ORDINANCE NO. 2015-18

AN ORDINANCE AMENDING AND SUPPLEMENTING VARIOUS SECTIONS OF THE PLANNING AND ZONING CODE.

WHEREAS, the Planning Commission has recommended various amendments and supplements to the Planning and Zoning Code; and

WHEREAS, after review of the Planning Commission's recommendation, Council desires to adopt said amendments and supplements.

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

SECTION 1: Section 1204.03(C) and (D) is hereby amended and supplemented to read as follows:

"(C) 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
AGRICULTURAL USE CLASSIFICATION														
Agriculture – Raising of Crops	P	P					PS	PS			P	P	P	1204.04(A)(1)
Agriculture – Raising of Livestock	PS	PS												1204.04(A)(2)
Greenhouses and Nurseries								P						
Stables, Private	P	P												
RESIDENTIAL USE CLASSIFICATION														
Adult Family Homes or Small Residential Facilities	P	P	P	P	P									
Adult Group Homes or Large Residential Facilities						C								1204.04(B)(1)
Conservation Subdivisions	PS			PS										1204.04(B)(2)
Multi-Family Dwellings						PS								1204.04(B)(3)

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
Nursing or Convalescent Homes					C	C								1204.04(B)(4)
Single-Family Dwellings	P	P	P	P	P									
Two-Family Dwellings					P									
PUBLIC AND INSTITUTIONAL USE CLASSIFICATION														
Active Parks, Playgrounds, and Ball Fields	C	C	C	C	C	C	PS	PS	PS	PS	PS	PS	PS	1204.04(C)(1)
Cemeteries	C	C	C	C	C	C								1204.04(C)(2)
Cultural Institutions							P	P	P	P				
Educational Institutions	C	C	C	C	C	C			C	C				1204.04(C)(3)
Educational Institutions, Higher							P	P	P	P	P	P	P	
Essential Public Infrastructure	P	P	P	P	P	P	P	P	P	P	P	P	P	
Fraternal Organizations							P	P	P	P				
Government Facilities	C	C	C	C	C	C	P	P	P	P	P	P	P	
Hospitals and Outpatient Center							C	C	C	C	C			
Nursery Schools or Day Care Centers (Children or Adult)						C		PS	PS	PS	PS	PS		1204.04(C)(4)
Parking Garages							PS	PS	PS	PS	PS	PS	PS	1204.04(C)(5)
Parking Lots											P	P	P	
Park-and-Ride Facility							P	P	P	P	P	P	P	
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	PS	PS	PS	PS	PS			1204.04(C)(6)
Solar Farms	PS	PS												

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
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)	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	1204.04(C)(8)
COMMERCIAL USE CLASSIFICATION														
Antique Mall								PS	PS					1204.04(D)(1)
Assembly Halls and Conference Centers							PS	PS	PS	PS	PS			1204.04(D)(1)
Automotive Sales or Leasing							PS	P						1204.04(D)(3)
Automotive Service Station and Parts Sales							PS	PS		PS				1204.04(D)(4)
Bed and Breakfast Establishments	C	C	C	C	C	C								1204.04(D)(5)
Brewpub							PS	PS	PS	PS				1204.04(D)(12)
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)(6)
Convenience Stores							P	P	P	P				
Drive-In Restaurants								PS		PS				1204.04(D)(7)
Dry Cleaning and Laundry Drop-Off/Pick-Up Only							P	P	P	P				
Eating and Drinking Establishment							P	P	P	P	PS	PS	PS	1204.04(D)(8)
Entertainment Device Arcades								C						1204.04(D)(9)
Equipment Sales and Leasing								P		P		P	P	
Financial Institutions							P	P	P	P	P	P	P	
Flea Markets							C							1204.04(D)(10)

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
Funeral Homes						C		P	P	P				
Hotels and Motels							P	P		P	P			
Kennels	PS							C		C				1204.04(D)(11)
Medical or Dental Clinics or Offices							P	P	P	P	P			
Microbrewery or Microdistillery or Microwinery							PS	PS		PS	PS	P	P	1204.04(D)(12)
Mixed Use Building							PS		PS	PS				1204.04(D)(12)
Offices							P	P	P	P	P	P	P	
Personal Service Establishments							P	P	P	P	PS	PS		1204.04(D)(8)
Rentals, Truck, Van and Equipment								P		P		P	P	
Retail and Service Commercial Uses (under 75,000 SF)							P	P	P	P	PS	PS	PS	1204.04(D)(14)
Retail and Service Commercial Uses (75,000 SF and above)							PS	PS	PS	PS	PS	PS	PS	1204.04(D)(14)
Retail Fuel Sales								PS		PS				1204.04(D)(15)
Self-Storage Facilities												C	C	1204.04(D)(16)
Sexually Oriented Businesses								PS						1204.04(D)(17)
Theaters							P	P		P				
Vehicle Washing Establishment								PS						1204.1204.04(D)(18)04(D)(15)
Veterinarian Offices or Animal Grooming (No Boarding)							P	P	P	P		P	P	

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
Video Lottery Terminals (VLT)							P	PS				PS	PS	1204.04(D)(18)
INDUSTRIAL USE CLASSIFICATION														
Automotive Body and Major Repair												PS	PS	1204.04(E)(1)
Building and Lumber Yards								C				PS	PS	1204.04(E)(2)
Large Brewery													P	
Contractor Yards												C	PS	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	
Shooting Range, Indoor												P	P	
Warehouses and Distribution Centers												P	P	
Wholesale Businesses												P	P	

(D) PROHIBITED USES

The following uses shall be prohibited from located within the City of Monroe in an effort to minimize the risk of creating new Brownfield areas or are of an intensity not permitted within Monroe. Such uses shall not be deemed similar to another use that is permitted within Table 1204-3: Principally Permitted Uses.

