

ORDINANCE NO. 2014-06

AN ORDINANCE AMENDING AND SUPPLEMENTING VARIOUS SECTIONS OF THE PLANNING AND ZONING CODE TO CLARIFY THE APPLICABILITY OF BUILDINGS AND REGULATION OF CONSERVATION SUBDIVISIONS, LOTS, NATURAL RESOURCES, APARTMENTS ON UPPER FLOORS, STORAGE OF RECREATIONAL VEHICLES, LOCATION OF ACCESSORY USES AND STRUCTURES, OUTDOOR LIGHTING, OFF-STREET LOADING REQUIREMENTS, EARTH MOUNDS, TRUCK DOCKS, FENCES AND WALLS, CHANGEABLE COPY SIGNS, AND TEMPORARY SIGNS FOR SPECIAL EVENTS; INCREASE THE MAXIMUM LOT COVERAGE IN INDUSTRIAL DISTRICTS; EXEMPT BASKETBALL HOOPS; PERMIT ELECTRIC VEHICLE CHARGING STATIONS IN ANY YARD; PROVIDE FOR EXEMPTIONS OF CERTAIN ACCESSORY USES AND STRUCTURES; PERMIT ROADSIDE STAND IN ANY YARD; CROSS-REFERENCE THE COMPREHENSIVE STORM WATER MANAGEMENT DESIGN STANDARD; ELIMINATE THE EROSION AND SEDIMENT CONTROL STANDARDS; REQUIRE COMPLIANCE WITH OUTDOOR LIGHTING STANDARDS IN INDUSTRIAL DISTRICTS; ESTABLISH ADDITIONAL ILLUMINATION STANDARDS AND EXEMPTIONS; REDUCE THE MINIMUM SET BACK FOR VEHICULAR USE AREAS IN BUSINESS DISTRICTS; RESTRICT THE USE OF ELECTRONIC MESSAGE CENTERS INCORPORATED INTO A MONUMENT SIGN TO ONLY C-2 AND C-4 DISTRICTS; PERMIT SANDWICH BOARDS IN ANY COMMERCIAL DISTRICT OR COMMERCIAL USES IN A BUSINESS PARK DISTRICT; AND ESTABLISH THE DEFINITION OF A MANUFACTURED HOME, MOBILE HOME, AND NONPROFIT ORGANIZATION.

WHEREAS, the Planning Commission has recommended that Council provide for certain amendments and supplements to the Planning and Zoning Code; and

WHEREAS, Council, after consideration of Planning Commission's affirmative recommendation, deems it in the best interest of the City to amend and supplement the Planning and Zoning Code as set forth herein.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MONROE, STATE OF OHIO, THAT:

SECTION 1: Section 1203.12 (B) (3) is hereby supplemented to read as follows:

“(3) Buildings otherwise not regulated by this code that are incidental to permitted agricultural operations are exempt from this section.”

SECTION 2: Section 1203.12 (C) is hereby repealed and amended to read as follows:

(A) “TABLE OF PERMITTED USES

Table 1204-3: Principally Permitted Uses, identifies the list of principally permitted uses in all underlying base zoning districts.

TABLE 1204-3: PRINCIPALLY PERMITTED USES

P = PERMITTED PS = PERMITTED WITH STANDARDS C = CONDITIONAL USE BLANK CELL = PROHIBITED

USE TYPE	A-1	A-2	R-1	R-2	R-3	R-4	C-1	C-2	C-3	C-4	B-P	L-1	H-1	ADDITIONAL REQUIREMENTS
Hospitals and Outpatient Center							C	C	C	C	C			
Nursery Schools or Day Care Centers (Children or Adult)						C		P S	P S	P S	P S	PS		1204.04(C)(4)
Parking Garages							P S	P S	P S	P S	P S	PS	P S	1204.04(C)(5)
Parking Lots											P	P	P	
Park-and-Ride Facility							P S	P S	P S	P S	P S	PS	P S	1205.04(C)(6)
Passive Parks, Open Space, and Natural Areas	P	P	P	P	P	P	P	P	P	P	P	P	P	
Public Community Centers	C	C	C	C	C	C	P	P	P	P	P			
Public Utilities	C	C	C	C	C	C	C	C	C	C	C	C	C	
Religious Places of Worship	C	C	C	C	C	C	P S	P S	P S	P S	P S			1204.04(C)(6)
Solar Farms	P S	P S												
Wireless Telecommunication Facilities (new facility)	C	C	C	C	C	C	C	C	C	C	C	C	C	1204.04(C)(8)
Wireless Telecommunication Facilities (co-location on existing facility)	P S	PS	P S	1204.04(C)(8)										
COMMERCIAL USE CLASSIFICATION														
Assembly Halls and Conference Centers							P S	P S	P S	P S	P S			1204.04(D)(1)
Automotive Sales or Leasing							P S	P						1204.04(D)(2)
Automotive Service Station and Parts Sales							P S	P S		P S				1204.04(D)(3)
Bed and Breakfast Establishments	C	C	C	C	C	C								1204.04(D)(4)
Commercial Recreation Facilities (Indoors)	C	C					P	P	P	P	P	P		
Commercial Recreation Facilities (Outdoors)	C	C					C	C		C	C	C		1204.04(D)(5)

