Planning Commission
November 19, 2024 - 6:00 PM
233 South Main Street, Monroe, Ohio

Call to Order

Roll Call

Approval of Minutes

- Meeting minutes from the October 15, 2024 Planning Commission meeting

Old Business

- Case No. 2024-10-6—Consideration of a Conditional Use Permit for the expansion of Monroe First Church of God. Tabled 10/15/24

New Business

- Case No. 2024-11-8—Consideration of a PUD Amendment to the Hyde Park at the Crossings Planned Unit Development
- Case No. 2024-11-9—Consideration of Amendments to Various Sections of the Planning and Zoning Code

Administrative Reports

Adjournment

Planning Commission Minutes
October 15, 2024
233 South Main Street, Monroe, Ohio

Call to Order

Mr. Frye called the meeting to order at 6:01 p.m.

Roll Call

Planning Commission members present: Christina McElfresh, Andrew Hall, Robert Duckworth, Matthew Frye, Debbie Hagedorn

Staff members present: Tom Smith, Development Director; Kameryn Jones, Assistant Development Director; Michelle Layman, Planning and Zoning Specialist

Mr. Frye requested a motion to amend the agenda to exclude Case No. 2024-10-8- Consideration of an application for a PUD Amendment for Hyde Park at Crossings. Mrs. McElfresh made the motion. Seconded by Mrs. Hagedorn. Voice vote. Motion carried.

Approval of the Minutes

Mrs. Hagedorn moved to approve the minutes from the June 18, 2024 Planning Commission meeting; seconded by Mrs. McElfresh. Voice vote. Motion carried.

Old Business

None.

New Business

Mr. Frye opened the Public Hearing for Case No. 2024-10-6- Consideration of a Conditional Use Permit for the Expansion of Monroe First Church of God.

Mr. Frye stated the following: The request will be presented by staff. Following this presentation, anyone wishing to speak in favor of the proposal will be given an opportunity to speak. After all proponents have spoken, the opponents will be given an opportunity to present their case. Speakers are asked not to repeat the same ideas which have been previously presented but indicate that they agree with a previous speaker. All persons speaking are subject to cross examination and must be sworn. Planning Commission has the opportunity to question any speaker after they have

completed their presentation. Once the public hearing is closed, individual speakers have no right to comment during discussion by the Planning Commission.
Mr. Kirkpatrick asked all those wishing to speak during this public hearing (including staff) to stand and raise their right hand to be sworn in.

Having been sworn in, Mrs. Jones presented Case No. 2024-10-6

Mrs. Jones presented the background as follows:

- Haglage Construction, Inc., on behalf of Monroe First Church of God, has submitted a conditional use application for a proposed expansion of the church.
- The applicant is proposing a 11,700 square foot building expansion to house a new worship area, lounge, and nursery.
- The site is 7.3 acres zoned NC Neighborhood Conservation.
- The applicant anticipates construction to start in the beginning of 2025 and end late 2025.

Mrs. Jones reviewed the conditional use permit as follows:

Because this use is considered a "Place of Public Assembly", categorized as a Conditional Use in the Primary Use Table, a Conditional Use permit and review are required for Planning Commission's consideration in addition to the site plan.

The following standards shall apply to all conditional uses. Planning Commission shall consider the following standards when making a decision on a conditional use. Staff has provided feedback where applicable.

1. The proposed conditional use will operate or be designed in a manner that does not diminish the use or functionality of surrounding properties;

   The proposed expansion should not diminish the function of the surrounding neighborhood.

2. The proposed conditional use will incorporate provisions for hours of operation, parking and loading areas, driveways, lighting, signs, landscaping, buffering, and other site improvements;

   The proposed expansion is incorporating additional parking and other site improvements to accommodate the new building. This staff report outlines areas that require revision in order to meet minimum code standards.

3. The proposed conditional use must have adequate public services (e.g. streets, off-street parking, pedestrian facilities, water, sewer, gas, electricity, and police and fire protection) available without the reduction of services to any existing uses;
   As part of the expansion, the site is required to meet minimum parking requirements. The applicant has shown the appropriate number of parking stalls. Additionally, the applicant will be extending the 5 FT sidewalk along the north side of Easton Manor Drive.

4. If, in the opinion of Planning Commission or City Council, the conditional use becomes a nuisance, the Conditional Use Permit may be recalled for further review, which could lead to the need for additional conditions, restrictions, or the revocation of the permit;

5. The proposed conditional use will incorporate design features to sufficiently protect adjacent uses that may include but are not limited to service areas, pedestrian and vehicular circulation, safety provisions, access ways to and from the site, lighting, screening and buffering, fencing, and building placement; and

   As found in staff comments below, the proposed lighting plan does not meet minimum illumination standards. While it may be appropriate to increase the lighting on the east side of the developed part of the site, having less (but safe) amounts of lighting in the parking area may be appropriate in addition to maintaining the vegetated open space between the church and the homes in the Easton Manor subdivision.

6. The proposed use is compatible with adjacent existing uses. Compatibility shall be expressed in terms of appearance, architectural scale, use and intensity, and features, site design and scope, landscaping, as well as the control of adverse environmental impacts, including noise and lighting, or other undesirable conditions.

   This church has existed at this location for many years. The building footprint is expanding toward the street, so its presence will be more pronounced than before. The church will continue its operations, including childcare, which is generally compatible with the adjacent residential uses.

Mrs. Jones reviewed staff comments as follows:

- Landscaping
  - Street trees shall be required every 40 feet on center along all private and public streets for all new sites, development, and expansions of sites.

        - The length along Easton Manor Drive is approximately 644 FT, requiring 16 trees. 7 existing trees along this street may count towards this total, leaving an additional 9 street trees required
    - Parking islands are required throughout the site and have not been provided in several areas.
        - Endcaps islands (required at the end of all parking rows)
            - Endcaps required =20
            - Endcaps shown= 10
            - Missing = 10
        - Interior islands (in the middle of parking rows installed at intervals of not less than one island for each 15 parking spaces)
            - Interior required = 2
            - Interior shown = 0
            - Missing = 2
    - A minimum 20% of the required front yard area must be landscaped. Staff requests missing front yard landscaping along Easton Manor Drive be provided in a revised landscape plan

- Photometric
    - 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.
        - Areas around the site, along the north perimeter as well as the far east and southeast side of the property, are underlit.
        - Staff suggests the applicant make adjustments to address the rear access drive and the easternmost row of parking.

- Architectural
    - Only 20% of each window area may be opaque or spandrel glass.
        - The elevations refer to tinted glass, which the applicant has clarified will be clear. Revised elevations will need to be submitted with the correct labeling of the window material callouts.

Mrs. Jones reviewed department comments as follows:

- Fire Department: Fire reserves the right for further review with formal building permit submittal.
- Police Department: No comment.
- Engineering/Public Works Department: Engineering review ongoing.

Mrs. Jones reviewed the staff recommendation as follows:

- Staff recommends approval of the Conditional Use and Site Plan applications with the following conditions:
    - Discussion and decision regarding minimum lighting requirements as noted in the staff report.
    - The landscaping plan be revised to address staff report comments.
    - All landscaping must meet all minimum species and size requirements and be detailed appropriately on the plan.
    - The building elevations be revised to address staff report comments.
    - All ground-mounted and rooftop equipment must be appropriately screened as approved by Staff.
    - All Engineering review comments be addressed.
    - The applicant will be responsible for maintenance (mowing, etc.) of the right-of-way adjacent to the developed site once improvements are complete.
    - Digital files of final plans compatible with City GIS be submitted.
    - All other Staff comments be met

Mrs. McElfresh asked who was notified of the hearing. Mrs. Jones explained that Easton Manor is a landominium neighborhood. With that, the owners only own the land their home is physically sitting on, not the actual property that abuts the church property. Mrs. Jones went on to say all the property touching the church property is owned by the Easton Manor HOA. She also said signs were put up on the church property to notify residents of the public hearing. Mrs. McElfresh went on to review the addresses that were notified, mentioning she didn't want this to be an issue for residents.

Mrs. McElfresh asked if there was any proposed lighting on the expansion side near the residential, near the new parking lot. Mrs. Jones stated there is. Mrs. McElfresh stated she wanted to make sure the additional lighting wouldn't be an issue for residents.

Mrs. Hagedorn asked if the current lighting is up to code now. Mrs. Jones stated that it is not but probably was during the time it was built.

Mr. Frye asked for any proponents.

Mark Freidemeier with KBA Architects spoke. He stated the site is underlit on the west side. They are proposing wall packs and keeping the current lights in tact.

Mrs. McElfresh asked if this will allow the parking lot to be lit. Mr. Freidemeier stated it would.

Josh with Apex Engineering and Surveying spoke regarding landscaping and the sidewalk along the frontage. He stated that due to the location of the proposed sidewalk, eight

trees would need to be removed. Josh showed the Planning Commission an aerial photo of the location in question.

Mrs. Hagedorn asked if the sidewalk could be positioned in a different way to keep the current trees. Josh stated they currently only have around 10-12 feet in that area and would still need to fit a 5-foot walk. He also stated the walk would end at their property and not go all the way through to the neighboring community.

Members of the Planning Commission continued to discuss the location of the sidewalk with Josh while reviewing the aerial photo he provided.

Mr. Duckworth asked if there had been any studies of the area regarding foot traffic. Josh stated he believed there were around 50 homes in that area.

Mrs. Hagedorn stated she doesn't want to see trees removed but also knows connectivity is important.

Mr. Freidemeier stated there is a sidewalk on the other side of the church.

Josh also asked if the proposed additional parking islands were necessary for the already existing parking lot.

Mr. Hall asked what the proposed use for the new building is and what type of growth the church is expecting.

Ray Macintosh, Vice President of the church financial board came up to speak representing the church. He stated currently the existing building is both a sanctuary and a preschool. He stated the new church building will be the sanctuary and the older building will be the preschool and youth building.

Mr. Hall asked if there is any expected growth. Mr. Macintosh stated their growth typically is due to their preschool and involvement with Monroe City Schools.

Mrs. McElfresh asked when the church services currently are. Mr. Macintosh stated Sundays and Wednesdays. Mrs. McElfresh asked if the day-to-day activities would be in the older (further) building. Mr. Macintosh stated yes and that the new building will only be for the sanctuary.

Mr. Hall asked if the preschool or youth activities are planned to expand. Mr. Macintosh stated no.

Mr. Duckworth asked if there is an estimated timeline for when the project will be completed. Mr. Macintosh stated it would be around a year for completion. Mr.

Duckworth also asked if the new building location meets code standards. Mrs. Jones stated it does.

A resident came up to ask if the church planned on adding any green space or new playground space. Mr. Macintosh stated they do not plan to add any of these things.

Mrs. McElfresh asked if the annex road is new or existing. Mr. Macintosh stated it is existing, and it will connect the two back parking lots.

Mr. Frye asked if the aerial photos provided by the church should be entered into the record. Mr. Smith stated they can enter them into the record, but that staff and the public were not able to see them prior to the hearing. Mr. Smith stated the Planning Commission can table the case, deny the case or move forward with the case.

Mr. Frye asked for a motion to accept the documents for the record. Mrs. McElfresh moved to accept the documents for the record without the additional aerial photos. Seconded by Mr. Duckworth. Voice vote. Motion carried.

Mr. Frye asked for a motion to close the public hearing. Mrs. Hagedorn motioned. Seconded by Mrs. McElfresh. Voice vote. Motion carried.

Mrs. McElfresh stated she has issues with the sidewalk. She stated connectivity is very important to City Council. Mrs. McElfresh asked what the staffs' thoughts were on how to proceed. Mrs. Jones stated a precedent would be set if Planning Commission waived the sidewalk requirement. She went on to say that if this were the case it would need to be heard by Board of Zoning Appeals.

Mr. Hall asked how many feet of sidewalk would be omitted. Mrs. Jones stated she isn't sure. Possibly around a third of the total frontage but it is hard to say.

Mrs. Jones stated she understood the comment that the sidewalk on the west side wasn't going to connect to the intersection. She also stated she understands the comments about the trees.

Mrs. McElfresh asked if the sidewalk were to go from the last house to the drive and covered that area and then there was a sidewalk/crosswalk. Mrs. Jones stated that it would have been a suggestion if staff had been made aware of the proposed sidewalk changes.

Mr. Smith discussed other projects that have been required to put in sidewalks even though they are not connected to other areas yet.

Mrs. Hagedorn asked if the sidewalk could be shifted. Mrs. Jones stated the city has done this in the past if it makes sense but that this would interfere with the parking lot so some reworking would be necessary.

Mr. Duckworth asked if other projects had to remove trees. Staff stated yes.

Mrs. McElfresh suggests at this time that the case be tabled and brought back.

Mrs. McElfresh asked if wall pack lighting meets code. Mrs. Jones stated that it does.

Mrs. Hagedorn asked about the need for extra trees. Mrs. Jones stated that once the new plans could be reviewed there would need to be additional trees.

Mr. Hall asked if the additional sidewalk would require additional lighting such as what has been added along Main Street. Mrs. Jones stated that the area is a private road so the City would probably not add lighting.

Mrs. McElfresh moved to table Case No. 2024-10-6- Consideration of a Conditional Use Permit for the Expansion of Monroe First Church of God with the following conditions:

1. Discussion and decision regarding minimum lighting requirements as noted in the staff report
2. The landscaping plan be revised to address staff report comments
3. All landscaping must meet all minimum species and size requirements and be detailed appropriately on the plan
4. The building elevations be revised to address staff report comments
5. All ground-mounted and rooftop equipment must be appropriately screened as approved by staff
6. All engineering review comments be addressed
7. The applicant will be responsible for maintenance (mowing, etc) of the right-of-way adjacent to the developed side once improvements are complete
8. Digital files of final plans compatible with city GIS be submitted
9. All other staff comments be met
10. Specific discussion with staff regarding sidewalks and tree placement.

Seconded by Mrs. Hagedorn. Roll call vote. Motion carried.

Mr. Frye opened Case No. 2024-10-7-Consideration for the Permitting of Cannabis in the City of Monroe.

Mr. Frye stated the following: The request will be presented by staff. Following this presentation, anyone wishing to speak in favor of the proposal will be given an opportunity to speak. After all proponents have spoken, the opponents will be given an

opportunity to present their case. Speakers are asked not to repeat the same ideas which have been previously presented but indicate that they agree with a previous speaker. All persons speaking are subject to cross examination and must be sworn. Planning Commission has the opportunity to question any speaker after they have completed their presentation. Once the public hearing is closed, individual speakers have no right to comment during discussion by the Planning Commission.
Mr. Kirkpatrick asked all those wishing to speak during this public hearing (including staff) to stand and raise their right hand to be sworn in.

Having been sworn in, Mr. Smith presented Case No. 2024-10-7.

Mr. Smith presented the background as follows:

- November 2023 – Ohio Issue 2 passed legalizing the growing, processing, and selling of cannabis.
- Cannabis is administered by the Division of Cannabis Control
- Since 2022, City Council has been monitoring and discussing the impacts of cannabis use in the City.
- There is no legislation or code requirement regulating the cultivation, processing, or distribution of cannabis in the City.
- City Council desires legislation regulating the use of cannabis within the City of Monroe.
- R.C. 3796.29 and 3780.25 allow the City to adopt an ordinance to limit the amount of cannabis operators permitted.
- R.C. 3796.30 and 3780.01 (35) says a facility cannot be 500 feet from the property line of a public library, church, public playground, public park, or school
- A.C. Rule 1301:118-2-06 10 (B) says a dispensary cannot be located within one (1) mile of another dispensary.
- R.C. 3780.25(G)(3) a city cannot limit or prohibit home grow.

Mr. Smith reviewed maps of the current locations of the four cannabis stores in Monroe and discussed the new cannabis legislation that is being proposed.

Mr. Smith reviewed what facilities are currently in Monroe

- Four (4) Dual-Use dispensaries in the City
- One (1) cultivation facility; and
- One (1) processing facility

Mr. Smith reviewed the proposal – business regulations as follows:

- Create Chapter 874: Cannabis Uses in the City of Monroe Code of Ordinances
    - Purpose
    - Definitions
    - Permitting of Cannabis Facilities
    - Location Change

- Inspections; Records; Notifications
- Enforcement
- Appeal
- Penalty

Mr. Smith reviewed the proposed zoning regulation as follows:

In a special meeting held on June 3, 2024, Council proposed that cannabis use facilities (i.e., cultivators, processors, dispensaries, and testing laboratories) within the City could be:

- Permitted to operate as a conditional use:
  - Dispensaries: General Commercial zoning district;
  - Cultivators and Processors: Light Industrial and Heavy Industrial zoning district; and
  - Laboratories: Employment Center zoning district
- Subject to an established fee schedule for the processing of applications, permits, and inspections in the amount of $300 for a conditional use permit and $100 for zoning review for a new business or use. These charges are what are assessed against any retail conditional use coming into the City.

Mrs. McElfresh asked if one of the current locations closed, could another dispensary open in that location. Mr. Smith stated they cannot.

Mrs. McElfresh asked if current cannabis locations are allowed to change ownership. Mr. Smith stated they would be permitted to change ownership.

Mrs. Jones clarified the map showing current locations and possible locations.

Mr. Frye asked if there was anything in writing to protect the current locations. Mr. Smith stated there is not but that the new legislation would not hurt current locations.

Mr. Smith reviewed the staff recommendation as follows:

- Staff recommends Planning Commission forward a recommendation to City Council that they amend the City of Monroe Code of Ordinances to add Chapter 874: Cannabis Uses, and amend the Planning and Zoning Code sections 1203.05: Conditional Use Standards and 1209.03: Definitions, and add Adult Cannabis Facilities to the Primary Use Table 1203.02-1 in the districts where Cannabis Uses are permitted

Mr. Frye requested a motion to accept the documents submitted for the record. Mrs. McElfresh motioned. Seconded by Mr. Duckworth. Voice vote. Motion carried.

Mr. Frye requested a motion to close the public hearing. Mr. Hall moved to close the public hearing. Seconded by Mr. Duckworth. Voice vote. Motion carried.

Mrs. McElfresh stated she is in favor as this puts measurements in place and is appropriate.

Mrs. McElfresh stated she feels this will give the City a foundation to operate under.

Mrs. Hagedorn moved to recommend approval to City Council that they amend the City of Monroe Code of Ordinances to add chapter 874: Cannabis uses and amend the Planning and Zoning Code sections 1203:05: Conditional Use Standards and 1209.03: Definitions, and add adult cannabis facilities to the primary use table 1203.02-1 in the districts where cannabis uses are permitted.

Seconded by Mr. Duckworth. Roll call vote. 5 ayes. Motion carried.

Adjournment

Mr. Hall moved to adjourn the meeting. Seconded by Mr. Duckworth. Voice vote. Motion carried.

The Planning Commission meeting adjourned at 7:33 p.m.

Respectfully submitted,

Michelle Layman
Planning and Zoning Specialist

CITY OF MONROE
Inter-Office Correspondence

TO: Members of the Monroe Planning Commission
FROM: Kameryn Jones
Assistant Development Director

DATE: November 19, 2024
RE: Information Packet for November 19, 2024, Planning Commission Meeting at 6:00 p.m.