(1) Battery reclamation or manufacturing;

(2) Transfer, storage, or disposal facilities requiring a permit under the Resource Conservation and Recovery Act of 1976;

(3) Junk and scrap metal/auto salvage and recycling yards;

(4) Sanitary/solid waste landfills;

(5) Construction and demolition debris landfills;

(6) Manufacturing or processing of regulated substances as the principal activity;

(7) Manufacturing of paints, varnishes, lacquers, and enamels; and

(8) Trucking or bus terminals;

(9) Exotic animals,

(10) Outdoor shooting ranges"

SECTION 2: Section 1204.04 (D) is hereby supplemented to read as follows:

"(1) Antique Mall

a) The business is under the unified control and supervision of one licensed person, partnership, firm or corporation referred to as the Antique Mall Operator.

b) The Antique Mall Operator maintains a complete and accurate file of the current and valid licenses/agreements issued to each of the Antique Mall Dealers conducting business at that location with general listing of proposed sales items. All documents are subject to review by the City.

c) The applicant shall specify the days and hours of operation.

d) No merchandise shall be stored, displayed, or sold outside of a building.

e) Outdoor storage or parking of vehicles shall be prohibited between 10:00 p.m. and 7:00 a.m. of the following day.

f) Individual sales transactions are prohibited at individual stalls/partitions.

(11) BrewPub, Microbrewery or Microdistillery or Microwinery

a) The production of beverages at a BrewPub for on and off premise consumption shall not exceed 40% of the total gross floor area. The development must include other uses such as a tasting room, taproom or table service restaurant that entails 60% of gross floor area.

b) The production and packaging of beverages at a Microbrewery, Microdistillery. or Microwinery for on and off premise consumption shall not exceed 75% of the total gross floor area. The development must include other uses such as a tasting room, taproom or table service restaurant that entails at least 25% of gross floor area.

c) Brewing equipment or storage is permitted on the exterior of the building subject to outdoor storage standards of Section 1205.01(G)(15): Outdoor Bulk Storage.

(12) Vehicle Washing Establishment

a) The minimum lot area shall be forty thousand (40,000) square feet.

b) All structures shall be located at least one hundred (100) feet from any adjacent residential use.

c) All washing facilities shall be located entirely within an enclosed building, except that entrance and exit doors may be left open during the hours of operation.

d) Vacuuming and/or steam cleaning equipment may be located outside a building, but shall not be placed in any yard adjoining a residential property.

e) Vehicle Washing Establishments associated with an Automotive Service Station or Automotive Sales are permitted as accessory use subject to the regulations of this section and all other applicable Architectural Requirements.

SECTION 3: Section 1204.05 (A)(4)d) is hereby amended and supplemented to read as follows:

"d) Permitted Obstructions in Minimum Required Yards

Certain features may project into required yards as follows:

i) The following architectural features may project into any required front or rear yard:

A. Cornices, canopies, eaves or other architectural features may project a distance not exceeding two feet, six inches. This dimension is measured horizontally from the adjacent exterior wall, and shall include allowance for eave, gutter and any other attachment.

B. Fire escapes may project a distance not exceeding four feet, six inches.

C. An uncovered stair and necessary landing may project a distance not to exceed six feet, provided such stair and landings shall not extend above the front entrance floor of the building except for a railing not exceeding three feet in height or as required by the applicable Building Code.

D. Bay windows, balconies and chimneys may project a distance not exceeding three feet, provided that such features do not occupy, in the aggregate, more than one-third of the length of the building wall on which they are located.

ii) The architectural features identified in paragraph (a) above may project into any required side yard a distance not to exceed one-fifth (1/5) of the required width of such side yard.

iii) Outdoor Storage, fences, landscaping, accessory structures or uses may in accordance with the applicable regulations

iv) Industrial Uses adjacent to residential zones or uses shall comply with the following:

A. Within the required 200 foot setback as specified in Table 1204-6 no outdoor storage, accessory use or structure or railroad facilities shall occur.

B. Access drives and employee parking shall be no closer than 100 feet to a residential zone or use.

C. Employees recreational facilities without structures are permitted within the minimum yard area."

SECTION 4: Section 1204.05(D) is hereby amended and supplemented to read as follows:

"(D) SITE DEVELOPMENT STANDARDS FOR BUSINESS ZONING DISTRICTS

f) Table 1204-6: Site Development Standards for Business Districts establishes the minimum site development standards for business zoning districts.

