yard and leading to the street, or
 - ii) To the interior side of the buildings on the development site.

D) Dwelling, Live-Work Unit.

1) Work Area.

- a) The work area shall occupy a maximum of 50 percent of the total unit.
- b) The work area shall be limited to the first or main floor only.

2) Employees.

- a) A minimum of one person shall reside and be employed in the live-work unit.
- b) A maximum of five people who are not residents of the live-work unit may be employed in the work area at any one time.

3) Allowed Non-Residential Uses. Allowed non-residential uses in a live-work unit shall be limited to:

- a) Artisan Manufacturing,
- b) General Retail,

- c) Professional Services,
- d) Personal Services,
- e) Medical / Dental Office or Clinic, or
- f) Restaurant, without Drive-Through Facility.

E) Artisan Manufacturing.

- 1) Floor Area. Gross floor area shall not exceed 5,000 square feet.
- 2) Outdoor Storage. Outdoor storage is prohibited.
- 3) Off-Site Impacts. Artisan manufacturing shall not create or cause any perceptible noise, odor, smoke, electrical interference, or vibrations that constitute a public or private nuisance to neighboring properties.
- 4) Required Retail.
 - a) Retail sales of goods manufactured on-site shall be required and shall comprise a minimum of 25 percent of the total area of the building. Retail sales areas shall be located on the ground floor and shall be directly adjacent to storefront windows.
 - b) Manufacturing areas are encouraged to be visible from retail areas.

F) Boutique Hotels.

- 1) MDR Subdistrict. Boutique Hotels in the MDR Subdistrict shall be restricted to West Main Street, Mason-Montgomery Road, and corner parcels.

G) Financial Establishment.

- 1) MDR Subdistrict. Financial Establishments in the MDR Subdistrict shall be restricted to West Main Street, Mason-Montgomery Road, and corner parcels.

H) Food Truck Court.

- 1) Food Truck Stalls.
 - a) A minimum of three food truck stalls shall be provided per food truck court.
 - b) Electrical service shall be provided to all food truck stalls. Generators are prohibited.
 - c) A minimum of 10 feet of clearance shall be provided between food truck stalls and buildings.

- 2) **Parking Separation.** The area for a food truck court shall be clearly defined and separated from all patron parking with an enclosure. Any use of fencing, decorative bollards, or planters to separate the food truck court from parking shall provide visibility into the site and shall not exceed four feet in height.
- 3) **Required Improvements.** Tables and chairs shall be provided at a minimum rate of three tables with chairs per food truck stall.

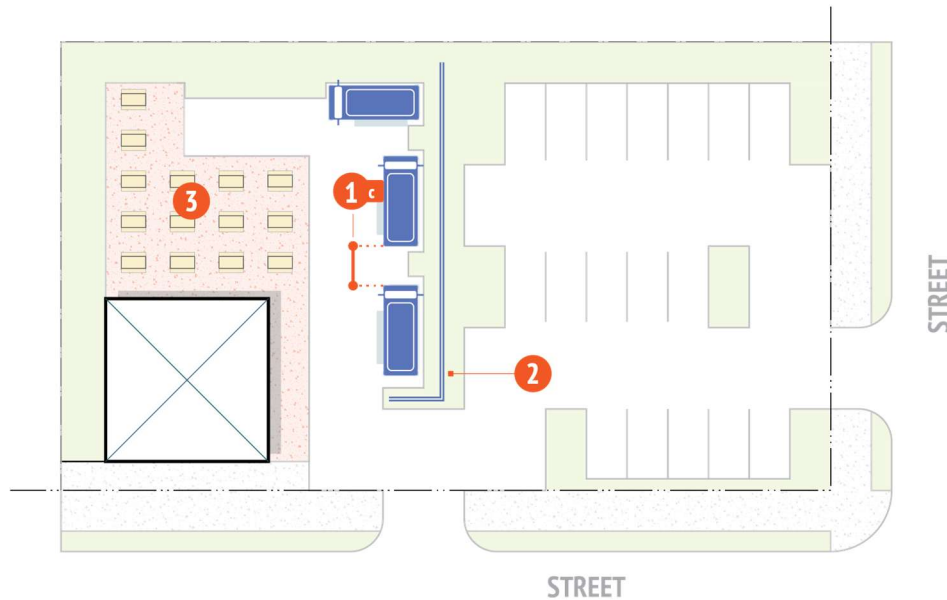


Figure 2 - Food Truck Court

I) General Retail; less than 5,000 sq ft.

- 1) **MDR Subdistrict.** General Retail; less than 5,000 sq ft in the MDR Subdistrict shall be restricted to West Main Street, Mason-Montgomery Road, and corner parcels.

J) Medical / Dental Offices or Clinics.

- 1) **MDR Subdistrict.** Medical / Dental Offices or Clinic in the MDR Subdistrict shall be restricted to West Main Street, Mason-Montgomery Road, and corner parcels.

K) Micro-Brewery / Winery / Distillery.

- 1) **Additional Uses.** A Micro-Brewery / Winery / Distillery shall include one or more accessory or principal uses such as a tasting room, tap room, restaurant, retail, demonstration area,

education and training facility or other uses incidental to the Micro-Brewery / Winery / Distillery and open and accessible to the public.

- 2) **Storage.** Storage of materials used in manufacturing, processing, and/or distribution shall be located entirely within an enclosed building.

L) Restaurants without Drive-Through Facilities.

- 1) **MDR Subdistrict.** Restaurants without Drive-Through Facilities in the MDR Subdistrict shall be restricted to West Main Street, Mason-Montgomery Road, and corner parcels.

M) Parking Garage/Lots, Commercial.

1) **Parking Garage.**

a) **Screening.**

- i) Vehicles shall be screened from view from the street and adjacent properties with walls or decorative screens (architectural or vegetative).

- ii) Sloped ramps shall not be discernible along the perimeter of a parking structure.

- b) **Blank Walls.** When adjacent to a street, residentially developed parcel, or a residentially zoned parcel, blank walls with no or visual interest features may not exceed 40 feet in length or 20 feet in height. Visual interest features include façade articulation, change in material pattern, vegetated walls, murals, canopies, and glazing.

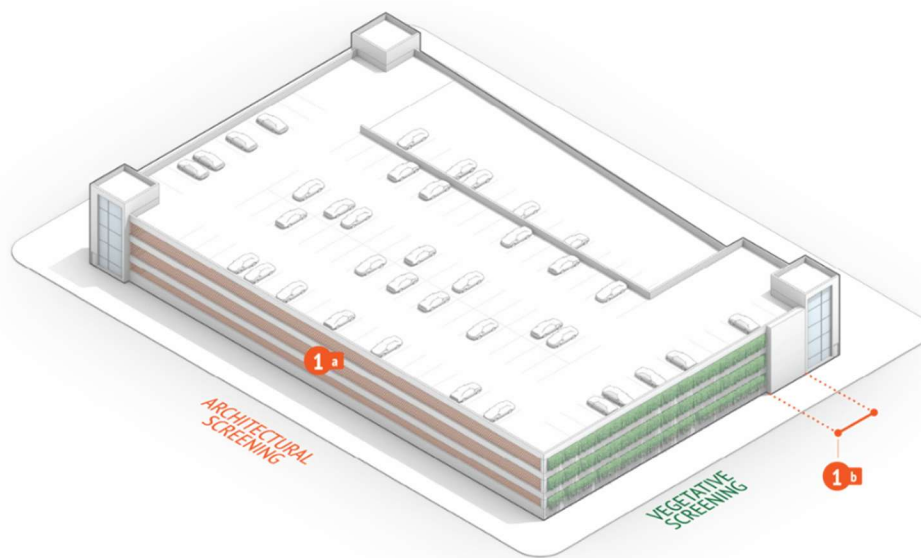


Figure 3 – Commercial Parking Garage

1155.8 ACCESSORY USE TABLE

The following shall be used in the interpretation of Table 1105.08.

- A) **Permitted Uses (P).** Uses which are marked as “P” in the table shall be allowed accessory uses subject to all applicable regulations of this Chapter.
- B) **Conditional Permit Uses (C).** Uses which are marked as “C” in the table shall require approval of a Conditional Use Permit as detailed in Section 1172 prior to establishment.
- C) **Prohibited Uses.** A blank space in the table indicates that a use is prohibited.
- D) **Uses Not Listed.** A use not specifically listed is prohibited unless, the Zoning Administrator determines if the use is substantially similar to a use listed in the tables. If it is, the use shall be treated in the same manner as the substantially similar use.
- E) **Supplemental Standards.** If a use has supplemental standards, they are referenced in the Supplemental Standards column. Supplemental standards shall apply to the use, regardless of whether it is a permitted or conditional use.

<u>Table 1105.08 Accessory Uses</u>							
<u>Accessory Use</u>	<u>Supplemental Regulations</u>	<u>LDR</u>	<u>MD R</u>	<u>CC</u>	<u>CT</u>	<u>DE</u>	<u>DW</u>
<u>Accessory Commercial Unit</u>	<u>1155.09(A)</u>		<u>P</u>				
<u>Outdoor Automated Teller Machine</u>	<u>1155.09(B)</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Accessory Structure</u>	<u>1155.05</u>	<u>P</u>	<u>P</u>				
<u>Gardening, Pets, and Animals</u>		<u>P</u>	<u>P</u>	<u>P</u>			
<u>Home Occupations</u>	<u>1171.15</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Outdoor Display / Sale of Merchandise, Permanent</u>	<u>1155.09(C)</u>			<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Outdoor Seating, Accessory</u>	<u>1155.09(D)</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Outdoor Storage</u>							
<u>Parking Garage, Commercial, Accessory</u>	<u>1155.09(E)</u>			<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Swimming Pools</u>		<u>P</u>	<u>P</u>			<u>P</u>	<u>P</u>

1155.9 ACCESSORY USE SUPPLEMENTAL STANDARDS

A) Accessory Commercial Unit (ACU).

- 1) **Use Accessory To.** An ACU is allowed accessory to a single-family dwelling only.
- 2) **Number.** One ACU is allowed per lot.
- 3) **Bulk and Dimensional Standards.**
 - a) **Detached ACU.** A detached ACU shall meet all standards applicable to accessory structures.
 - b) **Internal ACU.** An internal ACU may occupy a maximum of 25 percent of the principal building or the entirety of a basement or attic space.
 - c) **Attached ACU.** An attached ACU shall meet all bulk and dimensional standards of the zoning district in which it is located and shall not exceed 25 percent of the square footage of the principal building.
- 4) **Outside Entrance.** An ACU shall have an outside entrance separate from the single-family dwelling on the property.
- 5) **Employees.** A maximum of two people in addition to the residents of the single-family dwelling on the property may be employed by an ACU.
- 6) **On-Site Customers/Clients.** An ACU may receive customers or clients on-site provided that customer visits do not generate traffic or noise levels inconsistent with typical residential use.
- 7) **Allowed Uses.** Allowed uses of an ACU shall be limited to:
 - a) **Artisan Manufacturing,**
 - b) **General Retail,**
 - c) **Professional Services, and**
 - d) **Personal Services.**
- 8) **Signs.** An ACU is allowed one sign meeting the standards established in Section 1187.
- 4)9) **Parking.** One off-street parking space shall be provided in addition to those required for the principal dwelling.

B) Automated Teller Machine (ATM).**1) MDR Subdistrict.** In the MDR Subdistrict, ATMs shall be:

a) Located and accessed fully within a building.

2) All Other Subdistricts. In all other Subdistricts, ATMs shall be:

a) Architecturally integrated into the building façade, or

b) Located and accessed fully within a building.

C) Outdoor Display / Sale of Merchandise, Permanent.**1) Location.** Accessory outdoor display / sales areas shall be located:

a) Outside building setbacks,

b) Outside required parking and/or landscape areas,

c) On hard surfaced areas as approved by the Zoning Administrator,

d) Within 15 feet of the front, street side, or side yard facing elevation of the principal building as measured from the building foundation, and

e) In a manner that does not block points of building ingress or egress or that interferes with pedestrian, bicyclist, or vehicle circulation.

2) Size. Accessory outdoor display / sales areas shall not exceed 10 percent of the gross floor area of the primary building on the property.**D) Outdoor Seating, Accessory.** Accessory outdoor seating:

1) May be located in the front, side, and/or rear yard,

2) Shall be located on hard surfaced areas as approved by the Zoning Administrator,

3) Shall be located outside of required parking and/or landscape areas, and

4) Shall not block points of building ingress or egress or that interferes with pedestrian, bicyclist, or vehicle circulation.

5) Shall be enclosed by a fence or wall meeting the standards of Section 1174.2 with a minimum height of three feet and a maximum height of four feet.

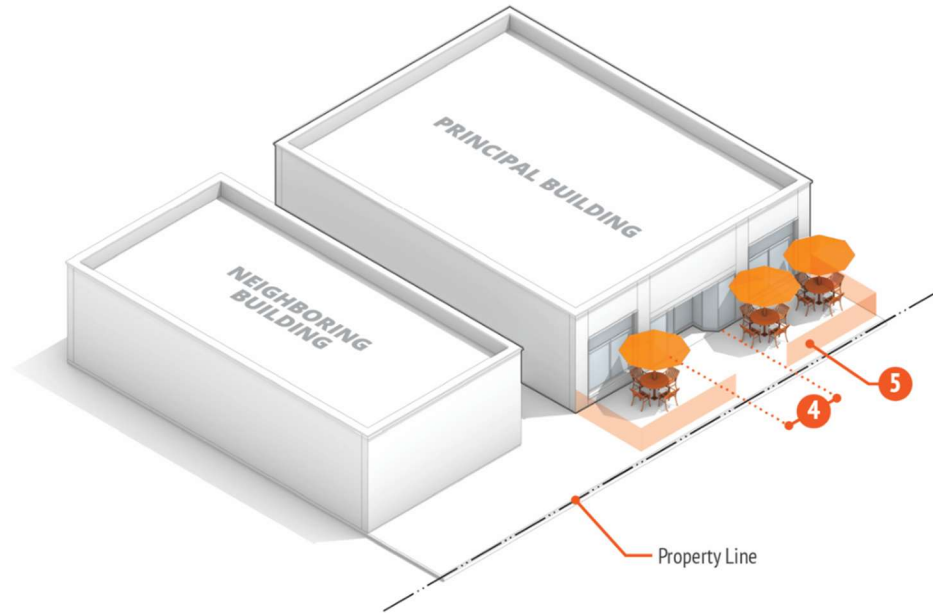


Figure 4 - Accessory Outdoor Seating

E) Parking Garage, Commercial, Accessory. Accessory parking structures shall meet all standards of principal commercial parking structures (Section 1155.07(M)).

1155.10 TEMPORARY USE TABLE

The following shall be used in the interpretation of Table 1155.10.