TABLE 1204-3: PRINCIPALLY PERMITTED USES

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C = CONDITIONAL USE

BLANK CELL =

PROHIBITED

USE TYPE	A-1	A-2	R-1	R-2	R-3	R-4	C-1	C-2	C-3	C-4	B-P	L-1	H-1	ADDITIONAL REQUIREMENTS
Convenience Stores							P	P	P	P				
Drive-In Restaurants								P S		P S				1204.04(D)(6)
Dry Cleaning and Laundry Drop-Off/Pick-Up Only							P	P	P	P				
Eating and Drinking Establishment							P	P	P	P	P S	PS	P S	1204.04(D)(7)
Entertainment Device Arcades								C						1204.04(D)(8)
Equipment Sales and Leasing								P		P		P	P	
Financial Institutions							P	P	P	P	P	P	P	
Flea Markets							C							1204.04(D)(9)
Funeral Homes						C		P	P	P				
Hotels and Motels							P	P		P	P			
Kennels	P S							C		C				1204.04(D)(10)
Medical or Dental Clinics or Offices							P	P	P	P	P			
Mixed Use Building							P S		P S	P S				1204.04(D)(11)
Offices							P	P	P	P	P	P	P	
Personal Service Establishments							P	P	P	P	P S	PS		1204.04(D)(7)
Rentals, Truck, Van and Equipment								P		P		P	P	
Retail and Service Commercial Uses (under 75,000 SF)							P	P	P	P	P S	PS	P S	1204.04(D)(12)
Retail and Service Commercial Uses (75,000 SF and above)							P S	P S	P S	P S	P S	PS	P S	1204.04(D)(12)
Retail Fuel Sales								P S		P S				1204.04(D)(13)

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PROHIBITED

USE TYPE	A-1	A-2	R-1	R-2	R-3	R-4	C-1	C-2	C-3	C-4	B-P	L-1	H-1	ADDITIONAL REQUIREMENTS
Self-Storage Facilities												C	C	1204.04(D)(14)
Sexually Oriented Businesses								P	S					1204.04(D)(15)
Theaters							P	P		P				
Vehicle Washing Establishment								C						1204.04(D)(15)
Veterinarian Offices or Animal Grooming (No Boarding)							P	P	P	P		P	P	
Video Lottery Terminals (VLT)							P	P	S			PS	P	1204.04(D)(16)
INDUSTRIAL USE CLASSIFICATION														
Automotive Body and Major Repair												PS	P	1204.04(E)(1)
Building and Lumber Yards								C				PS	P	1204.04(E)(2)
Contractor Yards												C	P	1204.04(E)(2)
General Industrial Services							C	C				P	P	
Heavy Industrial Uses													P	
Light Industrial Uses												P	P	
Research and Development Facilities											P	P	P	
Warehouses and Distribution Centers												P	P	
Wholesale Businesses												P	P	

“

SECTION 3: Section 1204.04 (A) (3) (h) is hereby repealed and amended to read as follows:

h) “General Design Standards

To the maximum extent feasible, conservation subdivisions should be designed to meet the following standards in order to further enhance and protect the existing character of Monroe and the surrounding development:

- i) Lots shall be located to the rear of the development site, away from existing roadways and adjacent development to protect the rural character along roads.
- ii) Lots shall be located in areas that are least likely to block any scenic views of hills, roadway corridors, waterways, natural areas, or wetlands.
- iii) Developers shall use the natural resources to buffer the visibility of homes by maintaining existing trees between the proposed development area and any roads.
- iv) Lots shall be grouped into several clusters of homes within a single development to break up the concentration of housing in a single area.

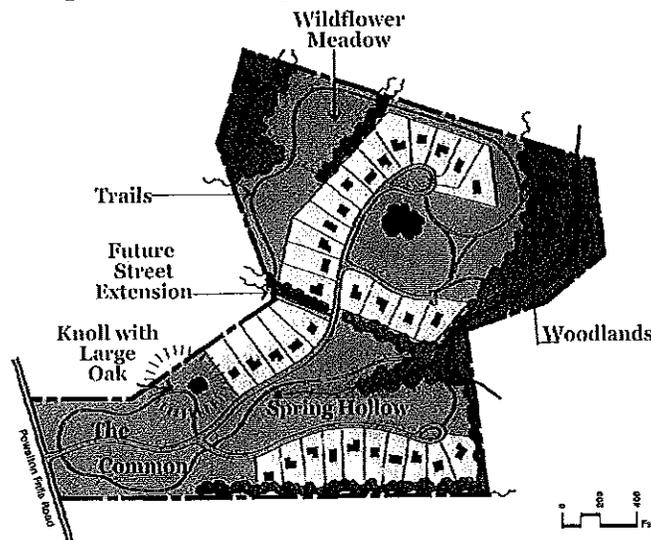


Figure 1204-A: Example of a conservation subdivision”

SECTION 4: Section 1204.04 (A) (3) (j) is hereby repealed and amended to read as follows:

“j) Minimum Required Open Space

- i) All conservation subdivisions shall include 50 percent of the total site acreage as required open space.
- ii) All required open space shall meet the standards Chapter 1213: Open Space Standards.
- iii) Parking shall not be counted towards the minimum required open space.”

