



TO: City Council  
FROM: Scot F. Lahrmer, City Manager  
RE: Zoning Code Amendments  
DATE: February 6, 2004

**ACTION REQUESTED:** On February 9, 2004 have a first reading and set a public hearing for March 8. On March 8, have a public hearing and consider **Ordinance 2004 - 15** to approve proposed amendments to the City of Mason Zoning Code.

**PURPOSE:** To approve the Zoning Code amendments as recommended by Planning Commission at its February 3, 2004 meeting.

**PROJECT DESCRIPTION:** Staff identified Zoning Code amendments while working on zoning cases and while handling zoning inquires over the past year. The attached amendments are proposed to keep the Zoning Code current. The below table identifies the impacted Zoning Code chapters and summarizes the intended effect.

Summary Table of Proposed Amendments

Chapter	Section	Effect
1137 - District Changes and Ordinance Amendments	1137.3 - Planning Commission Recommendations	Provides Planning Commission with standards to consider when reviewing rezoning cases.
1148 - R-6 Condominium and Landominium Residential District	1148.3 - Conditional Uses	Permits Funeral Homes as a Conditional Use in the R-6 District
1149 - R-7 Multi-Family Residential District	1149.3 - Conditional Uses	Permits Funeral Homes as a Conditional Use in the R-7 District
1153 - O-1 Office Park District	1153.3 - Conditional Uses	Permits Child Daycare as a Conditional Use in the O-1 and HT-1 District. (All uses permitted in the O-1 District are automatically permitted in the HT-1 District)
1159 - B-3 Road Service District	1159.25 - Principal Permitted Uses	Permits Child Daycare as a Permitted Use in the B-3 District
1163 - I-1 Light Industrial District	1163.2 - Principal Permitted Uses	Permits corporate and regional headquarter offices in the I-1 District
1187 - Sign Regulations	1187.7 - Temporary Signs	Permits promotional signs on non-residential uses located in residential districts
1187 - Sign Regulations	1187.15 - Signs in the O-1, HT-1, I-1 and I-2 Districts	Permits one wall sign per business located in a multi-tenant structure in the office and industrial districts

ORDINANCE NO. 2004 -15

**AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF MASON TO AMEND IN PART ZONING CODE CHAPTERS 1137, 1148, 1149, 1153, 1159, 1163, AND 1187**

WHEREAS, the City of Mason Planning Commission has recommended approval of certain amendments to the Zoning Code by adding rezoning review standards, permitting funeral homes, child day care centers, and general offices as permitted and conditional uses, and by permitting temporary and multiple wall signs; and

WHEREAS, the Planning Commission has considered said proposed amendments, including holding a public hearing on said proposed amendments as required, and has forwarded its recommendation on said proposed amendments to the Council of the City of Mason;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Mason, Ohio,

\_\_\_\_\_ members thereto concurring:

SECTION 1. The Zoning Code is hereby amended in various parts including Chapters 1137, 1148, 1149, 1153, 1159, 1163, and 1187, as set forth on Exhibit "A", a copy of which is attached hereto and made a part hereof.

SECTION 2. Effective Date. This Ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed this \_\_\_ day of \_\_\_, 2004.

\_\_\_\_\_  
Mayor

Attest

\_\_\_\_\_  
Clerk of Council

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- F) **whether the shape and size of the property is reasonable so that the site can meet the dimensional regulations of the requested zoning district; and**
- G) **other factors deemed appropriate by the Planning Commission.**

## SECTION 2.

Section 1148.3 CONDITIONAL USES, of CHAPTER 1148 R-6 Condominium and Landominium Residential District, is hereby amended to read as follows:

### 1148.3           CONDITIONAL USES.

The following uses shall be allowed in the R-6 Residential 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) **Funeral Homes.**
- D) Utility stations as regulated by the Landscape Ordinance and operated within a completely enclosed structure.

## SECTION 3

Section 1149.3 CONDITIONAL USES, of CHAPTER 1149 R-7 Multi-Family Residential District, is hereby amended to read as follows:

## SECTION 5

Section 1159.2 PRINCIPAL PERMITTED USES, of CHAPTER 1153 B-3 Road Service District, is hereby amended to read as follows:

### 1159.2 PRINCIPAL PERMITTED USES.

- A) Specialty retail and commercial uses, including drug stores with or without drive-throughs. (Ord. 99-132, passed October 11, 1999)
- B) General merchandise and grocery stores.
- C) Specialty food stores.
- D) Home furnishings.
- E) Nursery and garden supply.
- F) Personal services.
- G) Business and cleaning services.
- H) Art Studios.
- I) Financial establishments with drive-through facilities subject to the additional standards in Section 1172.8.
- J) Restaurants, standard, with drive-through facilities subject to the additional standards in Section 1172.8.
- K) Convenience food stores, carryouts and mini-markets subject to the additional standards in Section 1172.8.
- L) Restaurant, fast food, with drive-through facilities subject to the additional standards in Section 1172.8.
- M) Taverns, bars and nightclubs.
- N) Fraternal and social associations.
- O) Motels and hotels.

