

- C) Storm Drainage. Every subdivision shall be provided with a storm water sewer or drainage system adequate to serve the area being platted and otherwise meeting the approval of the City Engineer and the requirements of Chapter 1119.
- D) Sewerage. The subdivision shall be provided with a complete sanitary sewer system connected with a public sewer main, meeting the requirements of the City of Mason Wastewater System Master Plan, including a lateral connection for each lot in accordance with the requirements of the Public Utilities Superintendent and City of Mason Standards.

1109.11 SIDEWALKS.

Sidewalks are an essential element for pedestrian safety in the development of most residential subdivisions and as such shall be installed in accordance with the following standards:

- A) Residential Areas (R-1 through R-7, DM-N and DM-NX). In R-3, R-4, R-6, and R-7, **DM-N and DM-NX** residential areas, sidewalks shall be installed on both sides of all streets, including cul-de-sacs. In R-1 and R-2 residential areas, sidewalks shall be installed on both sides of all arterials and collector streets, and on at least one side of all local streets.
- B) Commercial Areas (B-1, B-2, B-3, B-4, and DM-MX). Sidewalks in commercial areas shall be installed on both sides of all streets.
- C) High-Tech and Industrial Areas (HT-1, I-1 and I-2). Sidewalks in industrial plats may be required at the option of the Planning Commission, except sidewalks are required on both sides of all arterials, parkways and collector streets.
- D) Office Park Areas (O-1). Sidewalks in office park plats may be required at the option of the Planning Commission, except sidewalks are required on both sides of all arterials, parkways and collector streets.

1109.12 WATER MANAGEMENT AND SEDIMENT CONTROL.

All subdivisions of land shall conform to the requirements, standards and procedures set forth in latest edition of the *Stormwater Manual*. (Ord. 99-207, passed January 10, 2000)

1109.13 STORM SEWERS.

For regulations regarding storm sewers, refer to the latest edition of the *Stormwater Manual*. (Ord. 99-207, passed January 10, 2000; Ord. 2004-155, passed 1-10-2005)

1133.55	COUNTY.	1133.91	IMPERVIOUS SURFACE
1133.56	COUNTY ENGINEER.		RATIO.
1133.57	COURT.	1133.92	IMPROVEMENTS.
1133.58	COVENANT.	1133.93	JUNKYARD.
1133.59	CROSSWALK.	1133.94	KENNEL.
1133.60	CULVERT.	1133.95	LANDMINIUM.
1133.61	DEDICATION.	1133.96	LANDSCAPE ORDINANCE.
1133.62	DENSITY.	1133.97	LOT.
1133.63	DEVELOPMENT COSTS.	1133.98	MAINTENANCE BOND.
1133.64	DISABLED.	1133.99	MAY.
1133.65	DISTRICT.	1133.100	MICRO ANTENNAS.
1133.66	DOWNTOWN OVERLAY	1133.101	MINOR SUBDIVISION.
	DISTRICT	1133.102	MOBILE HOME PARK.
1133.67	DRIVEWAY APPROACHES	1133.103	MOTEL.
	AND CURB CUTS.	1133.104	MONUMENTS.
1133.68	DUPLEX.	1133.105	NOISE ORDINANCE.
1133.69	DWELLING.	1133.106	NONCONFORMING USE.
1133.70	EASEMENT.	1133.107	NURSING HOME.
1133.71	ELDERLY HOUSEHOLD.	1133.108	OCCUPANCY.
1133.72	ELDERLY HOUSING	1133.109	OCCUPIABLE SPACE.
	FACILITY.	1133.110	OPEN SPACE.
1133.73	ELDERLY PERSON.	1133.111	OPEN SPACE RATIO.
1133.74	ENGINEER.	1133.112	ORIGINAL PARCEL.
1133.75	FACTORY-BUILT	1133.113	O.R.C.
	HOUSING.	1133.114	OUT LOT.
1133.76	FAMILY.	1133.115	OVERLAY DISTRICT.
1133.77	FEMA FLOOD PLAIN.	1133.116	PARCEL.
1133.78	FENCE, ORNAMENTAL.	1133.117	PARKING AREA.
1133.79	FLEET VEHICLE	1133.118	PARKING LOT.
1133.80	FLOOR AREA OF A NON-	1133.119	PARKING SPACE.
	RESIDENTIAL BUILDING.	1133.120	PERFORMANCE BOND.
1133.81	FLOOR AREA OF A	1133.121	PERSONAL WIRELESS
	RESIDENTIAL BUILDING.		SERVICES.
1133.82	FRONTAGE.	1133.122	PLACE.
1133.83	GARAGES.	1133.123	PLANNED UNIT
1133.84	GOLF COURSE.		DEVELOPMENT.
1133.85	GROUP HOMES.	1133.124	PLANNING COMMISSION.
1133.86	HOME-BASED BARBER	1133.125	PLAT.
	SHOP OR BEAUTY SALON.	1133.126	PUBLIC UTILITY.
1133.87	HOME OCCUPATION.	1133.127	PUBLIC WAY.
1133.88	HOSPITAL, HEALTH CARE	1133.128	REPAIRS AND MAINTENANCE.
	FACILITY.	1133.129	RESTAURANT, DRIVE-IN OR
1133.89	HOTEL.		DRIVE-THROUGH.
1133.90	IMPERVIOUS SURFACE.	1133.130	RESTAURANT, FAST FOOD.

1133.62 DENSITY.

A unit of measurement expressing the number of dwelling units per acre of land.

- A) Gross Density - the number of dwelling units per acre of the total area to be developed. (Ord. 99-207, passed February 14, 2000)
- B) Net Density - the number of dwelling units per acre of land devoted to residential uses, excluding right-of-way. (Ord. 99-207, passed February 14, 2000)

1133.63 DEVELOPMENT COSTS.

Shall include all infrastructure costs associated with the development of a subdivision or Planned Unit Development, including but not limited to underground and overhead utilities, grading, excavation, street improvements, landscaping, and street lights.

1133.64 DISABLED.

“Disabled” shall be defined as in the American Disabilities Act (ADA) guidelines. (Ord. 99-207, passed February 14, 2000)

1133.65 DISTRICT.

Any section of the City for which the regulations governing the use of buildings and premises and the height and area of buildings are uniform.

~~**1133.66 DOWNTOWN OVERLAY DISTRICT (Ord. 05-136, passed 2005).**~~

~~An area within the corporate limits of the City of Mason, Ohio designated by Council that are subject to the regulations of CHAPTER 1170. Following are additional definitions that pertain to the CHAPTER 1170 Downtown Overlay District:~~

- ~~A) Alter or Alteration. Any material change in an existing external architectural feature of any property which lies within the Downtown Overlay District is covered in this regulation, including: demolition or removal; modification to existing signage or placement of new signage; new construction or additions; improvement to roofs, windows, siding, awnings/eanopies, additions, and doors/entrances, but not including the landscaping of real property and painting.~~
- ~~B) Applicant. Any owner, owners, person(s), association, partnership, or corporation who applied for a Certificate of Appropriateness in order to undertake any change on property~~

~~subject to this regulation.~~

- ~~C) Background Buildings. Buildings having a low level of architectural integrity and historic significance in the community. Background buildings include structures from all periods of the city's history that form the backdrop for other buildings. If they are more than 40 years old, they may have alterations or exterior changes that diminish their architectural significance.~~
- ~~D) Board. See Design Review Board.~~
- ~~E) Certificate of Appropriateness. A certificate issued by the Design Review Board authorizing alterations to existing buildings or authorizing new construction in the Downtown Overlay District to ensure that alterations and new construction preserve the downtown's unique historical character.~~
- ~~F) Contributing Buildings. Buildings having a moderate-high level of architectural integrity and historic significance in the community. Contributing buildings are at least 40 years old and retain the defining characteristics of their original construction or architectural style. This group includes buildings that contribute to the historic character of the downtown streetscape.~~
- ~~G) Council or City Council. The legislative body of the City of Mason.~~
- ~~H) Design Review Board (Board). The Design Review Board (Board) established under the provisions of CHAPTER 1170.~~
- ~~I) Demolition. The removal of all or part of a structure.~~
- ~~J) Downtown Core. An area of special concern in the Downtown Overlay District defined as the properties located between the Main Street /Mason Montgomery Road intersection and the Main Street / Reading Road intersection. The Downtown Core also extends 150 feet east of the Main Street / Montgomery Road intersection and 150 feet west of the Main Street/Reading Road intersection.~~
- ~~K) External Architectural Feature. The architectural style, general design and arrangement of the exterior of a structure including, but not limited to, the type, color (for new construction and rehabilitation), and texture or the building material, doors, windows, roof, porches and other appurtenant fixtures.~~
- ~~L) Landmark Buildings. Buildings having a high level of architectural integrity and historic significance in the community. Landmark buildings are at least 40 years old and retain the defining characteristics of their original construction or architectural style. They may be historically important for their association with important people or events in local history, or architecturally important as an example of a type, style or method of construction from the~~

~~past.~~

- ~~M) Maintenance. See Repair.~~
- ~~N) Member. Any member of the Design Review Board as established under the provisions of this Regulation.~~
- ~~O) New Construction. Any improvement made to real property that is not done in conjunction with an existing structure.~~
- ~~P) Non-Historic Buildings. Buildings that are either examples of newer construction or older buildings that have had major alterations that result in a loss of historic or architectural significance.~~
- ~~Q) Planning Commission. The Planning Commission of the City of Mason as established by Article VII, Section 7 of the Charter of the City of Mason.~~
- ~~R) Repair and Maintenance. Replacement of any part of a property where the purpose and effect of such work and replacement is to correct or prevent any deterioration or decay to such property, or any part thereof, and to restore same, as nearly as may be practicable, to its original condition and appearance, including minor repair of exterior surfaces including caulking, repointing, and nonabrasive cleaning. All activities undertaken on existing buildings not deemed a minor repair by the Design Review Board shall be considered an Alteration.~~

1133.67 DRIVEWAY APPROACHES AND CURB CUTS.

Chapter 1117 of the Subdivision Regulations of the City of Mason. (Ord. 99-207, passed February 14, 2000)

1133.68 DUPLEX.

"Duplex"- see Dwelling, Two-Family in Section 1133.67 C).