SECTION 5: Section 1204.04 (B) (2) is hereby repealed in its entirety.

SECTION 6: Section 1204.04 (B) (4) d) is hereby repealed and amended to read as follows:

“d) The units shall meet the architectural standards established in Section 1210.04(B) Architectural Standards for Multi-Family Dwellings”

SECTION 7: Section 1204.04 (C) (11) is hereby supplemented to read as follows:

“(11) Mixed Use Building

Any residential use in a mixed use building shall only be permitted on the upper floors. Ground floors shall be for commercial or office uses as permitted in the applicable district.

- j) Apartments may be permitted on the second or higher floor if a business or vacant commercial space is located on the ground floor within the same structure.
- k) Multiple apartments are permitted above the ground floor commercial space.
- l) Apartments shall not be located on the ground floor.
- m) The minimum total floor area of any apartment shall be 900 square feet plus an additional 150 square feet for each additional sleeping room over one in all new buildings or new apartments constructed after the effective date of this code. There shall be no minimum floor area requirement for apartments established in buildings that existed prior to the effective date of this code.
- n) New buildings or structures shall meet the architectural standards established in Section 1210.05(D) Architectural Standards for the C-1, C-2, C-3, C-4, and B-P Districts.”

SECTION 8: Section 1204.04 (B) i) is hereby repealed and amended to read as follows:

“i) All storage shall be within a closed building except that within the grounds of a self-service storage warehouse where recreational vehicles and motor vehicles may be placed in outdoor storage areas which are separated from view from adjacent streets and property by walls, fences or landscaping. Outdoor storage areas shall not exceed fifteen percent of the gross site area and shall not count toward meeting parking requirements.”

SECTION 9: Section 1204.04 (C) (15) b) x) is hereby supplemented to read as follows:

“x) Landscaped mounds may be constructed in lieu of or as part of a fence, wall, or hedge row in accordance with these provisions. In no case shall such mound or combination of mound and fence, wall, or hedge row be constructed to a height that exceeds the maximum permitted height of fence, wall, or hedge row as established in this section unless as approved by the Code Enforcement Officer as required in Chapter 1212: Landscaping and Buffering Standards.”

SECTION 10: Section 1204.04 (C) (15) b) xii) is hereby supplemented to read as follows:

“xii)The Code Enforcement Officer may grant an exception to these requirements for agricultural uses, water supply/treatment facilities, sewage/liquid waste treatment facilities, outdoor utility substations/distribution facilities, safety or service facilities, or industrial operations when these facilities could pose a security or physical hazard as determined by the Code Enforcement Officer.”

SECTION 11: Section 1204.05 (D) is hereby repealed and amended to read as follows:

“(D) SITE DEVELOPMENT STANDARDS FOR BUSINESS ZONING DISTRICTS

- (2) Table 1204-6: Site Development Standards for Business Districts establishes the minimum site development standards for business zoning districts.
- (3) There can be more than one principal building on an individual lot. When multiple principal buildings are located on an individual lot, the spacing between the buildings shall be reviewed and approved during site plan review to ensure an adequate amount of building spacing and preservation of landscaping areas.

TABLE 1204-6: SITE DEVELOPMENT STANDARDS FOR BUSINESS DISTRICTS

DISTRICTS	MINIMUM SETBACKS [1]				BLDG. HEIGHT (FEET) [2]		MAX. LOT COVERAGE
	FRONT YARD (FEET)	SIDE YARD EACH SIDE (FEET)	REAR YARD (FEET)	SIDE OR REAR YARD ABUTTING RESIDENTIAL USE	MI N.	MA X.	
C-1 Highway Commercial District	50	None	None	50	20	70	75%
C-2 General Commercial District	50	None	None	50	20	60	75%
C-3 Downtown Commercial District	None	None	None	50	15	40	95%
C-4 Gateway Commercial District	50	None	None	50	15	55	75%
B-P Business Park District	50	None	None	50	20	70	70%
L-1 Light Industrial District	20 [3]	10	10	200	0	70	85%
H-1 Heavy Industrial District	20 [4]	10	10	200	0	70	85%

NOTES:

[1] Additional setback requirements may also be required in Chapter 1211: Parking, Loading, and Circulation or Chapter 1212: Landscaping and Buffering Standards.

[2] The first number in the building height column is the minimum building height (Min.). The second

TABLE 1204-6: SITE DEVELOPMENT STANDARDS FOR BUSINESS DISTRICTS

DISTRICTS	MINIMUM SETBACKS [1]				BLDG. HEIGHT (FEET) [2]		MAX. LOT COVERAGE
	FRONT YARD (FEET)	SIDE YARD EACH SIDE (FEET)	REAR YARD (FEET)	SIDE OR REAR YARD ABUTTING RESIDENTIAL USE	MIN.	MAX.	

number is the maximum building height (Max.) except as provided in Section 1204.05(A)(6): Height Measurement and Exceptions.