I. Case No. 2024-10-6—Consideration of a Site Plan and Conditional Use Permit for the expansion of Monroe First Church of God

- Haglage Construction, Inc., on behalf of Monroe First Church of God, has submitted a conditional use application for a proposed expansion of the church.
- The applicant is proposing an 11,700 square foot building expansion to house a new worship area, lounge, and nursery.
- The site is 7.3 acres zoned NC Neighborhood Conservation.
- The applicant anticipates construction to start in the beginning of 2025 and end late 2025.

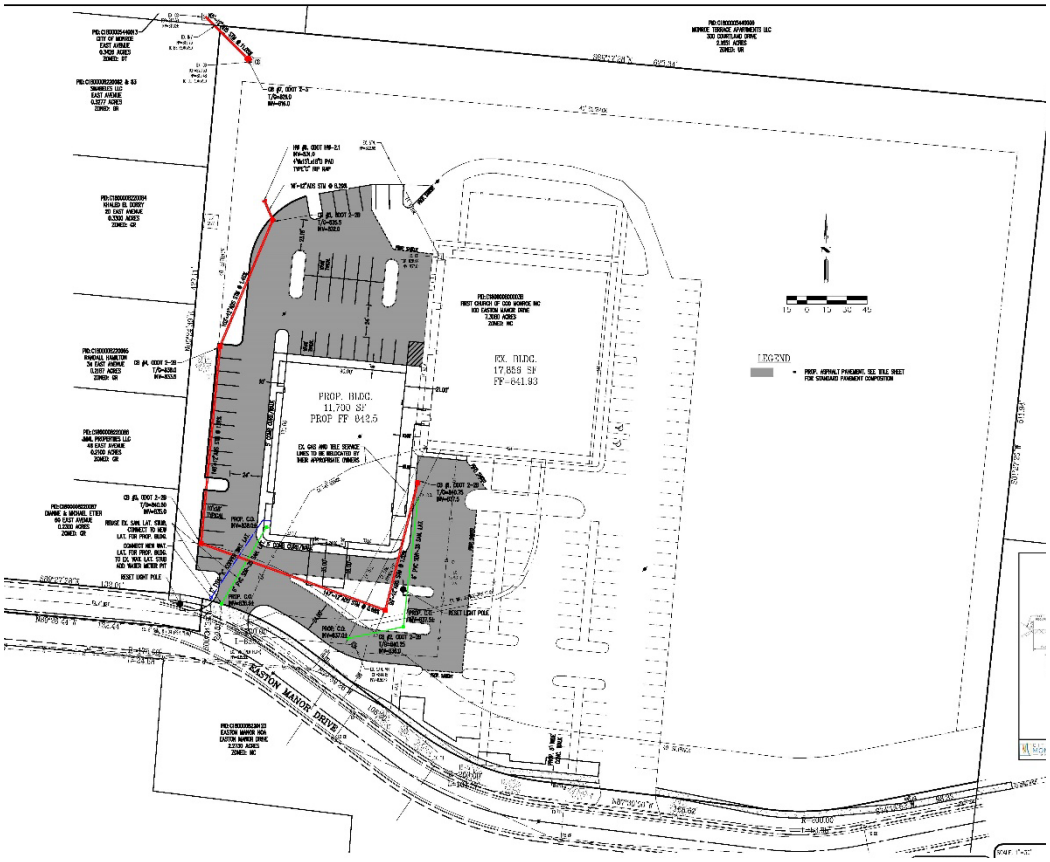
Overhead View of Property

Zoning Map of Proposed Site and Surrounding Properties

Looking Northeast towards the site from Easton Manor Dr

Looking North towards the site from Easton Manor Dr

Looking Northwest towards the site from the front Easton Manor Dr



Proposed Site Plan

B. Conditional Use Permit

Because this use is considered a “Place of Public Assembly,” categorized as a Conditional Use in the Primary Use Table, a Conditional Use permit and review are required for Planning Commission’s consideration in addition to the site plan.

The following standards shall apply to all conditional uses. Planning Commission shall consider the following standards when making a decision on a conditional use. Staff has provided feedback where applicable.

- ***The proposed conditional use will operate or be designed in a manner that does not diminish the use or functionality of surrounding properties;***

  The proposed expansion should not diminish the function of the surrounding neighborhood.

- ***The proposed conditional use will incorporate provisions for hours of operation, parking and loading areas, driveways, lighting, signs, landscaping, buffering, and other site improvements;***

The proposed expansion incorporates additional parking and other site improvements to accommodate the new building. This staff report outlines areas that require revision to meet minimum code standards.

- ***The proposed conditional use must have adequate public services (e.g., streets, off-street parking, pedestrian facilities, water, sewer, gas, electricity, and police and fire protection) available without the reduction of services to any existing uses;***
  As part of the expansion, the site is required to meet minimum parking requirements. The applicant has shown the appropriate number of parking stalls. Additionally, the applicant will be extending the 5 FT sidewalk along the north side of Easton Manor Drive.

- ***If, in the opinion of Planning Commission or City Council, the conditional use becomes a nuisance, the Conditional Use Permit may be recalled for further review, which could lead to the need for additional conditions, restrictions, or the revocation of the permit;***

- ***The proposed conditional use will incorporate design features to sufficiently protect adjacent uses that may include but are not limited to service areas, pedestrian and vehicular circulation, safety provisions, access ways to and from the site, lighting, screening and buffering, fencing, and building placement; and***

  As found in staff comments below, the proposed lighting plan does not meet minimum illumination standards. While it may be appropriate to increase the lighting on the east side of the developed part of the site, having less (but safe) amounts of lighting in the parking area may be appropriate in addition to maintaining the vegetated open space between the church and the homes in the Easton Manor subdivision.

- ***The proposed use is compatible with adjacent existing uses. Compatibility shall be expressed in terms of appearance, architectural scale, use and intensity, and features, site design and scope, landscaping, as well as the control of adverse environmental impacts, including noise and lighting, or other undesirable conditions.***

  This church has existed at this location for many years. The building footprint is expanding toward the street, so its presence will be more pronounced than before. The church will continue its operations, including childcare, which is generally compatible with the adjacent residential uses.

C. Staff Comments

- **Landscaping**
  - Street trees shall be required every 40 feet on center along all private and public streets for all new sites, development, and expansions of sites.
    - The length along Easton Manor Drive is approximately 644 FT, requiring 16 trees. 7 existing trees along this street may count towards this total, leaving an additional 9 street trees required.
  - Parking islands are required throughout the site and have not been provided in several areas.
    - Parking islands have not been added to the existing parking area. The applicant has added parking islands in the expansion area of the site.
- **Sidewalk**
  - The applicant has adjusted the sidewalk back to move around the existing trees along Easton Manor Drive.
  - This adjustment necessitated the removal of four parking spaces to maintain an appropriate buffer between the sidewalk and parking area. The removal of the four spaces does not impact the overall parking minimums and maximums.

- **Photometric**
  - 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.
    - Areas around the site, along the north perimeter as well as the far east and southeast side of the property, are underlit.
    - Staff suggests the applicant make adjustments to address the rear access drive and the easternmost row of parking.

D. Department Comments

- **Fire Department:** Fire reserves the right for further review with formal building permit submittal.
- **Police Department:** No comment.
- **Engineering/Public Works Department:** Engineering review ongoing.

E. Staff Recommendation

- Staff recommends approval of the Conditional Use and Site Plan applications with the following conditions:
  - Clarification on the direction regarding minimum lighting requirements.
  - The landscape plan be revised to address staff report comments.
  - All landscaping must meet all minimum species and size requirements and be detailed appropriately on the plan.
  - All ground-mounted and rooftop equipment must be appropriately screened as approved by Staff.
  - All Engineering review comments be addressed.

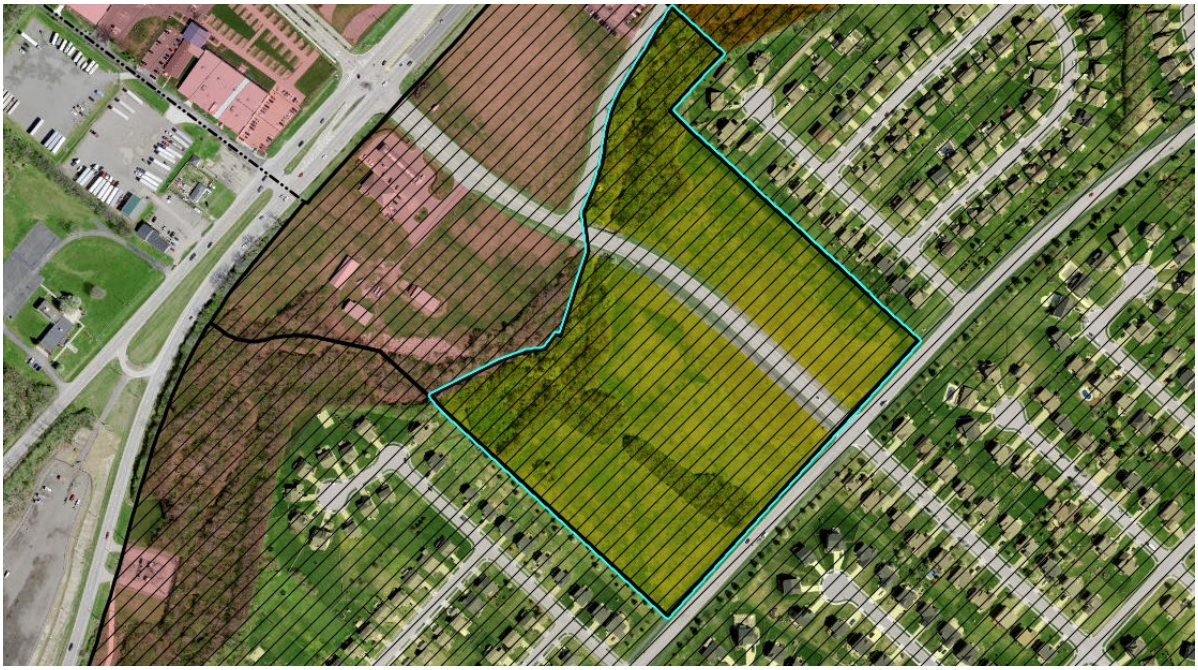
- The applicant will be responsible for maintenance (mowing, etc.) of the right-of-way adjacent to the developed site once improvements are complete.
- Digital files of final plans compatible with City GIS be submitted.
- All other Staff comments be met.

II. Case No. 2024-11-8—Consideration of a PUD Amendment to the Hyde Park at the Crossings Planned Unit Development

A. Background

- NVR, Inc. has submitted an application for PUD Amendment regarding the Hyde Park at the Crossings Planned Unit Development.
- Hyde Park at the Crossings, now presented as Townes at Monroe Crossings, is a proposed residential development located at Crossings Boulevard and Roden Park Drive.
- The site contains two parcels, approximately 21 acres total, currently zoned GR General Residential PUD.
- The applicant seeks to revise the previously approved PUD Plan and PUD agreement, which was passed by Council in January 2023. Broadly speaking, the applicant proposes the following:
    - 84 single-family attached units ranging from 2-unit structures to 4-unit structures.
    - All housing would be developed on the south side of Roden Park Drive with the north side utilized as recreational open space to include a dog park (4 FT tall black chain link fence surround), gazebo structure, fire pit, and open lawn space.
    - 10 FT shared use path to extend the full length of Roden Park Drive.

Overhead View of Property



Zoning Map of Proposed Site and Surrounding Properties

B. Staff Comments

- Because the proposed plan contains significant differences from that of the approved Hyde Park at the Crossings plan, the applicant must restart the application process, requiring a recommendation from Planning Commission and approval from City Council. The primary changes proposed by the applicant are summarized below:

- Site Plan:
  - Increase of total units from 83 to 84.

    This change only slightly increases the development density from 3.97 to 4.017 acres.

  - Minimum lot width reduction from 30 FT to 24 FT.

  - Removal of housing and infrastructure on the north side of Roden Park Drive.

    The previously approved plan included 22 units, associated City street improvements, and amenity space on this side of the property.

- Open Space:
  - Amenity space moved to the north side of Roden Park Drive, including the addition of a dog park.

    The previously approved plan included three smaller amenity spaces, including two with pavilions, walkways, and benches.

Staff has previously suggested upgrading the fence material type for the dog park to a decorative black aluminum instead of chain link. The applicant has offered a KY board fence as an alternate.

- Extend shared use path from a stopping point on Roden Park Drive to the intersection at Cold Water Drive.

  The previous agreement required a shared use path that extended short of the creek along Roden Park Drive. The specific design of the path, particularly regarding the method of crossing Cold Water Creek, will be part of the subdivision and construction drawing review process.

- Architectural:
  - Addition of fiber cement siding to the permitted exterior building materials. The renderings submitted show stone along the base of the front façade of the first floor and full fiber cement siding on the front, side, and rear of the first and second floors.

    As written in the approved agreement, only brick, stone, cultured stone, and stucco are allowed as primary materials.

    Staff does not oppose the incorporation of fiber cement siding but recommends the inclusion of some stone to the side and rear elevations.

  - Elimination of bay windows as a design element option.

    As written in the approved agreement, bay windows are listed as one of several design feature options required on the front façade and front and side facades for homes near street corners.

    Staff does not necessarily oppose the elimination of the option, though it leaves the applicant with fewer elements to choose from.

C. Department Comments

- **Fire Department:** Concern regarding the proposed fire pit. Fire reserves the right to comment during future plan reviews.
  - The applicant has indicated the wood burning fire pit is intended to be used similarly to a charcoal grill or a campsite fire and will not have a gas line. A water spicket will be provided for access to water and the pit would be surrounded by pavement or gravel. The applicant has indicated they are willing to install a grate with a lock.
- **Police Department:** No comment.
- **Engineering/Public Works Department:** Engineering review is ongoing and will continue through future review processes.

D. Public Comment

- As of 11/15/24, no comment has been received regarding this application.

E. Staff Recommendation

- Staff recommends Planning Commission give a favorable recommendation to City Council to approve the requested PUD amendment with the following conditions:
    - Discussion and decision regarding the proposed dog park fencing material.
    - Discussion and decision regarding the proposed elevations regarding exterior material types and design elements.

III. Case No. 2024-11-9—Consideration of Amendments to Various Sections of the Planning and Zoning Code

A. Background

- The Development Department has submitted a list of amendments to various sections of the Planning and Zoning Code.
- The City adopted a new Planning and Zoning Code in April this year at the end of a comprehensive update process.
- As staff has implemented the code, we have been keeping track of minor errors, inconsistencies, and other minor changes to be refined in a future update.
- It is the intent that minor updates such as these will be performed annually to address needed changes.

B. Staff Comments

- Planning Commission considers the relevant review criteria found in Table 1207.07-1 and 1207.22 of the Planning and Zoning Code:

    - **The request complies with the applicable standards of the Monroe Code of Ordinances, and any applicable county, state, or federal requirements.**
      The request and process comply with the applicable standards listed above.

    - **The development review body has considered the recommendation of the City staff.**
      Planning Commission will utilize the recommendation outlined in this report in their recommendation.

    - **The request is consistent with applicable policies of the Comprehensive Plan, utility plans, and capital improvement plans or if it addresses a topic that is not contained or not fully developed in the Comprehensive Plan, the request does not impair the implementation of the Comprehensive Plan.**
      The amendments are minor in nature and do not conflict with the previously approved code, which was established to implement the Comprehensive Plan.

    - **The request promotes the purposes of this PZC as established in 1201.02, Purposes, and in other applicable purpose statements in this PZC.**
      The request promotes the purpose of the Planning and Zoning Code. In particular, this submission of code amendments addresses 1201.02(F) *Clear Regulations and Processes* to ensure our code continues to be consistent and straightforward for the end user.

- **Changing Condition. The amendment is necessary to address a changing condition that was not anticipated in the Comprehensive Plan or this PZC; and**
  The nature of these drafted amendments are minor corrections and not intended to address any changed conditions.

- **Impact Mitigation. The proposal helps to mitigate adverse impacts of the use and development of land on the natural or built environments, including, but not limited to, mobility, air quality, water quality, noise levels, stormwater management, and vegetation, or will be neutral with respect to these issues;**
  The nature of these drafted amendments are minor corrections and will be neutral with respect to these issues.

- **Community Need. Whether the proposed amendment addresses a demonstrated community need;**
  The nature of these drafted amendments are minor corrections.

- **Strategic Objectives. The proposal advances the strategic objectives of the City Council, such as fiscal responsibility, efficient use of infrastructure and public services, and other articulated City objectives.**
  These amendments are intended to make the code more efficient for staff and the public.

- **No Single Factor and Case Determination. No single factor listed above may control and not all factors may be applicable in each case. Each case shall be determined on its own facts.**

C. Department Comments

- No department comment submitted.

D. Staff Recommendation

Staff recommends that Planning Commission forward a recommendation to City Council that they amend the Planning and Zoning Code with the proposed amendments as included in this report.

CONSTRUCTION PLANS
FIRST CHURCH OF GOD MONROE
100 EASTON MANOR
SITUATED IN M.S. NO.2264
CITY OF MONROE
BUTLER COUNTY, OHIO

GENERAL SANITARY NOTES:

Sanitary laterals shall be extended to at least ten (10) feet beyond the property / right-of-way line or to the edge of the easement whichever is greater.

Sanitary sewer materials and installation shall be per Butler County Water and Sewer specifications, using: Section 3110 for PVC, SDR-35 & 26 pipe; Section 3140 for ABS or PVC composite pipe; Section 3410 for manholes.

Roof drains, foundation drains and other clean water connections to the sanitary sewer system are prohibited.

All buildings to be served by the public sewer system shall be constructed so as to provide a minimum of four feet of vertical separation between the public sanitary sewer, at the point of connection and the lowest building level served by gravity sewer connection. In addition, said building level shall be at least one (1) foot above the lowest point of free-overflow (non-sealed manhole cover) upstream of any treatment facility or wastewater pumping facility that receives the discharge from said building. Said minimum service levels shall be recorded on the "Record Drawing" plans for the development, which will be kept on file in the office of the Butler County Water & Sewer Department.

Butler County Water & Sewer Department does not accept any responsibility for the relocation, repair or replacement of any other utility installed within five (5) feet of the center line of any sanitary sewer main or water main.

Private driveways, parking lots and other paved areas, earthen berms or structures should not be constructed over private water or sewer service lines within the public road right of way or within the easement areas for the public utilities. Should this occur, the property owner shall be held responsible for the protection and repair and for providing access to any curb stops, meter pits, manholes, clean-outs, etc. installed in conjunction with these private service lines and for any damage or restoration of the paved surfaces or structures that may result from the future operation, maintenance, repair or replacement of said service lines and appurtenances.

Sanitary sewer laterals, which shall include all pipe and appurtenances from the building to the public sewer main, and the connection to the public sewer main shall be considered private and the responsibility of the property owner to maintain. The connection to the sewer main would be any piping that extends out from the main barrel to the sewer main.