1133.69 DWELLING.

- A) "Dwelling" means any building or portion thereof designed or used exclusively as the residence or sleeping place of one or more persons, but not including a tent, cabin, trailer or mobile home, boarding or rooming house, hotel or motel.
- B) "Dwelling, single-family" means a building designed for or occupied by one family or a condominium, landminium or townhouse where each unit is individually owned.

TITLE FIVE – Zoning Districts

CHAPTER 1145	Districts and Boundaries	1145-1
CHAPTER 1147	R-1, R-2, R-3 and R-4 Single Family Residential Districts.....	1147-1
CHAPTER 1148	R-6 Condominium and Landominium Residential Districts	1148-1
CHAPTER 1149	R-7 Multi-Family Residential District	1149-1
CHAPTER 1153	O-1 Office Park District.....	1153-1
CHAPTER 1155	B-1 Central Business District.....	1155-1
CHAPTER 1157	B-2 Shopping Center District.....	1157-1
CHAPTER 1159	B-3 Road Service District	1159-1
CHAPTER 1160	B-4 Commercial Recreation District	1160-1
CHAPTER 1161	Planned Unit Development District	1161-1
CHAPTER 1162	HT-1 High Tech Light Industrial District.....	1162-1
CHAPTER 1163	I-1 Light Industrial District.....	1163-1
CHAPTER 1165	I-2 Industrial District.....	1165-1
CHAPTER 1166	DM-N Downtown Mason-Neighborhood District.....	1166-1
CHAPTER 1167	DM-NX Downtown Mason-Neighborhood Mix District	1167-1
CHAPTER 1168	DM-MX Downtown Mason-Mixed Use District.....	1168-1
CHAPTER 1169	Floodplain Management Regulations	1169-1
CHAPTER 1170	DM-RDO Downtown Mason-Residential Residential Density Overlay ...	1170-1

CHAPTER 1145
Districts and Boundaries

1145.1	DIVISION OF CITY INTO DISTRICTS.	1145.5	OF DISTRICT. UNCERTAINTY AS TO BOUNDARIES; INTERPRETATION.
1145.2	ZONING MAP; DISTRICTS AND BOUNDARIES ESTABLISHED.	1145.6	VACATED STREET OR ALLEY.
1145.3	DISTRICT BOUNDARY DETERMINATION.	1145.7	PROPERTY NOT INCLUDED; ANNEXATIONS.
1145.4	LOT DIVIDED; EXTENSION		

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.~~

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.

Downtown Mason Districts

DM-N Downtown Mason – Neighborhood

DM-NX Downtown Mason – Neighborhood Mix

DM-MX Downtown Mason – Mixed Use

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

four-letter designator that follows the designation of the underlying base zoning district. For example, a lot located in the ~~B-1 Central Business District and in the Downtown Overlay District~~ shall have the zoning designation ~~B1-DO~~ **DM-MX Downtown Mason-Mixed Use and in the Downtown Mason Residential Density Overlay shall have the zoning designation of DM-MX-DRDO.**

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

Overlay District Name	Zoning Map Designation
Downtown Mason Residential Density Overlay District	DRDO

~~CHAPTER 1155~~
~~B-1 Central Business District~~

1155.1	PURPOSE.	1155.4	BUSINESS IN ENCLOSED
1155.2	PRINCIPAL PERMITTED		BUILDINGS.
	USES.	1155.5	DEVELOPMENT STANDARDS.
1155.3	CONDITIONAL USES.	1155.6	OBJECTIONABLE USES.

~~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.~~

~~A) Offices.~~

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

~~B) 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.~~

C) ~~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.~~

- A) ~~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.~~
- B) ~~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.~~
- C) ~~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.~~

- A) ~~Lot area.~~ ~~No minimum lot area is required.~~
- B) ~~Lot width.~~ ~~No minimum lot width is required.~~

- ~~C) 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.~~
- ~~D) 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.~~
- ~~E) Impervious surface ratio. The maximum impervious surface ratio shall be .90.~~
- ~~F) Site Plan. A site plan shall be submitted prior to obtaining a building permit as specified in Chapter 1135.~~
- ~~G) Maximum Building Height. No structure shall exceed three stories or forty feet in height except as provided in Chapter 1181.~~
- ~~H) 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.~~
- ~~I) 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.~~

- D) Landscaping. Landscaping shall be provided as specified in the Landscape Ordinance.
- E) Site plan. A site plan shall be submitted prior to obtaining a building permit as specified in Chapter 1135.
- F) Height regulation. No principal or accessory structures shall exceed three stories or forty feet in height, except as provided in Chapter 1181.

1157.7 ACCESSORY USES.

All accessory uses and structures shall be approved by the Planning Commission.

1157.8 OBJECTIONABLE USES.

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 District standards in Chapter 1155.~~ Objectionable noise shall be any noise prohibited by the Noise Ordinance.

- CC) Offices. (Ord. 04-155, passed January 10, 2005)
- 1) Business, professional and administrative offices.
 - 2) Offices of business and professional associations.
 - 3) Medical offices and clinics.
- DD) Sweepstakes/Internet Café with no more than five (5) Computerized Sweepstakes Devices per establishment. In a multi-tenant shopping center, an establishment shall mean each separate tenant space. (Ord. 11-64, passed August 8, 2011)

1159.3 CONDITIONAL USES

Animal hospitals, veterinarian clinics and kennels subject to the additional standards in Section 1172.11 (Ord. 04-155, passed January 10, 2005)

1159.4 ACCESSORY USES.

Accessory uses and structures are permitted as regulated by Section 1171.7.

1159.5 OBJECTIONABLE USES.

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 District standards in Chapter 1159.~~ Objectionable noise shall be any noise prohibited by the Noise Ordinance.

1159.6 ENCLOSED BUILDINGS.

All businesses, services or processing shall be conducted wholly within a completely enclosed building, except for incidental display of merchandise, the sale of automotive fuel, lubricants and fluids at service stations, loading and unloading operations, parking, the outdoor display or storage of vehicles, materials and equipment.

1159.7 NIGHT OPERATION.

No building customarily used for night operation shall have any openings, other than stationary windows or required fire exits, within 200 feet of any residence district, and any space used for loading or unloading of commercial vehicles in connection with such operation shall not be within 100 feet of any residence district.

CHAPTER 1160
B-4 Commercial Recreation District

1160.1	PURPOSE.	1160.4	DEVELOPMENT STANDARDS.
1160.2	PRINCIPAL PERMITTED USES.	1160.5	APPROVAL REQUIRED.
1160.3	ACCESSORY USES.		

1160.1 PURPOSE.

The purpose of the Commercial Recreation District is to regulate intensive recreation, resort and entertainment uses in order to mitigate their impact on surrounding, less intensive, land uses. Because of their size, late hours of operation and wide range of ancillary activities, a major theme park creates significant impacts unlike any other uses in the ~~B-1~~, B-2 or B-3 Business Districts. Therefore, a special district was created to accommodate these activities.

1160.2 PRINCIPAL PERMITTED USES.

- A) Mechanical rides or attractions.
- B) Indoor movie theaters.
- C) Amphitheaters.
- D) Arcades.
- E) Specialty retail shops and restaurants.
- F) Stages.
- G) Swimming facilities.
- H) Other similar uses compatible with items A through G .
- I) Hotels and conference facilities.
- J) Professional offices.
- K) Cellular or Wireless communication systems. See Chapter 1188 for additional requirements.
(Ord. 14-002, passed February 10, 2014)

materials shall be compatible, the scale shall be appropriate, and the colors shall be in harmony with buildings and surroundings.

H) Maintenance Design Factors.

- 1) Continued quality of appearance depends upon the extent of quality of maintenance. The choice of materials and their use, together with the types of finishes and other protective measures, must be conducive to easy maintenance and upkeep.
- 2) Materials and finishes shall be selected for their durability and wear as well as for their beauty. Proper measures and devices shall be incorporated for protection against the elements, neglect, damage and abuse.
- 3) Provisions for washing and cleaning of buildings and structures and control of dirt and refuse shall be included in the design. Configurations that tend to catch and accumulate debris, leaves, trash, dirt and rubbish shall be avoided.

1161.4 AREA AND DENSITY REGULATIONS.

The various area, yard and height regulations of a planned unit development area in a PUD District are defined and set forth as follows:

- A) Development Area. The minimum area to qualify as a planned unit development area shall be not less than five contiguous acres. A parcel or parcels of land with less acreage may be considered for planned development when it is demonstrated that such smaller area has a unique feature of geography, topography or other development aspect which is determined to be appropriate for such district designation. However, contiguous property of less than five acres may be added to a previously established PUD District without any demonstrated basis.
- B) Lot width, setback and yard requirements may be varied to accommodate a variety of structural patterns, clustering design and housing types.
- C) Development Area Density. The maximum net density for single-family residential use is six (6) dwelling units per acre and the maximum net density for multi-family is eight (8) units per acre. **For PUD developments located completely within a density overlay district, residential density may exceed the maximum net density of eight (8) units per acre. Developments located within a density overlay district that desire higher residential density, shall establish a maximum net density during the Concept PUD process.** The calculation of residential density shall be determined by dividing the total number of units by the net residential area. Net residential area excludes that portion dedicated to right-of-way **and any portion not used for residential in mixed-use developments.**
- D) Standards for Increase in Residential Density.
 - 1) The Planning Commission may recommend authorization of an increase in the

- 1) **Quality usable** Common open space shall comprise at least twenty percent (20%) of the project area.
- 2) The location, shape, size and character of the common open space shall be suitable for the planned unit development. Public utility and similar easements and rights-of-way for water courses and other similar channels may be acceptable for common open space provided it does not comprise more than fifty percent (50%) of the minimum open space total, unless such land or right-of-way is usable as a trail or similar purpose and has been approved by the Commission. Common open space shall not include private yards, required setbacks between the project boundary lines and buildings, and minimum spacing between buildings.
- 3) Common open space shall be used for amenity or recreational purposes or remain undeveloped. The uses authorized for the common open space shall be appropriate to the scale and character of the planned unit development, considering its size, density, expected population, including ages and number, topography and the number and type of dwellings or uses to be provided.
- 4) Common open space shall be suitably improved for its intended use, but common open space containing natural features worthy of preservation may be left unimproved. The buildings, structures and improvements which are permitted in the common open space shall be appropriate to the uses which are authorized for the common open space and shall conserve and enhance the amenities of the common open space having regard to its topography and unimproved condition.
- 5) The development schedule which is part of the development plan shall coordinate the improvement of the common open space, the construction of buildings, structures and improvements in the common open space and the construction of other buildings in the planned development.
- 6) If the final development plan provides for buildings, structures or improvements in the common open space, the developer shall provide a bond of one hundred percent (100%) of the City Engineer's estimate of the cost of those improvements so that the buildings, structures and improvements will be completed before the final plat is recorded. Upon request of the developer, the Planning Commission may delay the requirements of posting bond, such delay to be based upon the development schedule. If the developer does not complete the buildings, structures and improvements at the time set forth in the schedule, then the Commission shall require that a bond be provided for the remainder of the improvements. The Commission shall release the bond or other assurance when the buildings, structures or improvements have been completed according to the development plan.
- 7) The use and improvement of the common open space shall be planned in relation to any existing or proposed public or semi-public open space which adjoins or which is within 1,500 feet of the perimeter of the planned development.