[3] The front yard setback shall be 150 feet when adjacent to a residential district

[3] The front yard setback shall be 200 feet when adjacent to a residential district”

SECTION 12: Section 1205.01 (B) is hereby supplemented to read as follows:

(B) GENERAL STANDARDS FOR ALL ACCESSORY USES AND STRUCTURES

All accessory uses and accessory structures shall meet the following standards:

- (1) Directly serve the principal use or structure;
- (2) Be clearly incidental and subordinate to the principal use and structure;
- (3) Be owned or operated by the same person or business as the principal use or structure;
- (4) Be located on the same lot or parcel as the principal use or structure;
- (5) Be located in the rear yard unless specific additional requirements permit other yards;
- (6) When considered in conjunction with the principal use or structure, the accessory use or structure shall not violate any provisions of this code; and
- (7) May only be constructed after the principal use or building has been established on the lot.
- (8) Any accessory structure shall require a zoning permit.

SECTION 13: Section 1205.01 (F) is hereby repealed and amended to read as follows:

“(F) TABLE OF PERMITTED ACCESSORY USES AND STRUCTURES

Table 1205-2: Permitted Accessory Uses and Structures, lists the accessory uses and structures allowed within all zoning districts. The following is an explanation of the abbreviations and columns in Table 1205-2: Permitted Accessory Uses and Structures.

(1) Permitted Use (P)

A “P” in a cell indicates that an accessory use or structure is permitted by-right in the respective zoning district. Permitted accessory uses and structures are subject to all other applicable regulations of this code.

(2) Permitted Use with Use-Specific Standards (PS)

A "PS" in a cell indicates that an accessory use or structure is allowed by-right in the applicable zoning district if it meets the additional standards set forth in the numerically referenced sections in the last column. Permitted uses and structures with use-specific standards are also subject to all other applicable regulations of this code.

(3) Conditional Use (C)

A "C" in a cell indicates that, in the respective zoning district, an accessory use or structure is permitted if reviewed and approved as a conditional use pursuant to Section 1203.07: Conditional Use Permit. Conditional uses are subject to all other applicable regulations of this code.

(4) Prohibited Uses (Blank Cells)

- a) A blank cell indicates that the listed accessory use or structure is prohibited in the applicable zoning district.
- b) Outdoor storage, junk, building materials, parking of inoperative or unlicensed motor vehicles, or similar items of property shall be prohibited on all lots where the principal use is residential unless such storage is in an enclosed structure. The storage of fire wood may be permitted in a rear yard if screened from view from adjacent properties to the maximum extent possible and the right-of-way. Outdoor storage on all other lots shall be classified as "outdoor sales" or "outdoor bulk storage" as regulated in this section.

(5) Zoning Permit Required

The "Zoning Permit Required" column identifies if a zoning certificate is required for the applicable accessory structure or use.

(6) Counts toward Maximum Number of Accessory Structures

This column identifies if the listed accessory use or structure counts towards the maximum number of permitted accessory structures allowed on a single lot as established in Section 1205.01(C) and Section 1205.01(D), above.

(7) Numerical References (Last Column)

The numbers contained in the "Use-Specific Standards" column are referenced to additional standards and requirements that apply to the use and structure type listed. Standards referenced in the "Use-Specific Standards" column apply in all zoning districts unless otherwise expressly stated and may apply to a conditionally permitted use and/or a permitted use with use-specific standards.

TABLE 1205-2: PERMITTED ACCESSORY USES AND STRUCTURES

P = PERMITTED

**PS = PERMITTED WITH STANDARDS
PROHIBITED**

C = CONDITIONAL USE

BLANK CELL =

ACCESSORY USE OR STRUCTURE	RESIDENTIAL DISTRICTS	BUSINESS AND INDUSTRIAL DISTRICTS	ZONING PERMIT	COUNTS TOWARD	ADDITIONAL REQUIREME
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	A-1 AND A-2	R-1 AND R-2	R-3 AND R-4	C-1, C-2 AND C-4	C-3	B-P, L-1, AND H-1	REQUIR ED	MAX. NUMBER OF ACCESSOR Y STRUCTUR ES	NTS
Accessory Dwelling Units	C	C	C				Yes	Yes, if detached	1205.01(G)(1)
Agricultural Buildings	PS						Yes	No	1205.01(G)(2)
Amateur Radio Antennas	PS	PS	PS				No	No	1205.01(G)(3)
Automated Teller Machines (ATMs)				PS	PS	C	Yes	Yes	1205.01(G)(4)
Community Gardens	PS	PS	PS	PS	PS	PS	Yes	No	1205.01(G)(5)
Detached Garages	P	P	P	P	P	P	Yes	Yes	
Detached Storage/Utility Sheds, Gazebos, and Similar Structures	P	P	P	P	P	P	Yes	Yes	
Drive-Through Facilities				PS		C	Yes	Yes	1205.01(G)(6)
Drop-Off Boxes				PS			No	No	1205.01(G)(7)
Electric Charging Stations – Level 1 and 2	PS	PS	PS	PS	PS	PS	Yes	No	1205.01(G)(8)
Electric Charging Stations – Level 3 and Battery Exchange						PS	Yes	No	1205.01(G)(9)
Home Occupations	PS	PS	PS				Yes	No	1205.01(G)(10)
Guard Shacks and Related Structures						PS	Yes	No	1205.01(G)(11)
Outdoor Dining				PS	PS		Yes	No	1205.01(G)(12)
Outdoor Sales/Display				PS	PS	PS	Yes	No	1205.01(G)(13)