- A) Manufacturing. Light industrial use which ordinarily uses only light machinery and is conducted entirely within an enclosed, substantially constructed building, and is not noxious or offensive by reasons of the emission of smoke, dust, gas fumes, odors, noises or vibrations beyond the confines of the building.
- B) Warehousing, Storage and Wholesaling. The storage, handling, assembly and distribution of goods and materials for retail, wholesale or on site use, except any combustible materials and/or flammable liquids.
- C) Contractor's Yard and Related Establishments. Building material yards, excluding concrete mixing, contractor's equipment storage yard or plant; or storage yard for rental of equipment commonly used by contractors; storage and sales of grain, livestock feed or fuel; carting, express or hauling establishments, including storage of vehicles; provided such uses are conducted:
- 1) Wholly within a completely enclosed building or buildings, except for storage of vehicles, which building shall be distant at least 100 feet from any residential district, unless such building has no openings other than stationary windows and required fire exits within such distance, but not within fifty feet of any residential district in any case; or
  - 2) When conducted within an area completely enclosed on all sides with a solid wall or uniformly painted solid board fence not less than six feet high, but not within 200 feet of any residential district; provided further that all storage yards related to the uses in this subsection shall be enclosed.
- D) Sexually Oriented Businesses are also permitted provided the requirements of Chapter 723 are satisfied.
- E) Cellular or Wireless Communications Systems. See Chapter 1188 for additional requirements.
- F) Automobile Repair Shops performing major repair work, including automobile body repair and painting, automobile glass work, automobile transmission work, automobile engine overhaul and repair, and radiator repair work. (Ord. 99-132, passed October 11, 1999)
- G) Office for corporate and regional headquarters.

**Temporary Sign Standards (Section 1187.7)**

Type of Temporary Sign	District(s) Permitted	Type of Sign Permitted	Maximum Size	Maximum Height	Maximum Number	Permit Required	Required Setback	Permitted Duration
Real Estate - sale or lease of individual home or residential lot	Residential	Ground	6 sq. ft.	4 ft.	1[b]	No	[d][h]	Remove within 30 days of sale or lease.
Real Estate - sale or lease of individual business or vacant lot	Retail Office Industrial	Ground Wall	32 sq. ft.	10 ft.	1[b]	Yes	[d][h]	Remove within 30 days of sale or lease.
Real Estate - sale or lease of unplatted vacant land	All	Ground	32 sq. ft.	10 ft.	1[b]	Yes	[d][h]	Remove within 30 days of sale or lease.
Construction/Real Estate Development Sign	All	Ground Wall	32 sq. ft.	10 ft.	1[c]	Yes	[d][h]	Remove within 30 days after 90% of all units or lots are sold or leased.
Garage Sale Sign	Residential	Ground Wall	6 sq. ft.	4 ft.	1	No	[d][h]	7 consecutive days.
Promotional and Information Signs	Retail Office Industrial All [i]	[e]	32 sq. ft.	[e]	1	Yes	[a][h]	4 permits per year not to exceed 15 days each.
Window Sign	Business	Paper Paint Plastic Fabric	[f]	[f]	[f]	No	-	[g]

SECTION 8 :

SECTION 1187.15 SIGNS IN THE O-1 OFFICE PARK, HT-1 HIGH TECH LIGHT INDUSTRIAL, I-1 LIGHT INDUSTRIAL, AND I-2 INDUSTRIAL DISTRICT of CHAPTER 1187 Sign Regulations, is hereby amended to read as follows

1187.15 SIGNS IN THE O-1 OFFICE PARK, HT-1 HIGH TECH LIGHT INDUSTRIAL, I-1 LIGHT INDUSTRIAL DISTRICT, AND I-2 INDUSTRIAL DISTRICT

A) Permitted Signs.

- 1) Signs Without a Permit. Signs permitted with out 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.
  - a) Number. One (1) wall sign shall be permitted per parcel for single tenant structures and one (1) wall sign shall be permitted for each tenant of a multi-tenant structure having an individual and exterior means of public access.
  - 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 two hundred (200) square feet, except wall signs that face residentially zoned land shall not exceed one-hundred (100) square feet.
    - i) Single Tenant Building. The total area of a wall sign shall not exceed one (1) square foot per lineal foot of building frontage not to exceed two hundred (200) square feet, except wall signs that face residentially zoned land shall not exceed one-hundred (100) square feet.
    - ii) Multi-Tenant Building. The total area of a wall sign shall not exceed one (1) square foot per lineal foot of building frontage not to 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.
  - 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 signs that face residentially zoned land shall not exceed sixty-four (64) square feet.



- e) One (1) additional directory sign may be provided internal to the office or industrial park for each additional twenty (20) single tenant buildings located within the office or industrial park.
- f) Directory signs shall not be illuminated.