B) All land shown on the final development plan as common open space shall be conveyed under one of the following options:

- 1) It may be conveyed to a public agency which will agree to maintain the common

CHAPTER 1166

DM-N Downtown Mason - Neighborhood District

1166.1	PURPOSE.	1166.6	CORNER LOTS.
1166.2	PRINCIPAL PERMITTED USES.	1166.7	FLAG LOTS.
1166.3	ACCESSORY USES.	1166.8	SIGNAGE.
1166.4	CONDITIONAL USES.	1166.9	SCREENING FOR NON-RESIDENTIAL USES.
1166.5	DEVELOPMENT STANDARDS.	1166.10	DISTRICT CHARACTER.

1166.1 PURPOSE.

It is the purpose of the DM-N District to promote the retention, renovation and construction of single-family residences in Downtown Mason.

1166.2 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:

- A) Dwelling Structures. Single-family structures, detached.
- B) Parks. Parks, playgrounds and play fields.
- C) 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.
- D) Institutions, Public and Cultural. Public libraries, churches and other places of worship, Sunday school buildings and parish houses.

1166.3 ACCESSORY USES.

Accessory uses, building or other structures customarily incidental to any aforesaid permitted or conditionally permitted uses may be established, erected or constructed; provided, that such accessory uses shall not involve the conduct of any business, trade or industry, or any private way or walk giving access to such activity, or any billboard, sign or poster other than authorized herein. Accessory uses may include the following:

- A) Accessory Buildings or Structures. See Section 1171.7.
- B) Gardening, Pets and Animals. Gardening, hobby greenhouses, the raising of vegetables or fruits and the keeping of household pets, domestic or farm animals exclusively for the use or personal enjoyment of residents of the premises and not for commercial purposes with the exception of produce grown and sold as part of a valid home occupation. Any heating plant and any structure in which fowl, bees or farm animals are kept shall be located at least 100 feet from every lot line.
- C) Parking Facilities. Garages, carports or other parking spaces for the exclusive use of residents of the premises.
- D) Swimming Pools. Swimming pools, exclusively for the use of the residents and their guests, and subject to the provisions of the Building Code.
- E) Real Estate and Professional Signs. Real estate announcements and professional signs subject to the provisions of Section 1171.15 and Chapter 1187 of the Codified Ordinances.
- F) Home Occupations. See Section 1171.15.
- G) Solar Units. Solar Units shall be flush mounted to the roof of the principal building on the lot or located in the rear yard of the property. If located in the rear yard, such structure are subject to the regulations set forth in Section 1171.7 D

1166.4 CONDITIONAL USES

The following uses shall be allowed in the Downtown Mason – Neighborhood District subject to approval in accordance with Chapter 1172:

- A) Child day-care centers as regulated by Section 1172.4.
- B) Convalescent, nursing or rest homes as regulated by Section 1172.5.
- C) Home-based barber shops and beauty salons as regulated by Section 1172.10.

1166.5 DEVELOPMENT STANDARDS.

- A) The following development standards shall apply to the Downtown Mason - Neighborhood District:

Table 1166: DM-N Downtown Mason Neighborhood District Development Standards

Minimum Lot Area (in square feet)	2,000
Minimum Lot Width (in feet)	
Front Access	40
Rear Access	30
Minimum Corner Lot Width (in feet)	50
Maximum Height of Principal Building (in feet)	35
Minimum Floor Area of Dwelling Unit (in square feet)	1,000
Minimum Setbacks for Principal Buildings (in feet)	
Front ^(a)	10
Side	5
Rear	10
Minimum Setbacks for Accessory Buildings (in feet)	
Front	(b)
Side and Rear	5
(a) For lots fronting on two streets, the principal building shall be set back from both streets according to the front setback of the district in which it is located.	
(b) Accessory structures are not permitted in the front yard.	

B) Landscaping:

- 1) Foundation Plantings. Building foundation landscaping is required along fifty (50) percent of the length of all sides of a non-residential building that faces a public or private street, open space, or vehicular use area located on the same lot.
- 2) Vehicular Use Area Landscaping. Vehicular use areas shall conform to the interior and perimeter screening requirements per the Mason Landscape Ordinance.
- 3) Street Trees. Street trees shall be required per the Mason Landscape Ordinance.
- 4) Landscaping Trees. Two trees shall be installed at a minimum per lot, exclusive of the Street Tree requirements.

C) Parking:

- 1) All vehicular use areas and all new/updated driveways must be paved.

- 2) Off-street parking requirements are subject to the applicable regulations in Chapter 1175.

D) Sidewalks:

- 1) Sidewalks are required on all public street frontages per the approval of the City Engineer.
- 2) Properties that are located on uncurbed streets may request to provide a fee-in-lieu of payment instead of installing the required sidewalk per approval of the City Engineer.

E) Garages:

- 1) All single-family dwellings shall have a minimum of a one-car-garage.
- 2) Garage may be attached or detached from the principal building.
- 3) Any new garage that is constructed, after the date of this code's adoption, must be located a minimum of 20 feet from the front property line in order to allow for a vehicle to be parked in the driveway without overhanging the sidewalk or right-of-way.

1166.6 CORNER LOTS.

- A) On corner lots, where lots have frontage on more than one public right-of-way, the required front yards shall adhere to the Development Standards table and the remaining lot line(s) shall comply with the side yard setback requirements.
- B) Buildings, signs, landscaping and other similar elements that are on corner lots shall be required to adhere to the clear vision zone requirements of this Zoning Ordinance.

1166.7 FLAG LOTS.

Flag lots are not permitted in this zoning district.

1166.8 SIGNAGE.

Signage shall conform to Chapter 1187.

1166.9 SCREENING FOR NON-RESIDENTIAL USES.

- A) Loading and service areas shall not be visible from the public right-of-way.
- B) All roof and ground mounted mechanical equipment shall be screened from view from adjacent property, adjacent zoning districts and from adjacent rights-of-way in all zoning districts using durable, compatible, opaque materials.
- C) Dumpsters shall comply with the screening requirements set forth in the Mason Landscape Ordinance.

1166.10 DISTRICT CHARACTER.

New development and redevelopment projects within the Downtown Mason – Neighborhood District shall be complementary to the existing character of the area. This includes, but is not limited to, a development's size, scale, design, materials, mass, and location.

CHAPTER 1167

DM-NX Downtown Mason - Neighborhood Mix District

1167.1	PURPOSE.	1167.7	FLAG LOTS.
1167.2	PRINCIPAL PERMITTED USES.	1167.8	SIGNAGE.
1167.3	ACCESSORY USES.	1167.9	SCREENING FOR NON-RESIDENTIAL USES.
1167.4	CONDITIONAL USES.	1167.10	DESIGN STANDARDS.
1167.5	DEVELOPMENT STANDARDS.	1167.11	DISTRICT CHARACTER.
1167.6	CORNER LOTS.		

1167.1 PURPOSE.

It is the purpose of the DM-NX District to allow for low intensity office and residential uses that complement both the adjacent commercial and residential neighborhoods.

1167.2 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:

- A) Dwelling Structures. Single-family detached, single family attached (townhomes), two-family and multi-family structures.
- B) Offices. Offices of a business, professional, service, administrative or co-working purpose. Medical offices and clinics.
- C) Live/Work. A single unit consisting of both a commercial/office and a residential component that is occupied by the same resident. All uses conducted within the live/work spaces must be permitted uses within the DM-NX District.
- D) Personal Services. Barber shops, beauty salons and shops, nail salons, day spas, travel agencies, photographic studios, art studios, fitness and dance studios and uses of a similar nature and intensity.
- E) Parks. Parks, playgrounds and play fields.
- F) 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.

- G) Institutions, Public and Cultural. Public libraries, churches and other places of worship, Sunday school buildings and parish houses.

1167.3 ACCESSORY USES.

Accessory uses, building or other structures customarily incidental to any aforesaid permitted or conditionally permitted uses may be established, erected or constructed; provided, that such accessory uses shall not involve the conduct of any business, trade or industry, or any private way or walk giving access to such activity, or any billboard, sign or poster other than authorized herein. Accessory uses may include the following:

- A) Accessory Buildings or Structures. See Section 1171.7.
- B) Gardening, Pets and Animals. Gardening, hobby greenhouses, the raising of vegetables or fruits and the keeping of household pets, domestic or farm animals exclusively for the use or personal enjoyment of residents of the premises and not for commercial purposes with the exception of produce grown and sold as part of a valid home occupation. Any heating plant and any structure in which fowl, bees or farm animals are kept shall be located at least 100 feet from every lot line.
- C) Parking Facilities. Garages, carports or parking lots.
- D) Swimming Pools. Swimming pools, exclusively for the use of the residents and their guests, and subject to the provisions of the Building Code.
- E) Real Estate and Professional Signs. Real estate announcements and professional signs subject to the provisions of Section 1171.15 and Chapter 1187 of the Codified Ordinances.
- F) Solar Units. Solar Units shall be flush mounted to the roof of the principal building on the lot or located in the rear yard of the property. If located in the rear yard, such structures are subject to the regulations set forth in Section 1171.7 D.

1167.4 CONDITIONAL USES.

The following uses shall be allowed in the DM-NX District subject to approval in accordance with Chapter 1172:

- A) Child day-care centers as regulated by Section 1172.4.
- B) Convalescent, nursing or rest homes as regulated by Section 1172.5.