(13) 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	MIN.	MAX.	
C-1 Highway Commercial District	50	5	5	50	20	70	75%
C-2 General Commercial District	50	5	5	50	20	60	75%
C-3 Downtown Commercial District	None	3	5	20	15	40	95%
C-4 Gateway Commercial District	50	5	5	50	15	55	75%
B-P Business Park District	50	10	10	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 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 or use
[4] The front yard setback shall be 200 feet when adjacent to a residential district or use"

SECTION 5: Section 1205.01(F) is hereby supplemented 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 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			
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)(7)
Drop-Off Boxes				PS			No	No	1205.01(G)(8)
Electric Charging Stations – Level 1 and 2	PS	PS	PS	PS	PS	PS	Yes	No	1205.01(G)(9)

TABLE 1205-2: PERMITTED ACCESSORY USES AND STRUCTURES P = PERMITTED PS = PERMITTED WITH STANDARDS 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			
Electric Charging Stations – Level 3 and Battery Exchange						PS	Yes	No	1205.01(G)(10)
Home Occupations	PS	PS	PS				Yes	No	1205.01(G)(11)
Guard Shacks and Related Structures						PS	Yes	No	1205.01(G)(12)
Outdoor Dining				PS	PS		Yes	No	1205.01(G)(13)
Outdoor Sales/Display				PS	PS	PS	Yes	No	1205.01(G)(14)
Outdoor Bulk Storage				PS		PS	Yes	No	1205.01(G)(15)
Porches or Decks	PS	PS	PS	PS	PS		Yes	Yes	1205.01(G)(16)
Radio and Television Antennas	PS	PS	PS	PS	PS	PS	No	No	1205.01(G)(17)
Residential Recreational Facilities	PS	PS	PS				Yes	Yes	1205.01(G)(18)
Roadside Stands	PS			PS		PS	Yes	Yes	1205.01(G)(19)
Satellite Dishes	PS	PS	PS	PS	PS	PS	See Sec. 1205.01 (G)(20)	No	1205.01(G)(20)
Small Wind Energy Conservation Systems	PS					C	Yes	No	1205.01(G)(21)

TABLE 1205-2: PERMITTED ACCESSORY USES AND STRUCTURES P = PERMITTED PS = PERMITTED WITH STANDARDS 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			
Solar Panels	PS	PS	PS	PS	PS	PS	See Sec. 1205.01 (G)(22)	Yes, if detached	1205.01(G)(22)
Swimming Pools, Community	PS	PS	PS	PS	PS		Yes	Yes	1205.01(G)(18)
Swimming Pools, Private	PS	PS	PS	PS	PS		Yes	Yes	1205.01(G)(18)
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)(23)
Other Accessory Uses Not Listed	C	C	C	C	C	C	As determined by the Planning Commission"		

SECTION 6: Section 1205.01 (G)(15)a) is hereby supplemented to read as follows:

"a) Areas designated for outdoor bulk storage shall only be permitted in the side or rear yard. Front yard outdoor storage may be approved in industrial or commercial districts if storage is integral to the business operations and cannot be located elsewhere (i.e. truck storage of distributions centers) as determined and approved by the Code Enforcement Officer."

SECTION 7: Section 1205.02(B) is hereby supplemented to read as follows:

(B) TABLE OF ALLOWED TEMPORARY USES AND STRUCTURES

Table 1205-3: Temporary Uses and Structures Table 1205-2: Permitted Accessory Uses and Structures, summarizes allowed temporary uses and structures and any general or specific standards that apply. Temporary uses or structures not listed in the table are prohibited.

TABLE 1205-3: TEMPORARY USES AND STRUCTURES

TEMPORARY USE OR STRUCTURE	ALLOWABLE DURATION (PER SITE)	ZONING PERMIT REQUIRED	ADDITIONAL REQUIREMENTS
Construction Dumpster	Until the zoning compliance inspection	No	1205.02(D)(1)
Construction Trailer	Until the zoning compliance inspection	Yes	1205.02(D)(2)
Gravel Surface Parking Lots	Until the zoning compliance inspection	No	1205.02(D)(3)
Mobile Food Vending	See Section	Yes	1205.02(D)(4)
Real Estate Sales/Model Homes	Until 85 % occupancy of the phase is reached	Yes	1205.02(D)(4)
Seasonal Agricultural Sales	90 days per calendar year	Yes	1205.02(D)(6)
Temporary Special Events	See Section 1205.02(D)(7).	Yes	1205.02(D)(7)
Temporary Storage in a Portable Container	Maximum of 14 consecutive days	Yes	1205.02(D)(8)
Temporary Structure for Institutional Uses	1 year	Yes	1205.02(D)(9)
Tents, Stages, and Seasonal Covers	Maximum of 14 consecutive days	No	1205.02(D)(10)"

SECTION 8: Section 1205.02(D) is hereby supplemented to read as follows:

"(4) Mobile Food Vending

a) Mobile Food Vending Services may be permitted only in commercial zoning districts or city-owned parks or property, provided that all of the following criteria are met:

i) The mobile food vending service must be located entirely on private property and shall not be located in any required setback, sight distance triangle, buffer, or public right-of-way.

ii) The use shall be located at least one hundred fifty feet (150') from any existing restaurant unless documentation stating approved consent from all restaurant owners within 150-feet is provided. The distance shall be measured by the closest point of the property perimeter from the mobile food vending to the closest point of the designated property perimeter of the restaurant. In the event the proposed location is on the same property, the distance shall be measured from the closest wall of the restaurant to the mobile food vending unit.

iii) The use shall be one hundred fifty feet (150') from any residential zone districts except as approved on city owned land or parks

iv) Anything other than food and non-alcoholic beverages shall not be sold, unless a special events liquor license is approved by the appropriate licensing authority

v) Operate more than 90 days per calendar year or more than 5 days consecutively at a single location

vi) Operate before 10:00 a.m. or after 2:00 a.m.