TABLE 1205-2: PERMITTED ACCESSORY USES AND STRUCTURES

P = PERMITTED

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C = CONDITIONAL USE

BLANK CELL =

PROHIBITED

ACCESSORY USE OR STRUCTURE	RESIDENTIAL DISTRICTS			BUSINESS AND INDUSTRIAL DISTRICTS			ZONING PERMIT REQUIRED	COUNTS TOWARD MAX. NUMBER OF ACCESSORY STRUCTURES	ADDITIONAL REQUIREMENTS
	A-1 AND A-2	R-1 AND R-2	R-3 AND R-4	C-1, C-2 AND C-4	C-3	B-P, L-1, AND H-1			
Outdoor Bulk Storage				PS		PS	Yes	No	1205.01(G)(14)
Porches or Decks	PS	PS	PS	PS	PS		Yes	Yes	1205.01(G)(15)
Radio and Television Antennas	PS	PS	PS	PS	PS	PS	No	No	1205.01(G)(16)
Residential Recreational Facilities	PS	PS	PS				Yes	Yes	1205.01(G)(17)
Roadside Stands	PS						Yes	Yes	1205.01(G)(18)
Satellite Dishes	PS	PS	PS	PS	PS	PS	See Sec. 1205.01(G)(19)	No	1205.01(G)(19)
Small Wind Energy Conservation Systems	PS					C	Yes	No	1205.01(G)(20)
Solar Panels	PS	PS	PS	PS	PS	PS	See Sec. 1205.01(G)(21)	Yes, if detached	1205.01(G)(21)
Swimming Pools, Community	PS	PS	PS	PS	PS		Yes	Yes	1205.01(G)(17)
Swimming Pools, Private	PS	PS	PS	PS	PS		Yes	Yes	1205.01(G)(17)
Type-B Day Care Home (1-6 children)	P	P	P				No	No	
Unenclosed Patios	PS	PS	PS	PS	PS		No	No	1205.01(G)(22)

TABLE 1205-2: PERMITTED ACCESSORY USES AND STRUCTURES

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PROHIBITED

ACCESSORY USE OR STRUCTURE	RESIDENTIAL DISTRICTS			BUSINESS AND INDUSTRIAL DISTRICTS			ZONING PERMIT REQUIRED	COUNTS TOWARD MAX. NUMBER OF ACCESSORY STRUCTURES	ADDITIONAL REQUIREMENTS
	A-1 AND A-2	R-1 AND R-2	R-3 AND R-4	C-1, C-2 AND C-4	C-3	B-P, L-1, AND H-1			
Other Accessory Uses Not Listed	C	C	C	C	C	C	As determined by the Planning Commission"		

SECTION 14: Section 1205.01 (G) (8) f) and g) is hereby repealed and amended to read as follows:

- “(f) Each electric vehicle charging station located in a nonresidential or agricultural district shall be posted with signage indicating the space is only for electric vehicle charging purposes. Signage shall include items contained in subsection F of this section. Way finding signs conveniently located to guide motorists to the charging stations are permitted with approval of the Development Department.
- (g) Equipment for electric vehicle charging stations shall comply with the following standards:
 - i) Equipment mounted on pedestals, lighting posts, bollards, or other devices for on-street charging station shall be designed and located as to not impede pedestrian travel or create trip hazards within the right-of-way.
 - ii) Charging station outlets and connector shall be no less than thirty-six inches or no higher than forty-eight inches from the top of the surface where mounted and shall contain a retraction device or a place to hang cords and connectors above the ground surface.
 - iii) Equipment shall be protected by wheel stops or concrete-filled bollards.”

SECTION 15: Section 1205.01 (G) (8) is hereby supplemented to read as follows:

“(j) Electric vehicle charging stations may be located in any yard.”

SECTION 16: Section 1205.01 (G) (9) b) is hereby repealed and amended to read as follows:

“(b) Level 3 electric vehicle charging stations are considered fast or rapid charging and operated on a sixty amp or higher breaker on a four hundred eighty volt or higher three phase

circuit with special grounding equipment. Level 3 stations can also be referred to as rapid charging stations that are typically characterized by industrial grade electrical outlets that allow for faster recharging of electric vehicles.”