- A) **Permitted Uses (P).** Uses which are marked as “P” in the table shall be allowed temporary uses subject to all applicable regulations of this Chapter.
- B) **Prohibited Uses.** A blank space in the table indicates that a use is prohibited.
- C) **Uses Not Listed.** A use not specifically listed is prohibited unless, the Zoning Administrator determines if the use is substantially similar to a use listed in the tables. If it is, the use shall be treated in the same manner as the substantially similar use.
- D) **Supplemental Standards.** If a use has supplemental standards, they are referenced in the Supplemental Standards column. Supplemental standards shall apply to the use, regardless of whether it is a permitted or conditional use.

<u>Table 1155.10 Temporary Uses</u>							
<u>Temporary Use</u>	<u>Supplemental Regulations</u>	<u>LDR</u>	<u>MD R</u>	<u>CC</u>	<u>CT</u>	<u>DE</u>	<u>DW</u>
<u>Farmers Market</u>			<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Food Truck, Temporary</u>	<u>1155.11(A)</u>			<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Outdoor Display / Sale of Merchandise, Temporary</u>	<u>1155.11(B)</u>			<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Outdoor Seating, Temporary</u>	<u>1155.11(C)</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Seasonal Sales</u>				<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>

1155.11 TEMPORARY USE SUPPLEMENTAL STANDARDS

- A) **Food Truck, Temporary.** A stand-alone food truck whether motorized or non-motorized may be set up on a semi-regular, or one-time basis subject to the following criteria. The provisions of this Section shall not apply to any minor-operated business or City-sponsored event.
- 1) **Zoning Certificate.** A zoning certificate shall be obtained annually from the City of Mason.
 - 2) **Location.**
 - a) A temporary food truck shall be located:
 - i) Outside of driveways or drive aisles,
 - ii) In a manner that does not obstruct parking lot circulation, block the flow of traffic, or block access to a public street, alley, sidewalk, or fire lane,

- iii) In a manner that does not block a pedestrian walkway or public sidewalk in a manner which reduces the width of that walkway or sidewalk to less than five feet or causes damage to any improvements within the public right-of-way,
 - iv) On any lot or parcel with written permission of the owner only,
 - v) Outside of 50 feet of the established outer boundary of any City-permitted or licensed event where the sale of merchandise and food has been allowed unless it is part of the event,
 - b) A temporary food truck may be located:
 - i) Within a right-of-way in the DW and DE Subdistricts only if the following standards are met:
 - (a) No merchandise shall be offered, displayed or sold and no customers served except from the sidewalk,
 - (b) Non-motorized temporary food trucks may be located on sidewalks, provided they do not obstruct pedestrian movement,
 - (c) Motorized temporary food trucks shall be located within designated parking spaces, and
 - (d) Temporary food trucks shall be located at least 25 feet from any intersection, 15 feet from any driveway, and 10 feet from any building or structure.
 - c) Any location in a right-of-way, including sidewalks, may be subject to temporary suspension or revocation without cause, but for reasons that may include construction, repairs, maintenance or emergencies as determined by the City.
- 3) **Multiple Food Trucks.** Multiple temporary food trucks may locate on the same lot or parcel so long as each vendor has the property owner's written permission and all other provisions contained herein are met.
- 4) **Improvements.**
 - a) Trash receptacles shall be provided, and the owner/operator shall be responsible for keeping the area surrounding the food truck clear of any litter and properly cleaned.
 - b) Signs, except for Freestanding sidewalk signs, shall be permanently affixed to or painted on the food truck. Each food truck may have one sandwich board sign which may not be located in any right-of-way or impede pedestrian or vehicular traffic and shall be within 25 feet of the food truck.

c) Canopies, umbrellas, and outdoor tables and chairs shall not block a pedestrian walkway or public sidewalk in a manner which reduces the width of that walkway or sidewalk to less than five feet or creates a visual obstruction to traffic.

5) **Storage.** When not in operation, temporary food trucks shall not be stored in the public right-of-way.

B) Outdoor Display / Sale of Merchandise, Temporary.

1) **Location.** Temporary outdoor display / sales areas shall be located:

a) Outside building setbacks,

b) Outside required landscape areas,

c) On hard surfaced areas as approved by the Zoning Administrator, and

d) In a manner that does not block points of building ingress or egress or that interferes with pedestrian, bicyclist, or vehicle circulation.

2) **Size.**

a) Temporary outdoor display / sales areas located outside of parking areas shall not exceed 10 percent of the gross floor area of the primary building on the property.

b) Temporary outdoor display / sales areas located within parking areas shall not exceed 10 percent of the provided parking stalls.

C) Outdoor Seating, Temporary.

1) **Location.** Temporary outdoor seating:

a) May be located in the front, side, and/or rear yard,

b) May be located on a public sidewalk or pedestrian walkway within 20 feet of the principal building,

c) Shall be located on hard surfaced areas as approved by the Zoning Administrator,

d) Shall be located outside of required landscape areas, and

e) Shall not block points of building ingress or egress or that interferes with pedestrian, bicyclist, or vehicle circulation.

2) **Public Sidewalk Standards.** If located on a public sidewalk, temporary outdoor seating shall:

- a) Not obstruct the movement of pedestrians along sidewalks or through areas intended for public use.
 - b) Maintain a clear pathway at least five feet wide to allow through public pedestrian traffic along the sidewalk and from the sidewalk into the entrance to the principal building. A greater width may be required where necessary to ensure the safe and convenient flow of pedestrian traffic.
 - c) Maintain a clear separation of at least five feet from any alley, crosswalk, fire hydrant, or similar public or emergency access feature in or near the sidewalk. A greater clear distance may be required where necessary to ensure use of the public or emergency access feature, and
 - d) Not attach, chain, or otherwise affix tables, chairs, umbrellas, or other furnishings or equipment to any curb, sidewalk, tree, post, sign, or other fixture within the temporary outdoor seating area.
- 3) **Parking Area Standards.** If located within a parking area, temporary outdoor seating shall not:
- a) Exceed 15 percent of the minimum required parking stalls, or
 - b) Block vehicular circulation and movement of emergency vehicles.

1155.12 BUILDING DESIGN STANDARDS

A) Purpose. The purpose of the building design standards is to:

- 1) Ensure that the physical characteristics of proposed development are compatible with the context of surrounding areas.
- 2) Preserve the unique visual character and streetscapes of Mason.
- 3) Create unique and inspiring places that support the pedestrian experience and promote economic vitality, and
- 4) Encourage creativity and innovation while avoiding obtrusive, incongruous structures.

B) All Buildings. The standards of this Section shall apply to all buildings in the MM District.

- 1) **Building Orientation.** The primary building entrance(s) of all development on lots with a property line fronting Reading Road, West Main Street, and East Main Street shall be oriented towards those streets. If the lot does not front onto these streets, the primary building entrance shall be oriented towards the primary street to which the lot is adjacent.

C) Multi-Family, Mixed-Use, and Non-Residential Design Standards. The standards of this Section shall apply to all multi-family, mixed-use, and non-residential development.

1) Exterior Building Cladding Materials. The following standards shall apply to applicable buildings in the MDR, CC, CT, DW, and DE Subdistricts.

a) Required Materials. Front and street side yard facing façades of inline buildings and all façades of outlot buildings shall meet one of the following standards:

i) Option 1: A minimum of 30 percent of the façade, excluding glazing, is clad with:

(a) Solid brick,

(b) Brick/stone veneer with a minimum thickness of one and three quarters inches, or

(c) Architectural concrete masonry units.



Figure 5 - Exterior Building Cladding Materials, Option 1

- ii) **Option 2:** A minimum of 60 percent of the façade, excluding glazing, is clad with fiber cement, engineered wood, natural wood, and wood composite siding.



Figure 6 - Exterior Building Cladding Materials, Option 2

iii) **Option 3:** A combination of three building materials are used.



Figure 7 - Exterior Building Cladding Materials, Option 3

iv) **Option 4:** Other equivalent combination of building materials as approved by Planning Commission.

b) **Restricted Materials.** The following materials may be utilized up to 15 percent of the building façade regardless of the required materials option that is utilized:

- i) Natural or synthetic stucco, or
- ii) Non-corrugated metal or metal composite panels.

c) **Prohibited Materials.** The following materials are prohibited on all façades.

- i) Corrugated metal or metal composite panels,
- ii) Vinyl siding, and
- iii) Unfinished concrete block.

2) Glazing.

- a) **Ground Floor Requirements.** The ground floor front and street side yard facing façades of all buildings shall include a minimum percentage of glazing, as detailed in Table 1155.12(C)(2).

<u>Table 1155.12(C)(2) Minimum Required Ground Floor Glazing</u>		
<i><u>Zoning District</u></i>	<i><u>Front Yard Facing Façade</u></i>	<i><u>Street Side Yard Facing Façade</u></i>
<u>CT, DW, DE</u>	<u>40%</u>	<u>20%</u>
<u>CC</u>	<u>20%</u>	<u>15%</u>

- b) **Upper Floor Requirements.** For each story above the ground floor, a minimum 20 percent glazing shall be provided on the front and street side yard facing façade.
- c) **Materials.** Required glazing shall not be mirrored or tinted in a manner that renders the glass opaque.
- d) **Maintenance.** Required glazing shall not be obstructed by interior walls, window displays, or other permanent installations during hours of operation, unless otherwise permitted by this Chapter.

3) Building Entryway Design. Building entryway design standards shall apply to building entrances on a front yard facing façade, including entrances at a chamfered corner, and shall include one or more of the features listed below. These standards shall apply to properties along Reading Road, West Main Street, East Main Street, and Mason-Montgomery Road.

a) Canopy/Roof Overhang.

- i) Shall be located above all ground floor windows and doors.
- ii) Shall project a minimum of three and a maximum of six feet from the façade of the building.

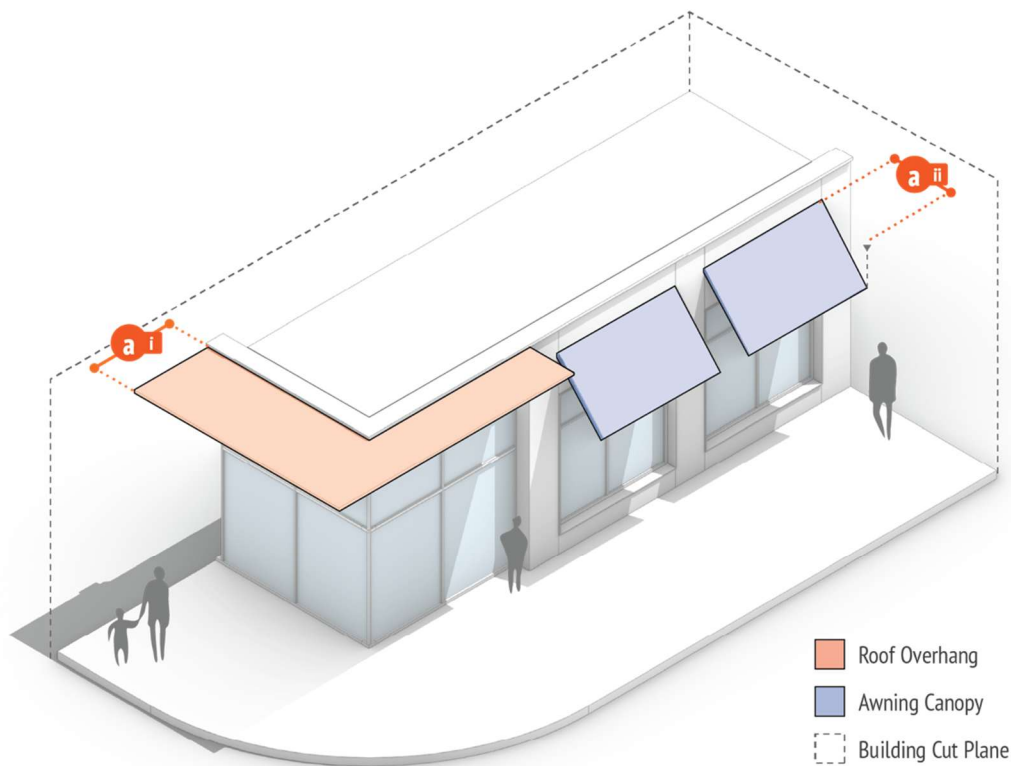


Figure 8 - Building Entryway Design, Canopy/Roof Overhang

b) Portico.

- i) Shall project a minimum of eight feet from the façade of the building.
- ii) Shall extend a minimum of five feet from either side of the building entry.
- iii) Portico columns shall be wrapped with one of the required exterior building cladding materials utilized on the building.
- iv) Shall not be utilized to meet frontage build-out requirements.

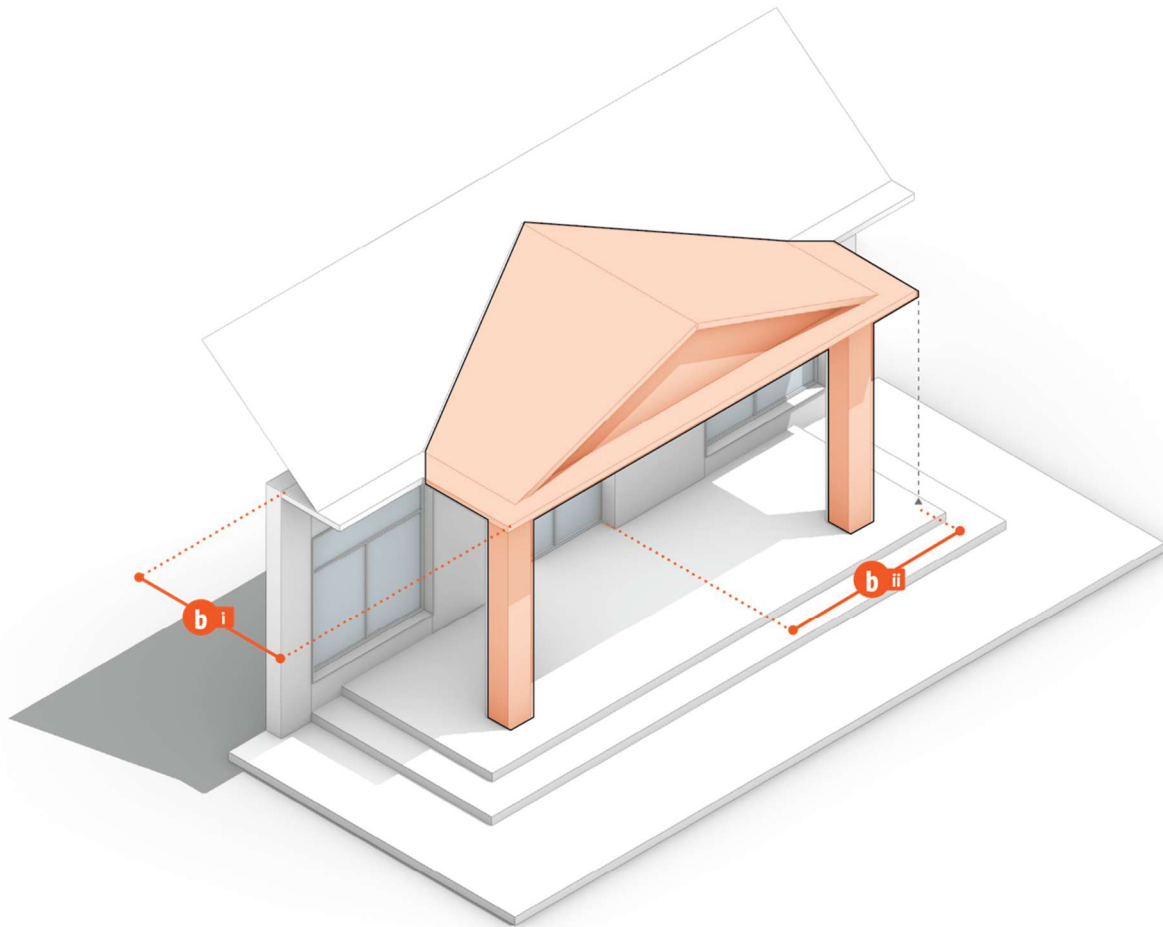


Figure 9 - Building Entryway Design, Portico

c) Plaza.