vii) Impede safe movement of vehicular and pedestrian traffic, parking lot circulation or access to any public alley or sidewalk

viii) The operator of a mobile food vending service shall obtain, in writing, the permission of the property owner to operate on the property and shall submit a copy to the Code Enforcement Officer

ix) Trash receptacles shall be provided for customers to dispose of food wrappers, food utensils, paper products, cans, bottles, food, and other such waste. Such receptacle shall be located not more than 10 feet from the mobile food vendor.

x) Any person(s) so engaged shall not be relieved from complying with the provisions of this section by reason of association with any local dealer, trader, operator, merchant, organization, or by conducting the mobile food vending service in connection with, as part of, or in the same name of any local dealer, trader, operator, merchant, or organization.

xi) Signs/banners in or alongside the public right-of-way or across roadways are not permitted. Signs must be permanently affixed to or painted on the mobile food vehicle or mobile vending cart, or in the case of a mobile retail food establishment, attached directly to the table, awning, canopy or similar item upon or under which sales are directly made

xii) The vehicle must be attended at all times

xiii) Liquid wastes such as grease or oil used in the operation shall not be discharged from the mobile food vehicle

xiv) The issuance of a permit does not grant or entitle the exclusive use of the property, in whole or in part, to the mobile food vending permit holder, other than the time and place as approved for the term of the permit

xv) No mobile food vending permit shall be required for any mobile food vending unit that operates exclusively within special events (i.e. within a park festival) as determined by the Code Enforcement Officer

xvi) Each permit issued under this section shall expire at the end of each calendar year and each licensee must comply with new application requirements for renewal

xvii) Mobile food vending carts are excluded from the number of days limitation as regulated in this section when located within a commercial use."

SECTION 9: Section 1205.02(D)(6) is hereby supplemented to read as follows:

"(6) Seasonal Agricultural Sales

b) Seasonal agricultural sales, including the sale of such items as Christmas trees, pumpkins, seasonal produce, and similar agricultural products, may be permitted in accordance with the following standards:

i) The property contains an area not actively used that will support the proposed temporary sale of products without encroaching into or creating a negative impact on existing vegetated areas, open space, landscaping, traffic movements, or parking-space availability.

ii) The sale of goods shall not occur within the public right-of-way, or within 200 feet of a dwelling.

iii) The range of goods or products available for sale shall be limited to non-processed products obtained primarily through farming or agricultural activities, including, but not necessarily limited to: pumpkins; grains and seed crops; fruits of all kinds; vegetables; nursery, floral, ornamental, and greenhouse products; trees and forest products, including Christmas trees, and firewood; bees and beekeeping products; seafood; and dairy products.

iv) The hours of operation of the seasonal sale of agricultural products shall be from 7:30 A.M. to 10:00 P.M., or the same hours of operation as a principal use on the same lot, whichever is more restrictive.

c) Only one season agricultural sale activity shall be permitted on any single lot. Farmers markets or other similar temporary activities where more than one person or group is selling seasonal agricultural produce shall only be permitted on city-owned property with approval from the City of Monroe. Farmers Market's shall comply with the following standards:

i) At least 75 percent of the displayed inventory of the products sold in each Farmers' Market is Farm Products or Value-Added Farm Products

ii) If a booth sells Farm Products or Value-Added Farm Products that are not produced by the vendor, said booth must explicitly disclose the producer's name and location in writing with lettering that is at least 2 inches tall and visible to the consumer

iii) The onsite presence of a Market Manager during all hours of operation who shall direct the operations of all vendors participating in the market and verify that the requisite number of individual booth are operated by Producers

iv) Documentation on the assignment of booths and registration of Producers for review by the City

v) An established set of operating rules addressing the governance structure of the market, hours of operation, maintenance, security requirements, and the appointment of a Market Manager

vi) Any person or entity having a farmer's market, must obtain all state, county, health and other applicable permits, licenses, and vendor numbers for that specific use and location

vii) A farmer's market shall not obstruct or impede the movement of traffic within the established right-of-way, or obstruct or impede traffic movement on private property going to or from such public street unless approved by the City

viii) The permit applicant shall submit a plot plan for each proposed farmer's market location depicting such information as booth locations, sign locations, trash receptacles (required), and any other information as required by the City

ix) Trash receptacles shall be provided for customers to dispose of food wrappers, food utensils, paper products, cans, bottles, food, and other such waste."

SECTION 10: Section 1208.09(A) is hereby supplemented to read as follows:

"(A) GENERAL REQUIREMENTS FOR UTILITIES AND UNDERGROUND FACILITIES

(1) All public and common electric, cable, and telephone lines and other utilities shall be located underground in all residential, office, commercial and industrial subdivisions and districts, and shall be placed in their own easement, shown on the final or record plat. These underground utility requirements shall also apply to any lines required to serve the new development that extend outside the boundary of the development. The conduits or cables shall be located within easements or public right-of-ways in separate trenches, in a manner which will not conflict with other underground services.

a) All developments shall additionally be required to construct and install telecommunications conduit on all streets that are affected, disturbed, constructed and/or improved by development unless otherwise approved, pending a review by the city engineer. This conduit shall be for the purpose of installing telecommunications cable, fiber optic wiring or other infrastructure as necessary.

b) This conduit shall be placed at horizontal and vertical locations as determined by the city engineer. The conduit shall conform to the size, shape and characteristics as determined by the city engineer based on industry standards. Once installed and accepted by the city, the conduit shall become the property of the city of Monroe."