1167.5 DEVELOPMENT STANDARDS.

- A) The following development standards shall apply to the Downtown Mason – Neighborhood Mix District:

Table 1167: DM-NX Downtown Mason - Neighborhood Mix District Development Standards

	DISTRICT USES			
	Single-Family Residential Uses	Multi-Family Residential Uses (2-8 units)	Multi-Family Residential Uses (9+ Units)	Non-Residential Uses
Minimum Lot Area (in square feet)	2,000	2,000 per dwelling unit	87,120 (2 acres)	5,000
Minimum Lot Width (in feet)	40 front access 30 rear access	100	200	50
Minimum Corner Lot Width (in feet)	50	130	300	70
Maximum Impervious Surface Ratio (%)	75	75	75	75
Maximum Height of Principal Buildings (in feet) ^(a)	35	35	45	35
Minimum Floor Area of Dwelling Unit (in square feet)	1,000	750	750	
Minimum Setbacks of Principal Buildings (in feet)				
Front ^(b)	10	10	25	0 for single frontage, 10 for corner lots
Side	5	10	25	5
Rear	10	25	50	15
Minimum Setback for Accessory Structures (in feet)				
Front ^(b)	(c)	(c)	(c)	(c)
Side and Rear	0	0	25	0
<p>(a) Buildings that exceed 35 feet in height shall step the façade back 1 foot for each additional foot of building height. No building shall exceed a maximum height of 45 feet.</p> <p>(b) For lots fronting on two streets, the principal building shall be set back from both streets according to the front setback of the district in which it is located.</p> <p>(c) Accessory structures not permitted in front yard.</p>				

- B) Residential Density. Maximum residential density for a development shall be established during the site plan review and as approved by the Planning Commission. Residential density may exceed eight (8) dwelling units per acre if the following conditions are met:
- 1) The subject property where the residential development is to be located is within the boundaries of the Downtown Mason Residential Density Overlay District.
 - 2) The residential development meets all the applicable design and development regulations of this Chapter.
- C) Landscaping:
- 1) Foundation Plantings. Building foundation landscaping is required along fifty (50) percent of the length of all sides of a non-residential building that faces a public or private street, open space, or vehicular use area located on the same lot. It is not required for portions of building facades located within 15 feet of a front property line where a streetscape or patio treatment is provided.
 - 2) Vehicular Use Landscaping. Vehicular use areas shall conform to the interior and perimeter screening requirements per the Mason Landscape Ordinance.
 - 3) Street Trees. Street Trees shall be required per the Mason Landscape Ordinance.
 - 4) Landscaping Trees. Two trees shall be installed at a minimum per lot, exclusive of the street tree requirements.
- D) Parking:
- 1) Paving. All vehicular use areas must be paved and curbed.
 - 2) Parking Plan. A parking plan is required for any new or expanded off-street parking areas within the Downtown Mason – Neighborhood Mix District. The parking plan shall be reviewed against the provisions of this section and any other applicable regulations and shall include the following information:
 - a) Number of parking spaces proposed;
 - b) Arrangement of parking aisles;
 - c) Location of driveway entrances;
 - d) Provisions for vehicular and pedestrian circulation;

- e) Location of sidewalks, curbs, lighting and other similar site amenities and features;
 - f) Identification of stormwater drainage facilities;
 - g) A written analysis along with explanation of the number of required parking spaces per Chapter 1185 of the Mason Zoning Ordinance and the number of proposed parking spaces as stipulated below; and
 - h) Any other relevant information requested by the City Engineer or Planning Commission.
- 3) Proposed Parking Spaces. Each applicant is required to provide an adequate number of parking spaces for the proposed use or expansion of use, which allows for visitors, employees, or residents of the building to park within the confines of the property. If there is not enough physical space on the property to provide the required parking, the applicant shall address how parking will be accommodated to meet the demand of the use(s). The applicant shall provide a written analysis of parking requirements based on the following:
- a) Building square footage for each specific use to be served by the off-street parking area;
 - b) Hours of operation for each use;
 - c) Estimated number of patrons/customers at peak hours;
 - d) Maximum number of employees on largest shift;
 - e) Availability of joint, shared, or on-street parking areas;
 - f) Building occupancy loads; and
 - g) Any other relevant information requested by the City Engineer or Planning Commission.
- 4) Planning Commission has the authority to reject the parking plan if it is deemed that an adequate number of parking spaces has not been provided.
- 5) If the applicant cannot provide parking on-site, they shall pay a fee-in-lieu for the required parking spaces to the City as determined by the City Engineer.
- E) Sidewalks:

- 1) Sidewalks are required on all public street frontages per the approval of the City Engineer.
- 2) Properties that are located on uncurbed streets may request to provide a fee-in-lieu of payment instead of installing the required sidewalk per approval of the City Engineer.

F) Garages:

- 1) All single-family dwellings and multi-family dwellings up to four (4) units shall provide a minimum of a one-car garage per dwelling unit.
- 2) Garages may be attached or detached from the principal building.
- 3) Any new garage that is constructed, after the date of this code's adoption, must be located a minimum of 20 feet from the front property line in order to allow for a vehicle to be parked in the driveway without overhanging the sidewalk or right-of-way.

1167.6 CORNER LOTS.

- A) On corner lots, where lots have frontage on more than one public right-of-way, the required front yards shall adhere to the Development Standards table and the remaining lot line(s) shall comply with the side yard setback requirements.
- B) Buildings, signs, landscaping and other similar elements that are on corner lots shall be required to adhere to the clear vision zone requirements of this Zoning Ordinance.

1167.7 FLAG LOTS.

Flag lots are not permitted in this zoning district.

1167.8 SIGNAGE.

Signage shall conform to Chapter 1187.

1167.9 SCREENING FOR NON-RESIDENTIAL USES.

- A) Loading and service areas shall not be visible from the public right-of-way.
- B) All roof and ground mounted mechanical equipment shall be screened from view from

adjacent property, adjacent zoning districts and from adjacent rights-of-way in all zoning districts using durable, compatible, opaque materials.

- C) Dumpsters shall comply with screening requirements set forth in the Mason Landscape Ordinance.

1167.10 DESIGN STANDARDS

For non-residential and multi-family residential projects with nine (9) or more units, the following design standards shall apply.

A) Building Materials.

- 1) A minimum of three (3) building materials shall be used on every building façade.
- 2) Permitted building materials shall be high quality, durable materials including, but not limited to, stone, manufactured stone, brick, wood siding, glass and fiber cement siding.
- 3) EIFS (Exterior Insulation and Finish System), stucco and architectural grade metal panels may be used as accent materials on a buildings exterior, but may not make up more than fifteen (15) percent of each building's façade.
- 4) Other equivalent building materials may be approved by Planning Commission.

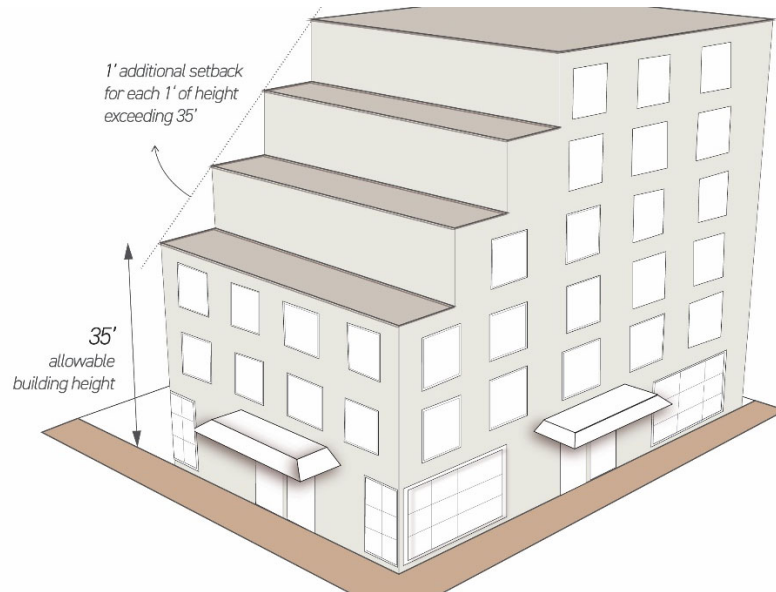
B) Form and Massing.

- 1) All sides of buildings shall include a variety of architectural treatments. These treatments shall include, but are not limited to, both vertical and horizontal features that break up façade walls. Examples include building projections, recesses, cornices, pilasters, contrasting horizontal or vertical bands, awnings, canopies, balconies, varying colors or colonnades.
- 2) Buildings shall be designed to the human scale and should promote an active street frontage with a high-quality streetscape design. The primary building entrance shall be clearly identified and shall be oriented to a public street or public gathering area.

C) Architectural Treatment.

- 1) Building Height. Buildings in the Downtown Mason – Neighborhood Mix District that exceed thirty-five (35) feet in height shall be designed to step back in height. One additional foot setback is required for each additional foot of building height, not to exceed forty-five (45) feet. Step back requirements begin at a height of thirty-five

(35) feet and shall be generally designed as illustrated below.



- 2) Fenestration. First floor elevations that are visible from the public right-of-way shall maximize window openings as appropriate for the interior use.
- 3) Facade design examples.





1166.11 DISTRICT CHARACTER.

New development and redevelopment projects within the Downtown Mason – Neighborhood Mix District shall be complementary to the existing character of the area. This includes, but is not limited to, a development's size, scale, design, materials, mass, and location.

CHAPTER 1168

DM-MX Downtown Mason – Mixed Use District

1168.1	PURPOSE.	1168.6	CORNER LOTS.
1168.2	PRINCIPAL PERMITTED USES.	1168.7	FLAG LOTS.
1168.3	OBJECTIONABLE USES.	1168.8	SIGNAGE.
1168.4	ENCLOSED BUILDINGS.	1168.9	SCREENING FOR NON-RESIDENTIAL USES
1168.5	DEVELOPMENT STANDARDS.	1168.10	DESIGN STANDARDS.
		1168.11	DISTRICT CHARACTER.

1168.1 PURPOSE.

It is the purpose of the DM-MX District to permit and encourage a wide variety of commercial activities and services in Downtown Mason while allowing for residential infill to support the district.