- i) Shall be allowed in the MDR Subdistrict only.
- ii) Shall be located within a recessed portion of the building that is enclosed on two or three sides.
- iii) Shall be a minimum of 100 square feet.
- iv) Shall have a minimum width of 20 feet.
- v) Shall be improved as a community space.

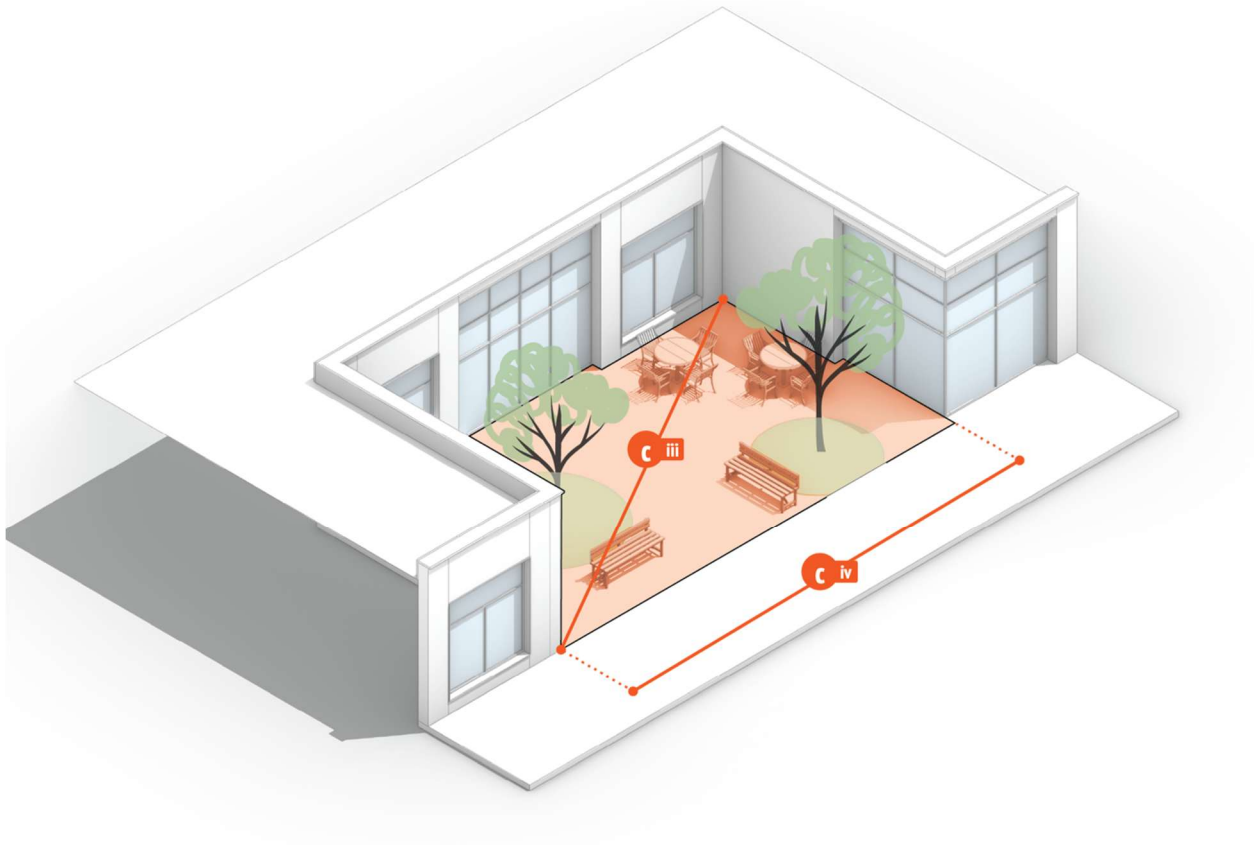


Figure 10 - Building Entryway Design, Plaza

d) Pedestrian Arcade.

- i) Shall run the full length of the building façade.
- ii) Shall project over the full width of the on-site pedestrian walkway.
- iii) Shall have a minimum depth of six feet.
- iv) Pedestrian arcade columns shall be wrapped with one of the required exterior building cladding materials utilized on the building.

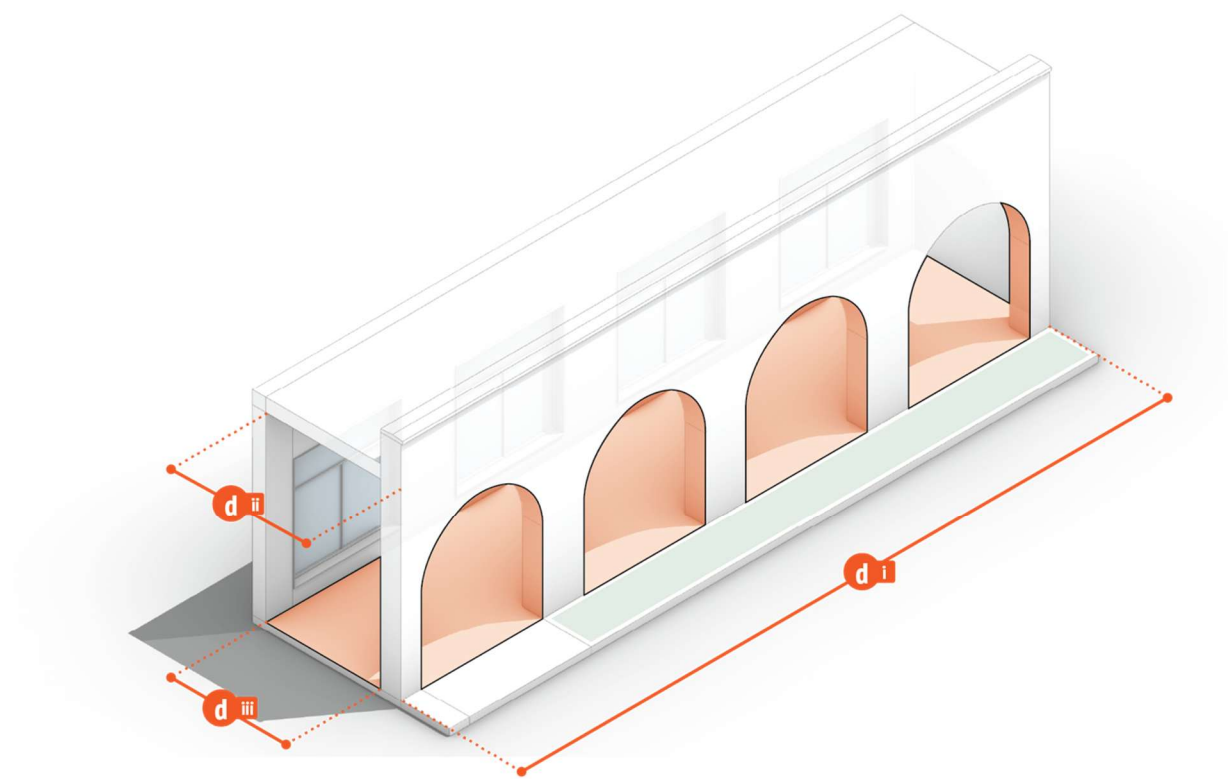


Figure 11 - Building Entryway Design, Pedestrian Arcade

e) Courtyard.

- i) Shall only be allowed in the MDR Subdistrict.
- ii) The portion of the building façade with the entry, with a minimum width of 10 feet, shall be recessed from the primary façade a minimum of eight feet.
- iii) A fence or wall, comprised of weather-treated wood, stone, brick, or wrought iron, or a landscape hedge shall extend from the primary façade of the building to create a sense of enclosure in the courtyard.
- iv) The fence, wall, or landscape hedge shall be a minimum of 20 percent opaque and have a minimum height of three feet and a maximum height of four.

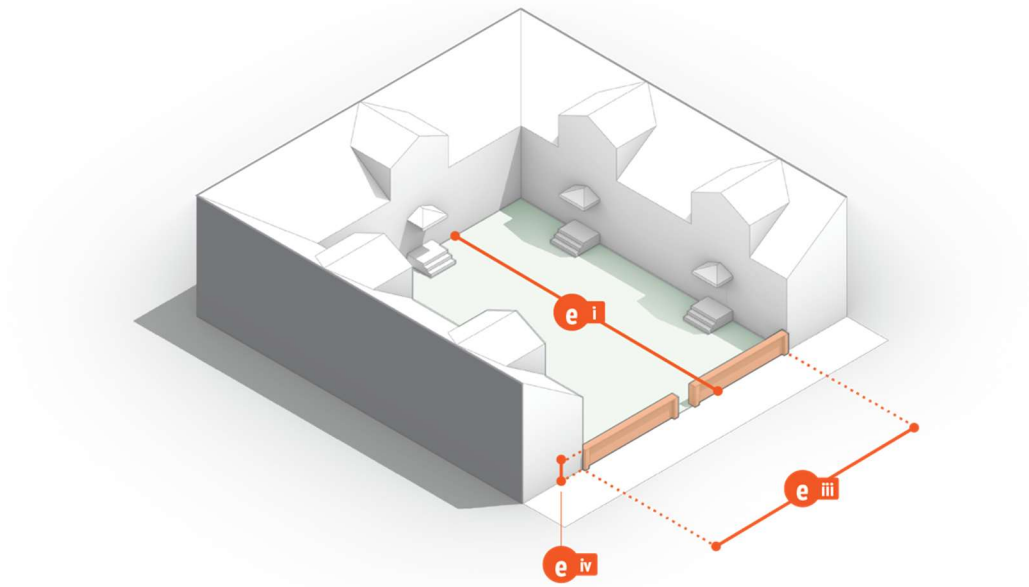


Figure 12 - Building Entryway Design, Courtyard

f) Recessed Entry.

- i) Shall apply to buildings with zero-foot front yard setback only.
- ii) The recessed area shall be proportionally wider than it is deep.
- iii) The recessed area shall be decorative through the incorporation of design elements including but not limited to a mosaic tile floor, angled storefront windows, use of accent building materials, or other as approved by the Zoning Administrator.

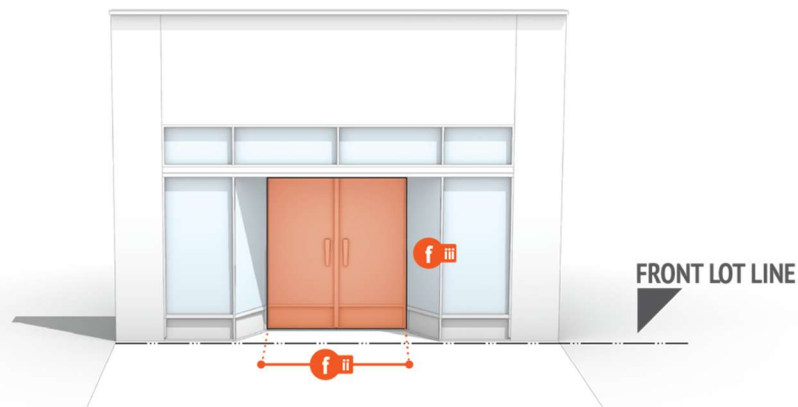


Figure 13 - Building Entryway Design, Recessed Entry

g) Mosaic Surround.

- i) Shall apply to buildings with zero-foot front yard setback only.
- ii) Mosaic shall be permanently applied to the sides and top of building entry.
- iii) Mosaic shall have a minimum width of one foot.

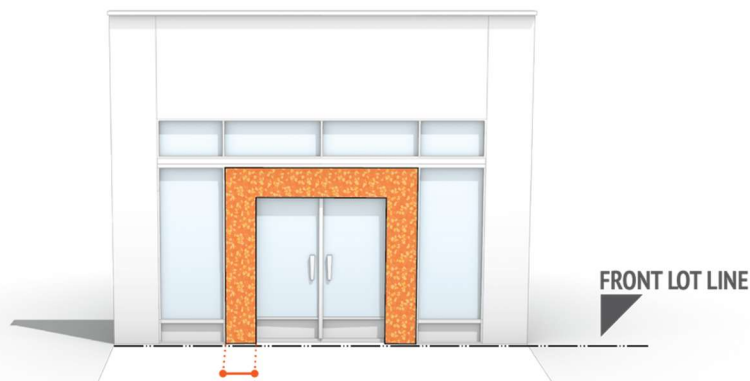


Figure 14 - Building Entryway Design, Mosaic Surround

h) Other building entryway design as approved by Planning Commission.

4) Façade Articulation.

a) The front and street side yard facing façades of ground floor tenant spaces shall be visually distinguished from one another through either the use of:

i) Different building entryway designs per Section 1155.12(C)(3), or

ii) Variated exterior building cladding materials including:

(a) Solid brick,

(b) Brick/stone veneer with a minimum thickness of one and three quarters inches,

(c) Architectural concrete masonry units,

(d) Fiber cement, engineered wood, natural wood, and wood composite siding, or

(e) Non-corrugated metal or metal composite panels.

b) The design element utilized on a subject tenant space shall not be utilized on adjacent tenant space(s).

5) Roof Design.

a) **Roofline Articulation.** The following standards shall apply to applicable buildings in CC, CT, DE, and DW Subdistricts.

i) Roofline articulation shall be provided every 60 feet of roof length. Planning Commission may approve an alternate distribution of roofline change features.

ii) Requirements for roofline articulation may be met by:

(a) Distinctions in roof pitch, such as through the use gables, dormers, shed dormers, flat roofs, or towers, that are visually apparent as seen from the ground,

(b) Variation in roof materials, such as on-roof accent elements, or

(c) Variation of at least two feet in building section height.