SECTION 11: Section 1210.04(B) is hereby supplemented to read as follows:

"(5) Existing Structure Building Additions or New Structure

a) Any expansion or addition of a building that existed at the effective date of this code shall be subject to the standards of Section 1210.03(C): Architectural Standards for Expansions and Alterations.

b) Any new individual building or new building within a multi-family complex shall be subject to all architectural standards of 1210.04(B) Architectural Standards for Multi-Family Dwellings."

SECTION 12: Section 1210.05(A) is hereby amended and supplemented to read as follows:

"(A) APPLICABILITY

This section shall apply to:

(1) All public and institutional uses in a residential zoning district;

(2) All nonresidential development in a residential or agricultural zoning district;

(3) All development in the C-1, C-2, C-3, C-4, , and B-P Districts;

(4) Any development in a L-I and H-1 District shall comply with Sections 1210.05(C)(1) & (C)(2) Requirements for all Nonresidential Buildings, and 1210.05(C)(5) Mechanical Equipment in addition to the specific requirements;

(5) The front facade of any structure of any development in L-I and H-1 district where the property abuts State Route 63, State Route 4, Main Street/Cincinnati-Dayton Road or Interstate 75 shall comply with the requirements of Section 1210.05(D) Architectural Standards for the C-1, C-2, C-3, C-4, and B-P Districts;

(6) Any accessory structure or use."

SECTION 13: Section 1210.05(C)(4)b) is hereby supplemented to read as follows:

"b) A combination of materials, textures, colors, and finishes shall be utilized to create visual interest. Siding of any type shall not occupy more than thirty-five percent of any elevation facing a public right-of-way. Vinyl siding material shall be prohibited."

SECTION 14: Section 1210.05(D)(2) is hereby supplemented to read as follows:

"(2) Architectural elevations for all new or modified buildings shall include design, massing, materials, shape, and scale that creates a unified design on the premises that is visually compatible with the surrounding buildings and in substantial compliance with all architectural guidelines as determined by Planning Commission or the Code Enforcement Officer. Modified buildings shall include any portion of a building that is significantly expanded or structurally altered."

SECTION 15: Section 1210.05(D) is hereby supplemented to read as follows:

"(9) Existing Structure Building Additions or New Structure

a) Residential uses can expand as regulated in Section 1207.05(E) Expansion of a Nonconforming Use or as regulated in Section 1210.03(C): Architectural Standards for Expansions and Alterations.

b) Any commercial expansion, significant facade change, or new building shall be subject to all architectural standards as regulated in 1210.05 Architectural Design Requirements for Nonresidential Buildings."

SECTION 16: Section 1210.05(E) is hereby amended and supplemented to read as follows:

"(E) ARCHITECTURAL STANDARDS FOR THE L-1 AND H-1 DISTRICTS

The following standards apply in the L-1 and H-1 districts:

(1) Foundations shall be composed of concrete, brick, split-faced block, cast stone, or stone;

(2) Metal siding shall not be used on any wall facing a public street or a residential district. . For multiple frontage lots, Planning Commission or the Code Enforcement Officer, as applicable, shall determine if metal siding on the alternate frontage(s) is appropriate when considering the character of the surrounding uses. This subsection shall not be construed to prohibit metal roofs, flashing, aluminum storefront associated with windows, or high-quality metal siding such as copper, bronze, or other decorative metal, which may be used on a case-by-case basis.

(3) Building entrances shall be clearly defined by a recess or extension that is framed by a sheltering element such as an awning, arcade or portico that incorporates detailing, a change in materials or similar feature to break up the building facade. Brick, masonry, glass, stucco or other suitable building materials shall be used on the front facade. "Tilt-up" and precast concrete panels or concrete blocks are permitted as exterior building wall materials provided the panels are scored and either painted or stained to provide texture and visual interest.

(4) The front facade of any structure of any development in L-I and H-1 district where the property abuts State Route 63, State Route 4, Main Street/Cincinnati-Dayton Road or Interstate 75 shall comply with the requirements of Section 1210.05(D) Architectural Standards for the C-1, C-2, C-3, C-4, and B-P Districts.

(5) Existing Structure Building Additions or New Structure

a) Any expansion or addition of a building over 40% of the floor area shall be subject to the architectural standards of this section.

b) Any new individual building or new building within a complex shall be subject to all architectural standards."

SECTION 17: Section 1211.03(B)(4)c) is hereby amended and supplemented to read as follows:

"c) All recreational vehicles and trailers shall be parked or stored at least five feet from any adjacent lot line. When located in the front or side yard, recreational vehicles and trailers shall be on a paved surface. When located in the rear yard, a paved surface shall not be required."

SECTION 18: Section 1211.03(E) is hereby supplemented to read as follows:

"(E) SCHEDULE OF OFF-STREET PARKING REQUIREMENTS

(1) Table 1211-1: Number of Off-Street Parking Space Requirements defines the number of parking spaces required for each use within the City.

(2) The applicant may vary from the required number of parking spaces in accordance with Section 1211.03(I): Modification of Required Number of Spaces.