GENERAL NOTES:

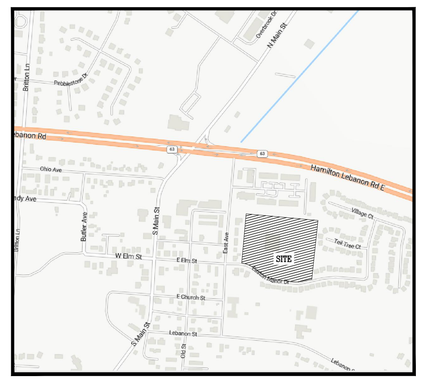
1. REQUIRED NUMBER OF PARKING SPACES FOR 1000 SEATS= 167.
   TOTAL PROVIDED = 149.
2. ALL CONSTRUCTION TO BE TO LATEST CITY OF MONROE STANDARDS AND SPECIFICATIONS.
3. ALL UTILITIES ARE TO BE INSTALLED UNDERGROUND.
4. ALL DIMESIONS ARE TO FACE OF CURB/EDGE OF PAVEMENT.
5. ADDRESS TO BE 12" HIGH NUMBERS, CONTRASTING WITH BUILDING IN COLOR, AND POSTED ON THE UPPER LEFT CORNER OF THE BUILDING FACING EASTON MANOR DRIVE.
6. CONSTRUCTION NOISE SHALL BE KEPT TO A MINIMUM AND OCCUR ONLY DURING DAYLIGHT HOURS.
7. ALL NEW UTILITIES (CABLE, ELECTRIC, GAS, TELE) TO BE UNDERGROUND
8. ALL WATER AND SEWER TRENCHES SHALL BE VISUALLY INSPECTED BY THE CITY OF MONROE PRIOR TO BACKFILL.
9. ROOF DRAINS, FOUNDATION DRAINS, SUMP PUMPS, AND OTHER CLEAN WATER CONNECTIONS TO THE SANITARY SANITARY SEWER ARE STRICTLY PROHIBITED.
10. ALL WORK SHOWN ON PLANS TO BE DONE BY OWNER UNLESS OTHERWISE INDICATED.
11. ALL WORK SHOWN ON PLANS SHALL BE DONE IN ACCORDANCE WITH THE CITY OF MONROE & BUTLER COUNTY STANDARDS, REGULATIONS, AND SPECIFICATIONS.
12. ALL STORM SEWER SHALL COMPLY WITH CITY OF MONROE STANDARD DRAWING 600-13

SITE INFORMATION:

SITE AREA = 7.3080 AC.
ZONING: NC
SURROUNDING ZONING:
UR & DT (NORTH)
GR (WEST)
NC (SOUTH, EAST)
PROP BLDG AREA = 11,700 S.F.
PROJECT SCHEDULE: BEGIN NOV 2024
END JUNE 2024

SITE DATA

1. SITE AREA = 7.3080 AC.
2. TOTAL DISTURBED AREA = 1.64 AC.
3. TOTAL IMPERVIOUS AREA = 2.75 AC.
4. TOTAL PERVIOUS AREA = 4.55 AC.
5. TOTAL VEHICULAR USE AREA = 90,000 S.F.



VICINITY MAP
NOT TO SCALE

DEVELOPER

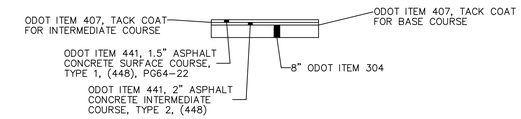
HAGLAGE CONSTRUCTION, INC.
11138 READING ROAD
SHARONVILLE, OHIO 45241
PH:513/769-3400
FAX:513/769-3401
www.haglageconstruction.com

ENGINEER/SURVEYOR

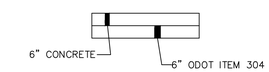
APEX ENGINEERING & SURVEYING, INC.
1068 N. UNIVERSITY BLVD.
MIDDLETOWN, OHIO 45042
PH: (513)424-5202
FAX:(513)424-620

LOT INFORMATION:

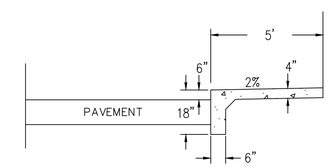
FIRST CHURCH OF GOD MONROE, INC.
100 EASTON MANOR DR.
7.308 ACS.
PIN:C1800008000038



STANDARD PAVEMENT COMPOSITION



OPTIONAL CONCRETE PAVEMENT



COMB CURB/WALK DETAIL

SHEET INDEX

TITLE SHEET — 1
EXISTING CONDITIONS AND DEMOLITION PLAN — 2
PROPOSED SITE DIMENSION PLAN — 3
PROPOSED GRADING PLAN — 4
STORM SEWER PROFILES, BCWS DETAILS — 5
EROSION CONTROL DETAILS — 6
SWP3 DETAILS — 7

CITY OF MONROE STD. CONSTRUCTION DRAWINGS

300-7	500-1	600-2
300-9	500-4	600-7
300-10	500-5	600-8
		600-9
		600-10
		600-11
		600-12
		600-13
		600-14

APPROVED BY:

CITY OF MONROE, ENGINEER — DATE

CITY OF MONROE, MANAGER — DATE

STATE OF OHIO
JUSTIN LEE SCHULZ
8653
REGISTERED
PROFESSIONAL SURVEYOR

STATE OF OHIO
JOSHUA J. ULLES
67596
REGISTERED
PROFESSIONAL ENGINEER

UTILITIES AGENTS

CITY OF MONROE - PUBLIC WORKS
1000 HOLMAN AVENUE
MONROE, OH 45050
513-823-1274

CITY OF MONROE - GOVERNMENT CENTER
2335 S. MAIN STREET
MONROE, OH 45050
513-539-7374

SANITARY SEWER - BUTLER COUNTY
130 HIGH STREET – 5TH FLOOR
HAMILTON, OH 45011
513-785-5168

DUKE ENERGY - POWER SERVICE
2010 DANA AVENUE – RM EF 324
CINCINNATI, OH 45207
513-458-3847

DUKE ENERGY - GAS SERVICE
139 E. FOURTH STREET – RM 460A
CINCINNATI, OH 45202
513-287-2517

SPECTRUM CABLE - CABLE SERVICE
1252 CORNEL PIKE DRIVE
CINCINNATI, OH 45242
513-386-5483

AT&T - PHONE SERVICE
7201 FAR HILLS AVENUE
DAYTON, OH 45459
937-296-3588

OHIO UTILITIES PROTECTION SERVICE
3 WORKING DAYS BEFORE YOU DIG
TOLL FREE 1-800-362-2764 OR 811

SEEDING

A. ALL AREAS DESIGNATED FOR SEEDING MUST HAVE A MINIMUM OF 4" OF TOPSOIL OVER THE ENTIRE AREAS. THE AREA MUST BE RAKED, ROLLED, AND DRESSED READY FOR SEEDING. NO STONE OVER 1" IN SIZE PERMITTED.

DRAINS

A. ALL FIELD OR STORM DRAINS WHICH ARE ENCOUNTERED DURING CONSTRUCTION MUST BE REPAIRED AND PROVIDED WITH UNOBSTRUCTED OUTLETS AS APPROVED AND DIRECTED BY THE CITY AND MARKED ON THE RECORD DRAWINGS.

CONNECTIONS TO EXISTING PIPE

A. WHERE THE PLANS PROVIDE FOR PROPOSED CONDUIT TO BE CONNECTED TO, OR TO CROSS EITHER OVER OR UNDER AN EXISTING SEWER, IT MUST BE THE RESPONSIBILITY OF THE CONTRACTOR TO LOCATE THE EXISTING PIPE BOTH AS TO LINE AND GRADE BEFORE STARTING TO LAY THE PROPOSED CONDUIT.

UTILITY SEPARATION

A. ANY UNDERGROUND UTILITIES SUCH AS GAS, ELECTRIC, CABLE TV, TELEPHONE, ETC., MUST HAVE 10' HORIZONTAL SEPARATION FROM ANY CITY UTILITY UNLESS OTHERWISE APPROVED.

UTILITIES

A. THE MAXIMUM LENGTH OF ANY UTILITY TRENCH TO BE OPEN DURING WORKING HOURS MUST BE 250' UNLESS OTHERWISE APPROVED. ALL OVERNIGHT TRENCHES MUST BE CLOSED/BARRICADED AS DIRECTED BY THE CITY.

COMPACTION METHODS

A. FLOODING WILL NOT BE PERMITTED.

B. MECHANICAL DEVICES, HAND DEVICES, VIBRATING PLATES OR OTHER EQUIPMENT APPROVED BY THE CITY IS ACCEPTABLE 1' ABOVE PIPE IN UNIFORM LIFTS OF 12" (LOOSE DEPTH) OF EXISTING NATIVE MATERIAL AND 6" OF GRANULAR BACKFILL. THE HEIGHT OF LIFTS WILL DEPEND UPON THE TYPE OF MECHANICAL EQUIPMENT BEING USED. THE HEIGHT WILL BE 6" FOR HAND OPERATED TOOLS AND UP TO 12" ON EQUIPMENT MOUNTED TOOLS. THE COMPACTION EQUIPMENT MUST BE CAPABLE OF COMPACTING THE MATERIAL UNDER THE HAUNCH OF THE PIPE.

C. DENSITY FOR THE ABOVE METHODS MUST BE NO LESS THAN THAT OF THE SURROUNDING GROUND UNLESS OTHERWISE SPECIFIED.

CLEAN UP

A. THE CONTRACTOR MUST REMOVE SURPLUS EXCAVATED MATERIALS AND CONSTRUCTION MATERIALS AS WORK PROGRESSES. CONTRACTOR MUST MAINTAIN THE STREET IN A CLEAN, SUITABLE, AND SAFE CONDITION.

TYPICAL NOTES - ALL SUBDIVISION CONSTRUCTION DRAWINGS

A. ALL CONSTRUCTION METHODS AND MATERIALS MUST COMPLY WITH THE CITY ENGINEERING STANDARDS OR ODOT WHICHEVER IS MORE RESTRICTIVE.

B. ALL COMPACTION MUST MEET THE CITY REQUIREMENTS. IF TESTING OF COMPACTED AREAS IS REQUESTED BY THE CITY, SAID TESTING MUST BE PERFORMED AT THE EXPENSE OF THE DEVELOPER.

C. THE CITY WILL LOCATE AREAS IN NEED OF UNDERCUTTING.

D. ALL EMBANKMENT AREAS MUST BE COMPACTED TO A MINIMUM OF 95% OF ASTM D698 STANDARD PROCTOR CURVE AND TESTED TO REPRESENT A DEPTH OF 12" UNLESS OTHERWISE SPECIFIED BY THE CITY.

E. ALL UNPAVED AREAS WITHIN THE RIGHT-OF-WAY MUST BE STABILIZED BY AN APPROVED METHOD AFTER THE CURB IS BACKFILLED IN A TIMELINE DETERMINED BY THE CITY ENGINEER BASED UPON THE SITE CONDITIONS AND WORK BEING DONE.

F. STORM WATER POLLUTION PREVENTION SHOULD BE A HIGH PRIORITY ON ALL CONSTRUCTION PROJECTS. ON ALL PROJECTS WHICH DISTURB AT LEAST 1 ACRE OF SOIL, A NPDES PERMIT IS REQUIRED FROM OEPA AND A COPY OF THE PERMIT MUST BE ON FILE AT THE CITY OFFICE BEFORE CONSTRUCTION BEGINS.

LOW STRENGTH MORTAR BACKFILL

A. IN SITUATIONS WHERE UTILITIES CROSS EXISTING STREETS OR WHERE IT MAY BE DIFFICULT TO GET ADEQUATE COMPACTION OF GRANULAR MATERIAL, LOW STRENGTH MORTAR BACKFILL MAY BE REQUIRED PER ODOT ITEM 613 TYPE 1 ONLY. THE CITY MAY REQUIRE THIS TYPE OF BACKFILL AT THEIR DISCRETION WITH THE COST BEING BORNE BY THE CONTRACTOR.

CITY OF MONROE
ChoiceOne Engineering

GENERAL NOTES

REVISIONS:
DATE APPROVED: 01/30/2020
PAGE No. 500-1

2 WORKING DAYS
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OHIO811.org
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OHIO UTILITIES PROTECTION SERVICE

SCALE: N/A
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DESIGNED: JLL
CHECKED:

APEX ENGINEERING & SURVEYING, INC.
1068 N. UNIVERSITY BLVD MIDDLETOWN, OHIO 45042
PH.-(513) 424-5202 OR (513) 932-8891 FAX - (513) 424-6202

REVISIONS:
1.
2.
3.
4.

PROJECT: 240960
DRAWING: 240960BC
SHEET 1 OF 7

EXISTING CONDITIONS AND DEMOLITION PLAN
FIRST CHURCH OF GOD MONROE
CITY OF MONROE
BUTLER COUNTY, OHIO

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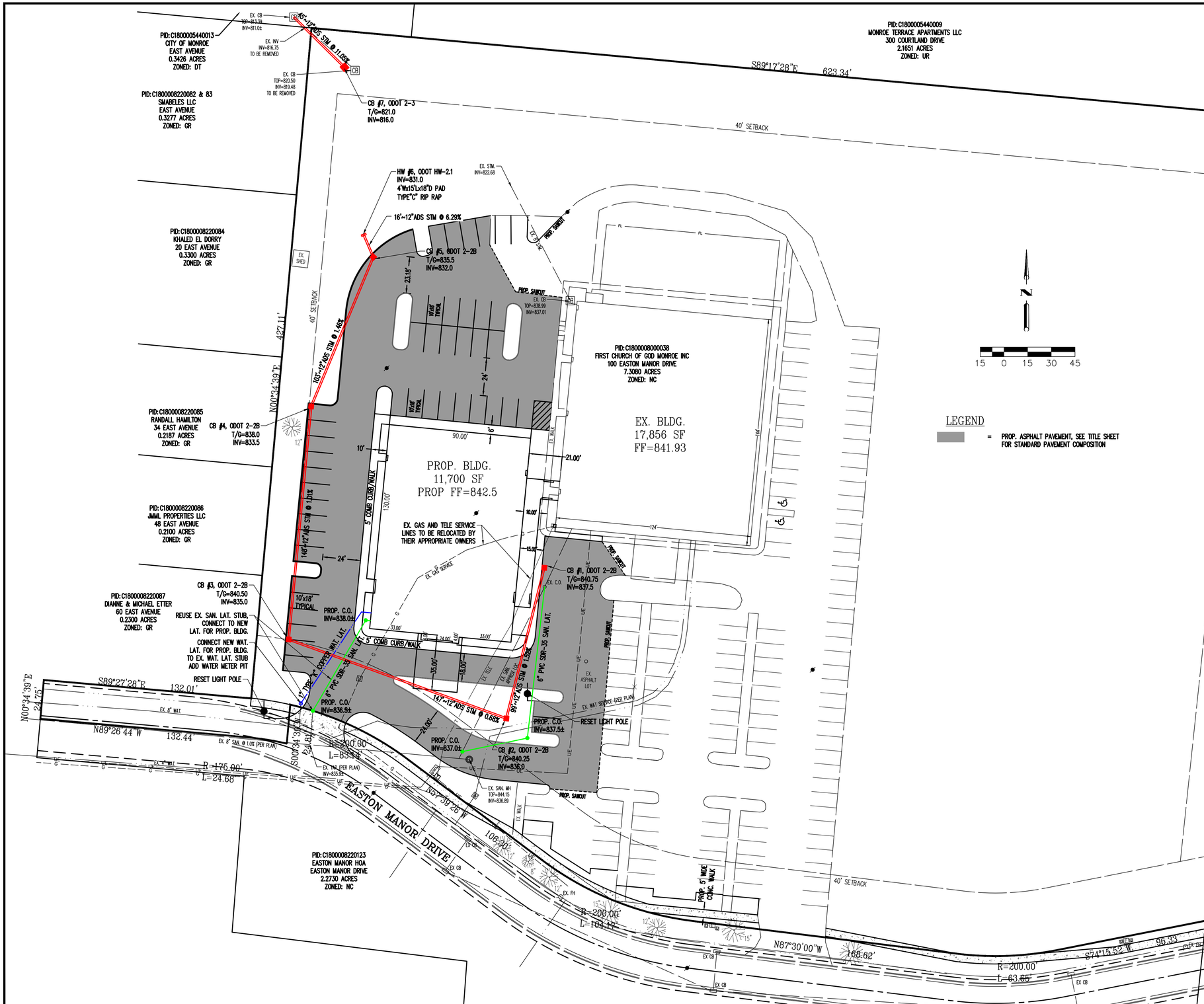
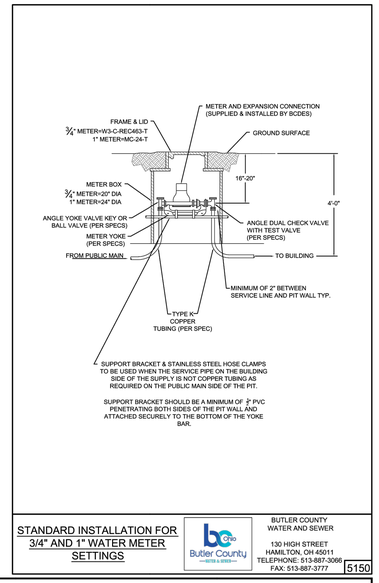
3.
4.