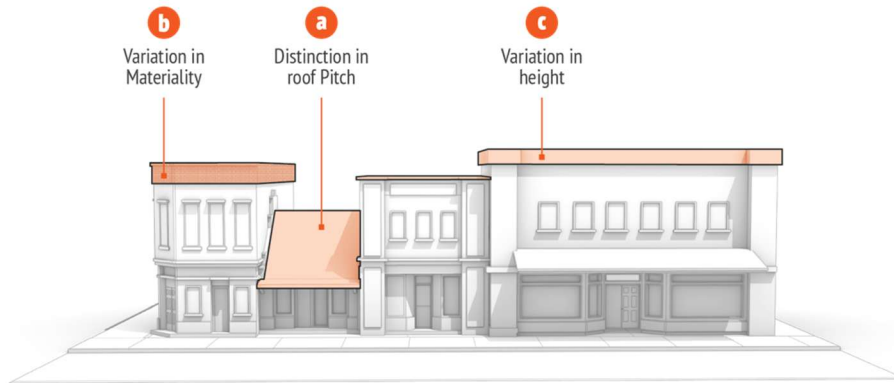


Figure 15 - Roofline Articulation

b) Parapet Walls.

- i) All flat roofs shall include parapet walls.
- ii) Parapet walls shall be designed in a manner that prevents views of the rear of the parapet wall or to any portion of the roof from any adjacent property or right-of-way.

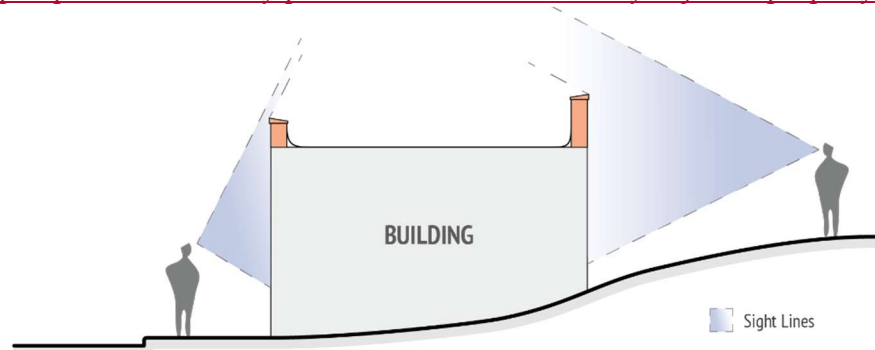


Figure 16 - Parapet Walls

D) Townhouse Design Standards. The standards of this Section shall apply to townhome units and clusters.

1) Exterior Building Cladding Materials.

- a) Required Materials. Front and street side yard facing façades shall meet one of the following standards:

- i) Option 1: A minimum of 30 percent of the façade, excluding glazing, is clad with:

- (a) Solid brick,
 - (b) Brick/stone veneer with a minimum thickness of one and three quarters inches, or
 - (c) Architectural concrete masonry units.
- ii) **Option 2:** A minimum of 60 percent of the façade, excluding glazing, is clad with fiber cement, engineered wood, natural wood, and wood composite siding.
- iii) **Option 3:** A combination of three building materials are used.
- iv) **Option 4:** Other equivalent combination of building materials as approved by Planning Commission.
- b) **Restricted Materials.** The following materials may be utilized up to 15 percent of the building façade regardless of the required materials option that is utilized:
 - i) Natural or synthetic stucco, or
 - ii) Non-corrugated metal or metal composite panels.
- c) **Prohibited Materials.** The following materials are prohibited on all façades.
 - i) Corrugated metal or metal composite panels,
 - ii) Vinyl siding, and
 - iii) Unfinished concrete block.

2) **Townhouse Clusters.**

- a) A maximum of eight townhouse units shall be allowed in a townhouse cluster.
- b) Individual townhouse units in a cluster shall be articulated via:
 - i) **Dividing Elements.**
 - (a) Sections or bays shall be visually established by dividing elements such as columns, ribs, pilasters or piers, changes in plane, or an equivalent element, as approved by Planning Commission, that visually subdivides the wall with a roof or cap feature that provides a rational terminus and integrates with the overall design of the façade.
 - (b) Required dividing elements shall extend at least the full height of the ground floor of the building.

(c) The width of required dividing elements shall be a minimum of 12 inches.

(d) The required projection of dividing elements shall be based on the width of the dividing element in accordance with Table 1155.12(D)(2):

Table 1155.12(D)(2) Minimum Projection of Façade Dividing Elements	
<u>Width of Façade Dividing Element</u>	<u>Minimum Projection of Façade Dividing Element</u>
<u>12-23.99 inches</u>	<u>4 inches</u>
<u>24-35.99 inches</u>	<u>8 inches</u>
<u>36 or more inches</u>	<u>12 inches</u>

ii) Different unit entryway designs including:

(a) Porches,

(b) Canopies,

(c) Covered stoops, or

(d) Recessed vestibules,

iii) Variation in exterior building cladding materials including:

(a) Solid brick,

(b) Brick/stone veneer with a minimum thickness of one and three quarters inches,

(c) Architectural concrete masonry units,

(d) Fiber cement, engineered wood, natural wood, and wood composite siding, or

(e) Non-corrugated metal or metal composite panels,

iv) Variation in exterior building cladding material colors,

v) Distinctions in roof pitch, such as through the use gables, dormers, shed dormers, flat roofs, or towers, that are visually apparent as seen from the ground,

vi) Variation in roof materials, such as on roof accent elements, or

vii) Variation of at least two feet in unit height.

c) The siting of townhome units in a cluster shall be staggered in order to define street edges, entry points, and public gathering spaces.

3) **Attached Front Yard Facing Façade Garages.** An attached garage on the front yard facing façade of a townhouse unit is prohibited.

E) **Single-Family, Two-Family, Triplexes, and Quadplexes.** The standards of this Section shall apply to single-family, two-family, and triplexes / quadplexes.

1) **Attached Front Yard Facing Façade Garages.** An attached garage on the front yard facing façade of a single-family unit, two-family unit, and triplex / quadplex is prohibited.

1155.13 ACCESS AND PARKING

A) **Applicability.** The following elements of the Zoning Ordinance shall apply unless modified by this section:

- 1) **Section 1175.2 Off-Street Parking Lots,**
- 2) **Section 1175.3 Parking and Loading Access, and**
- 3) **Section 1175.4 Units of Measurement.**

B) **Off-Street Vehicle Parking Requirements.** The minimum number of required off-street parking spaces shall be calculated according to the formulas established in Table 1155.13(B), unless a parking plan is submitted and approved by the Planning Commission.

<u>Table 1155.13(B). Minimum Parking Spaces</u>	
<u>Principal Use</u>	<u>Minimum Required Parking</u>
<u>Residential Uses</u>	
<u>Dwelling, Single-Family, Detached</u>	<u>1 garage space / dwelling unit</u>
<u>Dwelling, Townhome</u>	<u>1 space / dwelling unit</u>
<u>Dwelling, Two-Family</u>	
<u>Dwelling, Triplex / Quadplex</u>	
<u>Dwelling, Cottage Home Court</u>	
<u>Multi-Family Dwelling</u>	<u>1.5 spaces / dwelling unit</u>
<u>Dwelling, Live-Work Unit</u>	<u>2 spaces / dwelling unit</u>
<u>Child-Day Care Center</u>	<u>1 space / five children [1]</u>
<u>Convalescent, Nursing, or Rest Home</u>	<u>1 space / six beds + 1 space / employee on largest shift</u>
<u>Group Home</u>	<u>1 space / four residents + 1 space / employee</u>
<u>Non-Residential Uses</u>	
<u>Animal Hospitals, Veterinarian Clinics and Kennels</u>	<u>1 space / 500 sq ft</u>
<u>Arcade</u>	

Table 1155.13(B). Minimum Parking Spaces	
Principal Use	Minimum Required Parking
Art Studio	
Indoor Movie Theater	
Public Entertainment / Recreation Facility	
Public Offices and Buildings	
Place of Worship	
School, Public and Private	
Libraries, Museums, and Art Galleries	
Bed and Breakfast	1 space / guest room
Boutique Hotel	
Hotel	
Food Truck, Court	2 spaces / food truck stall
General Retail; less than 5,000 sq ft	1 space / 500 sq ft
General Retail; 5,000 sq ft or greater	1 space / 200 sq ft
Financial Establishment	
Medical/Dental Office or Clinic	1 space / 500 sq ft
Personal Service; 5,000 sq ft or greater	1 space / 200 sq ft
Personal Service; less than 5,000 sq ft	1 space / 500 sq ft
Professional Service; 5,000 sq ft or greater	1 space / 200 sq ft
Professional Service; less than 5,000 sq ft	1 space / 500 sq ft
Restaurant, without Drive-Through Facilities	1 space / 200 sq ft
Taverns / Bars / Nightclubs	1 space / 200 sq ft
Artisan Manufacturing	1 space / 500 sq ft
Brewery / Winery / Distillery	1 space / 200 sq ft
Accessory Uses	
Accessory Structure	n/a
Gardening, Pets, and Animals	
Home Occupations	
Accessory Commercial Unit	1 space / 200 sq ft
Outdoor Seating	n/a
Outdoor Display / Sale of Merchandise, Permanent	
Swimming Pools	
Notes	
[1] Child Day-Care Centers shall meet the Required Access and Loading/Unloading standards of Section 1172.4(C).	

1) Maximum Parking Limit.

a) **CT, DW, and DE Subdistricts.** The off-street parking area for non-residential uses in the CT, DW, and DE Subdistricts shall not exceed the minimum number of spaces required by more than 25 percent, unless a parking plan is submitted and approved by the Planning Commission.

b) **CC Subdistrict.** Uses in the CC Subdistrict are not subject to maximum parking limits.

2) Minimum Parking Reductions. The minimum parking required per use (Table 1155.13(B)) may be reduced per Table 1155.13(B)(2).

<u>Table 1155.13(B)(2). Minimum Parking Requirements Reductions</u>		
<u>Type</u>	<u>Criteria</u>	<u>Adjustment</u>
<u>Fee-in-Lieu</u>	<u>When required parking cannot be reasonably provided on-site.</u>	<u>Applicant may pay a fee-in-lieu for 50% of required spaces up to 5 spaces.</u>
<u>Joint Use Parking</u>	<u>Standards of Section 1155.13(C)(2) are met.</u>	<u>In accordance with Section 1155.13(C)(2).</u>
<u>On-Street Parking</u>	<u>One-unit or two-unit use is located along one or more public street frontages where public parking is permitted and which have bump outs and chokers or a parking permit system is in place.</u>	<u>A maximum of one required parking space may be credited for one legal on-street parking space immediately abutting the subject property. Where a partial space straddles an extension of a side property line, the space may be counted by the abutting property owner in front of whose property 50 percent or more of the space is located.</u>
	<u>Multi-unit use is incorporated into and visually integrated with the street design of one or more public street frontages where public parking is permitted and which have bump outs and chokers, in accordance with the Standards and Specifications, or a parking permit system is in place.</u>	<u>One required parking space may be substituted if one legal on-street parking space immediately abuts the subject property. Where a partial space straddles an extension of a side property line, the space may be counted by the abutting property owner in front of whose property 50 percent or more of the space is located. A maximum of 10 percent of required parking may be adjusted.</u>

C) Shared and Joint Use Parking.**1) Shared Parking.**

- a) One parking lot may contain required parking spaces for several different uses so long as the required parking spaces are located within 500 feet of the associated development site.
- b) Enforcement of the use of parking spaces in a shared parking area shall be the responsibility of the property owner.

2) Joint Use Parking. In a shared parking area, a maximum of 50 percent of the required parking spaces assigned to one use may be counted or assigned to another use(s) if the uses operate at different peak times.**3) General Provisions.** An applicant proposing the use of shared and/or joint use parking must:

- a) Demonstrate that the express legal right to use the parking spaces in question has been obtained;
- b) Provide a shared and/or joint use parking agreement detailing how the parking spaces will be allocated to or jointly used by the uses. The agreement shall be recorded with the Warren County Recorder's Office upon approval; and
- c) Sign an acknowledgement that the continuing validity of the applicant's development permit depends upon the continuing ability to provide the requisite number of parking spaces. If the shared and/or joint use parking is no longer available or the property owner fails to comply with the requirements of this Section, the parking requirement reverts to those requirements found in the Table 1155.13(B) and the property owner or applicant must demonstrate compliance with said requirements or the development permit shall be revoked.

- 4) Should there be a change in owner, change in use, expansion or reduction in building or parking area, a new shared and/or joint use parking agreement, outlined in subsection c above, shall be submitted to the City and, if required, recorded with the Warren County

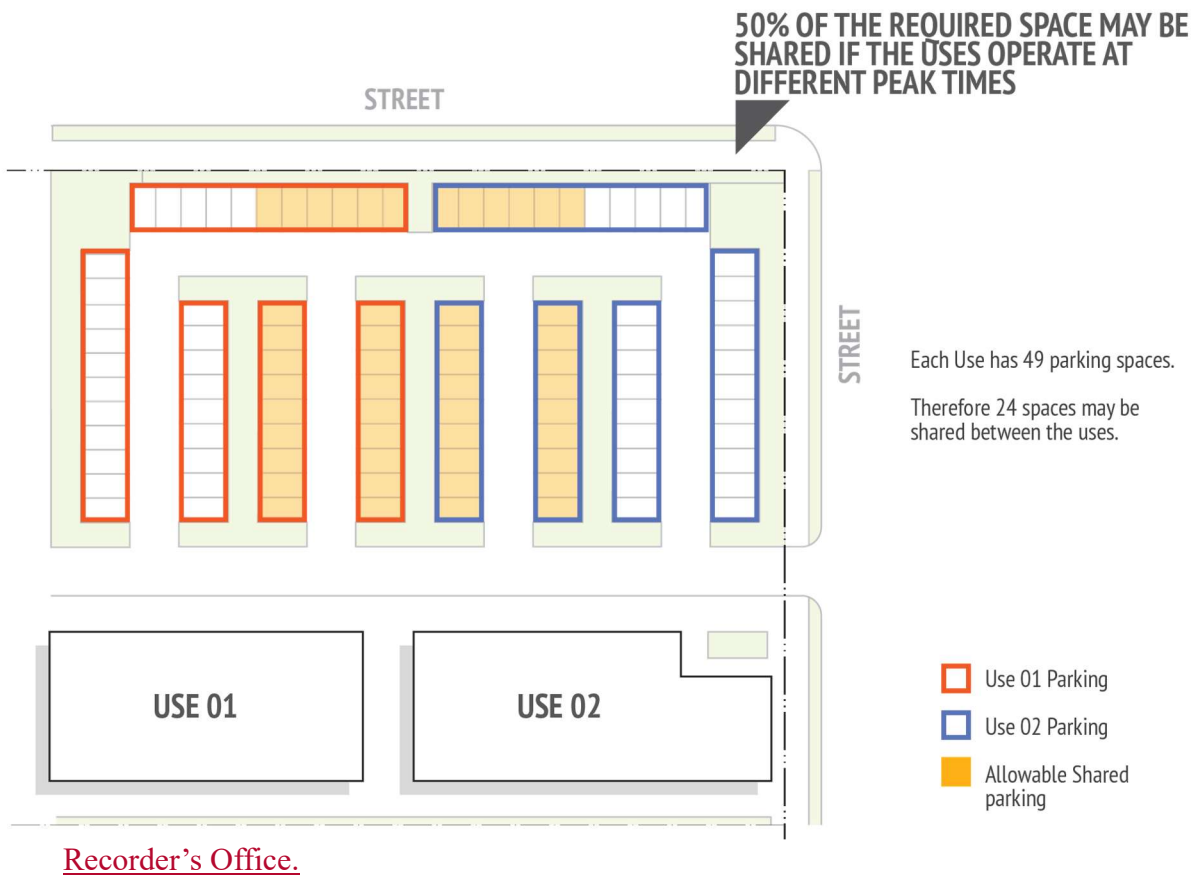


Figure 17 - Shared and Joint Use Parking

D) Off-Street Vehicle Parking Location and Access. The allowed location of accessory parking areas shall be in accordance with Table 1155.13(D) per the table key below.

a) ● = Allowed;

b) Blank = Not Allowed

Table 1155.13(D) Allowed Parking Area Location			
<i>Subdistrict</i>	<i>Between Building(s) and any Street Right- of-Way</i>	<i>Between Building(s) and Side Lot Line</i>	<i>Between Building(s) and Rear Lot Line</i>
CC; MDR	●	●	●
CT		●	●
DW; DE			●

c) If a parcel fronts a public right-of-way on two or more sides, parking may also be located between the building(s) and one street right-of-way, provided the parking area is screened from the public right-of-way by a masonry wall with a minimum height of three feet and a maximum height of four feet or by a hedge wall including one shrub planted every three feet on center.