(3) See Section1211.03(H): Bicycle Parking, for off-street parking requirements for bicycles.

TABLE 1211-1: NUMBER OF OFF-STREET PARKING SPACE REQUIREMENTS

USE		PARKING SPACE REQUIREMENTS
AGRICULTURAL USE CLASSIFICATION		
Greenhouses and Nurseries		One space per 250 square feet of indoor display and sales area plus one space per 1000 square feet of outdoor sales / display areas
Public Stable		One space per 4 stalls plus one space per employee
RESIDENTIAL USE CLASSIFICATION		
Apartments on Upper Floors		One space per dwelling unit
Conservation Subdivisions		Two spaces per dwelling unit
Multi-Family Dwellings		Two and one-half (2.5) spaces per dwelling unit
Nursing or Convalescent Homes, Adult Family Homes, Adult Group Homes, and Residential Facilities		One space per two beds
Single-Family and Two-Family Dwellings		Two enclosed spaces per dwelling unit
PUBLIC AND INSTITUTIONAL USE CLASSIFICATION		
Active Parks, Playgrounds, and Recreational Facilities	Athletic/Play Field	Ten spaces per acre
	Golf Course	Four spaces for each hole plus one space for 100 square feet of net floor area in any cocktail lounge, bar, or similar facility.
	Golf Driving Range	One space for each driving tee plus one per employee
	Parks, Playgrounds	Four spaces per acre
	Skating Facility	One space per 250 square feet of floor area

TABLE 1211-1: NUMBER OF OFF-STREET PARKING SPACE REQUIREMENTS		
USE		PARKING SPACE REQUIREMENTS
	Swimming Pools, Tennis or Racquet Clubs, and Similar Recreation Facilities Open To The Public For A Fee	One parking space for each 50 square feet of pool area; eight spaces for each indoor tennis court; five spaces for each outdoor tennis court; five spaces for each racquet ball and/or handball court
Cemeteries		One space per four seats in a chapel or place of assembly
Public Community Centers and Cultural Institutions		One space per two fixed seats or one space per two persons based on the maximum occupancy, whichever is greater
Educational Institutions (K-8)		Three spaces per classroom, one space per four seats in auditorium, or one space for each 17 classroom seats (at maximum capacity), whichever is greater
Educational Institutions (9-12)		One space per five students
Educational Institutions, Higher		One space for each five classroom seats plus one space for each auditorium seat
Fraternal Organizations		One space per two fixed seats or one space per two persons based on the maximum occupancy, whichever is greater
Government Facilities		One space per 250 square feet or one space per four people at maximum occupancy, whichever is greater
Hospitals		One space for every two patient beds plus outpatient clinics, laboratories, pharmacies and other similar uses shall have four spaces per 1,000 square feet
Nursery Schools or Day Care Centers		One space for every four children based on maximum occupancy
Religious Places of Worship		One space per four fixed seats in the main assembly room or one space per four persons, whichever is greater
Wireless Telecommunication Facilities		Two spaces per tower
COMMERCIAL USE CLASSIFICATION		
Antique Mall		One space per 250 square feet
Assembly Halls and Conference Centers		One space per two fixed seats or one space per two persons based on the maximum occupancy, whichever is greater
Automotive and Machinery Sales or Leasing		One space per 300 square feet of indoor floor area, plus two spaces per service bay (service bay may not be counted as a parking space).
Automotive Body and Major Repair		
Automotive Service Station and Parts Sales		

TABLE 1211-1: NUMBER OF OFF-STREET PARKING SPACE REQUIREMENTS	
USE	PARKING SPACE REQUIREMENTS
Bed and Breakfast Establishments	Two spaces for owner plus one space for each guest room
Brewpub and Microbrewery, Microdistillery, or Microwinery	One space per 100 square feet of tasting room, taproom, or table service area. Production and storage areas shall comply with industrial use requirements.
Commercial Recreation Facilities (Indoors and Outdoors)	One space for each three persons at capacity
Convenience Stores	One space per 250 square feet with a minimum of five spaces
Drive-In Restaurants	One space per each four seats if outdoor dining areas are provided and/or five spaces if walk-up service is provided
Dry Cleaning and Laundry Drop-Off/Pick-Up Only	One space per 250 square feet with a minimum of five spaces
Eating and Drinking Establishment	One space per 100 square feet
Entertainment Device Arcades	One space per two terminals or gaming system
Financial Institutions	One space per 250 square feet with a minimum of five spaces
Flea Markets	One space per 300 square feet of indoor sales area and one spaces per 500 square feet of outdoor sales area
Funeral Homes	One space per 50 square feet
Hotels and Motels	One space per room or suite plus five spaces for employees
Kennels	One space per 1,000 square feet plus one drop-off space per 20 kennel spaces.
Medical or Dental Clinics or Offices	One spaces per 200 square feet with a minimum of five spaces
Mixed Use Building	The sum of parking required for the uses within the building
Offices	One spaces per 350 square feet with a minimum of five spaces
Personal Service Establishments	One space per 200 square feet, or two spaces per station/chair, whichever is greater
Retail and Service Commercial Uses	One space per 250 square feet
Retail Fuel Sales	One space per 300 square feet of indoor sales area plus one space per fuel pump or service bay (service bay may not be counted as a parking space).
Self-Storage Facilities	See Section 1211.03(F).
Sexually Oriented Businesses	One space per 250 square feet with a minimum of five spaces

TABLE 1211-1: NUMBER OF OFF-STREET PARKING SPACE REQUIREMENTS	
USE	PARKING SPACE REQUIREMENTS
Theaters	One space per two fixed seats or one space per two persons based on the maximum occupancy, whichever is greater
Vehicle Washing Establishment	Three spaces per washing bay (washing bay may not be counted as a parking space).
Veterinarian Offices or Animal Grooming (No Boarding)	One space per 250 square feet with a minimum of 5 spaces
Video Lottery Terminals (VLT)	One space per two terminals
INDUSTRIAL USE CLASSIFICATION	
All Uses in the Industrial Use Classification	See Section 1211.03(F)."