PROJECT: 240960
DRAWING: 240960BC

SHEET 2 OF 7

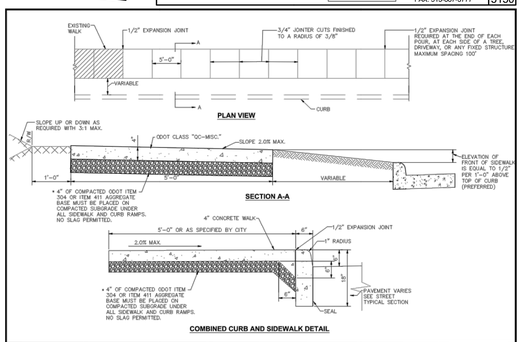




STANDARD INSTALLATION FOR 3/4" AND 1" WATER METER SETTINGS

BUTLER COUNTY WATER AND SEWER
130 HIGH STREET
HAMILTON, OH 45011
TELEPHONE: 513-887-3066
FAX: 513-887-3777

5150



CITY OF MONROE

CONCRETE SIDEWALK DETAIL

REVISIONS: 08/23/2023
DATE APPROVED: 09/07/2023
PAGE NO. 300-12

SITE PLAN
FIRST CHURCH OF GOD MONROE
CITY OF MONROE
BUTLER COUNTY, OHIO

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CALL TOLL FREE 800-362-2764
OHIO UTILITIES PROTECTION SERVICE

SCALE: 1"=30'
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DESIGNED: JLL
CHECKED:

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1068 N. UNIVERSITY BLVD MIDDLETOWN, OHIO 45042
PH.-(513) 424-5202 OR (513) 932-8991 FAX - (513) 424-6202

REVISIONS:
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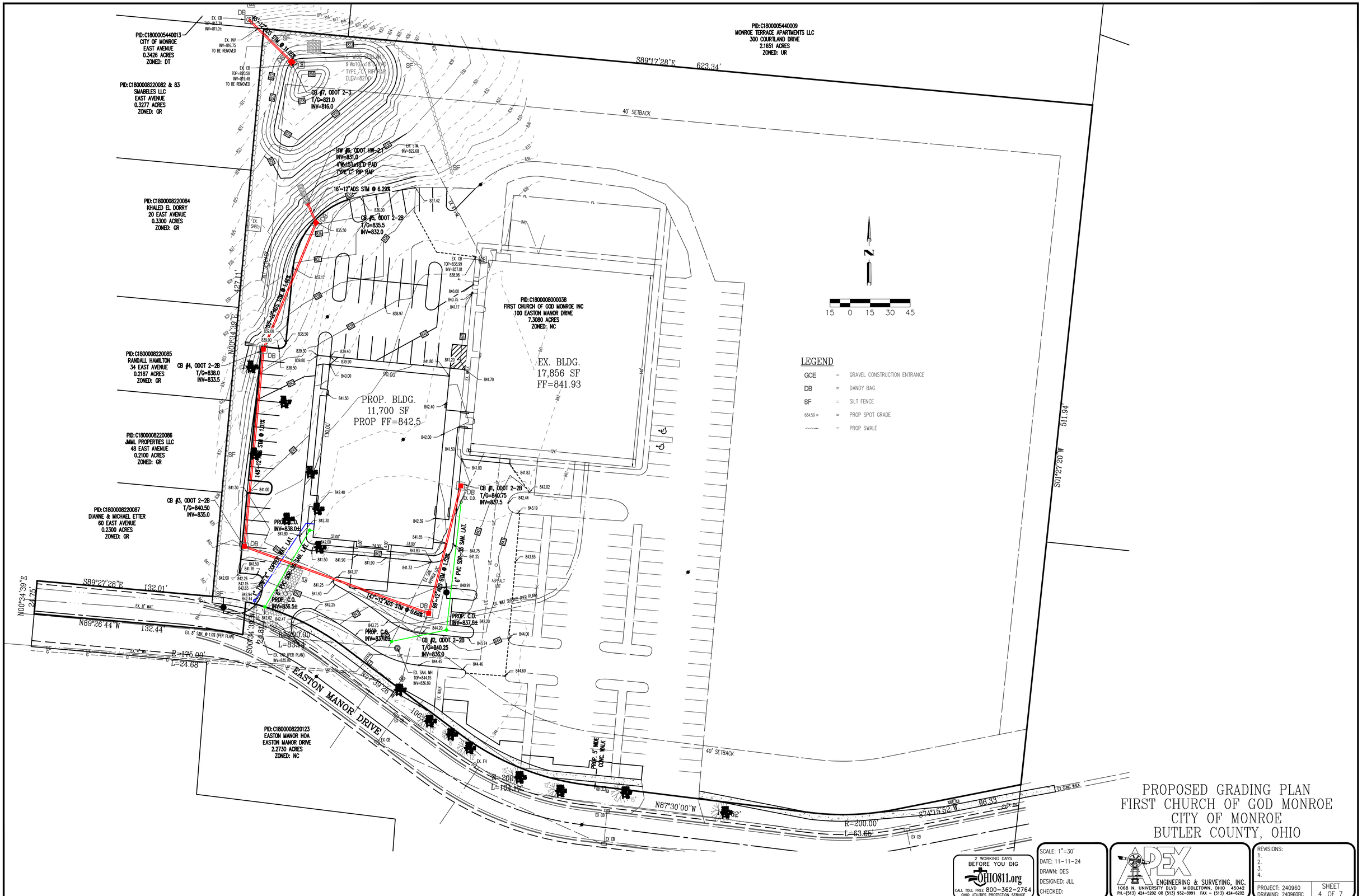
PROJECT: 240960
DRAWING: 240960BC

SHEET 3 OF 7



LEGEND

GCE	=	GRAVEL CONSTRUCTION ENTRANCE
DB	=	DANDY BAG
SF	=	SILT FENCE
684.59 ×	=	PROP SPOT GRADE
~~	=	PROP SWALE

PROPOSED GRADING PLAN
FIRST CHURCH OF GOD MONROE
CITY OF MONROE
BUTLER COUNTY, OHIO

2 WORKING DAYS
BEFORE YOU DIG
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SCALE: 1"=30'
DATE: 11-11-24
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DESIGNED: JLL
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REVISIONS:
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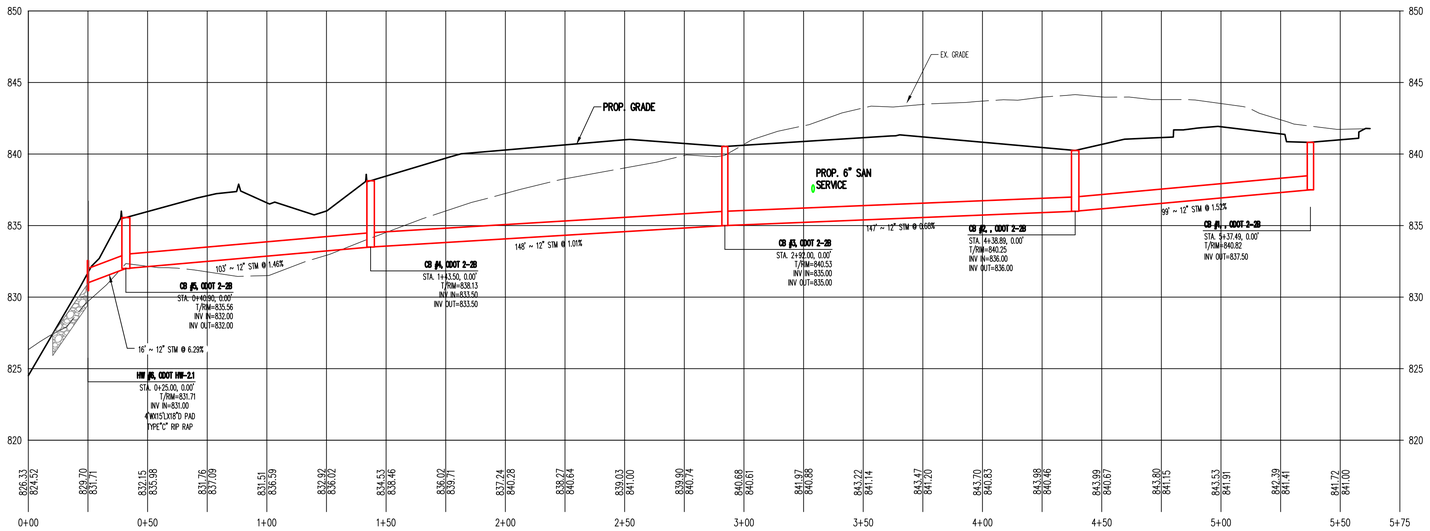
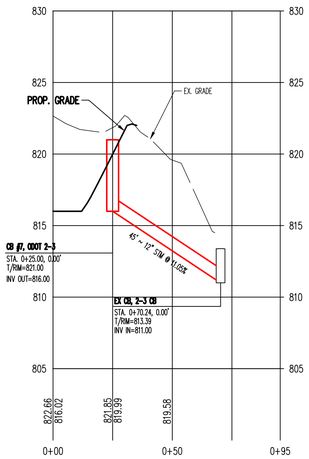
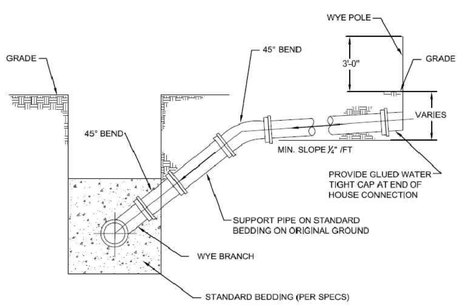
PROJECT: 240960
DRAWING: 240960BC

SHEET 4 OF 7



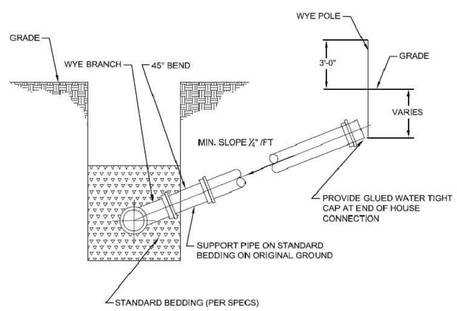




HOUSE CONNECTION FOR DEEP SEWER

BUTLER COUNTY WATER AND SEWER\
130 HIGH STREET
HAMILTON, OH 45011
TELEPHONE: 513-887-3066
FAX: 513-887-3777

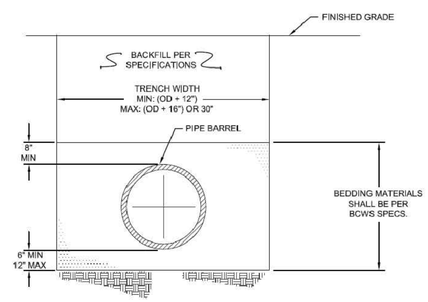
6280



HOUSE CONNECTION FOR SHALLOW SEWER

BUTLER COUNTY WATER AND SEWER
130 HIGH STREET
HAMILTON, OH 45011
TELEPHONE: 513-887-3066
FAX: 513-887-3777

6290



TYPICAL TRENCH DETAIL SEWER INSTALLATION

BUTLER COUNTY WATER AND SEWER
130 HIGH STREET
HAMILTON, OH 45011
TELEPHONE: 513-887-3066
FAX: 513-887-3777

6270

STORM SEWER PROFILES
BCWS DETAILS
FIRST CHURCH OF GOD MONROE
CITY OF MONROE
BUTLER COUNTY, OHIO

2 WORKING DAYS
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SCALE: 1"=30' H, 1"=5' V
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DESIGNED: JLL
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1068 N. UNIVERSITY BLVD MIDDLETOWN, OHIO 45042
PH.-(513) 424-5202 OR (513) 932-8991 FAX - (513) 424-6202

REVISIONS:
1.
2.
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4.

PROJECT: 240960
DRAWING: 240960BC
SHEET 5 OF 7

PROJECT DATA:

PROJECT DESCRIPTION
CONSTRUCTION OF A 11,700 SF CHURCH WITH RELATED PARKING AND UTILITES

LATITUDE: N 39°26'33"
LONGITUDE: W 84°21'32"
ESTIMATED CONSTRUCTION DATES: NOV 2024–MAY 2025

TOTAL SITE AREA: 7.3080 ACRES

TOTAL DISTURBED AREA	1.64 AC.
EXISTING IMPERVIOUS AREA	2.30 AC.
PROPOSED IMPERVIOUS AREA	0.45 AC.
TOTAL IMPERVIOUS AREA	2.75 AC.
PRE CONSTRUCTION COEFFICIENT	0.40
POST CONSTRUCTION COEFFICIENT	0.72

IMMEDIATE RECEIVING WATER/MS4: MONROE STORM SEWER
ULTIMATE RECEIVING WATER: MILLERS CREEK TO DICKS RUN TO THE GREAT MIAMI RIVER
EXISTING LAND USE: EXISTING CHURCH
SOILS: WyUB–Wynn–Urban land complex

CONSTRUCTION SEQUENCE:

TO COMPLETE THE EXCAVATION AND CONSTRUCTION OF THE PROPOSED JOB IMPROVEMENTS, COORDINATION OF THE CONTRACTOR'S WORK CREWS WILL BE REQUIRED. THE EXISTING DITCHES WILL PERFORM TEMPORARY SEDIMENT CONTROL AND STORAGE DURING THE PROPOSED CONSTRUCTION. WORK WILL GENERALLY PROCEED FROM DOWNSTREAM TO UPSTREAM IN THESE WORK AREAS. THE GENERAL CONSTRUCTION SEQUENCE IS AS FOLLOWS:

A) INSTALL EROSION CONTROL ITEMS.
B) STRIP TOPSOIL AND ANY UNSUITABLE MATERIAL THROUGH THE INCREMENTAL WORK AREA.
C) INSTALL TEMPORARY DITCH CHECKS IN DOWNSTREAM END OF EXISTING DITCH WITHIN 24 HOURS FOLLOWING THE STRIPPING OPERATION.
D) IF U/G PIPE IS CALLED FOR IN THIS PORTION OF WORK AREA, PIPE CREW WILL INSTALL PIPE AS WELL AS MANHOLES.
E) AS PIPE INSTALLATION PROGRESSES, REPAIR OF THE ROADWAY WILL PROCEED BEHIND IT.
F) ANY DISTURBED OR EXPOSED AREAS SHALL BE STABILIZED PER OEPA TEMPORARY AND PERMANENT STABILIZATION REGULATIONS INCLUDING:

1. SEEDING
2. DITCH MATTING
3. INLET PROTECTION
4. MULCHING
5. WATERING

EMERGENCY ACTION & SPILL PREVENTION PLAN

THE SCOPE OF WORK COVERED BY THIS PLAN INCLUDES EMERGENCY RESPONSE TO SPILLS, CONTAINMENT OF SPILLED LIQUIDS, EMERGENCY NOTIFICATION NUMBERS, AND SOIL EXCAVATION FOR SPILL CLEAN–UP.

IN THE EVENT OF A SPILL EVENT THE EMPLOYEE SHALL ASSESS THE SPILL AND IMMEDIATELY NOTIFY THE SAFETY OFFICER AND SUPERVISOR IN CHARGE, OR OTHER INDIVIDUALS AS LISTED BELOW.

TITLE NAME PHONE NUMBER

SITE SUPERINTENDENT _____

PROJECT ENGINEER _____

IMMEDIATELY AFTER NOTIFICATION, THE EMPLOYEE WILL BE DIRECTED BY THE SAFETY OFFICER, OR RESPONSIBLE PARTY TO START CONTAINMENT PROCEDURES TO PREVENT THE MATERIAL FROM REACHING THE STORM SEWERS, DRAINAGE DITCH, AND OTHER OUTLETS USING THE FOLLOWING ACTIONS OR ANY OTHER MEANS NECESSARY WITHOUT COMPROMISING WORKER SAFETY:

1) CLEAR PERSONNEL FROM THE SPILL AREA AND ROPE OFF AREA.
2) STOP THE SPILL.
3) USE SORBENT MATERIALS, PLUG PUTTY, OR HOLE PUTTY AS NECESSARY TO CONTROL THE SPILL AT THE SOURCE.
4) CONSTRUCT A TEMPORARY CONTAINMENT DIKE OF SORBENT MATERIALS OR DIRT TO CONTAIN SPILL.

SPILL KITS WILL BE LOCATED ON THE PROJECT AS DESIGNATED ON THE SWPPP PLAN.

UPON COMPLETION OF CONTAINMENT OPERATIONS, PROPER CLEAN–UP PROCEDURES WILL BE IMPLEMENTED IN ACCORDANCE WITH REGULATORY PROCEDURES.

ADDITIONAL EMERGENCY CONTACT NUMBERS: 24 HOUR PHONE NO.:
OHIO EPA 614–728–3898

GENERAL NOTES

THE CONTRACTOR IS HEREBY ADVISED THAT STRICTER POLLUTION CONTROL STANDARDS AND ENFORCEMENT HAVE BEEN IMPOSED BY THE OHIO EPA SINCE MARCH 10, 2003 AND WITH A REVISION IN APRIL 2018. ALSO, MANY PRIVATE CITIZEN ENVIRONMENTAL GROUPS, WHO HAVE BEEN KNOWN TO FILE CIVIL LEGAL ACTIONS, ARE PRESENT IN THE AREA AND OBSERVE ALL CONSTRUCTION OPERATIONS.

THE CONTRACTOR SHALL INFORM ALL SUBCONTRACTORS OF THE REQUIREMENTS AND RESPONSIBILITIES OF THE SWPPP AND SHALL DOCUMENT ALL SUCH NOTIFICATIONS AND/OR DISCUSSIONS.

THE CONTRACTOR WILL BE REQUIRED TO PARTICIPATE IN SEDIMENT AND EROSION CONTROL INSPECTIONS ON A WEEKLY BASIS AND SIGN AN APPROVED INSPECTION SHEET THAT SHALL BE KEPT ON FILE AT THE JOB SITE.

UNLESS OTHERWISE NOTED, STANDARDS AND SPECIFICATIONS ESTABLISHED IN THE LATEST EDITION OF THE OEPA "RAINWATER AND LAND DEVELOPMENT" HANDBOOK SHALL GOVERN THE EROSION AND SEDIMENT CONTROL INSTALLATIONS SPECIFIED ON THIS PLAN.

THIS PROJECT WILL INVOLVE SEVERAL CONSTRUCTION PHASES AND SEQUENCING THROUGHOUT ITS LIFETIME. IT IS VERY IMPORTANT THAT ALL TEMPORARY SEDIMENT AND EROSION CONTROL (S&EC) FIELD METHODS ALONG WITH THIS PLAN, ARE UPDATED TO REFLECT THE ACTUAL FIELD CONDITIONS, CURRENT WEATHER CONDITIONS AND SITE GRADE CHANGES. THE ENGINEER OR THE OHIO EPA CAN AND WILL MODIFY THIS PLAN AS NECESSARY.

THE CONTRACTOR WILL VOLUNTARILY SELF REPORT ANY POTENTIAL VIOLATIONS OF THE OEPA NPDES PERMIT TO THE ENGINEER AND THE OEPA

THE CONTRACTOR SHALL REMOVE EXISTING GROUND COVER ONLY AS NECESSARY FOR THE PROJECT PHASE CURRENTLY UNDER CONSTRUCTION.

CONSTRUCTION AND DEMOLITION DEBRIS SHALL BE PROPERLY DISPOSED OF ACCORDING TO OHIO EPA REQUIREMENTS.

THE CONTRACTOR WILL BE REQUIRED TO BUILD SEDIMENT BASINS OR SEDIMENT TRAPS OR USE EQUAL METHODS TO DETAIN AND CLEAN WATER TO ACCEPTABLE EPA STANDARDS BEFORE RELEASING THE WATER BACK INTO THE STREAM.

THERE SHALL BE NO TURBID DISCHARGES TO SURFACE WATERS, RESULTING FROM DEWATERING ACTIVITIES. SEDIMENT–LADEN WATER MUST PASS THROUGH A SETTLING POND, FILTER BAG, OR OTHER COMPARABLE PRACTICE, PRIOR TO DISCHARGE.

NO SOLID OR LIQUID WASTE SHALL BE DISCHARGED INTO STORM WATER RUNOFF.

ALL PROCESS WASTEWATER (EQUIPMENT WASHING, LEACHATE FROM ON–SITE WASTE DISPOSAL, ETC.) SHALL BE COLLECTED AND DISPOSED OF AT A PUBLICLY OWNED TREATMENT WORKS.

ALL CONSTRUCTION ACTIVITIES MUST COMPLY WITH ALL LOCAL EROSION/SEDIMENT CONTROL, WASTE DISPOSAL, SANITARY AND HEALTH REGULATIONS.

OTHER EROSION CONTROL ITEMS MAY BE NECESSARY DUE TO ENVIRONMENTAL CONDITIONS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR INSTALLATION AND IMPLEMENTATION OF ADDITIONAL EROSION CONTROL ITEMS, AT THE ENGINEER'S DISCRETION.

NO SOIL, ROCK, DEBRIS OR OTHER MATERIAL SHALL BE DUMPED OR PLACED IN ANY AREAS NOT ADEQUATELY PROTECTED BY EROSION CONTROL INSTALLATIONS.

IT IS PREFERRED TO USE PERMANENT EROSION CONTROL ITEMS AS SHOWN IN THE PLANS TO CONTROL CONSTRUCTION POLLUTION WHEN POSSIBLE. OTHERWISE, THE TEMPORARY POLLUTION PREVENTION ITEMS ARE TO BE USED.