2) **Vehicular Cross-Access Drives.** To facilitate vehicular access between adjoining developments and to minimize access points along Reading Road, West Main Street, East Main Street, and Mason-Montgomery Road, development in the CT, DW, and DE Subdistricts shall comply with the following standards:

a) Internal vehicular circulation systems shall be designed to allow for vehicular cross-access between the development's vehicle parking facilities and vehicle parking facilities in an adjoining non-single-family development, or to the boundary of adjoining vacant land.

- b) Required vehicular cross access between the adjoining lots shall be provided through the use of a single two-way maneuvering lane or two one-way maneuvering lanes that are sufficiently wide to accommodate traffic by automobiles, service vehicles, loading vehicles, and emergency vehicles.

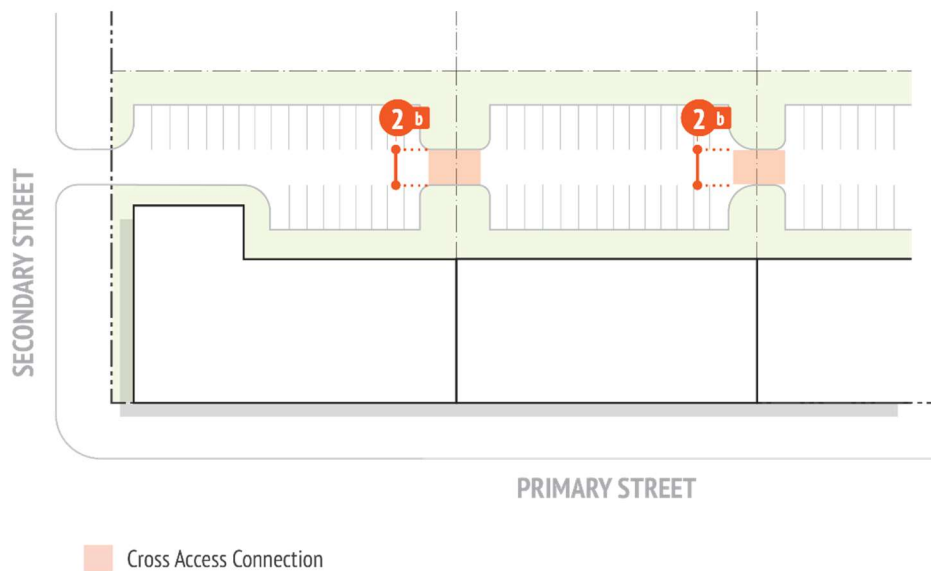


Figure 18 - Vehicular Cross Access

- c) The Zoning Administrator may waive or modify the requirement for vehicular cross access on determining that such cross access is impractical or undesirable because it would require crossing a significant physical barrier or environmentally sensitive area or would create unsafe conditions.
- d) Easements allowing cross access to and from properties served by a vehicular cross-access drives, along with agreements defining maintenance responsibilities of property owners, shall be recorded with the Warren County Recorder's Office before issuance of a Certificate of Occupancy for the development.

3) DE and DW Subdistricts Parking and Access Easement.

- a) In the DE and DW Subdistricts, all areas located more than 70 feet from the front property line shall be reserved exclusively for a parking and access easement. No buildings or other principal structures are permitted within this area. This requirement does not apply to lots 70 feet or less in depth.
- b) Where an established or approved building, existing as of the effective date of Chapter 1155, extends beyond 70 feet, this requirement shall apply only to the portion of the lot located behind the rear wall of the existing building.

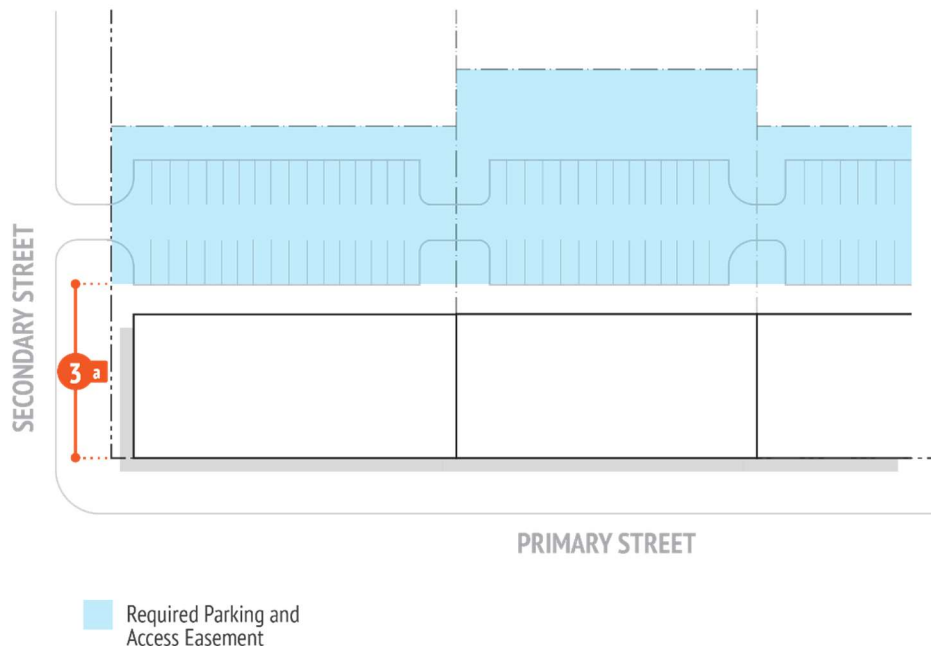


Figure 19 - DE and DW Subdistricts Parking and Access Easement

E) Loading. All provided loading spaces shall comply with the standards of this section.

1) Location.

- a) All required loading bays shall be located on the same lot as the use served.
- b) Loading bays shall not be located:
 - i) In any front yard or street side yard;
 - ii) Within 25 feet of the nearest point of intersection of any two streets;

- iii) In a fire lane.
 - iv) In a manner that intrudes into any portion of or prevents access to an internal access drive, parking area drive aisle, or parking space.
 - v) Closer than 50 feet to any property in MDR or LDR Subdistricts if serving vehicles over two tons capacity.
- 2) **Access.** Every loading bay shall be:
- a) Designed to provide access to a street or easement by the largest vehicle likely to serve the lot in a manner which will least interfere with traffic movements and without having to make any backing movement onto a public right-of-way; and
 - b) Provided with sufficient maneuvering space to accommodate the largest vehicle likely to serve the lot.
- 3) **Utilization.** Space allocated to any loading bay shall not be used to satisfy the requirements for any vehicle or bicycle parking space.

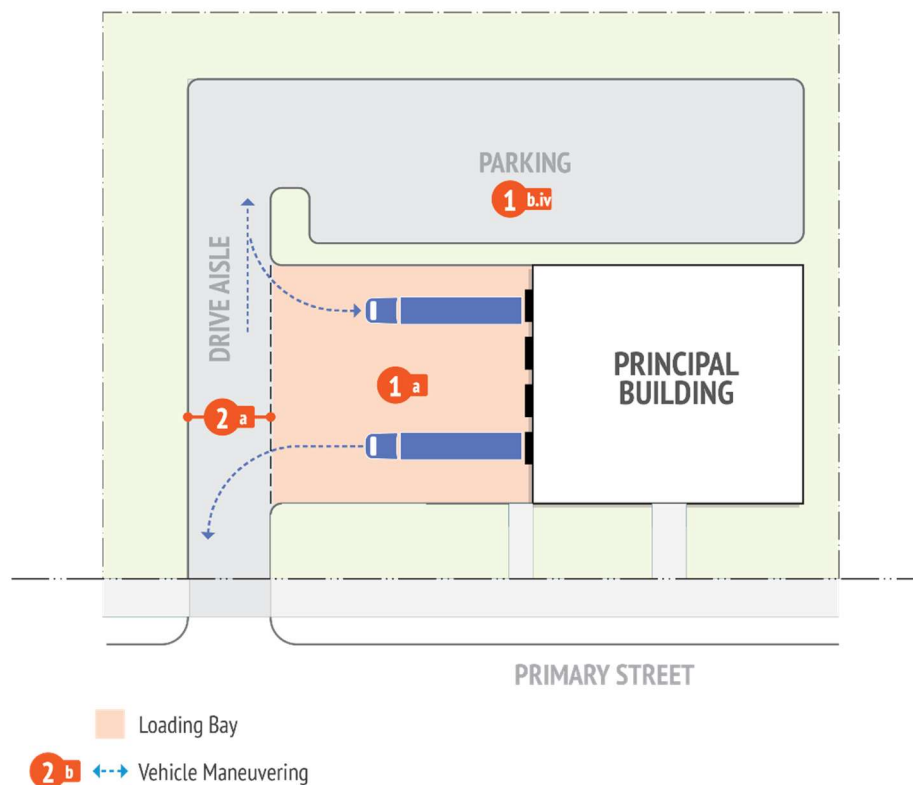


Figure 20 - Loading

F) On-Site Pedestrian Walkways.**1) Required Connections.** On-site, pedestrian walkways shall connect:

- a) All buildings on a development site to one another;
- b) Parking areas to building entrances and the public right-of-way;
- c) Each building on a development site to public amenities located within the development site;
- d) Building entrances to transit stops on a development site; and
- e) Each building entrance adjacent to public sidewalks.

3) On-Site Pedestrian Walkway Design.

- a) On-site pedestrian walkways shall comply with the Americans with Disabilities Act (ADA).

- b) Where driveways, parking, and loading entrance and exits cross pedestrian walkways, the pedestrian walkway shall be designed with minimal disruptions to safe, continuous pedestrian connectivity.

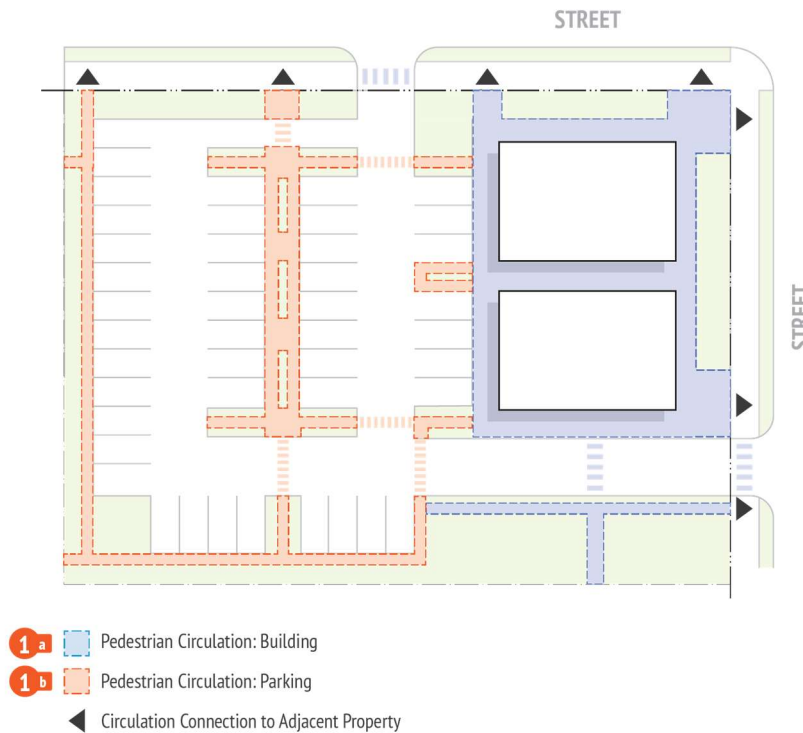


Figure 21 - Pedestrian Walkways

G) Bicycle Parking.

- 1) **Surfacing.** Bicycle parking, except for indoor long-term bicycle parking facilities, shall be provided on a hard surface, all-weather pavement of asphalt or concrete.
- 2) **Placement.**
 - a) Bicycle parking facilities shall comply with the following spacing standards:
 - i) **Side-by-Side Rack.** Four-foot separation.
 - ii) **End-to-End Rack.** Five-foot separation.
 - iii) **Other Rack Type.** As approved by the City Engineer.

- b) Bicycle parking facilities shall be located three feet away from walls, fences, and the edge of landscaping at the time of maturity, as measured from the edge of the rack closet to the wall, fence, or landscaping.
- c) Bicycle parking facilities adjacent to a pedestrian walkway shall be sited to ensure that a minimum five-foot pedestrian walkway clearance is maintained.

3) Rack Types.

- a) Bicycle racks shall meet all requirements of the Americans with Disabilities Act (ADA).
- b) Grid, wave, and spiral bicycle racks are prohibited.
- c) Bicycle lockers or similar types of facilities are permitted.