SECTION 19: Section 1212.04(C) is hereby amended and supplemented to read as follows:

"(C) All new residential lots with new structures or any new commercial or industrial development shall have an appropriate cover of undisturbed existing vegetation, seed and straw, fresh-cut sod or spot sod within three months from the date of the zoning compliance inspection or complete in such instance where no inspection is required."

SECTION 20: Section 1212.05(B) is hereby supplemented to read as follows:

"(4) When fences or walls are placed on any site in any commercial, business park or industrial district, the required landscaping shall be outside of the fence or wall and visible from the public right-of-way or adjacent parcel."

SECTION 21: Section 1212.07(B)(2)d) is hereby supplemented to read as follows:

"d) There shall be a minimum of one tree planted within each landscape island abutting a single row of parking spaces. Landscape islands abutting a double row of a parking must include two trees. Such trees shall not count toward the perimeter tree requirement. Shrubs must be provided in landscape islands and divider medians at a rate of three shrubs per required tree. If an existing tree is be used to meet the requirements of this Subsection, the landscape island shall be equal in size to the tree's drip line area."

SECTION 22: Section 1212.07(B)(3)b) is hereby amended and supplemented to read as follows:

"b) A minimum of one canopy tree is required for every 5 parking spaces with a three (3) foot tall visual screen of shrubs required in front of all parking areas. For areas not directly visible from a right-of-way or in an industrial district, the Code Enforcement Officer may reduce the perimeter requirements to no less than one canopy tree and 5 shrubs for every five parking spaces."

SECTION 23: Section 1214.05 (F) is hereby supplemented to read as follows:

"(F) The height of a sign shall be determined by measuring the vertical distance between the top part of the sign to the elevation of the ground beneath the sign, excluding additional elevation added by the creation of berming or mounding or to the grade of the adjacent street, whichever is less."

SECTION 24: Section 1214.10(C)(1)b)ii) is hereby supplemented to read as follows:

"ii) The maximum wall sign area shall be equal to eight percent of the total square footage of the front building wall façade provided the maximum square footage of wall sign area shall be 500 square feet except in the C-3 District where the maximum wall sign area shall be 100 square feet."

SECTION 25: Section 1214.10(C)(2)b)ii) is hereby supplemented to read as follows:

"ii) One monument sign is permitted on each lot in all other zoning districts where freestanding monument signs are permitted unless as regulated in 1214.10(C)(3)e)."

SECTION 26: Section 1214.10(C)(2)e)iv) is hereby supplemented to read as follows:

"iv) The Code Enforcement Officer may allow additional sign area of up to 36 square feet for each additional monument signs when the applicant only qualifies for 48 square feet of signage according to the chart below and site-specific factors warrant additional signage."

SECTION 27: Section 1214.10(C)(2)g)ii) is hereby amended and supplemented to read as follows:

"ii) In the "C" Commercial 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 multi-color Light Emitting Diodes (LED) technology or similar quality signs with a minimum 15 millimeter true pixel pitch shall be permitted for electronic message centers in the C-1 and C-4 Commercial Districts. Only multi-color Light Emitting Diodes (LED) technology or similar quality signs with a minimum 10 millimeter true pixel pitch shall be permitted for electronic message centers in the C-2 and C-3 Commercial Districts.

I. All electronic message centers shall contain a default mechanism that will cause the sign to revert immediately to a black screen if the sign malfunctions.

J. No electronic message center shall be located closer than 125 feet to any residential use. In the case of a non-residential use in a residential zone or the C-3 Downtown Commercial District, the sign must be located at least125 from the property line of the residential use."

SECTION 28: Section 1214.10(C)(6)d) is hereby supplemented to read as follows:

"d) All menu board signs shall be internally illuminated or as an electronic message centre in all commercial districts except the C-3 in compliance with Section 1214.10(C)(3)g)ii)."

SECTION 29: Section 1214.11 is hereby amended and supplemented to read as follows:

"(A) All signs in the C-3 District shall be constructed of wood, cast metal, natural stone, brick, or glass, with painted faces or letters.. Plastic and foam signs are prohibited. Other materials may be permitted if appropriate as determined by the Code Enforcement Officer. Vinyl or plastic letters may be approved, if appropriate.

(B) ALL SIGNS IN THE C-3 DISTRICT SHALL UTILIZE SIMILAR OR COMPATIBLE COLORS AND STYLES TO THE BUILDINGS WHICH SUCH SIGNS IDENTIFY.