MOST TEMPORARY S&EC METHODS, INCLUDING BUT NOT LIMITED TO, SILT FENCE AND DITCH CHECKS MAY ALL HAVE TO BE PERIODICALLY REMOVED AND REPLACED, OR MOVED FROM THE EXISTING ROAD DITCH OR STRIPPED AREAS AS WORK PROGRESSES. ANY CHANGES SHALL BE NOTED IN THE PLAN BY RED LINE AND DATED ON A CORRECTIVE ACTION LOG.

ALL TEMPORARY SEDIMENT CONTROLS AND STORM WATER QUALITY METHODS WILL BE BUILT/INSTALLED AS THE PROJECT PROGRESSES TO ELIMINATE UNNECESSARY DISTURBANCE AND REDUNDANCY. ALL TEMPORARY CONTROLS SHALL BE IN PLACE AND FUNCTIONING PROPERLY WHEN THREATENING WEATHER IS IMMINENT.

"TEMPORARY STABILIZATION" MEANS THE ESTABLISHMENT OF TEMPORARY VEGETATION, MULCHING, GEOTEXTILES, SOD, PRESERVATION OF EXISTING VEGETATION AND OTHER TECHNIQUES CAPABLE OF QUICKLY ESTABLISHING COVER OVER DISTURBED AREAS TO PROVIDE EROSION CONTROL BETWEEN CONSTRUCTION OPERATIONS.

"PERMANENT STABILIZATION" MEANS THE ESTABLISHMENT OF PERMANENT VEGETATION, DECORATIVE LANDSCAPE MULCHING, MATTING, SOD, RIP RAP AND LANDSCAPING TECHNIQUES TO PROVIDE PERMANENT EROSION CONTROL ON AREAS WHERE CONSTRUCTION OPERATIONS ARE COMPLETE OR WHERE NO FURTHER DISTURBANCE IS EXPECTED FOR AT LEAST A YEAR.

OFF–SITE TRACKING OF SEDIMENTS SHALL BE MINIMIZED. A STABILIZED CONSTRUCTION ENTRANCE WILL BE PROVIDED TO HELP REDUCE VEHICLE TRACKING OF SEDIMENTS. ALL PAVED STREETS ADJACENT TO THE SITE WILL BE SWEPT DAILY TO REMOVE ANY EXCESS MUD, DIRT OR ROCK TRACKED FROM THE SITE. DUMP TRUCKS HAULING MATERIAL FROM THE CONSTRUCTION SITE WILL BE COVERED WITH A TARP.

STABILIZATION PRACTICES

PERMANENT SEEDING AND MULCHING STABILIZATION SHALL BE PROVIDED PER OEPA GUIDELINES AS SET FORTH IN PART II.B OF OHIO EPA PERMIT NO.: OHC000005. (SEE TABLE 1)

TABLE 1: PERMANENT STABILIZATION

AREA REQUIRING PERMANENT STABILIZATION	AREA REQUIRING PERMANENT STABILIZATION
ANY AREAS THAT WILL LIE DORMANT FOR ONE YEAR OR MORE	WITHIN SEVEN DAYS OF THE MOST RECENT DISTURBANCE
ANY AREAS WITHIN 50 FEET OF A SURFACE WATER OF THE STATE AND AT FINAL GRADE	WITHIN TWO DAYS OF REACHING FINAL GRADE
ANY OTHER AREAS AT FINAL GRADE	WITHIN SEVEN DAYS OF REACHING FINAL GRADE WITHIN THAT AREA

TEMPORARY SEEDING AND MULCHING STABILIZATION SHALL BE PROVIDED PER OEPA GUIDELINES AS SET FORTH IN PART II.B OF OHIO EPA PERMIT NO.: OHC000005. (SEE TABLE 2)

TABLE 2: TEMPORARY STABILIZATION

AREA REQUIRING TEMPORARY STABILIZATION	TIME FRAME TO APPLY EROSION CONTROLS
ANY DISTURBED AREAS WITH 50 FEET OF A SURFACE WATER OF THE STATE AND NOT AT FINAL GRADE	WITHIN TWO DAYS OF THE MOST RECENT DISTURBANCE IF THE AREA WILL REMAIN IDLE FOR MORE THAN 14 DAYS
FOR ALL CONSTRUCTION ACTIVITIES, ANY DISTURBED AREAS THAT WILL BE DORMANT FOR MORE THAN 14 DAYS BUT LESS THAN ONE YEAR, AND NOT WITHIN 50 FEET OF A SURFACE WATER OF THE STATE	WITHIN SEVEN DAYS OF THE MOST RECENT DISTURBANCE WITHIN THE AREA FOR RESIDENTIAL SUBDIVISIONS, DISTURBED AREAS MUST BE STABILIZED AT LEAST SEVEN DAYS PRIOR TO TRANSFER OF PERMIT COVERAGE FOR THE INDIVIDUAL LOT(S).
DISTURBED AREAS THAT WILL BE IDLE OVER WINTER	PRIOR TO THE ONSET OF WINTER WEATHER

ALL TEMPORARY EROSION AND SEDIMENT CONTROL INSTALLATIONS SHALL BE REMOVED WHEN 70% VEGETATION HAS BEEN REACHED.

SEEDING & MULCHING

MULCH AND/OR OTHER APPROPRIATE VEGETATIVE PRACTICES SHALL BE APPLIED TO DISTURBED AREAS WITHIN 7 DAYS OF GRADING IF THE AREA IS TO REMAIN DORMANT (UNDISTURBED) FOR MORE THAN 14 DAYS OR ON AREAS AND PORTIONS OF THE SITE WHICH CAN BE BROUGHT TO FINAL GRADE.

MULCH SHALL CONSIST OF UNROTTED SMALL GRAIN STRAW APPLIED AT THE RATE OF 2 TONS/AC. OR 90 LB./1000 SQ. FT. (TWO TO THREE BALES). THE STRAW MULCH SHALL BE SPREAD UNIFORMLY BY HAND OR MECHANICALLY SO THE SOIL SURFACE IS COVERED. FOR UNIFORM DISTRIBUTION OF HAND–SPREAD MULCH, DIVIDE AREA INTO APPROXIMATELY 1000–SQ.–FT. SECTIONS AND PLACE TWO 45–LB. BALES OF STRAW IN EACH SECTION.

MULCH SHALL BE ANCHORED IMMEDIATELY TO MINIMIZE LOSS BY WIND OR RUNOFF. THE FOLLOWING ARE ACCEPTABLE METHODS FOR ANCHORING MULCH:

1) MECHANICAL–USE A DISK, CRIMPER, OR SIMILAR TYPE TOOL SET STRAIGHT TO PUNCH OR ANCHOR THE MULCH MATERIAL INTO THE SOIL. STRAW MECHANICALLY ANCHORED SHALL NOT BE FINELY CHOPPED BUT BE LEFT GENERALLY LONGER THAN 6 IN.
2) MULCH NETTINGS–USE ACCORDING TO THE MANUFACTURER'S RECOMMENDATIONS, FOLLOWING ALL PLACEMENT AND ANCHORING SUGGESTIONS. USE IN AREAS OF WATER CONCENTRATION AND STEEP SLOPES TO HOLD MULCH IN PLACE.
3) SYNTHETIC BINDERS–FOR STRAW MULCH, SYNTHETIC BINDERS SUCH AS ACRYLIC DLR (AGRI–TAC), DCA–70, PETROSET, TERRA TACK OR EQUAL MAY BE USED AT RATES RECOMMENDED BY THE MANUFACTURER. ALL APPLICATIONS OF SYNTHETIC BINDERS MUST BE CONDUCTED IN SUCH A MANNER WHERE THERE IS NO CONTACT WITH WATERS OF THE STATE
4) WOOD CELLULOSE FIBER – WOOD CELLULOSE FIBER MAY BE USED FOR ANCHORING STRAW. THE FIBER BINDER SHALL BE APPLIED AT A NET DRY WEIGHT OF 750 LB./ACRE. THE WOOD CELLULOSE FIBER SHALL BE MIXED WITH WATER AND THE MIXTURE SHALL CONTAIN A MAXIMUM OF 50 LB./100 GAL. OF WOOD CELLULOSE FIBER

TEMPORARY SEEDING & MULCHING FOR EROSION CONTROL

SEED TYPE	PER 1,000 SQ FT	PER ACRE
PERENNIAL RYEGRASS TALL FESCUE ANNUAL RYEGRASS	1 POUND 1 POUND 1 POUND	40 POUNDS 40 POUNDS 40 POUNDS
SMALL GRAIN STRAW	90 POUNDS	2 TONS
FERTILIZER	6 POUNDS OF 10–10–10 OR 12–12–12	250 POUNDS OF 10–10–10 OR 12–12–12

NOTE: OTHER APPROVED SPECIES MAY BE SUBSTITUTED

STOCKPILE

SILT FENCING SHALL BE INSTALLED AROUND TEMPORARY SPOIL STOCKPILES. THESE STOCKPILES SHALL BE STRAW MULCHED AND/OR TEMPORARILY SEEDED WITHIN 7 WORKING DAYS IF LEFT DORMANT FOR 14 DAYS OR LONGER.

TIMING OF CONTROLS/MEASURES

AS INDICATED IN THE SEQUENCE OF MAJOR ACTIVITIES, CONSTRUCTION ENTRANCE(S) AND SILT FENCE WILL BE CONSTRUCTED PRIOR TO CLEARING OR GRADING OF ANY OTHER PORTIONS OF THE SITE. SEDIMENT CONTROL DEVICES SHALL BE IMPLEMENTED FOR ALL AREAS REMAINING DISTURBED LONGER THAN 14 DAYS AND/OR WITHIN 7 DAYS OF ANY GRUBBING ACTIVITIES. AREAS WHERE CONSTRUCTION ACTIVITY TEMPORARILY CEASES FOR MORE THAN 14 DAYS WILL BE STABILIZED WITH A TEMPORARY SEED AND MULCH WITHIN 2 DAYS OF THE LAST DISTURBANCE IF THE AREA IS WITHIN 50 FEET OF A STREAM, AND WITHIN 7 DAYS OF THE LAST DISTURBANCE IF THE AREA IS MORE THAN 50 FEET AWAY FROM A STREAM. ONCE CONSTRUCTION ACTIVITY CEASES PERMANENTLY IN AN AREA, THAT AREA WILL BE STABILIZED WITH PERMANENT SEED AND MULCH. AFTER THE ENTIRE SITE IS STABILIZED, THE ACCUMULATED SEDIMENT WILL BE REMOVED FROM THE BASIN.

STABILIZATION TYPE	J	F	M	A	M	J	J	A	S	O	N	D
PERMANENT SEEDING			*	*	*	*	*	*	*	*		
DORMANT SEEDING	*	*	*							*	*	*
TEMPORARY SEEDING			*	*	*	*	*	*	*	*		
SODDING			**	**	**	**	**	**	**			
MULCHING	*	*	*	*	*	*	*	*	*	*	*	*

* IRRIGATION NEEDED

** IRRIGATION NEEDED FOR 2–3 WEEKS AFTER SOD IS APPLIED

INSPECTIONS

ALL BMPS ON THIS SITE SHALL BE INSPECTED BY "QUALIFIED INSPECTION PERSONNEL" ASSIGNED BY THE CONTRACTOR OR DESIGNATED REPRESENTATIVE AT LEAST ONCE EVERY SEVEN CALENDAR DAYS AND BY THE END OF THE NEXT CALENDAR DAY, EXCLUDING WEEKENDS AND HOLIDAYS UNLESS WORK IS SCHEDULED, AFTER A RAIN EVENT OF 0.5 INCHES PER 24 HOUR PERIOD. A RECORD OF THESE INSPECTIONS SHALL BE MAINTAINED IN THE CONSTRUCTION OFFICE WITH THE SWPPP FOR PUBLIC VIEWING. ANY VIOLATIONS WILL BE REPORTED THROUGH THE PROJECT PERSONNEL. A RAIN GAUGE WILL BE LOCATED WITHIN THE PROJECT LIMITS.

FOLLOWING EACH INSPECTION, A CHECKLIST MUST BE COMPLETED AND SIGNED BY THE QUALIFIED INSPECTION PERSONNEL REPRESENTATIVE. AT A MINIMUM, THE INSPECTION REPORT SHALL INCLUDE:

1. THE INSPECTION DATE;
2. NAMES, TITLES, AND QUALIFICATIONS OF PERSONNEL MAKING THE INSPECTION;
3. WEATHER INFORMATION FOR THE PERIOD SINCE THE LAST INSPECTION (OR SINCE COMMENCEMENT OF CONSTRUCTION ACTIVITY IF THE FIRST INSPECTION) INCLUDING A BEST ESTIMATE OF THE BEGINNING OF EACH STORM EVENT, DURATION OF EACH STORM EVENT, APPROXIMATE AMOUNT OF RAINFALL FOR EACH STORM EVENT (IN INCHES), AND WHETHER ANY DISCHARGES OCCURRED;
4. WEATHER INFORMATION AND A DESCRIPTION OF ANY DISCHARGES OCCURRING AT THE TIME OF THE INSPECTION;
5. LOCATION(S) OF DISCHARGES OF SEDIMENT OR OTHER POLLUTANTS FROM THE SITE;
6. LOCATION(S) OF BMPS THAT NEED TO BE MAINTAINED;
7. LOCATION(S) OF BMPS THAT FAILED TO OPERATE AS DESIGNED OR PROVED INADEQUATE FOR A PARTICULAR LOCATION;
8. LOCATION(S) WHERE ADDITIONAL BMPS ARE NEEDED THAT DID NOT EXIST AT THE TIME OF INSPECTION; AND
9. CORRECTIVE ACTION REQUIRED INCLUDING ANY CHANGES TO THE SWP3 NECESSARY AND IMPLEMENTATION DATES.

MAINTENANCE

THE CONTRACTOR SHALL MAINTAIN, REPAIR, OR REPLACE ALL EROSION CONTROL INSTALLATIONS AS NEEDED TO ENSURE THE CONTINUED PERFORMANCE OF THEIR INTENDED FUNCTION. ALL REPAIRS TO BMPS SHALL BE MADE WITHIN 3 DAYS (OR SOONER IF POSSIBLE) OF NOTIFICATION OF DEFICIENCIES. IF THE CORRECTIONS ARE NOT MADE WITHIN THE 3 DAY PERIOD, LIQUIDATED DAMAGES MAY BE ASSESSED AS PER THE ODOT CMS SECTION 108.27.

ONGOING INSPECTION OF INSTALLATIONS WILL BE PERFORMED BY THE CONTRACTOR OR DESIGNATED REPRESENTATIVE.

ANY TRAPPED SEDIMENT OR DEBRIS REMOVED DURING CLEANING OF OR REMOVAL OF BMP INSTALLATIONS SHALL BE PLACED IN AREAS NOT SUBJECT TO EROSION AND PERMANENTLY STABILIZED.

DUST CONTROL

DUST CONTROL INVOLVES PREVENTING OR REDUCING DUST FROM EXPOSED SOILS OR OTHER SOURCES DURING LAND DISTURBING, DEMOLITION AND CONSTRUCTION ACTIVITIES TO REDUCE THE PRESENCE OF AIRBORNE SUBSTANCES WHICH MAY PRESENT HEALTH HAZARDS, TRAFFIC SAFETY PROBLEMS OR HARM ANIMAL OR PLANT LIFE.

THE FOLLOWING SPECIFICATIONS FOR DUST CONTROL SHALL BE FOLLOWED ONSITE:

1. VEGETATIVE COVER AND/MULCH – APPLY TEMPORARY OR PERMANENT SEEDING AND MULCH TO AREAS THAT WILL REMAIN IDLE FOR OVER 14 DAYS. SAVING EXISTING TREES AND LARGE SHRUBS WILL ALSO REDUCE SOIL AND AIR MOVEMENT ACROSS DISTURBED AREAS. SEE TEMPORARY SEEDING; PERMANENT SEEDING; MULCHING PRACTICES; AND TREE AND NATURAL AREA PROTECTION PRACTICES.
2. WATERING – SPRAY SITE WITH WATER UNTIL THE SURFACE IS WET BEFORE AND DURING GRADING AND REPEAT AS NEEDED, ESPECIALLY ON HAUL ROADS AND OTHER HEAVY TRAFFIC ROUTES. WATERING SHALL BE DONE AT A RATE THAT PREVENTS DUST BUT DOES NOT CAUSE SOIL EROSION. WETTING AGENTS SHALL BE UTILIZED ACCORDING TO MANUFACTURERS INSTRUCTIONS.
3. SPRAY–ON ADHESIVES – APPLY ADHESIVE ACCORDING TO THE FOLLOWING TABLE OR MANUFACTURERS' INSTRUCTIONS.

ADHESIVE	WATERDILUTION (ADHESIVE:WATER)	NOZZLE TYPE	APPLICATION RATE (GAL/AC)
LATEX EMULSION	12:5:1	FINE	235
RESIN IN WATER ACRYLIC EMULSION (NO TRAFFIC)	4:1	FINE	300
ACRYLIC EMULSION (NO TRAFFIC)	7:1	COARSE	450
ACRYLIC EMULSION (TRAFFIC)	3:5:1	COARSE	350

SPILL PREVENTION

THE FOLLOWING ARE THE MATERIAL MANAGEMENT PRACTICES THAT WILL BE USED TO REDUCE THE RISK OF SPILLS OR OTHER ACCIDENTAL EXPOSURE OF MATERIALS AND SUBSTANCES TO STORM WATER RUNOFF.

GOOD HOUSEKEEPING:

1. AN EFFORT WILL BE MADE TO STORE ONLY ENOUGH PRODUCT REQUIRED TO DO THE JOB.
2. ALL MATERIALS STORED ONSITE WILL BE STORED IN A NEAT, ORDERLY MANNER IN THEIR APPROPRIATE CONTAINERS AND, IF POSSIBLE, UNDER A ROOF OR OTHER ENCLOSURE.
3. PRODUCTS WILL BE KEPT IN THEIR ORIGINAL CONTAINERS WITH THE ORIGINAL MANUFACTURER'S LABEL.
4. SUBSTANCES WILL NOT BE MIXED WITH ONE ANOTHER UNLESS RECOMMENDED BY THE MANUFACTURER.
5. WHENEVER POSSIBLE, ALL OF A PRODUCT WILL BE USED UP BEFORE DISPOSING OF THE CONTAINER.
6. MANUFACTURERS' RECOMMENDATIONS FOR PROPER USE AND DISPOSAL WILL BE FOLLOWED.
7. THE SITE SUPERINTENDENT WILL INSPECT DAILY TO ENSURE PROPER USE AND DISPOSAL OF MATERIALS ONSITE.

HAZARDOUS PRODUCTS:

1. PRODUCTS WILL BE KEPT IN ORIGINAL CONTAINERS UNLESS THEY ARE NOT RESEALABLE.
2. ORIGINAL LABELS AND MATERIAL SAFETY DATA WILL BE RETAINED; THEY CONTAIN IMPORTANT PRODUCT INFORMATION.
3. IF SURPLUS PRODUCT MUST BE DISPOSED OF, MANUFACTURERS' OR LOCAL AND STATE RECOMMENDED METHODS FOR PROPER DISPOSAL WILL BE FOLLOWED.