Chapter 1157

B-2 Shopping Center Districts



1155.9 OBJECTIONABLE USES.

No processes and equipment shall be employed which are objectionable by reason of odor, dust, smoke, cinders, gas fumes, noise, vibration, radiation, refuse matter, or water carried waste.
~~Processes and equipment employed and goods produced or sold shall be limited to those which are not objectionable by reason of odor, dust, smoke, cinders, gas, fumes, noise, vibration, refuse matter or water carried waste, and shall comply with the B-1 MM District standards in Chapter 1155. Objectionable noise shall be any noise prohibited by the Noise Ordinance.~~



Chapter 1159

B-3 Road Service Districts



1155.10 OBJECTIONABLE USES.

No processes and equipment shall be employed which are objectionable by reason of odor, dust, smoke, cinders, gas fumes, noise, vibration, radiation, refuse matter, or water carried waste.
~~Processes and equipment employed and goods produced or sold shall be limited to those which are not objectionable by reason of odor, dust, smoke, cinders, gas, fumes, noise, vibration, refuse matter or water carried waste, and shall comply with the B-1 MM District standards in Chapter 1155. Objectionable noise shall be any noise prohibited by the Noise Ordinance.~~

CHAPTER 1170

~~Downtown Overlay District~~

~~(Ord. 05-136, passed November 28, 2005)~~

~~(Ord. 14-002, passed February 10, 2014)~~

- ~~1170.1 — PURPOSE.~~
- ~~1170.2 — CREATION AND
BOUNDARIES.~~
- ~~1170.3 — EFFECT OF DO DOWNTOWN
OVERLAY DESIGNATION.~~
- ~~1170.4 — PERMITTED USES.~~
- ~~1170.5 — PROHIBITED USES.~~
- ~~1170.6 — DEVELOPMENT
STANDARDS.~~
- ~~1170.7 — ZONING CERTIFICATE
REQUIRED.~~
- ~~1170.8 — ZONING CERTIFICATE
REVIEW GUIDELINES AND
STANDARDS.~~
- ~~1170.9 — ZONING CERTIFICATE
REVIEW PROCEDURES.~~
- ~~1170.10 — REVOCATION.~~
- ~~1170.11 — SITE MAINTENANCE AFTER
APPROVAL.~~
- ~~1170.12 — APPEALS.~~
- ~~1170.13 — PENALTIES.~~
- ~~1170.14 — SEVERABILITY.~~
- ~~1170.15 — MINIMUM MAINTENANCE
REQUIREMENT.~~
- ~~1170.16 — EXCLUSIONS.~~

1170.1 — PURPOSE.

- A) — ~~To establish procedures whereby the historical and architecturally significant assets located within the Downtown Overlay District are afforded protection from actions that would be detrimental to preserving irreplaceable cultural and community resources.~~
- B) — ~~To follow the Secretary of the Interior’s Standards for the Rehabilitation of Historic Buildings.~~
- C) — ~~To enhance property values, protect property rights, stabilize and improve downtown and adjacent neighborhoods, and increase economic and financial benefits to Mason businesses and inhabitants.~~
- D) — ~~To create a vibrant community focal point through innovative and creative site design and architecture that continuously evolves over time.~~
- E) — ~~To encourage new development at appropriate locations in a manner consistent with desired architectural and urban design guidelines.~~
- F) — ~~To encourage higher density mixed use development with an above-grade residential and office component, pedestrian friendly site design, and an urban “Main Street” character.~~
- G) — ~~To promote developments where the physical, visual and spatial characteristics are established and reinforced through the consistent use of compatible urban design and architectural design elements.~~
- H) — ~~To prohibit or restrict uses that are disruptive to pedestrian activities and have as their principal function the sale and services of motor vehicles, such as automobile service stations, auto parts retail stores, car washes, new and used motor vehicle sales or service establishments, drive-in restaurants and restaurants with drive-through facilities, business with drive-through facilities (such as but not limited to banks, credit unions, pharmacies, etc.).~~

~~1170.2 — CREATION AND BOUNDARIES.~~

~~This chapter of the Zoning Code is created as an overlay district to be applied within and adjacent to the B-1 Central Business District as the City Council designates by ordinance. The boundaries of the district are depicted on the Official Zoning Map. The Downtown Overlay District is described as:~~

- ~~A) — The parcels fronting Main Street from Mason Road to Kings Mills Road;~~
- ~~B) — The parcels fronting Reading Road/US 42 from 4th Avenue to Main Street and;~~
- ~~C) — Other parcels as depicted on the Official Zoning Map as amended.~~

~~1170.3 — EFFECT OF DOWNTOWN OVERLAY DESIGNATION.~~

~~The Downtown Overlay District regulations apply in combination with underlying base zoning district regulations and all other applicable standards of this Zoning Code. When Downtown Overlay District standards conflict with the underlying base zoning district regulations and other standards of this zoning code, the regulations of the Downtown Overlay District will apply. In this case, the underlying zoning districts are the B-1 Central Business District, R-4 Single Family Residential District, and B-3 Road Service District.~~

~~1170.4 — PERMITTED USES.~~

~~Within the Downtown Overlay District, no building shall be erected, used, or structurally altered, nor shall the land or premises be used in whole or in part, except for uses permitted in the underlying zoning district except as otherwise permitted and prohibited in the following additional provisions:~~

- ~~A) — The uses permitted in Chapter 1155 B-1 Central Business District, Section 1155.2 and Section 1155.3, and the other uses permitted in this section are principally permitted uses in the Downtown Overlay District subject to the requirements of the Downtown Mason Guideline Handbook.~~
 - ~~1) — Public parks, greens, squares, and plazas.~~
 - ~~2) — Outdoor seating operated and maintained by a restaurant, café, or coffee shop.~~
 - ~~3) — Public parking lots.~~
 - ~~4) — Financial institutions and drug stores, cafes and coffee shops and other similar consumer service uses with drive through facilities as approved by Planning Commission.~~
 - ~~5) — Single Family Residential. The use shall comply with the minimum livable floor area requirements established for an R-4 Single Family Residential District in Chapter 1147. (Ord. 10-22, passed March 22, 2010)~~

~~6) — Ballet, dance and fine art studios (Ord. 14-002, passed February 10, 2014)~~

~~1170.5 — PROHIBITED USES:~~

~~Auto-oriented and more intensive commercial uses and associated ancillary uses are prohibited including:~~

- ~~A) — Vehicle sales, rental and services.~~
- ~~B) — Equipment sales, rental and services.~~
- ~~C) — Auto repair, body shops, automobile accessories.~~
- ~~D) — Automobile washing facilities.~~
- ~~E) — Automobile Service Stations.~~
- ~~F) — Vehicle storage.~~
- ~~G) — Other similar uses as determined by the Planning Commission.~~

~~1170.6 — DEVELOPMENT STANDARDS:~~

~~Except as otherwise noted, buildings and uses in the Downtown Overlay District shall comply with the architectural and site development guidelines and additional review procedures established in the Downtown Mason Design Guideline Handbook, as adopted and amended by City Council. The Downtown Mason Design Guideline Handbook is hereby adopted by reference, in its entirety, as if its entire text and substance were a part of this Chapter.~~

~~1170.7 — ZONING CERTIFICATE REQUIRED:~~

- ~~A) — Alterations and New Construction shall conform to procedural requirements of Chapter 1135 of the Zoning Ordinance.~~
- ~~B) — Repairs, Informal Approval. In order to expedite and encourage timely maintenance, repair work, and minor construction in the Downtown Overlay District, the Planning Commission (Commission) authorizes City Staff (Staff) to review and approve certain repair, maintenance work and minor construction activities. Staff may solicit comments and recommendations from qualified individuals in order to make a determination if the proposed project is appropriate for the property. Staff may forward the application to the Commission for Zoning Certificate approval when a determination regarding the proposed modification cannot be made. Staff may approve:~~

- ~~1) — Replacement of missing bricks, repointing with same color and type of mortar and reconstruction with brick matching in color, size, and shape.~~
- ~~2) — Replacement of clapboards, siding, moldings, fascia boards, gutters, railing units, shutters, awnings, canopies, shingles and other exterior surfaces when there is no change in design, materials, or general appearance.~~
- ~~3) — Cleaning and repointing of the foundation and repair when like materials and colors is used. The same mortar mixture should be used to allow similar expansion and contraction of the foundation.~~
- ~~4) — Installation of window air conditioners when they are not facing the street and if there is no change in window structure and installation of ground and roof mounted air conditioner units that are properly screened and inconspicuously located (tubing and connections must not be readily visible).~~
- ~~5) — Replacement of existing storm windows with a similar product. A change from wooden to metal or vinyl storm windows is required to be reviewed by the Commission.~~
- ~~6) — Replacement of windows when they are of like material, in size, shape, and appearance.~~
- ~~7) — The replacement of roofing materials that are similar or better than what was previously on the structure. In the case where slate, tile or cedar shakes are proposed to be replaced with a different material, Board approval is required.~~
- ~~8) — Signage installation and replacement.~~
- ~~9) — Accessory structures not attached to the main building.~~
- ~~10) — Decks, porches, and patios not located on the front of the main building.~~
- ~~11) — Pavement and parking lots.~~
- ~~12) — Landscaping.~~
- ~~13) — Accessible ramps not located in front of the main building.~~
- ~~14) — Ornamental fencing for the purpose of enclosing outdoor eating or sitting areas subject to the fencing being a maximum of four (4) feet in height, constructed out of metal with a black finish and designed with at least seventy (70) percent transparency.~~
(Ord.15-89, passed September 28, 2015)

- ~~C) — Demolition. No demolition, in part or in whole, of any structure located in the Downtown Overlay District shall be undertaken prior to obtaining a Zoning Certificate from the Commission. The demolition of buildings identified as Background or Non-Historic Buildings will be evaluated within the context of the greater downtown. While Background and Non-historic buildings may not be historically or architecturally significant, their removal should be considered in the context of the proposed replacement or redevelopment of the site and the impact the loss of the existing structure will have on the Downtown Overlay District. The Commission will review demolition requests for Landmark and Contributing structures with additional scrutiny.~~
- ~~1) — Redevelopment Site Plan Approval Required. A Redevelopment Site Plan for demolition and redevelopment of the site must be submitted as part of a Zoning Certificate application. The Redevelopment Site Plan must meet the data requirements of Section 1135.5. In addition to the requirements of Section 1135.5, the applicant shall provide evidence of financing and a commitment to build new which mitigates any adverse effect of the proposed removal upon the property, streetscape and the district through one or more of the following:~~
- ~~a) — New construction that complies with all regulations of the Downtown Overlay District and is consistent with guidance contained in the Downtown Mason Design Guidelines Handbook.~~
 - ~~b) — Exterior rehabilitation or restoration of the remaining structure that is consistent with the Downtown Mason Overlay District and guidance contained in the Downtown Mason Design Guidelines Handbook.~~
 - ~~c) — Landscaping the entire parcel consistent with the Downtown Mason Design Guidelines Handbook and City of Mason Landscape and Street Tree Ordinance. This regulation shall apply only when the building is declared a public nuisance.~~
- ~~2) — Additional Requirements for Landmark and Contributing Buildings. It is the intent of this regulation to preserve, retain and rehabilitate Landmark and Contributing buildings located in the Downtown Overlay District. The Commission may approve demolition request for Landmark and Contributing structures only after the applicant has provided compelling evidence that the standards authorizing demolition have been met. Thus, an application for a Zoning Certificate for demolition of a Landmark~~

~~and Contributing building, or any portion thereof, must meet one condition of subsection a), b), or c) and the conditions of subsection d) below.~~

- ~~a) — Evaluation of significance. The applicant presents clear evidence showing that the building in question is not locally significant and that its removal will not adversely affect the architectural or historic integrity of the streetscape or community.~~
- ~~b) — Evaluation of condition. The applicant presents clear evidence that the structure has incurred extensive damage to its basic structural elements, such as the roof, walls and foundation, requiring substantial reconstruction. The applicant shall provide photographs showing such condition, as well as a written evaluation of condition provided by a competent architect, structural engineer, or other building professional.~~
- ~~c) — Evaluation of rehabilitation costs. The applicant presents clear evidence that the square foot cost of meeting the minimum building code would exceed the square foot market value of similarly used and improved structures in the district.~~
- ~~d) — Evaluation of Alternatives to Demolition. Alternatives to demolition must be given serious consideration by the applicant. The applicant must present all demolition alternatives that were analyzed and demonstrate to the Commission's satisfaction that no feasible alternative to demolition exist. As such, the applicant shall investigate alternatives to demolition and prepare a feasibility analysis for each demolition alternative for the Commission's consideration. At minimum, the applicant shall consider the following alternatives: 1) offering the building for sale at a fair market price to a buyer who could make use of the structure; 2) moving the historic building to another appropriate location on the lot, elsewhere downtown, or elsewhere in the City; 3) rehabilitating and occupying only part of the building while "mothballing" the remainder for remodeling at a later time; 4) preserving a portion of the structure; or 5) seeking grants or tax credits to help finance the rehabilitation and reuse of the building.~~

- ~~3) — Security Required. The applicant shall post a performance bond with security sufficient to insure completion of the: (1) demolition including the removal of all subgrade improvements, (2) site grading, stabilization and landscaping, and (3) the Redevelopment Site Plan as approved by the Commission.~~

- ~~4) — Timing of Demolition. A Building Permit shall not be issued by the Engineering and Building Department for the demolition of any structure or any part thereof within a designated Downtown Overlay District until such time the applicant receives a Zoning Certificate and Redevelopment Plan approval from the Commission, and the required security is posted.~~
- ~~5) — Denial of a Zoning Certificate for Demolition. The Commission and applicant shall undertake meaningful and continuing discussion during the waiting period prescribed in Section 1170.9 A) in order to find a means of preserving the property. The Commission and applicant shall investigate the feasibility of all means of preserving the listed property. If the Commission and applicant do not agree on a means of preserving the structure at the initial meeting, then they must continue to meet for the purpose of finding a method of saving the structure, and such good faith meetings shall be held at least every forty five (45) days after the initial meeting. If the applicant fails to meet with the Commission in good faith, at the time specified, then the Commission's denial of the application will stand. If, after holding such good faith meeting in the waiting period specified by the Commission, the Commission determines that failure to issue a Zoning Certificate will create a substantial hardship to the applicant and that such certificate may be issued without substantial detriment to the public welfare and without substantial deviation from the purposes of this Chapter, then and in such event, Staff shall issue a Zoning Certificate for such request.~~
- ~~D) — Formal Site Plan Review Required. Any drive-through facility or new construction, not meeting the requirements in Section 1170.7 B) shall require formal site plan approval by the Commission subject to the requirements of Section 1135.5.~~
- ~~E) — Informal Site Plan Review Required. Any project that does not meet the requirements listed in Section 1170.7 B) shall require informal site plan review by the City Planner or his agent in accordance with the informal review and approval procedures of Section 1135.4.~~

~~1170.8 — ZONING CERTIFICATE REVIEW GUIDELINES AND STANDARDS.~~

~~These guidelines and standards are in addition to those listed in Chapter 1135 of the Zoning Ordinance.~~