1168.2 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:

- A) Dwelling Structures. Single-family detached, single family attached (townhomes).
- B) Mixed Use Residential. Residential uses are permitted to utilize the entirety of a second story or any additional stories of a mixed-use building. Residential uses shall not be permitted on the first floor of any mixed-use building in the District.
- C) Offices. Offices of a business, professional, service, administrative or co-working purpose. Medical offices and clinics.
- D) Personal Services. Barber shops, beauty salons and shops, nail salons, day spas, travel agencies, photographic studios, ballet studio, fine art studios, fitness and dance studios and uses of a similar nature and intensity.
- E) Retail and Commercial. Specialty retail and commercial uses including drug stores (without a drive-through), food stores, clothing and trinket stores, furniture stores, financial establishments (without a drive-through), and uses of a similar nature and intensity.
- F) Hospitality. Bed and breakfasts (subject to the additional standards in Section 1172.9) and boutique hotels.

- G) Bars and Restaurants. Standard restaurants without drive-through facilities and fast-food restaurants without drive-through facilities. Restaurants may include walk-up or pick-up windows.
- H) Breweries and Distilleries. Micro and nano breweries, distilleries, wineries and cideries.
- I) Parks. Parks, playgrounds, play fields, plazas and public gathering areas.
- J) Institutions, Public and Cultural. Public libraries, churches and other places of worship, Sunday school buildings and parish houses.
- K) Public and Private Parking Garages and Lots. Parking garages and lots for passenger vehicles only.
- L) Notwithstanding the above, Planning Commission may authorize drive through facilities for financial institutions and drug stores, cafés and coffee shops and other similar consumer service uses.

1168.3 OBJECTIONABLE USES.

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. Objectionable noise shall be any noise prohibited by the Noise Ordinance.

1168.4 ENCLOSED BUILDINGS.

All businesses, services or processing shall be conducted wholly within a completely enclosed building, except for designated outdoor dining/eating areas, temporary retail sidewalk sales, loading and unloading operations, parking and other purposes authorized by Planning Commission.

1168.5 DEVELOPMENT STANDARDS.

- A) The following development standards shall apply to the Downtown Mason – Mixed Use District:

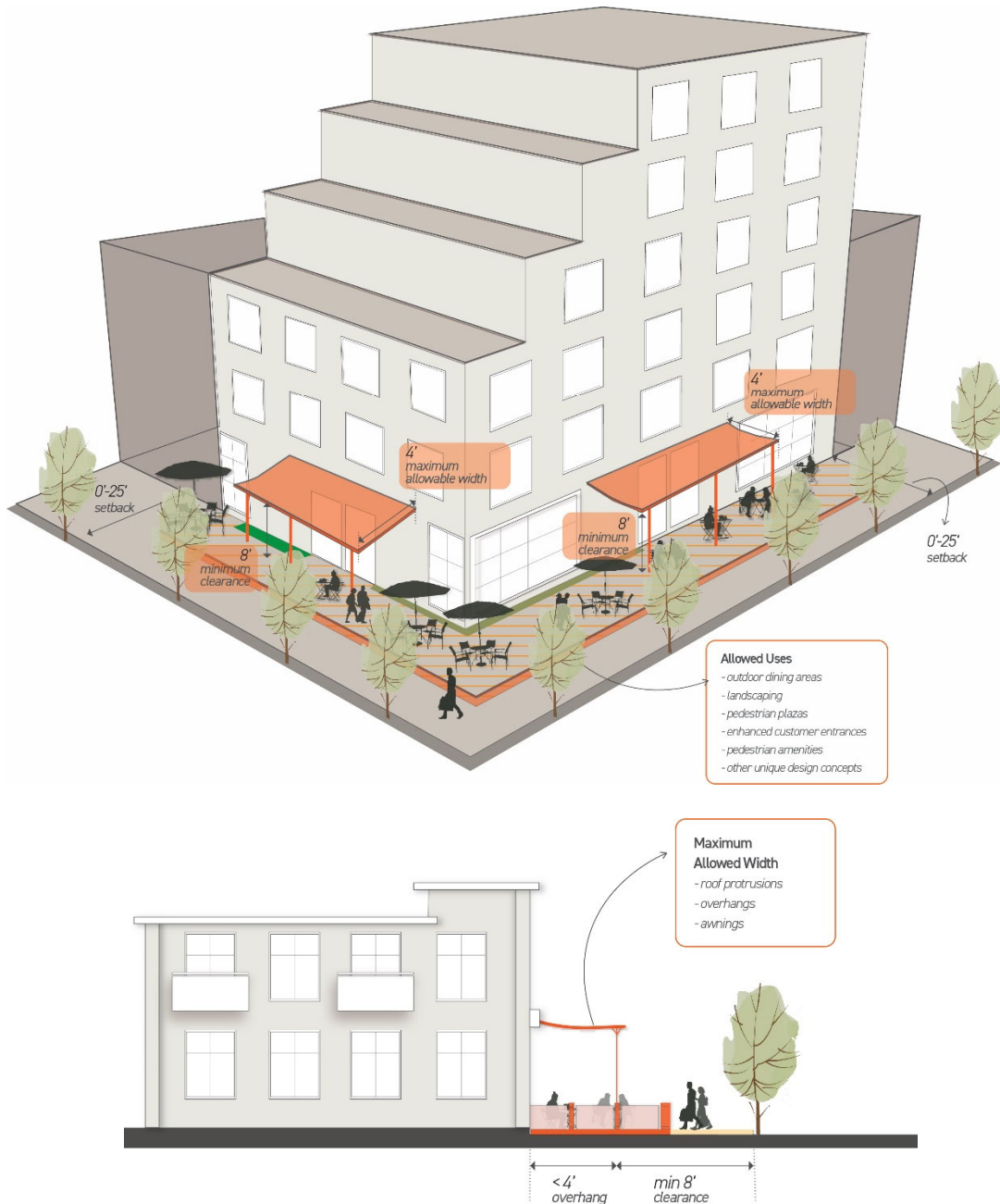
Table 1168: DM-MX Downtown Mason – Mixed Use District Development Standards

Minimum Lot Area (in square feet)	
Minimum Lot Width (in feet)	
Minimum Corner Lot Width (in feet)	
Maximum Impervious Surface Ratio	There is no Maximum impervious surface ratio, but developments must comply with all applicable stormwater management regulations.
Maximum Height of Principal Building (in feet) ^(a)	35
Minimum Floor Area of Dwelling Unit (in square feet)	750
Minimum Setbacks for Principal Buildings (in feet)	
Front	0 for single frontage, 10 for corner lots
Side	0
Rear	0
Maximum Setback for Principal Buildings (in feet)	
Front ^(b)	20 for single frontage, 25 for corner lots
Minimum Setbacks for Accessory Buildings (in feet)	
Front	(c)
Side and Rear	0
<p>(a) Buildings that exceed 35 feet in height shall step the façade back 1 foot for each additional foot of building height. No building shall exceed a maximum height of 50 feet.</p> <p>(b) For lots fronting on two streets, the principal building shall be set back from both streets according to the maximum front setback of the district in which it is located.</p> <p>(c) Accessory structures not permitted in front yard.</p>	

- B) Residential Density. Maximum residential density for a development shall be established during the site plan review and as approved by the Planning Commission. Residential density may exceed eight (8) dwelling units per acre if the following conditions are met:
- 1) The subject property where the residential development is to be located is within the boundaries of the Downtown Mason Residential Density Overlay District.
 - 2) The residential development meets all the applicable design and development regulations of this Chapter.
- C) Setbacks:
- 1) The area between the building and the street shall be occupied by outdoor dining areas, landscaping, pedestrian plazas, enhanced customer entrances, pedestrian

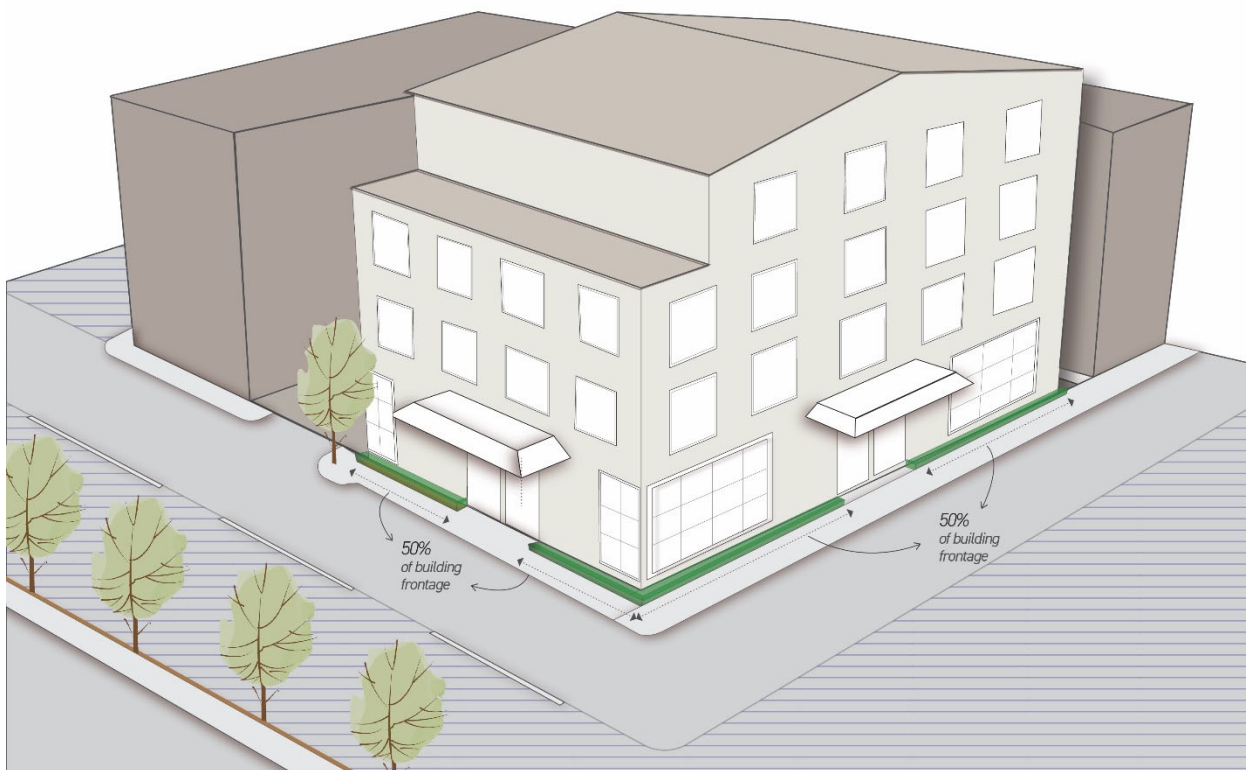
amenities, or other unique design concepts subject to the approval of Planning Commission. The area shall not include parking, driveways, vehicular circulation aisles, or other vehicular-oriented purposes.