SECTION 30: Section 1214.13(D) is hereby supplemented to read as follows:

"(D) Temporary signs may be placed on a residential lot that is or will be hosting a garage or yard sale for a period of time beginning 24 hours in advance of said sale and shall be removed immediately after the completion of the garage or yard sale. Such signs shall be limited to 8 square feet in sign area and five feet in height."

SECTION 31: Section 1217.02 is hereby amended and supplemented to read as follows:

"**Antique**
A product that is sold or exchanged because of value derived or because of oldness such as items such as clocks, lamps, rugs, furniture and collectibles, such as sports trading cards, records and the like, listed in a bona fide published collectible guidebook, with price guides, or is of at least 30 years old.

Antique Mall
A building or part of a building under unified control of an operator that is partitioned to provide spaces for the sale of antiques by antique dealers, for items such as clocks, lamps, rugs, furniture and collectibles, such as sports trading cards, records and the like, listed in a bona fide published collectible guidebook, with price guides, or is of at least 30 years old. Antique sales must cover at least 85% of the overall sales area of the facility.

Brewpub
An establishment where the majority of beer, wine, spirituous liquor, or other alcoholic beverage is manufactured onsite for mainly on premise consumption or is either hand bottled or individually capped in sealed containers to be sold directly to the consumer. The brewery shall not produce more than 4,000 barrels or 124,000 gallons of beer, wine, spirituous liquor, or other alcoholic beverage annually.

Brewery, Large
An establishment where beer, wine, spirituous liquor, or other alcoholic beverage is manufactured on the premises for distribution, retail, or wholesale, on or off premise at a production ration of over 15,000 barrels annually. The development may include other uses such as a tasting room, taproom or table service restaurant.

Drive-In Restaurants
An establishment whose principal business is the sale of food and/or beverages in a ready-to-consume state. The products sold are usually served in containers that are either edible or made of paper, plastic, or other disposable material. All or a significant part of consumption of the products takes place outside of the confines of the restaurant, a motor vehicle that is parked on the premises, or off the premises or other locations as carry-out services.

Farmers Market
An occasional or periodic market held in an open area where groups of individual sellers offer for sale to the public such items as fresh produce, seasonal fruits, fresh flowers, arts and crafts, and food and beverages (but not second hand goods) dispensed from booths located on site.

Farm Product
Fruits, vegetables, mushrooms, herbs, grains, legumes, nuts, shell eggs, honey or other bee products, flowers, nursery stock, livestock food products (including meat, milk, yogurt, cheese and other dairy products), and seafood.

Farm Product – Value Added
Any product processed by a Producer from a Farm Product, such as baked goods, jams and jellies, canned vegetables, dried fruit, syrups, salsas, salad dressings, soaps, flours, coffee, smoked or canned meats or fish, sausages, or prepared foods.

Microbrewery or Microdistillery or Microwinery
An establishment where beer, wine, spirituous liquor, or other alcoholic beverage is manufactured on the premises for distribution, retail, or wholesale, on or off premise. The brewery shall not produce more than 15,000 barrels of beer, wine, spirituous liquor, or other alcoholic beverage annually.

Mobile Food Vending
A readily movable, motorized-wheeled vehicle or a towed vehicle designed and equipped to prepare, or serve, and sell food, including mobile vending carts. Mobile food vending excludes food delivery operations, vending machines, or any vehicle not parked or stopped for more than 10 minutes at any one location (i.e. Ice Cream Truck).

Mobile Vending Cart
A vehicle propelled by human power which has been specifically designed or used for mobile food vending.

Producer (Farmers Market)
A person or entity that raises or farm products on land that the person or entity farms and owns, rents or leases or a person or entity that creates (by cooking, canning, baking, preserving, roasting, etc.) Value-added Farm Products.

Secondhand Merchandise
Used merchandise, such as clothing, household furnishings or appliances, sports/recreational equipment. This classification does not include secondhand motor vehicles, parts, or accessories.

Shooting Range, Indoor
A facility or structure operated for the purpose of shooting with firearms or archery equipment, whether publicly or privately owned and whether or not operated for profit including, but not limited to, commercial bird shooting preserves and wild animal hunting preserves. "Shooting range" does not include a facility owned or operated by a municipal corporation, county, township police district, or join police district.

Shooting Range, Outdoor
An outdoor facility operated for the purpose of shooting with firearms, whether publicly or privately owned and whether or not operated for profit. "Shooting range" does not include a facility owned or operated by a municipal corporation, county, township police district, or joint police district.

Use, Major Change
1) Any change in the use of property that is not a Similar Use Change. Nonexclusive examples: residential to commercial, commercial (e.g., office) to a different type of commercial (e.g., retail), commercial (e.g., corporate office) to a different intensity commercial (e.g., dentist office); or 2) Modifications resulting in additional interior building square footage; or 3) Modification of access points, curb cuts, sidewalks, or vehicle circulation may also be considered a major use change.

Use, Similar Change
Change in the use of a property that is similar in character and intensity to the immediately preceding use and where there has been no lapse in use exceeding six (6) months. Nonexclusive examples: dentist office to doctor's office; restaurant to restaurant; gift shop to clothes shop."

SECTION 32: This measure shall take effect and be in full force from and after the earliest period allowed by law.

PASSED: July 14, 2015

ATTEST:

Clerk of Council

APPROVED:

Mayor

First Reading: June 23, 2015

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

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

Clerk of Council
City of Monroe, Ohio