- ~~A) — In its consideration of whether a proposed alteration or new construction is deserving of a Zoning Certificate (ZC), the Commission shall consider the guidelines set forth in the Downtown Mason Design Guidelines Handbook.~~
- ~~B) — In its considerations of whether a proposed alteration is deserving of a ZC, the Commission may consider the cost of modifications, where costs for a particular action or inaction may be unreasonable given existing conditions of a structure, site, or area.~~
- ~~C) — The Commission shall encourage repairs and alterations to Landmark and Contributing structures, not including demolition, that are compatible with their existing architectural form, design and materials. Additions to Landmark and Contributing Buildings shall be contemporary but compatible in form, style and materials with the original structure. This work shall be guided by the Secretary of the Interior's Standards for Rehabilitation, per this Chapter.~~
- ~~D) — The Commission shall be flexible in its review of plans for alteration, repair, or demolition of Background and Non-Historic buildings, as well as other sites and areas of little historic or cultural value, except where such repair, alteration or demolition would seriously impair the historic value and character of surrounding Landmark and Contributing structures or of the surrounding downtown area.~~
- ~~E) — Alteration, additions or new construction shall not be limited to any one period or architectural style. Historic periods represented by Landmark and Contributing buildings in the downtown area will be respected, and new work shall be harmonious and compatible with existing character of the downtown.~~
- ~~F) — The requirements in this Chapter and the Downtown Mason Design Guideline Handbook are minimum requirements, and under no circumstance shall they preclude an applicant and the Commission from agreeing to more extensive requirements.~~
- ~~G) — The Commission may modify building design guidelines of the Downtown Mason Design Guideline Handbook when a proposed addition, new construction, or project does not meet~~

~~the minimum standards but is deemed to be a quality project by the majority of Commission members.~~

~~H) — The Commission may request experts to aid in its deliberations subject to financial availability as approved by City Council.~~

~~1170.9 — ZONING CERTIFICATE REVIEW PROCEDURES.~~

~~The review of a Zoning Certificate shall follow the procedures as set forth in Chapter 1135 of the Zoning Ordinance unless modified by this chapter.~~

~~A) — Upon denying a Zoning Certificate, the Commission may impose a waiting period of at least thirty (30) days, but not to exceed six (6) months from the date of disapproval, during which time the Commission shall negotiate with the owner of the property in order to develop a compromise proposal acceptable to both. The first meeting between the Commission and applicant shall be held within sixty (60) days from the date of disapproval. If a compromise proposal is accepted by both parties, the Commission may henceforth issue a Zoning Certificate.~~

~~1170.10 — REVOCATION.~~

~~Approval of a ZC relating to the Downtown Overlay District may be revoked by the Commission if new construction or alterations are not in conformance with the approved plans. In such a case, Staff shall place the ZC on the agenda of the Commission for consideration, and give written notice mailed by regular or electronic mail to the applicant at least ten (10) days prior to the meeting. The applicant shall be given the opportunity to present information to the Commission and answer questions. The Commission may revoke the approval of the ZC if it finds that a violation exists and has not been remedied prior to the meeting. No work requiring ZC approval may commence or continue after a ZC revocation is instituted by the Commission. The applicant shall thereafter reapply for a ZC approval before work may recommence.~~

~~1170.11 — SITE MAINTENANCE AFTER APPROVAL.~~

~~It shall be the responsibility of the owner of a property for which ZC approval has been granted to maintain the property in accordance with the approved ZC application and building design. Any property owner, who fails to maintain an approved ZC in full compliance with approvals granted by the Commission according to the provisions of these regulations, shall be deemed in violation of the use provisions of these regulations and shall be subject to the penalties stated in this Ordinance.~~

~~1170.12 — APPEALS.~~

~~The applicant, upon receipt of a letter of disapproval, shall have the right of appeal to the Zoning Board of Appeals afforded by the City Charter. Where such appeal is available only the determination of the Zoning Board of Appeals shall constitute a final order, adjudication or decision by the City.~~

~~1170.13 — PENALTIES.~~

~~Whoever authorizes the construction, reconstruction, alteration, or demolition of any exterior feature of any structure, work of art, object, or area in violation of this Regulation, or whoever maintains, changes, or installs a sign in violation of this Regulation, shall be deemed in violation of the Municipal Code and such violation shall be punishable under Section 1135.11. Each day of violation shall constitute a separate and distinct violation for as long as one (1) year with respect to alterations and for as long as two (2) years with respect demolition.~~

~~1170.14 — SEVERABILITY.~~

~~If any provision of this Chapter or the application thereof is held invalid, such invalidity shall not affect other provisions or applications of this Chapter which can be given effect without the invalid provision or application and to this end the provisions of this Chapter are hereby declared severable.~~

~~1170.15 — MINIMUM MAINTENANCE REQUIREMENT.~~

~~The owner of a Landmark or Contributing structure or any structure within the Downtown Overlay District shall provide sufficient maintenance and upkeep for such structure to ensure its perpetuation and to prevent its destruction by deterioration, whether the building is vacant or occupied.~~

~~1170.16 — EXCLUSIONS.~~

~~The following items are excluded from this Regulation:~~

- ~~A) — The removal/demolition of declared public nuisance (e.g. fire damaged buildings) that pose a threat to the health and safety of the general public.~~
- ~~B) — Temporary repairs needed to prevent structural deterioration and decay following a natural disaster or other acts of nature recognized by the City of Mason.~~
- ~~C) — Normal and ordinary maintenance functions not regulated elsewhere in this Chapter are excluded from this Regulation.~~

Residential Density Overlay District

- A) **Purpose.** The purpose of the Residential Density Overlay District (RO) is to establish a procedure to promote the development of residential units that provide a unique and desired

product in the City of Mason and enhance the vibrant community in Mason by increasing the number of residents in an area.

- B) **Boundaries.** This Chapter of the Zoning Ordinance is created as an overlay district to be applied generally to properties approved by City Council. The boundaries of the RO District are identified on the Official Zoning Map for the City of Mason as amended.
- C) **Effect of Overlay Designation.** The RO District regulations apply in combination with the underlying base zoning district regulations and all other applicable standards of this Zoning Ordinance.
- D) **Density.** Development within the RO District may be built to a density that exceeds eight units per acre if constructed in conformance with the regulations contained within and the development and design standards of the underlying base zoning district.
- E) **Approval and Amendment Procedures.** The establishment and subsequent amendments to the RO District shall be performed in accordance with Chapter 1137 of the City of Mason Zoning Ordinance.



Chapter 1171

Compliance and General Regulations



1155.11 ACCESSORY USES IN ALL ZONING DISTRICTS. (Ord. 99-132, passed October 11, 1999)

- A) General. An accessory building may be erected detached from the principal building or may be erected as an integral part of the principal building, or it may be connected therewith by a breezeway or similar structure. No accessory building shall be erected in any required court or yard. No accessory building shall be greater in size than 35% of the gross floor area of the principal building, nor shall it occupy more than thirty-five percent (35%) of a required rear or side yard. No accessory building shall be greater than fifteen (15) feet in height in residential districts, R-1 through R-7 or twenty (20) feet in height in business districts, ~~B-1~~ MM, B-2, and B-3. Accessory uses in B-4, HT-1, I-1 and I-2 shall comply with current height restrictions for each zone. (Ord. 99-132, passed October 11, 1999)



Chapter 1172

Conditionally Permitted Uses



1155.12 BED AND BREAKFASTS.

The following conditions and standards shall apply to Bed and Breakfasts in the ~~B-1~~ MM District.

A) General Limitations.

- 1) Bed and Breakfast facilities shall be compatible with the surrounding area and with sufficient site area to accommodate existing and future needs.
- 2) There shall be no substantial modification to the exterior appearance of the structure unless required by city and state building codes (e.g. fire escapes, handicap ramps, doorways, etc.).
- 3) Breakfast shall be served on the premises only for the guests of the facility and no other meals shall be provided.
- 4) No long term rental of units greater than fourteen (14) days shall be permitted.
- 5) There shall be a maximum of five (5) guest rooms.

B) Proximity to Another Facility. No Bed and Breakfast shall be located within four hundred (400) feet of another Bed and Breakfast facility unless waived by the Planning Commission.

C) Parking. ~~Off-street parking shall be provided in accordance with Chapter 1175. One space shall be provided for each guest sleeping room or suite, plus two (2) additional spaces for the owner occupants. No parking shall be provided in any front yard. Parking for more than four (4) vehicles shall be screened from view from the street right of way or adjoining property by a three (3) foot average height planting hedge, fence, wall or earth mound and one tree for every forty (40) feet of lineal boundary. 1155.13.~~

D) Landscaping. Landscaping shall be provided in accordance with the Landscape Ordinance. Where the Bed and Breakfast home or Bed and Breakfast Inn/Lodge is adjacent to a residential property, a continuous combination wood fence, wall, hedge, or earth mound six (6) feet in height shall be provided.

- E) Signage. There shall be no exterior advertising except one externally illuminated two-sided identification sign not to exceed four square feet in area per sign face. Ground or post/hanging signs shall not exceed six (6) feet in height.
- F) Setback. A Bed and Breakfast Inn/Lodge shall comply with the district setback requirements. Parking shall be no more than ten (10) feet from any rear or side yard lot line.
- G) Lighting. All lighting shall be 100% cutoff, a maximum illumination of 0.0 foot candles at the property line. (Ord. 25-11, passed March 10, 2025)



CHAPTER 1187

Sign Regulations

- 1187.1 STATEMENT OF PURPOSE
- 1187.2 GENERAL PROVISIONS
- 1187.3 NONCONFORMING SIGNS
- 1187.4 PERMITS
- 1187.5 SIGNS AUTHORIZED WITHOUT PERMITS
- 1187.6 PROHIBITED SIGNS
- 1187.7 TEMPORARY SIGNS
- 1187.8 BILLBOARDS
- 1187.9 SIGNS IN THE R-1, R-2, R-3, R-4 ~~AND, MM-LDR AND MM-MDR~~ DISTRICTS
- 1187.10 SIGNS IN THE MM-MDR, R-6 AND R-7 DISTRICTS
- 1187.11 SIGNS IN THE MM-DE, MM-DW, MM-CC AND MM-CT DISTRICTS
- 1187.12 SIGNS IN THE B-2 DISTRICT
- 1187.13 SIGNS IN THE B-3 DISTRICT
- 1187.14 SIGNS IN THE B-4 DISTRICT
- 1187.15 SIGNS IN THE ~~HO~~-1, HT-1, I-1, AND I-2 DISTRICTS
- 1187.16 INTERSTATE HIGHWAY SIGN OVERLAY AREA.



1155.13 GENERAL PROVISIONS.

E) Illumination.

- 1) General Requirements. Signs shall be illuminated only by steady, stationary, shielded light sources directed solely at the sign, or internal to it, ~~except for all signs located in the B-1 District, which shall be externally lit.~~
- 2) Non-Glare, Shielded Lighting. Use of glaring, unshielded or undiffused lights or bulbs shall be prohibited. Lights shall be shielded so as not to project onto adjoining properties or thoroughfares.
- 3) Traffic Hazards. Sign illumination that could distract motorists or otherwise create a traffic hazard shall be prohibited.
- 4) Bare Bulb Illumination. Illumination by bare bulbs or flames is prohibited.
- 5) Intensity. Illumination resulting from all signs and sign lighting on any property in a non-residential zoning district shall not exceed one-half (½) foot candles at a height of five (5) feet when measured at any point on property in a residential zoning district or at any point on any road right-of-way.



1187.6 PROHIBITED SIGNS.

- A) No signs shall be attached or otherwise applied to trees, bus shelters, utility poles, benches, trash receptacles, vending machines, or any other unapproved supporting structure or otherwise placed in the public right-of-way, except signs that meet the standards of the Ohio Manual of Uniform Traffic Control Devices or as approved by City Council.
- B) Pennants, streamers, festoons, spinners, balloons, balloon signs, feather flag, and similar type devices.
- C) No sign shall emit audible sounds including messages, announcements, music, or sirens, etc.
- D) Signs which are not securely affixed to the ground or otherwise affixed in a permanent manner to an approved supporting structure, except where permitted under this Chapter.
- E) Projecting signs, except in the ~~B-1 Central Business District~~ MM Downtown Mason Mile. No projecting sign shall extend above the wall or parapet of a building to which it is affixed.
- F) All blinking, flashing, or intermittent lighting.
- G) Moving, revolving, or rotating signs.
- H) Off-premise advertising signs except where expressly permitted in this Chapter.
- I) Roof signs.
- J) Portable signs, except where expressly permitted in this Chapter.
- K) Any sign which makes use of the words "Stop," "Look," or "Danger," or any other words, phrases, symbols, or characters, in such a manner as to interfere with, mislead, or confuse traffic.
- L) Any sign containing obscene, indecent, or immoral matter.
- M) Real estate signs no longer valid due to the sale, rental, or lease of the property.
- N) String lights used for commercial purposes, other than holiday decorations which must be mounted on the principal structure on the lot.

- O) Signs affixed to a parked motor vehicle or trailer which is being used principally for advertising purposes, rather than for transportation purposes, on public or private property.
- P) Any sign not expressly permitted.
- Q) Abandoned signs.
- R) The tacking, pasting, or otherwise affixing of signs of a miscellaneous character, visible from a public way, located on the walls of buildings, barns, sheds, on trees, poles, posts, fences, or other structures is prohibited unless otherwise permitted by this Chapter.
- S) The permanent use of searchlights shall be prohibited. Searchlights shall be considered temporary signage.
- T) LED and electronic message boards, except as otherwise permitted for electronic price signs in the B-2, Shopping Center District and the B-3, Road Service Commercial District. (Ord.15-89, passed September 28, 2015)
- U) Temporary signs with changeable copy.
- V) Neon signs where the tubing is exposed on all sides.

W) Portable changeable copy signs.

W)X) Pole or pilon signs.



1187.9 SIGNS IN THE R-1, R-2, R-3, R-4, ~~MM-LDR AND MM-MDR~~ SINGLE FAMILY RESIDENTIAL DISTRICTS AND MM-LDR LOW DENSITY RESIDENTIAL DISTRICT

- A) Permitted Signs. The following signs shall be permitted in residential zoning districts.
 - 1) Signs Without a Permit. Signs permitted without a permit, such as a name plate sign and street address, are allowed subject to the provisions of Section 1187.5.
 - 2) Temporary Signs. Real estate signs and other temporary signs shall be permitted in accordance with Section 1187.7.