- 2) Overhangs, awnings and roofs may extend up to four (4) feet into the right-of-way above a public sidewalk if an eight (8) foot clearance is maintained for pedestrians and the projections pose no threat to public health, safety or general welfare.



D) Landscaping:

- 1) Foundation Plantings. Building foundation landscaping is required along fifty (50) percent of the length of all sides of a non-residential or mixed-use building that faces a public or private street, open space, or vehicular use area located on the same lot. It is not required for portions of building facades located within fifteen (15) feet of a front property line where a streetscape or patio treatment is provided.
- 2) Vehicular Use Landscaping. Vehicular use areas shall conform to the interior and perimeter screening requirements per the Mason Landscape Ordinance. Parking garages or parking decks shall not be required to provide interior parking lot landscaping. Perimeter landscaping is required per the Mason Landscape Ordinance.
- 3) Street Trees. Street Trees shall be required per the Mason Landscape Ordinance.
- 4) Landscaping Trees. Any area not dedicated to building or pavement shall be landscaped with trees, shrubs, grass and other natural materials.



E) Parking:

- 1) Paving. All vehicular use areas must be paved and curbed.
- 2) Parking Plan. A parking plan is required for any new or expanded off-street parking areas within the Downtown Mason – Mixed Use District, excluding detached single-family homes. The parking plan shall be reviewed against the provisions of this section and any other applicable regulations and shall include the following information:
 - a) Number of parking spaces proposed;
 - b) Arrangement of parking aisles;
 - c) Location of driveway entrances;
 - d) Provisions for vehicular and pedestrian circulation;
 - e) Location of sidewalks, curbs, lighting and other similar site amenities and features;
 - f) Identification of stormwater drainage facilities;
 - g) A written analysis along with explanation of the number of required parking spaces per Chapter 1185 of the Mason Zoning Ordinance and the number of proposed parking spaces as stipulated below; and
 - h) Any other relevant information requested by the City Engineer or Planning Commission.
- 3) Proposed Parking Spaces. Each applicant is required to provide an adequate number of parking spaces for the proposed use or expansion of use, which allows for visitors, employees, or residents of the building to park within the confines of the property. If there is not enough physical space on the property to provide the required parking, the applicant shall address how parking will be accommodated to meet the demand of the use(s). The applicant shall provide a written analysis of parking requirements based on the following
 - a) Building square footage for each specific use to be served by the off-street parking area;
 - b) Hours of operation for each use;
 - c) Estimated number of patrons/customers at peak hours;

- d) Maximum number of employees on largest shift;
 - e) Availability of joint, shared, or on-street parking areas;
 - f) Building occupancy loads; and
 - g) Any other relevant information requested by the City Engineer or Planning Commission.
 - 4) Planning Commission has the authority to reject the parking plan if it is deemed that an adequate number of parking spaces has not been provided.
 - 5) If the applicant cannot provide parking on-site, they shall pay a fee-in-lieu for the required parking spaces to the City as determined by the City Engineer.
- F) Sidewalks:
- 1) Sidewalks are required on all public street frontages per the approval of the City Engineer.
 - 2) Properties that are located on uncurbed streets may request to provide a fee-in-lieu of payment instead of installing the required sidewalk per approval of the City Engineer.
- G) Garages:
- 1) All single-family dwellings and multi-family dwellings up to four (4) units shall provide a minimum of a one-car garage per dwelling unit.
 - 2) Garages may be attached or detached from the principal building.
 - 3) Any new garage that is constructed, after the date of this code's adoption, must be located a minimum of twenty (20) feet from the front property line in order to allow for a vehicle to be parked in the driveway without overhanging the sidewalk or right-of-way.

1168.6 CORNER LOTS.

- A) On corner lots, where lots have frontage on more than one public right-of-way, the required front yards shall adhere to the Development Standards table and the remaining lot line(s) shall comply with the side yard setback requirements.
- B) Buildings, signs, landscaping and other similar elements that are on corner lots shall be

required to adhere to the clear vision zone requirements of this Zoning Ordinance.

1168.7 FLAG LOTS.

Flag lots are not permitted in this zoning district.

1168.8 SIGNAGE.

Signage shall conform to Chapter 1187.

1168.9 SCREENING FOR NON-RESIDENTIAL USES.

- A) Loading and service areas shall not be visible from the public right-of-way.
- B) All roof and ground mounted mechanical equipment shall be screened from view from adjacent property, adjacent zoning districts and from adjacent rights-of-way in all zoning districts using durable, compatible, opaque materials.
- C) Dumpsters shall comply with screening requirements set forth in the Mason Landscape Ordinance.

1168.10 DESIGN STANDARDS

For non-residential and multi-family residential projects with nine (9) or more units, the following design standards shall apply.

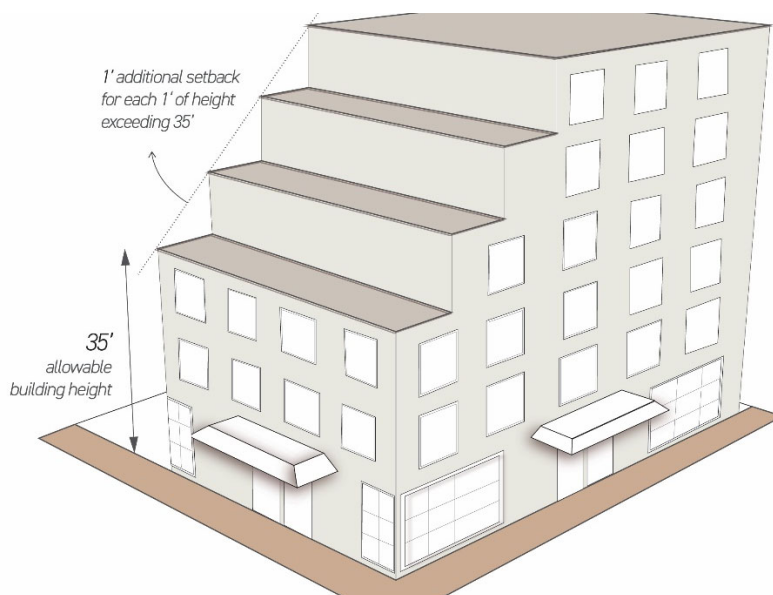
- A) Building Materials.
 - 1) A minimum of three (3) building materials shall be used on every building façade.
 - 2) Permitted building materials shall be high quality, durable materials including, but not limited to, stone, manufactured stone, brick, wood siding, glass and fiber cement siding.
 - 3) EIFS (Exterior Insulation and Finish System), stucco and architectural grade metal panels may be used as accent materials on a building's exterior, but may not make up more than ten (10) percent of each building's façade.
 - 4) Other equivalent building materials may be approved by Planning Commission.

B) Form and Massing.

- 1) All side of buildings shall include a variety of architectural treatments. These treatments shall include, but are not limited to, both vertical and horizontal features that break up façade walls. Examples include building projections, recesses, cornices, pilasters, contrasting horizontal or vertical bands, awnings, canopies, balconies, varying colors or colonnades.
- 2) Buildings shall be designed to the human scale and should promote an active street frontage with a high-quality streetscape design. The primary building entrance shall be clearly identified and shall be oriented to a public street or public gathering area.

C) Architectural Treatment.

- 1) Building Height. Buildings in the Downtown Mason – Mixed Use District that exceed thirty-five (35) feet in height shall be designed to step back in height. One additional foot setback is required for each additional foot of building height, not to exceed fifty (50) feet. Step back requirements begin at a height of thirty-five (35) feet and shall be generally designed as illustrated below.



- 2) Fenestration. First floor elevations that are visible from the public right-of-way shall maximize window openings as appropriate for the interior use.
- 3) Facade design examples.



1168.11 DISTRICT CHARACTER.

New development and redevelopment projects within the Downtown Mason – Mixed Use District shall be complementary to the existing character of the area. This includes, but is not limited to, a development's size, scale, design, materials, mass, and location.

CHAPTER 1170

~~Downtown Overlay District~~

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

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

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

CHAPTER 1170
Downtown Mason Residential Density Overlay District

1170.1	PURPOSE.	1170.4	DEVELOPMENT STANDARDS.
1170.2	CREATION AND BOUNDARIES.	1170.5	APPROVAL AND AMENDMENT PROCESS.
1170.3	EFFECT OF DOWNTOWN OVERLAY DESIGNATION.		

1170.1 PURPOSE.

- A) Establish a procedure to allow the construction of residential developments within Downtown Mason that exceed the eight (8) dwelling units per acre density limitations of the Charter of the City of Mason as permitted in Overlay Areas established by City Council.
- B) Promote the development of residential units that provide a unique and desired product in the City of Mason.
- C) Enhance the vibrant community in Downtown Mason by increasing the number of residents in the area.

1170.2 CREATION AND BOUNDARIES.

This chapter of the Zoning Ordinance is created as an overlay district to be applied generally to properties zoned Downtown Mason Neighborhood, Neighborhood Mix, or Mixed-Use. The boundaries of the Downtown Mason Residential Density Overlay are identified on the Official Zoning Map for the City of Mason as amended.

1170.3 EFFECT OF DOWNTOWN OVERLAY DESIGNATION.

The Downtown Mason Residential Density Overlay District regulations apply in combination with the underlying base zoning district regulations and all other applicable standards of this Zoning Ordinance.

1170.4 DEVELOPMENT STANDARDS.

- A) Residential developments within the Downtown Mason Residential Density Overlay District may be built to a density that exceeds eight (8) units per acre if constructed in conformance

with the regulations contained herein and the development and design standards of the underlying base zoning district.

- B) Based on the density, size, and scale of the residential development, a traffic impact study, school impact study, off-site improvements, and/or a neighborhood meeting may be required as part of the development approval process. Planning Commission may require any or all of the aforementioned studies, reports, meetings or improvements.
- C) Residential developments shall be designed to ensure sensitive transitions from adjacent properties to high intensity residential or mixed-use developments by scaling the building's size and massing to be compatible with adjacent buildings, providing large landscape buffers that provide adequate buffering, locating lower intensity uses or buildings on the periphery of a development to serve as a transition, or similar activities that would yield like results.