SECTION 17: Section 1205.01 (G) (9) f) is hereby repealed and amended to read as follows:

“f) Equipment for electric vehicle charging stations shall comply with the following standards:

- i) Equipment mounted on pedestals, lighting posts, bollards, or other devices for on-street charging station shall be designed and located as to not impede pedestrian travel or create trip hazards within the right-of-way.
Charging station outlets and connector shall be no less than thirty-six inches or no higher than forty-eight inches from the top of the surface where mounted and shall contain a retraction device or a place to hang cords and connectors above the ground surface.
- iii) Equipment shall be protected by wheel stops or concrete-filled bollards.”

SECTION 18: Section 1205.01 (G) (9) is hereby supplemented to read as follows:

“i) Electric vehicle charging stations may be located in any yard.”

SECTION 19: Section 1205.01 (G) (17) is hereby supplemented to read as follows:

“j) Exemptions

- iv) Swings, playsets, sandboxes, gardens with garden type fencing, clotheslines, outdoor fire pits or chimneys, and wood piles are permitted in the side or rear yards, and do not require a permit.
- v) Birdbaths, basketball hoops, fountains, flagpoles, statues are permitted in any yard and do not require a permit.
- vi) Trellises less than 10 square feet are permitted in any yard and do not require a permit.”

SECTION 20: Section 1205.01 (G) (18) a) is hereby repealed and amended to read as follows:

“a) Roadside stands are permitted in any yard but shall be located outside of any right-of-way.”

SECTION 21: Section 1208.09 (E) is hereby repealed and amended to read as follows:

“(E) Storm Draining

The specific requirements for storm drainage shall be as established in a separate Comprehensive Storm Water Management Design Standards document maintained by the Public Works Department outside of this code.”

SECTION 22: Section 1209.03 is hereby repealed and amended to read as follows:

“(A) The specific requirements for storm drainage shall be as established in a separate Comprehensive Storm Water Management Design Standards document maintained by the Public Works Department outside of this code.

SECTION 23: Section 1209.04 (B) (2) is hereby repealed and amended to read as follows:

“(2) The applicant must provide a plan that identifies the location, height, and type of luminaries to show compliance with this chapter.”

SECTION 24: Section 1209.04 (C) (1) d) is hereby supplemented to read as follows:

“d) In all business and industrial districts, all light fixtures within 20 feet of an adjacent residential lot line shall be a full cutoff light fixture. See Figure 1209-A for an illustration of cutoff and non-cutoff fixtures.”

SECTION 25: Section 1209.04 (C) (3) is hereby supplemented to read as follows:

“a) The maximum illumination permitted in each district type, as demonstrated by a photometric drawing, shall be as established in Table 1209-2: Maximum Illumination Level at the Property Line.

- j) At a height of five feet above the property line of the subject property, illumination from light fixtures shall not exceed the maximum permitted in a vertical plane on the adjacent property.
- k) Illumination is required consistently across the site shall be designed so as not to create dark spots that may create safety issues in such areas as vehicular use areas and connecting pedestrian paths. Lighting shall be maintained so as to achieve not less than eighty (80%) percent of the minimum and average illumination levels. Specific illumination use standards are required as established in Table 1209-2: Minimum Illumination Standards.”

TABLE 1209-2: MINIMUM ILLUMINATION STANDARDS	
USE	MINIMUM ILLUMINATION (FOOTCANDLES)*
Parking Areas and Access Drives	0.3
Loading and Unloading Areas	0.4
Walkways	0.2
Building/Development Entrances - Frequent Use	1.0
Building/Development Entrances – Infrequent Use	0.2
*The minimum light measured in footcandles at the point of least illumination when measured at ground level	

- l) Non-cutoff lighting in business districts may only be used for decorative purposes adjacent to the building.
- m) Lighting located under canopies shall be mounted flush with or recessed within the canopy ceiling.

TABLE 1209-3: MAXIMUM ILLUMINATION LEVEL AT THE PROPERTY LINE	
DISTRICT	MAXIMUM ILLUMINATION AT THE PROPERTY LINE (FOOTCANDLES)
All Residential Zoning Districts	0.5
All Business Zoning Districts	0.5 when adjacent to a residential use or 2.5 when adjacent to lot in another commercial or industrial zoning district

SECTION 26: Section 1209.04 (D) is hereby supplemented to read as follows:

“(2) When a nonconforming lighting fixture, including the pole or support, is removed, the lighting fixture shall lose its legal nonconforming status and all new lighting shall be subject to all standards of this chapter.”

SECTION 27: Section 1209.04 is hereby supplemented to read as follows:

“(E) EXEMPTIONS

- (1) The following uses are exempt from the provisions of this section:
 - a) Roadway lighting required by the appropriate public agency for health, safety, and welfare purposes.