SPILL CONTROL PRACTICES

IN ADDITION TO THE GOOD HOUSEKEEPING AND MATERIAL MANAGEMENT PRACTICES DISCUSSED IN THE PREVIOUS SECTIONS OF THIS PLAN, THE FOLLOWING PRACTICES WILL BE FOLLOWED FOR SPILL PREVENTION AND CLEANUP:

1. ALL SPILLS SHALL BE CLEANED UP IMMEDIATELY AFTER DISCOVERY. MANUFACTURERS' RECOMMENDED METHODS FOR SPILL CLEANUP POSTED AND SITE PERSONNEL WILL BE MADE AWARE OF THE PROCEDURES AND THE LOCATION OF THE INFORMATION AND CLEANUP SUPPLIES.
2. MATERIALS AND EQUIPMENT NECESSARY FOR SPILL CLEANUP WILL BE KEPT IN THE MATERIAL STORAGE AREA ONSITE. EQUIPMENT AND MATERIALS WILL INCLUDE BUT NOT BE LIMITED TO BROOMS, DUST PANS, MOPS, RAGS, GLOVES, GOGGLES, KITTY LITTER, SAND, SAWDUST, AND PLASTIC AND METAL TRASH CONTAINERS SPECIFICALLY FOR THIS PURPOSE.
3. THE SPILL AREA WILL BE KEPT WELL VENTILATED AND PERSONNEL WILL WEAR APPROPRIATE PROTECTIVE CLOTHING TO PREVENT INJURY FROM CONTACT WITH A HAZARDOUS SUBSTANCE.
4. SPILLS OF TOXIC OR HAZARDOUS MATERIAL WILL BE REPORTED TO THE APPROPRIATE STATE OR LOCAL GOVERNMENT AGENCY, REGARDLESS OF THE SIZE. SPILLS OF 25 OR MORE GALLONS OF PETROLEUM WASTE MUST BE REPORTED TO OHIO EPA (1–800–282–9378), THE LOCAL FIRE DEPARTMENT, AND THE LOCAL EMERGENCY PLANNING COMMITTEE WITHIN 30 MINUTES OF THE ALL SPILLS, WHICH RESULT IN CONTACT WITH WATERS OF THE STATE, MUST BE REPORTED TO THE OHIO EPA'S HOTLINE.
5. SOILS CONTAMINATED BY PETROLEUM OR OTHER CHEMICAL SPILLS MUST BE TREATED/DISPOSED AT AN OHIO EPA APPROVED SOLID WASTE MANAGEMENT FACILITY OR HAZARDOUS WASTE TREATMENT, STORAGE OR DISPOSAL FACILITY (TSDF).
6. THE SPILL PREVENTION PLAN WILL BE ADJUSTED TO INCLUDE MEASURES TO PREVENT THIS TYPE OF SPILL FROM REOCCURRING AND HOW TO CLEAN UP THE SPILL IF THERE IS ANOTHER ONE. A DESCRIPTION OF THE SPILL, WHAT CAUSED IT, AND THE CLEANUP MEASURES WILL ALSO BE INCLUDED.
7. THE SITE SUPERINTENDENT RESPONSIBLE FOR THE DAY–TO–DAY SITE OPERATIONS, WILL BE THE SPILL PREVENTION AND CLEANUP COORDINATOR. HE WILL DESIGNATE SITE PERSONNEL WHO WILL RECEIVE SPILL PREVENTION AND CLEANUP TRAINING. THESE INDIVIDUALS WILL EACH BECOME RESPONSIBLE FOR A PARTICULAR PHASE OF PREVENTION AND CLEANUP. THE NAMES OF RESPONSIBLE SPILL PERSONNEL WILL BE POSTED IN THE MATERIAL STORAGE AREA AND IN THE OFFICE TRAILER ONSITE.

PRODUCT SPECIFIC PRACTICES

PETROLEUM PRODUCTS
ALL ONSITE VEHICLES WILL BE MONITORED FOR LEAKS AND RECEIVE REGULAR PREVENTIVE MAINTENANCE TO REDUCE THE CHANCE OF LEAKAGE. PETROLEUM PRODUCTS WILL BE STORED IN TIGHTLY SEALED CONTAINERS WHICH ARE CLEARLY LABELED. ANY ASPHALT SUBSTANCES USED ONSITE WILL BE APPLIED ACCORDING TO THE MANUFACTURER'S RECOMMENDATIONS.

FUEL STORAGE TANKS SHALL BE LOCATED AWAY FROM SURFACE WATERS AND STORM SEWER SYSTEM INLETS. FUEL TANKS SHALL BE STORED IN A DIKED AREA CAPABLE OF HOLDING 150% OF THE TANK CAPACITY.

FERTILIZERS
FERTILIZERS USED WILL BE APPLIED ONLY IN THE MINIMUM AMOUNTS RECOMMENDED BY THE MANUFACTURER. ONCE APPLIED, FERTILIZER WILL BE WORKED INTO THE SOIL TO LIMIT EXPOSURE TO STORM WATER. STORAGE WILL BE IN A COVERED SHED. THE CONTENTS OF ANY PARTIALLY USED BAGS OF FERTILIZER WILL BE TRANSFERRED TO A SEALABLE PLASTIC BIN TO AVOID SPILLS.

PAINTS
ALL CONTAINERS WILL BE TIGHTLY SEALED AND STORED WHEN NOT REQUIRED FOR USE. EXCESS PAINT WILL NOT BE DISCHARGED TO THE STORM SEWER SYSTEM BUT WILL BE PROPERLY DISPOSED OF ACCORDING TO MANUFACTURERS' INSTRUCTIONS OR STATE AND LOCAL REGULATIONS.

CONCRETE WASH WATER/WASH OUTS
CONCRETE WASH WATER SHALL NOT BE ALLOWED TO FLOW TO STREAMS, DITCHES, STORM DRAINS, OR ANY OTHER WATER CONVEYANCE. A SUMP OR PIT WITH NO POTENTIAL FOR DISCHARGE SHALL BE CONSTRUCTED IF NEEDED TO CONTAIN CONCRETE WASH WATER. FIELD TILE OR OTHER SUBSURFACE DRAINAGE STRUCTURES WITHIN 10 FT. OF THE SUMP SHALL BE CUT AND PLUGGED. FOR SMALL PROJECTS, TRUCK CHUTES MAY BE RINSED ON THE LOT AWAY FROM ANY WATER CONVEYANCES.

PERMITTEE
NAME:
ADDRESS 1:
ADDRESS 2:
PHONE:
CONTACT:
EMAIL:

GENERAL PERMIT:_____
NPDES PERMIT:_____
DATE OF ISSUE:_____

EROSION CONTROL NOTES
FIRST CHURCH OF GOD MONROE
CITY OF MONROE
BUTLER COUNTY, OHIO

2 WORKING DAYS BEFORE YOU DIG
OHIO811.org
CALL TOLL FREE 800–362–2764
OHIO UTILITIES PROTECTION SERVICE

SCALE: N/A
DATE: 11–11–24
DRAWN: DES
DESIGNED: JLL
CHECKED:

APEX ENGINEERING & SURVEYING, INC.
1068 N. UNIVERSITY BLVD MIDDLETOWN, OHIO 45042
PH.–(513) 424–5202 OR (513) 932–8991 FAX – (513) 424–6202

REVISIONS:
1.
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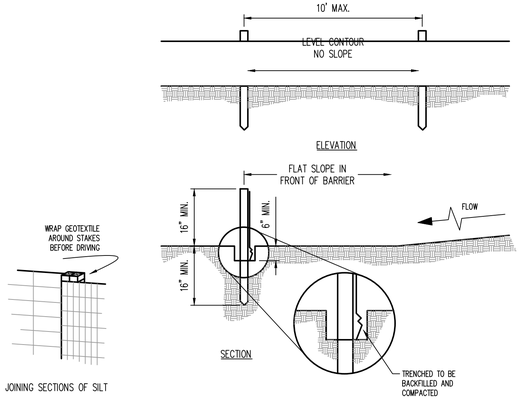
3.
4.

PROJECT: 240960
DRAWING: 240960BC
SHEET 6 OF 7



NOTES:
1. SILT FENCE SHALL BE CONSTRUCTED BEFORE UPSLOPE LAND DISTURBANCE BEGINS.
2. ALL SILT FENCE SHALL BE PLACED AS CLOSE TO THE CONTOUR AS POSSIBLE SO THAT WATER WILL NOT CONCENTRATE AT LOW POINTS IN THE FENCE AND SO THAT SMALL SWALES OR DEPRESSIONS THAT MAY CARRY SMALL CONCENTRATED FLOWS TO THE SILT FENCE ARE DISSIPATED ALONG ITS LENGTH.
3. ENDS OF THE SILT FENCES SHALL BE BROUGHT UPSLOPE SLIGHTLY SO THAT WATER PONDED BY THE SILT FENCE WILL BE PREVENTED FROM FLOWING AROUND THE ENDS.
4. SILT FENCE SHALL BE PLACED ON THE FLATTEST AREA AVAILABLE.
5. WHERE POSSIBLE, VEGETATION SHALL BE PRESERVED FOR 5 FEET (OR AS MUCH AS POSSIBLE) UPSLOPE FROM THE SILT IF VEGETATION IS REMOVED, IT SHALL BE REESTABLISHED WITHIN 7 DAYS FROM THE INSTALLATION OF THE SILT FENCE.
6. THE HEIGHT OF THE SILT FENCE SHALL BE A MINIMUM OF 16 INCHES ABOVE THE ORIGINAL GROUND SURFACE.
7. THE SILT FENCE SHALL BE PLACED IN AN EXCAVATED OR SLICED TRENCH CUT A MINIMUM OF 6 INCHES DEEP. THE TRENCH SHALL BE MADE WITH A TRENCHER, CABLE LAYING MACHINE, SLICING MACHINE, OR OTHER SUITABLE DEVICE THAT WILL ENSURE AN ADEQUATELY UNIFORM TRENCH DEPTH.
8. THE SILT FENCE SHALL BE PLACED WITH THE STAKES ON THE DOWNSLOPE SIDE OF THE GEOTEXTILE. A MINIMUM OF 8 INCHES OF GEOTEXTILE MUST BE BELOW THE GROUND SURFACE. EXCESS MATERIAL SHALL LAY ON THE BOTTOM OF THE 6-INCH DEEP TRENCH. THE TRENCH SHALL BE BACKFILLED AND COMPACTED ON BOTH SIDES OF THE FABRIC.
9. SEAMS BETWEEN SECTIONS OF SILT FENCE SHALL BE SPLICED TOGETHER ONLY AT A SUPPORT POST WITH A MINIMUM 6-IN. OVERLAP PRIOR TO DRIVING INTO THE GROUND.
10. MAINTENANCE-SILT FENCE SHALL ALLOW RUNOFF TO PASS ONLY AS DIFFUSE FLOW THROUGH THE GEOTEXTILE. IF RUNOFF OVERTOPS THE SILT FENCE, FLOWS UNDER THE FABRIC OR AROUND THE FENCE ENDS, OR IN ANY OTHER WAY ALLOWS A CONCENTRATED FLOW DISCHARGE, ONE OF THE FOLLOWING SHALL BE PERFORMED, AS APPROPRIATE: 1) THE LAYOUT OF THE SILT FENCE SHALL BE CHANGED, 2) ACCUMULATED SEDIMENT SHALL BE REMOVED, OR 3) OTHER PRACTICES SHALL BE INSTALLED.

SEDIMENT DEPOSITS SHALL BE ROUTINELY REMOVED WHEN THE DEPOSIT REACHES APPROXIMATELY ONE-HALF OF THE HEIGHT OF THE SILT FENCE

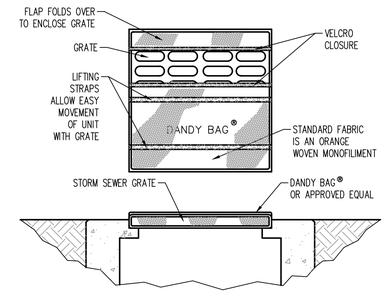
SILT FENCES SHALL BE INSPECTED AFTER EACH RAINFALL AND AT LEAST DAILY DURING A PROLONGED RAINFALL. THE LOCATION OF EXISTING SILT FENCE SHALL BE REVIEWED DAILY TO ENSURE ITS PROPER LOCATION AND EFFECTIVENESS. IF DAMAGED, THE SILT FENCE SHALL BE REPAIRED IMMEDIATELY.

CRITERIA FOR SILT FENCE MATERIALS

1. FENCE POST -THE LENGTH SHALL BE A MINIMUM OF 32 INCHES. WOOD POSTS WILL BE 2-BY-2-IN. NOMINAL DIMENSIONED HARDWOOD OF SOUND QUALITY. THEY SHALL BE FREE OF KNOTS, SPLITS AND OTHER VISIBLE IMPERFECTIONS, THAT WILL WEAKEN THE POSTS. THE MAXIMUM SPACING BETWEEN POSTS SHALL BE 10 FT. POSTS SHALL BE DRIVEN A MINIMUM 16 INCHES INTO THE GROUND, WHERE POSSIBLE. IF NOT POSSIBLE, THE POSTS SHALL BE ADEQUATELY SECURED TO PREVENT OVERTURNING OF THE FENCE DUE TO SEDIMENT/WATER LOADING.
2. SILT FENCE FABRIC -SEE CHART BELOW.

FABRIC PROPERTIES	VALUES	TEST METHOD
MINIMUM TENSILE STRENGTH	120 LBS. (535 N)	ASTM D 4632
MAXIMUM ELONGATION AT 60 LBS	50%	ASTM D 4632
MINIMUM PUNCTURE STRENGTH	50 LBS. (220 N)	ASTM D 4833
MINIMUM TEAR STRENGTH	40 LBS. (100 N)	ASTM D 4533
APPARENT OPENING SIZE	<0.84 MM	ASTM D 4751
MINIMUM PERMITTIVITY	1X10-2 SEC-1	ASTM D 4491
UV EXPOSURE STRENGTH RETENTION	70%	ASTM G 4355

1 / XX SILT FENCE DETAIL
N.T.S.



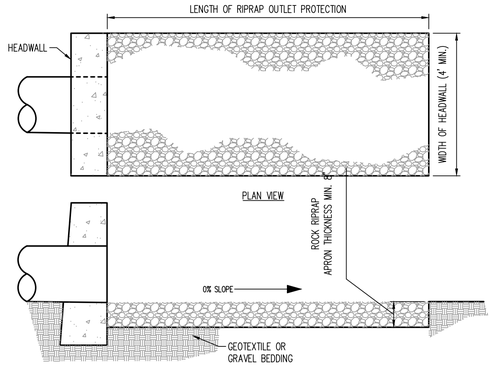
SPECIFICATIONS

MECHANICAL PROPERTIES	TEST METHOD	UNITS	MARV
GRAB TENSILE STRENGTH	ASTM D 4632	KN (LBS)	1.62 (365) X 0.89 (200)
GRAB TENSILE ELONGATION	ASTM D 4632	%	24 X 10
PUNCTURE STRENGTH	ASTM D 4833	KN (LBS)	0.40 (90)
MULLEN BURST STRENGTH	ASTM D 3786	KPA (PSI)	3097 (450)
TRAPEZOID TEAR STRENGTH	ASTM D 4533	KN (LBS)	0.51 (115) X 0.33 (75)
UV RESISTENCE	ASTM D 4355	%	90
APPARENT OPENING SIZE	ASTM D 4751	MM (US STD SIEVE)	0.425 (40)
FLOW RATE	ASTM D 4491	L/MIN/M² (GAL/MIN/FT²)	5907 (145)
PERMITTIVITY	ASTM D 4491	SEC-1	2.1

INSTALLATION: THE EMPTY DANDY BAG SHOULD BE PLACED OVER THE GRATE AS THE GRATE STANDS ON END. IF USING OPTIONAL OIL ABSORBENTS; PLACE ABSORBENT PILLOW IN POUCH, ON THE BOTTOM (BELOW-GRADE SIDE) OF THE UNIT. ATTACH ABSORBENT PILLOW TO TETHER LOOP. TUCK THE ENCLOSURE FLAP INSIDE TO COMPLETELY ENCLOSE THE GRATE. HOLDING THE LIFTING DEVICES (DO NOT RELY ON LIFTING DEVICES TO SUPPORT THE ENTIRE WEIGHT OF THE GRATE), PLACE THE GRATE INTO ITS FRAME.

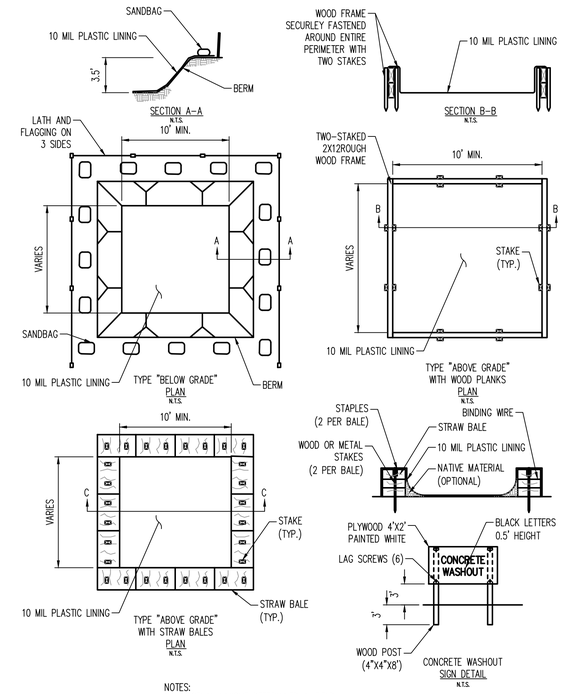
MAINTENANCE: REMOVE ALL ACCUMULATED SEDIMENT AND DEBRIS FROM SURFACE AND VICINITY OF UNIT AFTER EACH STORM EVENT. REMOVE SEDIMENT THAT HAS ACCUMULATED WITHIN THE CONTAINMENT AREA OF THE DANDY BAG AS NEEDED. IF USING OPTIONAL OIL ABSORBENTS; REMOVE AND REPLACE ABSORBENT PILLOW WHEN NEAR SATURATION.

6 / XX DANDY BAG DETAIL
N.T.S.