1170.5 APPROVAL AND AMENDMENT PROCEDURES

The establishment and subsequent amendments to the Downtown Mason Residential Density Overlay shall be performed in accordance with Chapter 1137 of the City of Mason Zoning Ordinance.

proposed structure on such lot in less restricted district is greater than the maximum height permitted in the adjoining more restricted district, the minimum width or depth of the side yard, rear yard or court for such structure shall be determined by increasing the minimum width or depth for the highest structure permitted in such more restricted district by one foot for each two feet by which the proposed structure exceeds the maximum height permitted in such more restricted district.

1171.7 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 and DM-N, DM-NX, or twenty (20) feet in height in business districts, B-1 B-2, through B-3 and DM-MX. 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)
- B) Corner Lots. In any district, where a corner lot adjoins in the rear a lot fronting on the side street, no part of an accessory building on such corner lot within twenty-five feet of the common lot line shall be nearer a side street lot line than the least depth of the front yard required along such side street for a dwelling or building on such adjoining lot, and in no case shall any part of such accessory building be nearer to the side street lot line than the least width of the side yard required for the principal building to which it is accessory. (Ord. 99-132, passed October 11, 1999)
- C) Without Main Building. No accessory building or structure shall be erected or constructed prior to the erection or construction of the principal or main building. (Ord. 99-132, passed October 11, 1999)
- D) Solar Units, Dish-Type Satellite Signal Receiving Stations and Ham Radio Towers. (Ord. 99-132, passed October 11, 1999)
- 1) Any solar unit or dish-type satellite signal receiving station greater than eighteen (18) inches in diameter shall be located in the rear yard with no part projecting into the side or front yard and shall be located so that however turned or otherwise used, all parts of the use shall be set back at least twenty (20) feet from side and rear lot lines. On a corner lot, the required setback shall be no less than the required setback for the principal dwelling or structure on the lot plus an additional five (5) feet, or twenty (20) feet, whichever is greater. (Ord. 99-132, passed October 11, 1999)
 - 2) The height of any solar unit or dish-type satellite signal receiving station shall not extend above fifteen (15) feet or the height of the main building to which it is associated, whichever is less. The maximum diameter of any dish-type receiving station shall not exceed twelve (12) feet. No installation or erection of a solar unit or

sections of this ordinance, these standards prevail, except for legal nonconformities as regulated in Chapter 1173.

- 2) In the event that a use is subject to more than one subsection of the section, the most restrictive standards shall apply.
- 3) In addition to the standards set forth in this article, all uses specified as conditional uses require approval by the Planning Commission and shall be subject to the procedures and requirements as set forth in Section 1172.2.

C) General Standards. In addition to the specific requirements for conditionally permitted uses as specified in sections 1172.4 through 1172.10, the Commission shall review the particular facts and circumstances of each proposed use in terms of the following standards and shall find adequate evidence showing that such use at the proposed location:

- 1) Is a permitted conditional use in the District for which it is proposed.
- 2) Will be in accordance with the general objectives, or with any specific objective, of the City's Comprehensive Plan and/or the Zoning Ordinances.
- 3) Will be designed, constructed, operated and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area.
- 4) Will not be hazardous or disturbing to existing or future neighboring uses.
- 5) Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to adequately provide any such services.
- 6) Will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community.
- 7) Will not involve uses, activities, processes, materials, equipment and conditions or operation that will be detrimental to any persons, property or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors.
- 8) Will have vehicular approaches to the property which shall be so designed as to not create an interference with traffic on surrounding public thoroughfares.
- 9) Will not result in the destruction, loss or damage of a natural, scenic or historic feature of major importance.

1172.4 CHILD DAY-CARE CENTERS.

The following conditions apply to child day-care centers in the R-1, R-2, R-3, R-4, R-6, ~~and~~ R-7, **DM-N and DM-NX** districts (Ord. 99-48, passed April 12, 1999):

- A) Minimum Lot Area. Day-care centers for seven (7) or more children shall have a minimum lot area of seventy-five hundred (7,500) square feet, or five hundred (500) square feet per child, whichever is greater. Home child care of six (6) or fewer children is considered a Home Occupation and is regulated in Section 1171.15.

- B) Required Outdoor Play Area. There shall be provided a minimum of one hundred (100) square feet of fenced outdoor play area per child.
- C) Required Access and Loading/Unloading.
- 1) An on-site drop-off area shall be provided at the main entrance to the facility sufficient to accommodate four (4) automobiles for facilities with twenty (20) or fewer children plus one (1) additional vehicle for each additional ten (10) children served.
 - 2) Access to an arterial or collector street is required or access shall be provided in a manner that does not cause heavy traffic on residential streets, and a traffic impact report pursuant to the provisions of Chapter 1135 shall be provided.
- D) Required Fencing. All outdoor play areas shall be enclosed by a fence or wall a minimum of five feet in height, except that a minimum six (6) foot high wall, solid wood fence, or chain link fence planted with a continuous evergreen screen shall be provided around all outdoor play areas abutting a residential property.
- E) Hours of Operation. Use of outdoor play areas shall be limited to between the hours of 8:00 a.m. and 8:00 p.m.
- F) Special Provisions for Day-Care Centers in Non-Residential Districts. The Planning Commission has the power to require additional fencing, screening and/or other measures deemed necessary to protect the health, safety and welfare of children using day care centers in commercial, industrial or other high hazard areas, or to deny a request to locate a facility in such areas based on health and safety considerations.

1172.5 CONVALESCENT, NURSING AND REST HOMES.

The following conditions apply to convalescent, nursing and rest home uses in the R-1, R-2, R-3, R-4, R-6, and R-7, **DM-N and DM-NX** districts (Ord. 99-48, passed April 12, 1999):

- A) Minimum Lot Area. 2 acres.
- B) Access and Traffic Impact. All developments shall have access only from an arterial or collector street, or access shall be provided in a manner that does not substantially impact traffic on residential streets.
- C) Proximity to Goods and Services. A range of convenience goods and personal services shall be available to residents of the proposed facility within walking distance (500 feet) or unless it can be demonstrated that residents will have adequate access to such uses via private vehicles or other forms of transportation.

1172.8 CONVENIENCE FOOD STORES AND DRIVE-IN AND DRIVE-THROUGH FACILITIES; FAST FOOD RESTAURANTS.

A) Minimum Lot Area.

- 1) Minimum lot area shall be seventy-five hundred (7,500) square feet, except that uses with drive-in or drive-through facilities shall be located on lots with a minimum area of forty thousand (40,000) square feet.
- 2) All structures, including drive-in or drive-through windows and lanes, shall be set back at least one hundred (100) feet from any residential property.

B) Screening. A solid wood fence or masonry wall six (6) feet high shall be constructed where a convenience food store, drive-in or drive-through store or fast food restaurant is located adjacent to a residential property.

C) Offstreet Parking and Circulation.

- 1) Stacking space for eight (8) vehicles shall be provided for every drive-in and drive-through facility. Stacking spaces shall not block or otherwise interfere with site circulation patterns.
- 2) Customer and employee parking shall be separated from drive-in and drive-through activities and customer parking shall be located in the area with highest accessibility to dining or sales areas.
- 3) The circulation system shall provide smooth, continuous traffic flow with efficient, non-conflicting movement throughout the site. Major pedestrian movements shall not conflict with major vehicular circulation movements.

D) Access and Traffic Impact. Access shall be from an arterial street or commercial collector or shall be provided in a manner that does not cause heavy traffic on residential streets.

1172.9 BED AND BREAKFASTS.

The following conditions and standards shall apply to Bed and Breakfasts in the **DM-MX** **B-1** Districts.

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.
- 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 have a total~~ **100%** cutoff angle of less than 90 degrees, a maximum illumination of ~~01.0~~ **01.0** foot candles **at the property line** ~~and shall not spill over onto adjacent property.~~

1172.10 HOME-BASED BARBER SHOPS AND BEAUTY SALONS.

Home-based barber shop or beauty salon as defined by Section 1133.84 provided that the barber shop or beauty salon meets the following conditions:

- A) There shall be no more than one (1) non-illuminated sign, no larger than one (1) square foot in area, which shall be located in conjunction with the curbside mailbox installation or attached to the dwelling.
- B) Nothing shall be done to make the building or lot appear in any way as anything but a dwelling and residential lot.
- C) The lot size on which the barber shop or beauty salon is to be located is no less than one (1)

not to exceed one-fifth of the required least width of such side yard, but not exceeding three feet in any case.

- C) Rear Yards. Subject to the limitation in subsection (b) hereof, the features named therein may project into any required rear yards the same distances they are permitted to project into a front yard.

1185.2 FENCES AND WALLS.

- A) Height. Fences and walls shall not exceed six (6) feet in height except as specifically permitted in subsections E) and F) hereof.
- B) Front Yard Prohibition. No fence or wall shall be permitted in a front yard, except that ornamental fences shall be permitted as regulated in this section.
- C) Corner Lots. No fence or wall on a corner lot shall extend in front of the front building line of the property on which it is located. Additionally, on a corner lot, a fence or wall within twenty-five (25) feet of an adjacent lot shall not extend in front of the front building line of the adjacent lot.
- D) Ornamental Fences in Front Yards. Ornamental fences in a front yard shall not exceed thirty-two (32) feet in length and four (4) feet in height, and shall not require a fence permit. In the ~~Downtown Overlay District~~ **Downtown Mason Districts**, ornamental fencing may exceed thirty-two (32) feet in length and be permitted in the front yard ~~subject to the standards set forth in Section 1170.7 9B) (14)~~ **provided that the ornamental fencing is for the purpose of enclosing outdoor seating or sitting areas subject to the fencing being a maximum of four (4) feet in height, constructed of metal with a black finish and designed with at least seventy (70) percent transparency.** (Ord.15-89, passed September 28, 2015) (XXXXXXXXXXXX)
- E) Fences Surrounding Recreational Facilities. Fences surrounding recreational facilities, including but not limited to tennis courts, swimming pools, etc., located on a commonly owned lot in any district, shall be permitted up to ten (10) feet in height.
- F) Fences Surrounding Utility Equipment. Fences or walls surrounding utility or mechanical equipment may be up to eight (8) feet in height if such fence or wall is necessary to screen such equipment.
- G) Construction of Fences and Walls. Fences and walls may be constructed out of weather-treated wood, stone, concrete, brick, wrought iron or chain link. The use of barbed wire on any part of a fence or wall is not allowed except in conjunction with utility structures and in I-1 and I-2 zones. (Ord. 99-132, passed October 11, 1999)