- b) Holiday lighting fixtures not to exceed 60 calendar days within any 6 month period.
- c) Upward-directed architectural, landscaping, and decorative lighting provided direct light emissions are not intended to be visible above the building line roof.
- d) Light fixtures used to illuminate flags, statues, and any other objects mounted on a pole, pedestal, or platform provided that provided they are illuminated using a narrow cone beam or light fixtures designed to minimize light spillage beyond the illuminated object.
- e) All exterior lighting fixtures producing light directly by the combustion of fossil fuels, such as kerosene lanterns or gas lamps.
- f) All temporary emergency lighting needed by the police, fire department, other emergency services, and public service vehicles.
- g) Lighting required by the Federal Aviation Administration or any other federal regulatory authority.

(F) PROHIBITED LIGHTS

- (1) Search lights, beacons, laser source lights, or any similar high-intensity or flashing light shall be prohibited, except in emergencies by police, fire, or public works departments.

(G) MAINTENANCE

- (1) All light fixtures shall be kept in good repair. Maintenance includes, but is not limited to, replacing non-working bulbs, repainting any worn or chipping paint, repairing broken or malfunctioning fixtures and similar structures.”

SECTION 28: Section 1211.03 (J) (1) is hereby repealed and amended to read as follows:

(1) “Aisles and Stall Dimensions

Each parking space shall have direct and unrestricted access to an aisle of the minimum width set out in Table 1211-3: Parking Stall and Aisle Dimensions, and illustrated in Figure 1211-B.

TABLE 1211-3: PARKING STALL AND AISLE DIMENSIONS				
PARKING ANGLE	A		B	C
	AISLE WIDTH		STALL WIDTH	LENGTH OF STALL
	ONE-WAY	TWO-WAY		
0°/Parallel	12 ft.	18 ft.	10 ft.	22 ft.
45°	13 ft.	20 ft.	10 ft.	18 ft.
60°	18 ft.	22 ft.	10 ft.	18 ft.
90°	22 ft.	24 ft.	10 ft.	18 ft.

- a) The requirements of Table 1211-3: Off-Street Loading Requirements, may be reduced or waived by the Planning Commission or the Code Enforcement Officer where applicable during site plan review (See 1203.06 Site Plan Review) for industrial uses based on documentation from the applicant demonstrating that due to the specific use, the dimensions of the parking space are not required (i.e. 9 ft x 18 ft. may be applicable for industrial uses).

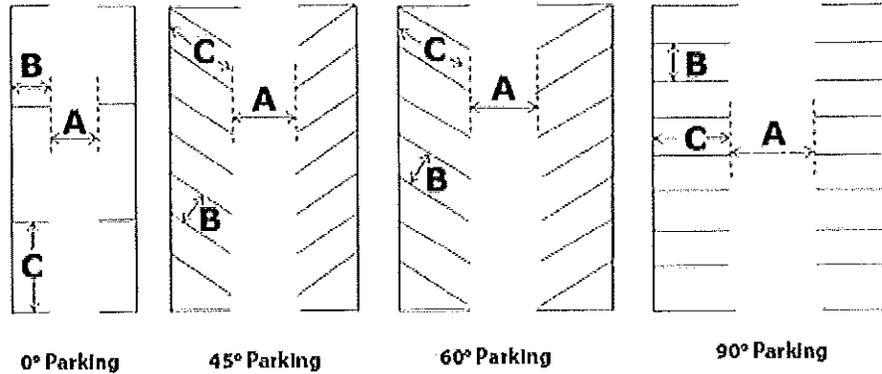


Figure 1211-B: Illustration of parking angles and related dimensional references.”

SECTION 29: Section 1212.05 (C) (2) is hereby repealed and amended to read as follows:

“(2) Berms and earth forms should be designed with physical variations in height and alignment throughout their length.”

SECTION 30: Section 1212.05 (C) (6) is hereby repealed and amended to read as follows:

“(6) No part of any berm or earthform which is elevated more than 18 inches above natural grade shall be located within 11 feet from the curb or property line or within any right-of-way in order to preserve open space, a level sidewalk, and a line of sight.”

SECTION 31: Section 1212.09 (A) (3) is hereby supplemented to read as follows:

“(3) All truck docks shall be located so as not to be visible from any public right-of-way or residential district. Screening shall be provided to achieve at least 75% opacity up to ten feet in height (from average grade, excluding a truck dock ramp below grade) if the truck dock is unable to be located per the requirements above as determined by the Planning Commission or Code Enforcement Officer as applicable. Screening elements shall include walls (same material and color as principle structure), landscaping, mounds or any combination thereof.”

SECTION 32: Section 1212.09 (A) (6) is hereby supplemented to read as follows:

“(6) Fences and wall shall comply with Section 1204.05 (A) (4) e): Obstructions, Fences, Walls and Hedges unless altered for height, location, etc. in accordance with this section as approved by the Code Enforcement Officer.”