- 3) Residential Entranceway or Identification Signs. Permanent residential entranceway or identification signs shall be permitted in accordance with the following regulations:
- a) There shall be no more than one (1) such sign located at each entrance to a subdivision or other residential development. Such sign shall display the name of the development only. Names of developers, homebuilders, or contractors shall not be displayed anywhere on such sign.
 - b) Sign materials shall compliment the construction materials and architectural style of the houses within the subdivision. Landscaping shall be provided to create an aesthetically pleasing and safe identification for the residential development.
 - c) Entranceway structures shall not exceed eight (8) feet in height.
 - d) Entranceway signs shall be externally illuminated.
 - e) All freestanding signs shall comply with the setback and location requirements of Section 1187.2.
- 4) Home Occupation Signs.
- a) No more than one (1) non-illuminated sign shall be allowed for each home occupation. The sign shall be located on the facade of the structure in which the home occupation is conducted or on the mailbox of the residence provided that the mailbox is on or abuts the residence where the home occupation is located.
 - b) Said sign shall display only the name and occupation of the residents on the premises.
 - c) Signs placed on the facade of the structure where the home occupation is located shall have no more than one (1) face, nor shall the sign face exceed three (3) square feet in area. Signs placed on the mailbox shall not exceed one (1) square foot in area.
- 5) Accessory Commercial Uses.
- a) No more than one (1) non-illuminated sign shall be allowed for each accessory commercial use.
 - b) Size. One (1) four (4) square foot wall or ground mounted sign is permitted.
 - c) Height. The maximum height for any ground mounted sign shall be six (6) feet.
 - d) Setbacks. Ground mounted signs shall be set back as required in Section 1187.2 B.
- 6) Live-Work Units.
- a) No more than one (1) non-illuminated sign shall be allowed for each live-work unit.
 - b) Size. One (1) six (6) square foot wall or ground mounted sign is permitted.
 - c) Height. The maximum height for any ground mounted sign shall be six (6) feet.
 - d) Setbacks. Ground mounted signs shall be set back as required in Section 1187.2

- B) Signs Permitted for Nonresidential Uses in Residential Districts. Nonresidential uses in residential districts, such as schools, public parks, colleges, museums, municipal buildings, churches, and country clubs shall be permitted to erect the following signage:
- 1) Signs Without a Permit. Signs permitted without a permit, such as a name plate sign and street address, are allowed subject to the provisions of Section 1187.5.
 - 2) Temporary Signs. Real estate signs and other temporary signs shall be permitted in accordance with Section 1187.7.
 - 3) Ground Mounted Signs Including Bulletin Boards.
 - a) Size. There shall be no more than one (1) ground mounted sign per road frontage for a maximum number of two (2) ground mounted signs per lot. The total area of the permitted ground mounted sign adjacent to a local or collector street shall not exceed sixteen (16) square feet. The total area of the permitted ground mounted sign adjacent to a minor or major arterial street shall not exceed sixty-four (64) square feet.
 - b) Setbacks. Ground mounted signs shall be set back as required in Section 1187.2.B.
 - c) Height. The maximum height of any ground mounted sign facing a local or collector street shall be six (6) feet. The maximum height of any ground mounted sign facing a minor or major arterial street shall be eight (8) feet.
 - d) Landscaping. A landscaping area around the base of the ground mounted sign shall be provided equal to the area of the sign face. A mixture of live plant material shall be provided in the landscape area and should include a combination of shrubs, annuals and perennials to create a pleasing identification for the development it advertises.
 - e) Lighting. Ground mounted signs shall be externally lit with shielded and diffused lights.
 - 4) Wall Signs.
 - a) Size. There shall be no more than one (1) wall sign per parcel. The total area of wall sign shall not exceed one (1) square foot per linear foot of building frontage, not to exceed thirty-two (32) square feet in area.
 - b) Location. Wall signs shall be permitted only on the side of a building which faces the front lot line. Wall signs shall be mounted on a flush surface.
 - c) Height. The top of a wall sign shall not be higher than fifteen (15) feet.

1187.10 SIGNS IN THE MM-MDR MEDIUM DENSITY RESIDENTIAL, —R-6 CONDOMINIUM AND LANDMINIUM AND R-7 MULTIPLE FAMILY RESIDENTIAL DISTRICTS.

- C) Permitted Signs.

- 1) Signs Without a Permit. Signs permitted without a permit, such as a name plate sign and street address, are allowed subject to the provisions of Section 1187.5.
- 2) Temporary Signs. Real estate signs and other temporary signs shall be permitted in accordance with Section 1187.7.
- 3) Residential Entranceway or Identification Signs. Permanent residential entranceway or identification signs shall be permitted in accordance with the following regulations:
 - a) There shall be no more than one (1) such sign located at each entrance to a subdivision or other residential development. Such sign shall display the name of the development only. Names of developers, homebuilders, or contractors shall not be displayed anywhere on such sign.
 - b) Sign materials shall compliment the construction materials and architectural style of the houses within the subdivision. Landscaping shall be provided to create an aesthetically pleasing and safe identification for the residential development.
 - c) Entranceway structures shall not exceed eight (8) feet in height.
 - d) Entranceway signs shall be externally illuminated.
 - e) All ground mounted signs shall comply with the setback and location requirements of Section 1187.2.
- 4) Home Occupation Signs.
 - a) Permits for home occupation signs shall be issued by the Zoning Administrator.
 - b) Home occupation signs shall be limited to signs placed on the facade of the structure in which the home occupation is conducted.
 - c) No more than one (1) non-illuminated sign shall be allowed for each home occupation. Said sign shall display only the name and occupation of the residents on the premises.
 - d) No sign for a home occupation shall have more than one (1) face, nor shall any sign face exceed one (1) square feet in area.
- 5) Management Office Identification. Rental or management offices in the residential district shall be permitted one (1) identification sign not to exceed six (6) square feet in area.
- 6) Accessory Commercial Uses.
 - a) No more than one (1) non-illuminated sign shall be allowed for each accessory commercial use.
 - b) Size. One (1) four (4) square foot wall or ground mounted sign is permitted.
 - c) Height. The maximum height for any ground mounted sign shall be six (6) feet.
 - d) Setbacks. Ground mounted signs shall be set back as required in Section 1187.2 B.
- 7) Live-Work Units.
 - a) No more than one (1) non-illuminated sign shall be allowed for each live-work unit.
 - b) Size. One (1) six (6) square foot wall or ground mounted sign is permitted.
 - e)c) Height. The maximum height for any ground mounted sign shall be six (6) feet.

- ~~¶~~d) Setbacks. Ground mounted signs shall be set back as required in Section 1187.2
- D) Signs Permitted for Nonresidential Uses in Residential Districts. Nonresidential uses in residential districts, such as schools, public parks, colleges, museums, municipal buildings, churches, and country clubs shall be permitted to erect the following signage:
- 1) Signs Without a Permit. Signs permitted without a permit, such as a name plate sign and street address, are allowed subject to the provisions of Section 1187.5.
 - 2) Temporary Signs. Real estate signs and other temporary signs shall be permitted in accordance with Section 1187.7.
 - 3) Ground Mounted Signs Including Bulletin Boards.
 - a) Size. There shall be no more than one (1) ground mounted sign per road frontage for a maximum number of two (2) ground mounted signs per lot. The total area of the permitted ground mounted sign adjacent to a local or collector street shall not exceed sixteen (16) square feet. The total area of the permitted ground mounted sign adjacent to a minor or major arterial street shall not exceed sixty-four (64) square feet.
 - b) Setbacks. Ground mounted signs shall be set back as required in Section 1187.2.B.
 - c) Height. The maximum height of any ground mounted sign facing a local or collector street shall be six (6) feet. The maximum height of any ground mounted sign facing a minor or major arterial street shall be eight (8) feet.
 - d) Landscaping. A landscaping area around the base of the ground mounted sign shall be provided equal to the area of the sign face. A mixture of live plant material shall be provided in the landscape area and should include a combination of shrubs, annuals and perennials to create a pleasing identification for the development it advertises.
 - e) Lighting. Ground mounted signs shall be externally lit with shielded and diffused lights.
 - 4) Wall Signs.
 - a) Size. There shall be no more than one (1) wall sign per parcel. The total area of wall sign shall not exceed one (1) square foot per linear foot of building frontage, not to exceed thirty-two (32) square feet in area.
 - b) Location. Wall signs shall be permitted only on the side of a building which faces the front lot line. Wall signs shall be mounted on a flush surface.
 - c) Height. The top of a wall sign shall not be higher than fifteen (15) feet.



1187.11 SIGNS IN THE ~~B-1 CENTRAL BUSINESS DISTRICT~~MM-DE DOWNTOWN MASON MILE – DOWNTOWN EAST, MM-DW DOWNTOWN MASON MILE – DOWNTOWN WEST, MM-CC DOWNTOWN MASON MILE – COMMERCIAL CORRIDOR AND MM-CT DOWNTOWN MASON MILE – COMMERCIAL TRANSITION DISTRICTS

A) Permitted Signs. Awning, wall, projecting, and ground mounted signs are permitted in the ~~DM-MX~~MM District. No more than two (2) sign types shall be allowed per lot.

- 1) Signs for Residential Uses in a Nonresidential District. Signs for nonconforming residential uses in nonresidential districts shall be governed by the sign regulations for residential district uses set forth in Section 1187.9 or Section 1187.10.
- 2) Signs Without a Permit. Signs permitted without a permit, such as a name plate sign and street address, are allowed subject to the provisions of Section 1187.5.
- 3) Temporary Signs. Real estate signs and other temporary signs shall be permitted in accordance with Section 1187.7.
- 4) Wall Signs.
 - a) Number and Location. One (1) wall sign shall be permitted per street frontage on each parcel for a maximum of two (2) wall signs per parcel, except one (1) additional wall sign shall be permitted on the side of the structure that does not have road frontage but does face a side or rear parking lot. Wall signs shall be mounted on a flush surface.
 - b) Size. The total area of a wall sign shall not exceed one (1) square foot per lineal foot of building frontage not to exceed thirty-two (32) square feet for wall signs facing a street right-of-way and wall signs facing a side or rear parking lot shall not exceed eighteen (18) square feet.
 - c) Vertical Dimensions. The maximum vertical dimension of any wall sign shall not exceed thirty percent (30%) of the building height.
 - d) Horizontal Dimensions. The maximum horizontal dimension of any wall-mounted sign shall not exceed seventy-five percent (75%) of the width of the building.
 - e) Height. The top of a wall sign shall not be higher than whichever is lowest:
 - i) The maximum height specified for the district in which the sign is located.
 - ii) The top of the sills at the first level of windows above the first story.
 - iii) The height of the building facing the street on which the sign is located.
- 5) Ground Mounted Signs.
 - a) Number. One (1) ground mounted sign shall be permitted per parcel.
 - b) Size. The total area of the ground mounted sign shall not exceed one (1) square foot per lineal foot of building frontage, not to exceed thirty-six (36) square feet.

- c) Height. The height of a ground mounted sign shall not exceed six (6) feet in height.
 - d) Setbacks. All ground mounted signs shall comply with the setback and location requirements of Section 1187.2, except for Section 1187.2 B)1a).
 - e) Landscaping. A landscaping area around the base of the ground mounted sign shall be provided equal to the area of the sign face. A mixture of live plant material shall be provided in the landscape area and should include a combination of shrubs, annuals and perennials to create a pleasing identification for the development it advertises.
 - f) Street Address. The street address number shall be clearly displayed on the sign in numerals not less than four (4) inches or no more than eight (8) inches in height. Required street address numbers are not counted in the total area of the sign.
- 6) Projecting Sign.
- a) Number. One (1) projecting sign shall be permitted per parcel.
 - b) Size. The total area of the projecting sign shall not exceed six (6) square feet for one-story structures and eight (8) square feet for two-story structures. The opposite sign face shall not be counted in the total sign area if both sign faces are an exact replica. The opposite faces of a projecting sign shall not be separated by more than four (4) inches.
 - c) Height. A projecting sign shall be attached to the building so that no part of the sign or sign support structure is less than eight (8) feet from the surface of the established grade under the sign. No part of a projecting sign or sign support structure shall be more than fifteen (15) feet above the surface of the established grade under the sign.
 - d) Sign Overhang Into Public Right-of-way. A projecting sign may protrude into the air space over a public sidewalk by not more than three and one-half (3.5) feet. However, in no event shall the projecting sign obstruct the movement of vehicles or vision of vehicle drivers or vision of pedestrians so as to create a public safety hazard. In the event that a projecting sign will create a hazard even though the overhang is three (3) feet or less, the sign design or sign location must be adjusted to eliminate the potential hazard. Projecting signs shall be set back a minimum of six (6) feet from any curb.
 - e) Maximum Distance from Wall of Building. The nearest edge of a projecting sign shall be located no further than six (6) inches from the wall of the building where the projecting sign is anchored.
 - f) Lighting. The projecting sign shall not be internally illuminated. Any lighting for the sign shall be from an external source. External lighting shall be properly shielded and directed so that glare from the light source will not create a visual hazard for vehicles or create a visual nuisance for occupants of nearby dwellings, particularly dwellings located on upper floors of downtown buildings.

- 7) Awnings and Canopies.

- a) Coverage. The total area of the lettering and logo shall not exceed twenty-five percent (25%) of the total area of the awning or canopy that would be visible in a drawing of a facade on which the awning is located.
- b) Compliance with Size Requirements for Wall Signs. The area of signs on awnings or canopies shall be counted in determining compliance with the standards for total area of wall signs permitted on the parcel.
- c) Height. An awning sign shall be attached to the building so that no part of the awning or awning support structure is less than eight (8) feet from the surface of the established grade under the sign. No part of an awning sign or support structure shall be more than twelve (12) feet above the surface of the established grade under the awning sign.
- d) Maximum Projection. An awning or canopy sign can project out from the wall to which it is attached no more than four (4) feet.
- e) Sign Overhang Into Public Right-of-way. An awning sign may protrude into the air space over a public sidewalk, but they can be located no closer than six (6) feet to any curb. However, in no event shall the awning sign obstruct the movement of vehicles or vision of vehicle drivers or vision of pedestrians so as to create a public safety hazard. In the event that a projecting sign will create a hazard, the awning sign design or location must be adjusted to eliminate the potential hazard.
- f) Lighting. Internally lighted canopies and awnings are prohibited.
- 8) Window Signs. Temporary, incidental, and permanent window signs shall be permitted on the inside in business districts provided that the total combined area of such signs shall not exceed fifty percent (50%) of the total window area. Window signs shall be kept in good repair. Faded, curled, or partially attached window signs ~~are~~ shall be removed.
- 9) Folding Portable. One (1) 20-inch wide by 30-inch tall folding portable sign is permitted per lot provide that the folding portable sign is located on private property completely out of the public right-of-way. Folding portable signs shall be displayed only when the business it advertises is open.
- 10) Illuminated Sign. Only wall, ground-mounted, and window signs are permitted to be illuminated within the MM-DE, MM-DW, MM-CC, and MM-CT Subdistricts. Signs may be illuminated by:
 - a) Indirect Lighting. A source of illumination, not directly visible, which lights only the background upon which the sign or individual letter is mounted;
 - b) Internal Lighting. Lighting for which the source of light is located in such manner that the light must travel through a translucent material other than the bulb or tube necessary to enclose the light source, which material has the effect of dispersing the light before it strikes the eye of the viewer; or
 - c) Direct Lighting. Lighting where the source of the light, such as the bulb, is visible to the viewer.

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