CHAPTER 1187
Sign Regulations
(Ord. 03-99, passed October 8, 2003)

1187.1	STATEMENT OF PURPOSE	1187.10	SIGNS IN THE R-6 AND R-7 DISTRICTS
1187.2	GENERAL PROVISIONS	1187.11	SIGNS IN THE DM-MX B-1 DISTRICT
1187.3	NONCONFORMING SIGNS	1187.12	SIGNS IN THE B-2 DISTRICT
1187.4	PERMITS	1187.13	SIGNS IN THE B-3 DISTRICT
1187.5	SIGNS AUTHORIZED WITHOUT PERMITS	1187.14	SIGNS IN THE B-4 DISTRICT
1187.6	PROHIBITED SIGNS	1187.15	SIGNS IN THE 0-1, HT-1, I-1, AND I-2 DISTRICTS
1187.7	TEMPORARY SIGNS	1187.16	INTERSTATE HIGHWAY SIGN OVERLAY AREA.
1187.8	BILLBOARDS		
1187.9	SIGNS IN THE R-1, R-2, R-3, AND R-4, DM-N AND DM-NX DISTRICTS		

1187.1 STATEMENT OF PURPOSE.

It is hereby determined that regulation of the location, size, placement, and certain features of signs is necessary to enable the public to locate goods, services and facilities without difficulty and confusion, to promote traffic safety, safeguard public health and welfare, and prevent wasteful use of natural resources in competition among businesses for attention.

In addition, it is the intent of this Chapter to assure the continued attractiveness of the total City environment through the adoption of discretionary controls designed to preserve scenic, aesthetic, and economic values within the City. It is further determined that signs lawfully erected and maintained under the provisions of this Chapter are consistent with customary usage.

The standards contained herein are intended to be content neutral while achieving the following objectives:

- A) Recognize the proliferation of signs is unduly distracting to motorists and non-motorists travelers, reduces the effectiveness of signs directing and warning the public, causes confusion, reduces desired uniform traffic flow, and creates the potential for vehicular crashes.
- B) Prevent signs that are potentially dangerous to the public because of structural deficiencies or disrepair.
- C) Require signs to conform to the City character and scale and reduce visual pollution caused by a proliferation of signs which could diminish the City's image, property values, and

- b) The height of an awning, canopy, marquee, window, wall, or projecting sign shall be determined by measuring the vertical distance between the top part of the of a sign letter, symbol, panel, or frame, whichever is highest to the elevation of ground underneath the sign (see Figure 1187.4).
- c) Any material whose major function is to provide structural support for a sign shall be considered part of the sign for purposes of determining sign height.

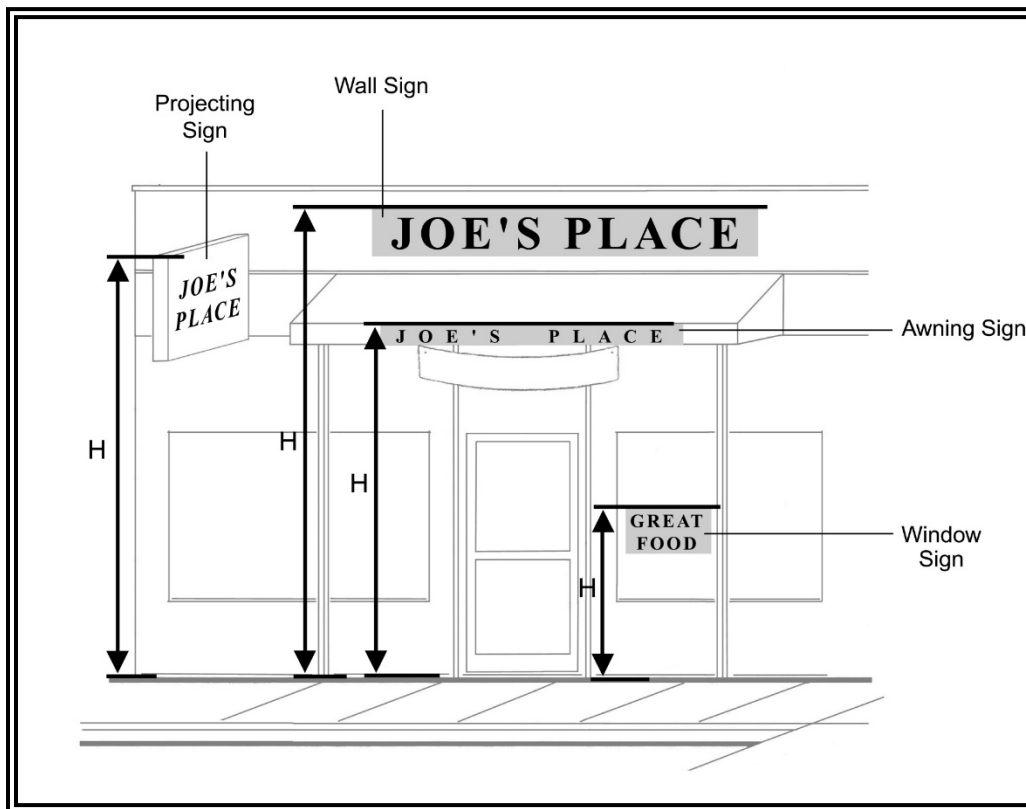


Figure 1187.4: Window, Awning, Projecting and Wall Sign Height Measurements

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 **DM-N, DM-NX and DM-MX Districts** ~~B-1 Central Business District~~, which shall be externally lit **or as approved by Planning Commission.**
- 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.

- E) Projecting signs, except in the **DM-MX Downtown Mason – Mixed Use District B-1 Central Business District**. 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)

- 3) Setbacks.
 - a) Highway Right-of-way. No billboard sign shall be erected or maintained within six hundred sixty (660) feet of the edge of the right-of-way of an interstate or state highway.
 - b) Property Lines. Billboard signs shall comply with the building setback requirements for the district in which they are located.
 - c) Non-compatible Use or Structure. No part of any such billboard sign shall be located closer than five hundred (500) feet to any residential dwelling unit, residential zoning district, park, school, church, hospital, cemetery, government building, or interstate interchange.
 - d) Distance Between Billboards. There shall be a minimum of two thousand (2,000) feet between billboard signs. Only one (1) billboard sign may be located on either side of an interstate or state highway for each two thousand (2,000) foot segment, including billboard signs in adjacent governmental jurisdictions.
 - e) Distance Between Billboards and On-premise Signs. There shall be a minimum of two hundred fifty (250) feet between any billboard sign and any on-premise sign.
- 4) Content. Each face of the billboard sign shall exhibit no more than two (2) pictorials and/or two written messages about one use, product, service, goods, event, or facility located on other premises. No face of a sign shall be so designed as to give the impression of more than two signs.
- 5) Any billboard sign not in use for advertising purposes shall have unused surfaces kept uniformly white in color overall. However, the owner of the sign shall be permitted to place a phone number on it to which inquiries for advertisement may be directed.
- 6) Additional Requirements. All outdoor advertising signs shall comply with all applicable requirements and conditions to the Ohio Revised Code and Administrative Code for advertising device control.

1187.9 SIGNS IN THE R-1, R-2, R-3, ~~AND~~ R-4 SINGLE FAMILY RESIDENTIAL DISTRICTS **AND THE DM-N AND DM-NX DOWNTOWN DISTRICTS.**

- 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

- c) Height. The top of a wall sign shall not be higher than fifteen (15) feet.

1187.11 SIGNS IN THE **DM-MX, DOWNTOWN MASON – MIXED USE DISTRICT** **B-1**
~~CENTRAL BUSINESS DISTRICT.~~

- A) Permitted Signs. Awning, wall, projecting, and ground mounted signs are permitted in the **DM-MX** **B-1** 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.

- 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) **approximately 20-inch wide by 30-inch tall folding portable sign is permitted per lot. The folding portable sign may be placed in the right-of-way on a sidewalk provided that the sign does not impede pedestrian traffic or is located in a clear vision area.** ~~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.

1187.12 SIGNS IN THE B-2 SHOPPING CENTER DISTRICT.

A) 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) Wall Signs.

hundred (100) square feet; except for wall signs that face residentially zoned property shall not exceed fifty (50) square feet. A maximum of four (4) wall signs per building is permitted. (Ord. 15-89, passed September 28, 2015)

- b) Multi-Tenant Building. One (1) wall sign shall be permitted for each tenant of a multi-tenant structure having an individual and exterior means of public access. The total area of a wall sign shall not exceed one-hundred (100) square feet. The center of the wall sign shall be placed in the center of the unit on which it is affixed. (Ord. 15-89, passed September 28, 2015)
 - c) Height. The maximum height specified for the district in which the sign is located provided that no part of the wall sign extends past the roof line of the wall to which it is attached.
- 4) Ground Mounted Signs.
- a) Number. One (1) ground mounted sign shall be permitted per street frontage on each parcel.
 - b) Size. The total area of the ground mounted sign shall not exceed one (1) square foot per lineal foot of lot-frontage, not to exceed eighty (80) square feet, except wall **ground** signs that face residentially zoned land shall not exceed sixty-four (64) square feet.
 - c) Setbacks. All ground mounted signs shall comply with the setback and location requirements of Section 1187.2.
 - 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) Street Address. The street address number shall be clearly displayed on the sign in numerals not less than six (6) inches or no more than twelve (12) inches in height. Required street address numbers are not counted in the total area of the sign.
- 5) Monument Sign. Monument entranceway signs shall be permitted in accordance with the following regulations:
- a) There shall be no more than one (1) monument sign located at each primary entrance leading into an office or industrial park. The entrance leading into the office or industrial park must be a public thoroughfare. The total area of the monument sign shall not exceed one hundred fifty (150) square feet. Such sign shall display the name of the development only. Names of developers or contractors shall not be displayed anywhere on such signage.
 - b) Monument signs shall not exceed ten (10) feet in height.
 - c) Monument signs shall be externally illuminated.
 - d) A landscaping area equal to the sign area shall be provided around the sign base. The landscape area shall include living plants aesthetically located and maintained. Impervious material shall not be permitted within the landscape area.