SECTION 33: Section 1214.10 (C) g) ii) is hereby repealed and amended to read as follows:

- “ii) In the C-1 and C-4 districts, the permitted manual changeable copy sign area is allowed to be an electronic message center such that:
 - A. Any message change shall be a static, instant message change.
 - B. Messages can only change once every 8 seconds or more.
 - C. The transition time between messages shall be less than one second.
 - D. The electronic message center shall come equipped with an automatic dimming photocell, which automatically adjusts the display’s brightness based on ambient light conditions.
 - E. The brightness level shall not increase by more than 0.3 foot candles (or 3.23 lumens per square meter or lux) (over ambient levels) as measured using a foot candle meter at a pre-set distance.
 - F. The procedure and distances for measurement of brightness shall be as established by the International Sign Association’s Recommend Night-time Brightness Levels for On-Premise Electronic Message Centers.
 - G. The owners of such signs shall include a signed letter accompanying their zoning permit application, certifying that they will comply with the prescribed brightness limitations set by this code.
 - H. Only Light Emitting Diodes (LED) technology or similar quality signs shall be permitted for electronic message centers.”

SECTION 34: Section 1214.10 (C) g) iii) is hereby repealed and amended to read as follows:

- “iii) Electronic message centers incorporated into a monument sign may be permitted in the C-2 and C-4 Districts for business establishments that sell gasoline or other vehicle fuels provided the sign complies with the follow:
 - A. The permitted monument sign associated with gasoline sales may incorporate an electronic message center that shall not exceed ten square feet of the permitted sign area.
 - B. Any message change shall be a static, instant message change with no scrolling or other motion allowed.
 - C. Messages can only change once every one hour.”

SECTION 35: Section 1214.12 (C) (1) is hereby repealed and amended to read as follows:

“(1) For nonresidential uses in residential districts or for any uses in business districts, one temporary, on-premise sign may be used announcing special events on-site and may be erected for a total of 30 days and must be removed after the event with the occurrence of no more than three a calendar year or as approved by the Code Enforcement Officer. The signs shall meet the following standards:

- a) A zoning permit shall be required for the sign.
- b) Such signs shall not exceed 40 square feet in area per side (two sides maximum).
- c) The maximum height of the signs shall be six feet.
- d) The setback and location of the temporary sign shall be approved by the Code Enforcement Officer.”

SECTION 36: Section 1214.12 (F) is hereby repealed and amended to read as follows:

“(F) SANDWICH BOARDS

One sign not exceeding two feet in width and three and one half (3.5) feet in height may be permitted for each business in any “C” commercial district or commercial uses in a Business Park District provided that the following requirements are met:

- a) The sign is located on the sidewalk or on private property;
- b) The sign is located in front of, and within 12 feet of the main entrance to the establishment it advertises;
- c) Placement of the sign allows a minimum of 36 inches of unobstructed sidewalk clearance between it and any building or other obstruction;
- d) The sign must be free-standing and shall not be affixed, chained, anchored, or otherwise secured to the ground or to any pole, parking meter, tree, tree grate, fire hydrant, railing, or other structure;
- e) The sign must be internally weighted so that it is stable and windproof;
- f) The sign is only placed outside during the hours of the establishment’s operation;

The design of the sign (which includes the color, lettering style, symbols and material) shall complement and be compatible with the design of the establishment’s primary sign(s), abutting properties, and the general streetscape in the immediate vicinity of the establishment. The sign must be made of a natural or natural-looking materials and may not be illuminated. Rough cut plywood is not acceptable material.”

SECTION 37: Section 1217.02 is hereby supplemented to read as follows:

“**Manufactured Home**

A residential dwelling built in an off-site manufacturing facility in accordance with the Federal Manufactured Home Safety and Construction Standards.”

Mobile Home

A residential dwelling, designed to be a permanent residence that was fabricated in an off-site manufacturing facility prior to enactment of the Federal Manufactured Home Safety and Construction Standards.

Nonprofit Organization

Any person(s), partnership, association, corporation, or other group whose activities are conducted for unselfish, civic, or humanitarian motives, or for the benefit of others, and not for the gain of any private individual or group and may include, but shall not be limited to, patriotic, philanthropic, social service, welfare, benevolent, educational, civic, fraternal, cultural, charitable, scientific, historical, athletic, or medical activities and an organization exempt from taxation under Section 501(c) of the Internal Revenue code of 1986 organized or incorporated in this state or another state or having a principal place of business in this state or in another state.

Recreational Vehicle

A term encompassing any type of vehicle used primarily for recreational pleasure. Examples include, but are not limited to, travel trailers, motor homes, boats, snowmobiles, etc. Recreational vehicles shall include any mobile structure designed for temporary occupancy, but shall exclude manufactured or mobile homes.”

SECTION 38: This measure shall take effect and be in full force from and after the earliest period allowed by law.

PASSED: February 25, 2014

ATTEST:



Clerk of Council

APPROVED:

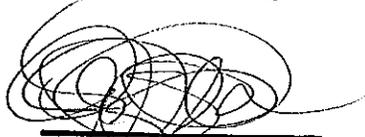


Mayor

First Reading: February 11, 2014

"I, the undersigned Clerk of Council of the City of Monroe, Ohio, hereby certify that the foregoing (ordinance or resolution) was published as Required by Section 7.16 of the Charter of the City of Monroe.

This legislation was enacted in an open meeting pursuant to the terms and provisions of the Sunshine Law, Section 121.22 of the



Clerk of Council
City of Monroe, Ohio"