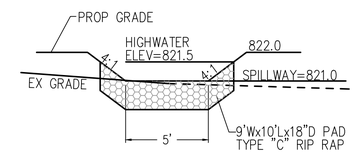
NOTES:
1. SUBGRADE FOR THE FILTER OR BEDDING AND RIPRAP SHALL BE PREPARED TO THE REQUIRED LINES AND GRADES AS SHOWN ON THE PLAN. THE SUBGRADE SHALL BE CLEARED OF ALL TREES, STUMPS, ROOTS, SOD, LOOSE ROCK, OR OTHER MATERIAL.
2. RIPRAP SHALL CONFORM TO THE GRADING LIMITS AS SHOWN ON THE PLAN.
3. GEOTEXTILE SHALL BE SECURELY ANCHORED ACCORDING TO MANUFACTURERS'RECOMMENDATIONS.
4. GEOTEXTILE SHALL BE LAID WITH THE LONG DIMENSION PARALLEL TO THE DIRECTION OF FLOW AND SHALL BE LAID LOOSELY BUT WITHOUT WRINKLES AND CREASES. WHERE JOINTS ARE NECESSARY, STRIPS SHALL BE PLACED TO PROVIDE A 12-IN. MINIMUM OVERLAP, WITH THE UPSTREAM STRIP OVERLAPPING THE DOWNSTREAM STRIP.
5. GRAVEL BEDDING SHALL BE ODOT NO. 67'S OR 57'S UNLESS SHOWN DIFFERENTLY ON THE DRAWINGS.
6. RIPRAP MAY BE PLACED BY EQUIPMENT BUT SHALL BE PLACED IN A MANNER TO PREVENT SLIPPAGE OR DAMAGE TO THE GEOTEXTILE.
7. RIPRAP SHALL BE PLACED BY A METHOD THAT DOES NOT CAUSE SEGREGATION OF SIZES. EXTENSIVE PUSHING WITH A DOZER CAUSES SEGREGATION AND SHALL BE AVOIDED BY DELIVERING RIPRAP NEAR ITS FINAL LOCATION WITHIN THE CHANNEL.
8. CONSTRUCTION SHALL BE SEQUENCED SO THAT OUTLET PROTECTION IS PLACED AND FUNCTIONAL WHEN THE STORM DRAIN, CULVERT, OR OPEN CHANNEL ABOVE IT BECOMES OPERATIONAL.
9. ALL DISTURBED AREAS WILL BE VEGETATED AS SOON AS PRACTICAL.

8 / XX ROCK OUTLET PROTECTION DETAIL
N.T.S.

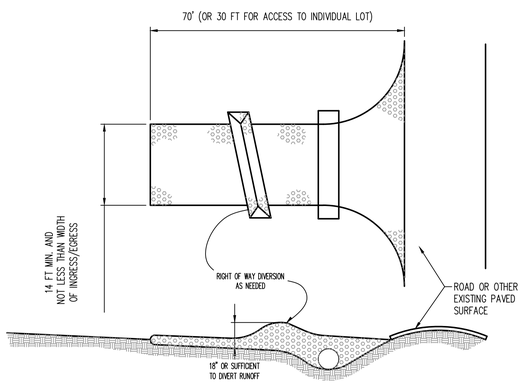


NOTES:
1. ACTUAL LAYOUT DETERMINED IN FIELD.
2. THE CONCRETE WASHOUT SIGN SHALL BE INSTALLED WITHIN 30' OF THE TEMPORARY CONCRETE WASHOUT FACILITY.

9 / XX CONCRETE WASHOUT DETAIL
N.T.S.



SPILLWAY DETAIL
NOT TO SCALE



NOTES:
1. STONE SIZE – ODOT #2 (1.5-2.5 INCH) STONE SHALL BE USED, OR RECYCLED CONCRETE EQUIVALENT.
2. LENGTH – THE CONSTRUCTION ENTRANCE SHALL BE AS LONG AS REQUIRED TO STABILIZE HIGH TRAFFIC AREAS BUT NOT LESS THAN 70 FT. (EXCEPTION: APPLY 30 FT. MINIMUM TO SINGLE RESIDENCE LOTS).
3. THICKNESS – THE STONE LAYER SHALL BE AT LEAST 6 INCHES THICK FOR LIGHT DUTY ENTRANCES OR AT LEAST 10 INCHES FOR HEAVY DUTY USE.
4. WIDTH – THE ENTRANCE SHALL BE AT LEAST 14 FEET WIDE, BUT NOT LESS THAN THE FULL WIDTH AT POINTS WHERE INGRESS OR EGRESS OCCURS.
5. GEOTEXTILE – A GEOTEXTILE SHALL BE LAID OVER THE ENTIRE ARE PRIOR TO PLACING STONE. IT SHALL BE COMPOSED OF STRONG ROT-PROOF POLYMERIC FIBERS AND MEET THE FOLLOWING SPECIFICATIONS:

MINIMUM TENSILE STRENGTH	200 LBS
MINIMUM PUNCTURE STRENGTH	80 LBS
MINIMUM TEAR STRENGTH	50 LBS
MINIMUM BURST STRENGTH	320 PSI
MINIMUM ELONGATION	20%
EQUIVALENT OPENING SIZE	EOS>0.6 MM
PERMITTIVITY	1X10-2CM/SEC

6. TIMING – THE CONSTRUCTION ENTRANCE SHALL BE INSTALLED AS SOON AS IS PRACTICABLE BEFORE MAJOR GRADING ACTIVITIES.
7. CULVERT – A PIPE OR CULVERT SHALL BE CONSTRUCTED UNDER THE ENTRANCE IF NEED ED TO PREVENT SURFACE WATER FROM FLOWING ACROSS THE ENTRANCE OR TO PREVENT RUNOFF FROM BEING DIRECTED OUT ONTO PAVED SURFACES.
8. WATER BAR – A WATER BAR SHALL BE CONSTRUCTED AS PART OF THE CONSTRUCTION ENTRANCE IF NEEDED TO PREVENT SURFACE RUNOFF FROM FLOWING THE LENGTH OF THE CONSTRUCTION ENTRANCE AND OUT ONTO PAVED SURFACES.
9. MAINTENANCE – THE ENTRANCE SHALL BE MAINTAINED IN A CONDITION THAT WILL PREVENT TRACKING OR FLOW OF MUD ONTO PUBLIC RIGHTS-OF-WAY. THIS MAY REQUIRE PERIODIC TOP DRESSING WITH ADDITIONAL STONE OR THE WASHING ND REWORKING OF EXISTING STONE AS CONDITIONS DEMAND AND REPAIR AND/OR CLEANOUT OF ANY STRUCTURES USED TO TRAP SEDIMENT. ALL MATERIALS SPILLED, DROPPED, WASHED, OR TRACKED FROM VEHICLES ONTO ROADWAYS OR INTO STORM DRAINS MUST BE REMOVED IMMEDIATELY. THE USE OF WATER TRUCKS TO REMOVE MATERIALS DROPPED, WASHED, OR TRAKED ONTO ROADWAYS WILL NOT BE PERMITTED UNDER ANY CIRCUMSTANCES. TOP DRESSING OF ADDITIONAL STONE SHALL BE APPLIED AS CONDITIONS DEMAND. MUD SPILLED, DROPPED, WASHED OR TRACKED ONTO PUBLIC ROADS, OR ANY SURFACE WHERE RUNOFF IS NOT CHECKED BY SEDIMENT CONTROLS, SHALL BE REMOVE IMMEDIATELY. REMOVAL SHALL BE ACCOMPLISHED BY SCRAPING OR SWEEPING.
10. CONSTRUCTION ENTRANCES SHALL NOT BE RELIED UPON TO REMOVE MUD FROM VEHICLES AND PREVENT OFF-SITE TRACKING. VEHICLES THAT ENTER AND LEAVE THE CONSTRUCTION-SITE SHALL BE RESTRICTED FROM MUDDY AREAS.
11. REMOVAL – THE ENTRANCE SHALL REMAIN IN PLACE UNTIL THE DISTURBED AREA IS STABILIZED OR REPLACED WITH A PERMANENT ROADWAY OR ENTRANCE.

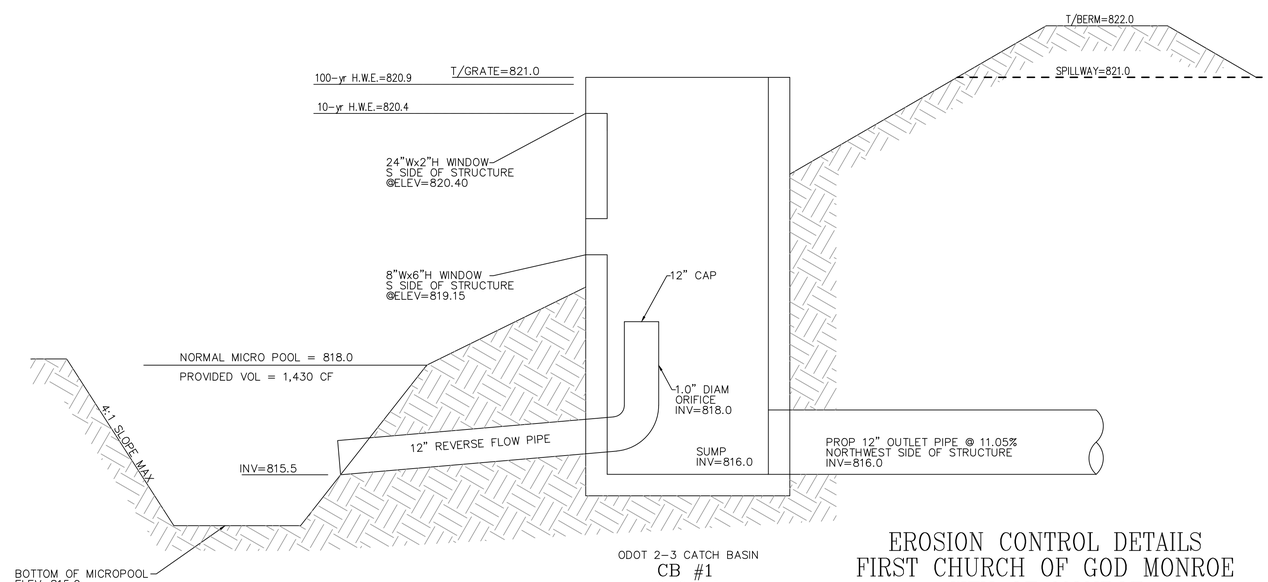
2 / XX CONSTRUCTION ENTRANCE DETAIL
N.T.S.

PROPOSED POST CONSTRUCTION BMP INSPECTION AND MAINTENANCE SCHEDULE:

ACTIVITY	FREQUENCY
MOW EMBANKMENT. REDUCE MOWING FREQUENCY OF THE EMBANKMENTS TO A SINGLE MONTHLY MOWING AT A HEIGHT OF 6-8 INCHES DURING THE MONTHS OF MAY THROUGH SEPTEMBER. ELIMINATE ANY USE OF COMMERCIAL FERTILIZERS AND PESTICIDES IN FACILITY.	MONTHLY
CLEAR INLETS AND OUTLETS OF DEBRIS AND LITTER TO PREVENT OBSTRUCTIONS AND REDUCED EFFICIENCY OF SYSTEM	MONTHLY
MONITOR AND DOCUMENT ANY SEDIMENT ACCUMULATION IN THE FACILITY	MONTHLY
REPAIR UNDERCUT OR ERODED AREAS	MONTHLY
CLEAN OUT SUMP ON OUTLET STRUCTURE 1	QUARTERLY AND AFTER HEAVY RAIN
DOCUMENT EROSION OF EMBANKMENT	SEMI-ANUALLY
SEED OR SOD TO RESTORE DEAD OR DAMAGED GROUND COVER	SEMI-ANUALLY
INSPECT EMBANKMENT FOR DAMAGE CAUSED BY EROSION	MONTHLY
ENSURE THAT INLET AND OUTLET DEVICES ARE FREE OF DEBRIS AND OPERATIONAL	MONTHLY
INSPECT SEDIMENT LEVELS IN THE DETENTION BASIN*	MONTHLY

*WHEN SEDIMENT LEVEL IN THE BASIN ACCUMULATES TO 6" ABOVE DESIGN ELEVATIONS PER PLAN, SEDIMENT IS TO BE REMOVED AND DESIGN DEPTH IS TO BE RESTORED.

TO DETERMINE WHEN SEDIMENT LEVEL ACCUMULATES TO 6" ABOVE DESIGN ELEVATION, TWO 4"X4" WOODEN MONITOR POSTS SHALL BE INSTALLED IN THE BASIN. POSTS ARE TO BE LOCATED AT LEAST 40' APART FROM EACH OTHER TO ACCOUNT FOR IRREGULAR SEDIMENTATION. THE POSTS WILL BE MARKED WITH BOTH THE DESIGN ELEVATION, AS WELL AS THE ELEVATION CORRESPONDING TO 6" ABOVE THE DESIGN ELEVATION. SEE DETAIL FOR MONITOR POST ON THIS SHEET.



ODOT 2-3 CATCH BASIN
CB #1
NOT TO SCALE

EROSION CONTROL DETAILS
FIRST CHURCH OF GOD MONROE
CITY OF MONROE
BUTLER COUNTY, OHIO

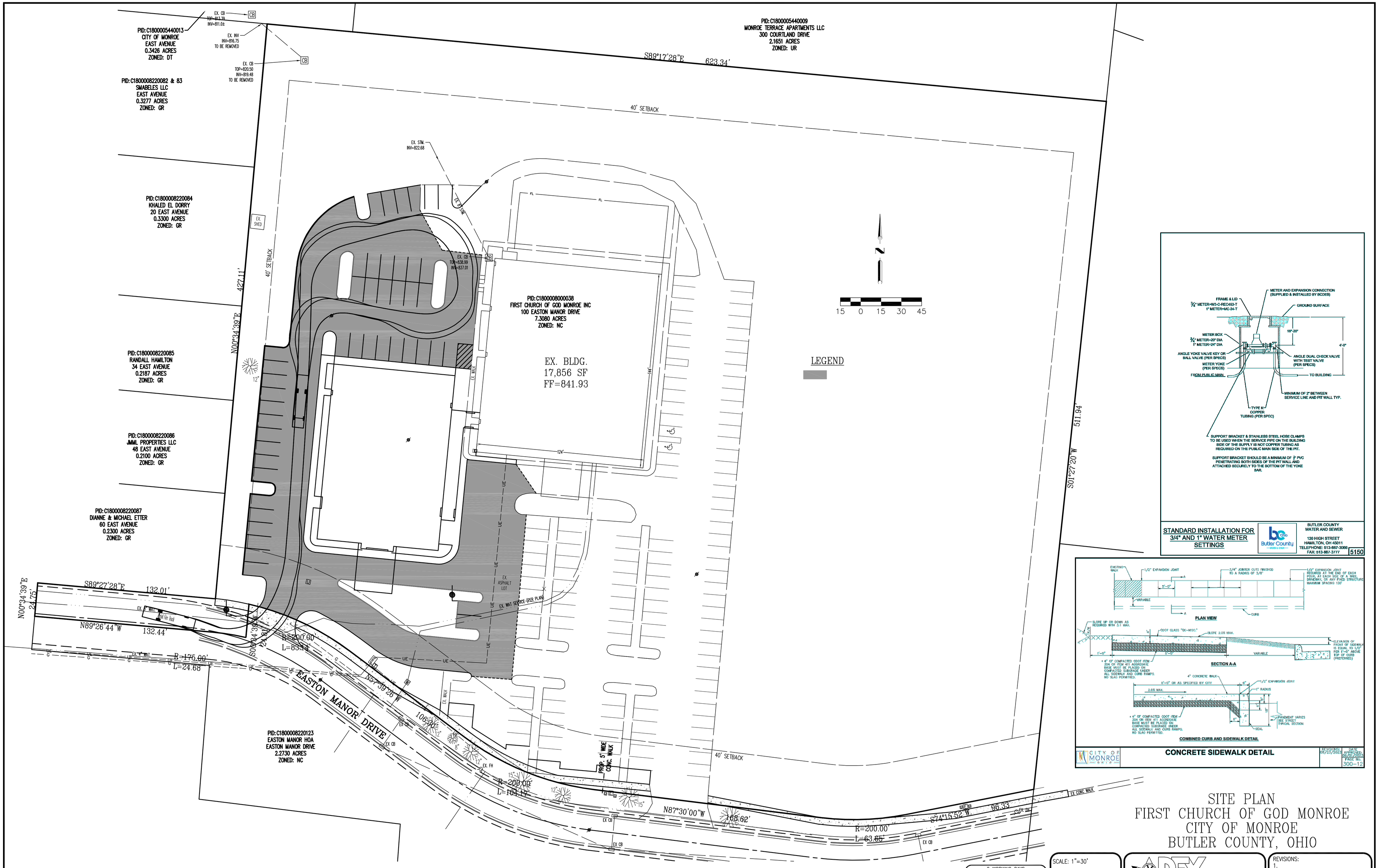
2 WORKING DAYS
BEFORE YOU DIG
OHIO811.org
CALL TOLL FREE 800-362-2764
OHIO UTILITIES PROTECTION SERVICE

SCALE: N/A
DATE: 11-11-24
DRAWN: DES
DESIGNED: JLL
CHECKED:

APEX ENGINEERING & SURVEYING, INC.
1068 N. UNIVERSITY BLVD MIDDLETOWN, OHIO 45042
PH.-(513) 424-5202 OR (513) 932-8991 FAX - (513) 424-6202

REVISIONS:
1.
2.
3.
4.

PROJECT: 240960
DRAWING: 240960BC
SHEET 7 OF 7



SITE PLAN
FIRST CHURCH OF GOD MONROE
CITY OF MONROE
BUTLER COUNTY, OHIO

2 WORKING DAYS
BEFORE YOU DIG
OHIO811.org
CALL TOLL FREE 800-362-2764
OHIO UTILITIES PROTECTION SERVICE

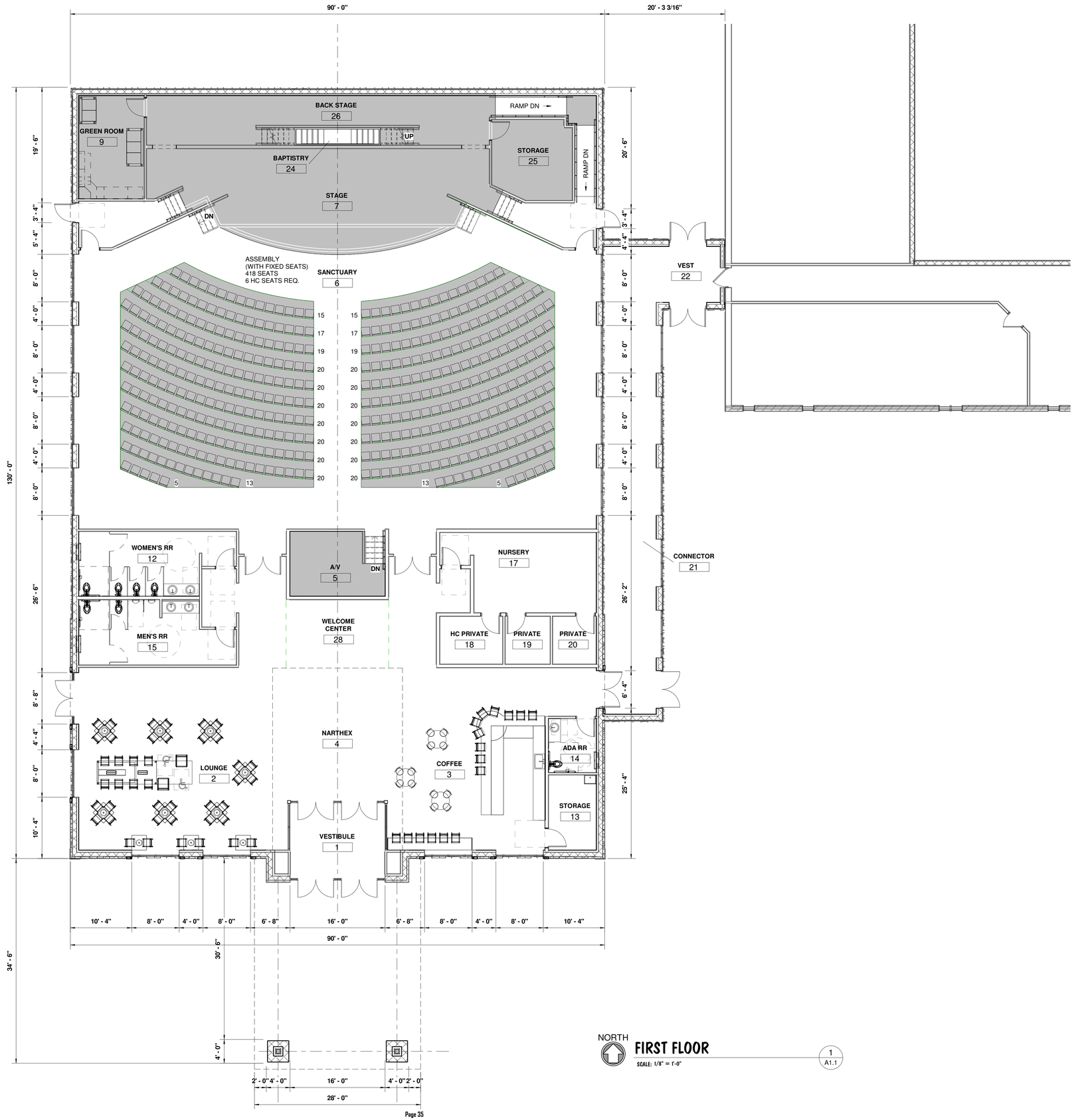
SCALE: 1"=30'
DATE: 11-11-24
DRAWN: JLL
DESIGNED: JLL
CHECKED:

APEX ENGINEERING & SURVEYING, INC.
1068 N. UNIVERSITY BLVD MIDDLETOWN, OHIO 45042
PH.-(513) 424-5202 OR (513) 932-8991 FAX - (513) 424-6202

REVISIONS:
1.
2.
3.
4.

PROJECT: 240960
DRAWING: 240960BC
SHEET 3 OF 7

H:\DATA\Land Projects\240960 MONROE CHURCH OF GOD\DWG\240960BC.dwg, 11/17/2024 10:22:30 AM



NORTH

FIRST FLOOR

SCALE: 1/8" = 1'-0"

1
A1.1

K|B|A

K|B|A INCORPORATED
ARCHITECTS

29 HIGH STREET
Milford, OH 45150
513.752.7800
www.kbainc.com

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SHEET CONTENTS:
FLOOR PLAN

PROPOSED NEW BUILDING FOR:
MONROE FIRST CHURCH OF GOD

100 Easton Manor Dr.
Monroe, OH 45050

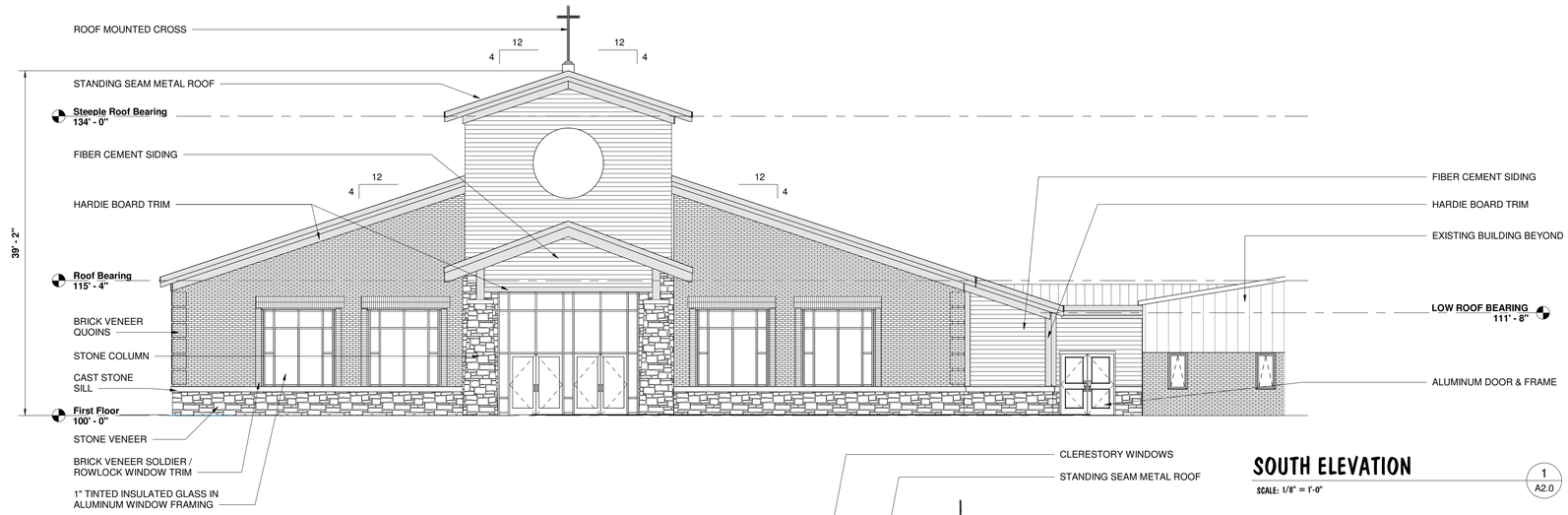
REV. DATE CK'D

Drawn By:TAY Checked By:MDB

Preliminary
Not For
Construction

Date:08/21/24 Job No:24.093

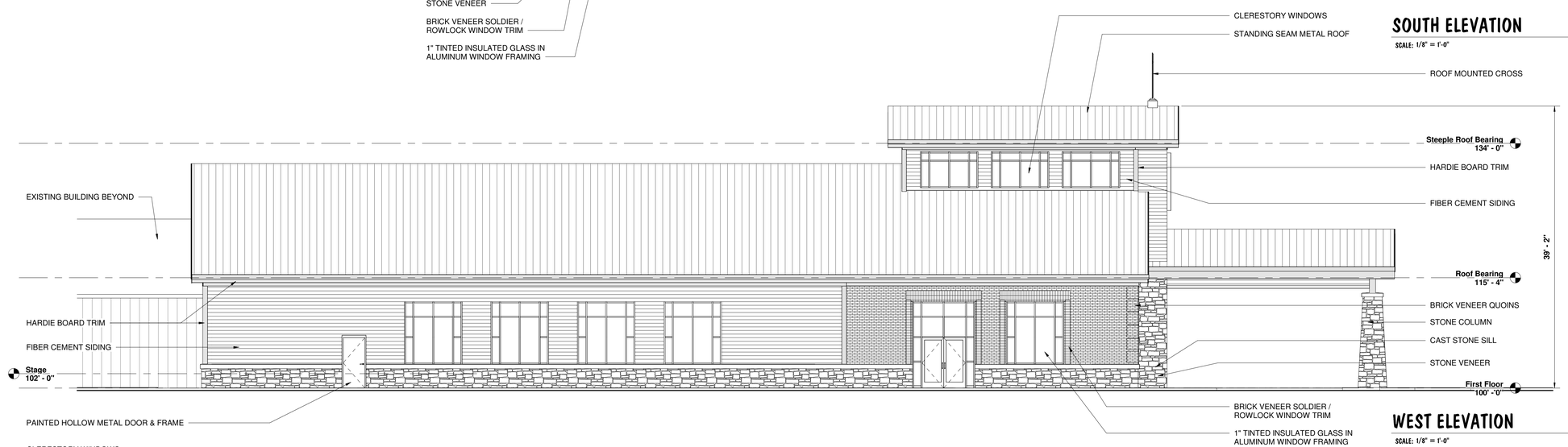
A1.1



SOUTH ELEVATION

SCALE: 1/8" = 1'-0"

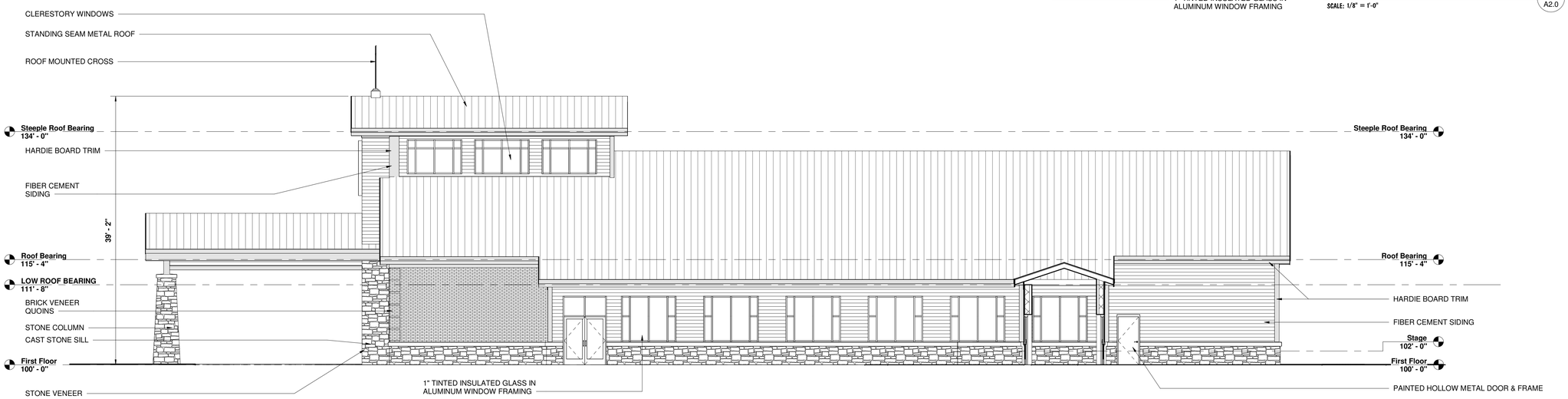
1
A2.0



WEST ELEVATION

SCALE: 1/8" = 1'-0"

2
A2.0



EAST ELEVATION

SCALE: 1/8" = 1'-0"

3
A2.0

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SHEET CONTENTS:
ELEVATIONS

PROPOSED NEW BUILDING FOR:
MONROE FIRST CHURCH OF GOD

100 Easton Manor Dr.
Monroe, OH 45050

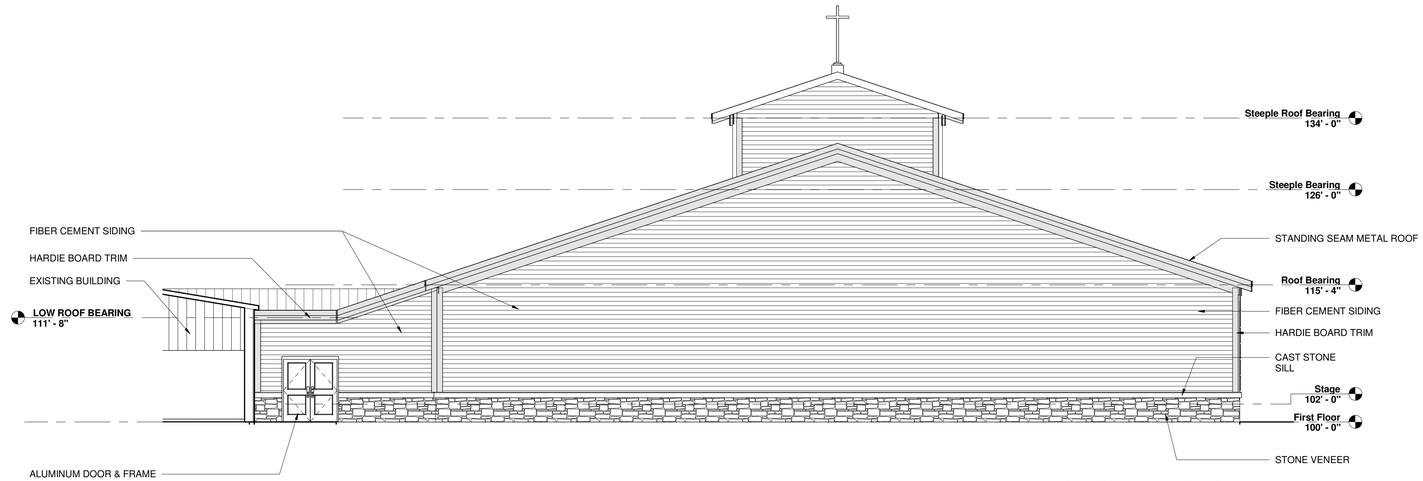
REV.	DATE	CK'D

Drawn By: TAY Checked By: MDB

Preliminary
Not For
Construction

Date: 08/21/24 Job No: 24.093

A2.0



NORTH ELEVATION

SCALE: 1/8" = 1'-0"

1
A2.1

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SHEET CONTENTS:
ELEVATIONS

PROPOSED NEW BUILDING FOR:
MONROE FIRST CHURCH OF GOD

100 Easton Manor Dr.
Monroe, OH 45050

REV.	DATE	CK'D

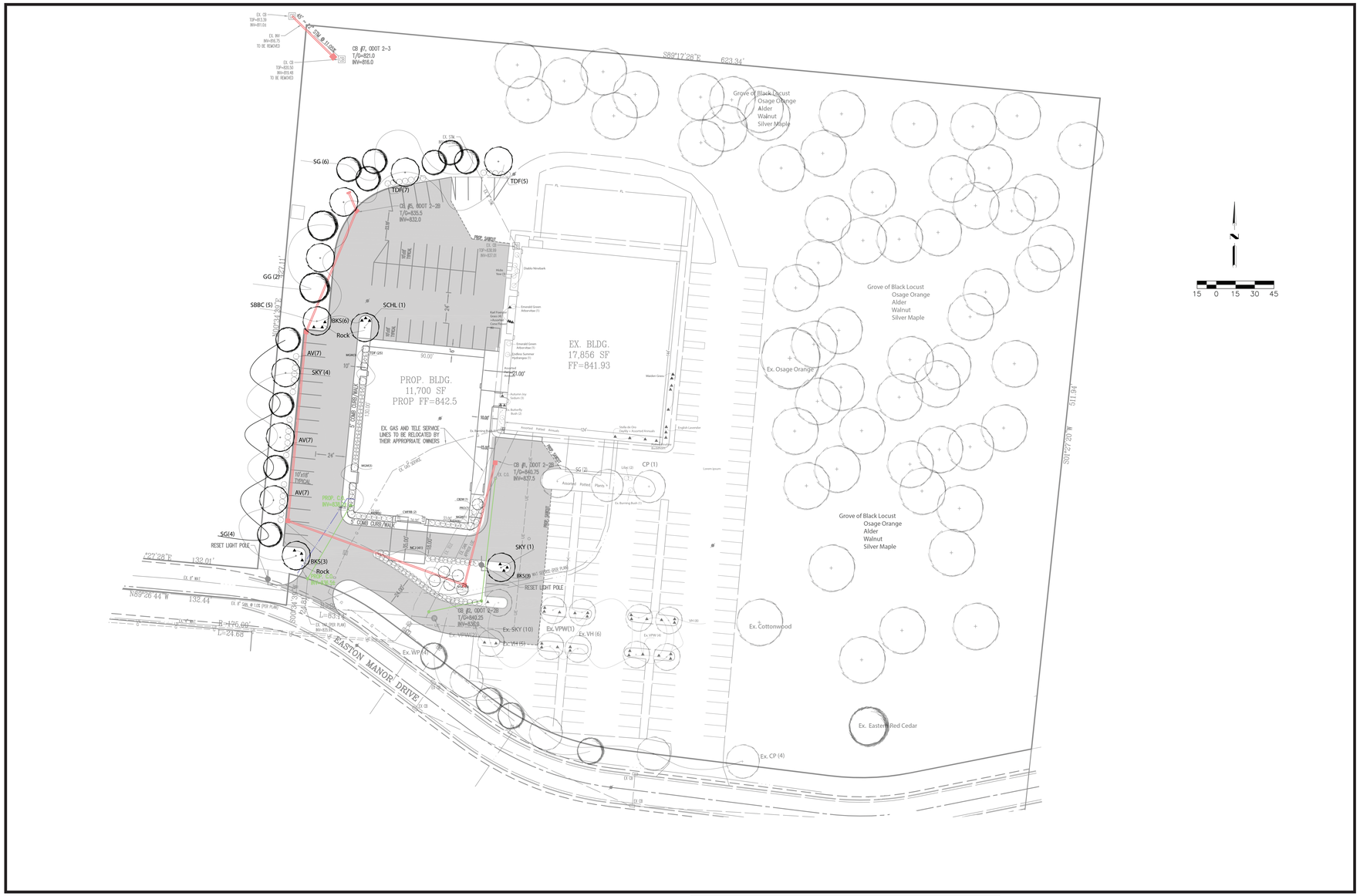
Drawn By: TAY Checked By: MDB

Preliminary
Not For
Construction

Date: 08/21/24 Job No: 24.093

A2.1

S89°17'28"E 623.34'
S00°22'30"W 511.94'
N00°34'39"E 427.11'
S89°27'28"E 132.01'
N00°34'39"E 24.75'
N89°26'44"W 132.44'
S00°34'39"W 24.81'
R=175.00'
L=24.68'
R=200.00'
L=83.14'
N57°39'26"W 106.30'
R=200.00'
L=104.17'
N87°30'00"W 168.62'
S74°15'52"W 96.33'
R=200.00'
L=63.65'
40' SETBACK
EX. BLDG.
17,856 SF
FF=841.93
PROP. BLDG.
11,700 SF
PROP FF=842.5
EASTON MANOR DRIVE
15 0 15 30 45



General Notes

1. Contractor and their subs should have five years proven experience with projects of similar scope and quality. No exceptions.
2. Contractor shall obtain all necessary permits for construction of this project.
3. Contractor is responsible for verifying or surveying the site to determine accuracy of proposed work relative to the construction intent illustrated on drawing by Civil Engineer.
4. Contractor shall adhere to all applicable codes, regulations, guidelines and standard details for construction including application of materials.
5. Contractor shall provide Owner with current certificates of liability insurance, current workman's compensation certificates including Subcontractors and proof of bonding that the Project may require.
6. Contractor is to provide itemized unit cost estimates as required to successfully implement this design and communicate understanding of the full scope of work proposed by the Owner in entirety or in phases.
7. Contractor shall report to the Owner any discrepancy between site conditions, the survey, grading plan and this design. Work shall pause in the area until the discrepancy has been resolved by the Owner.
8. Contractor to provide all labor, materials and equipment as necessary to successfully implement this project in a timely manner and with budget as negotiated by the Owner.
9. Contractor to submit at Owner's request a list of all Subcontractors working on the project, along with the description of the work they are to perform.
10. Locate and protect all existing public and private, below or above grade utilities. Call utility protection service to mark all utilities prior to work commencing.
11. Contractor is responsible for excavation engineering, shoring and safety.
12. The site shall be kept clear of all obstacles and debris, maintaining full and safe access to the site and surrounding structures at all time
13. All materials to be approved by Owner via sign submittal, unless otherwise requested by Owner.
14. Subsurface and finished grades to provide positive drainage away from all buildings, structures, planting areas and stand-alone plants into natural or man-made drainage ways.
15. Verify all layout dimensions and grading elevations on site prior to installation of work to assure conformity with design intent and to provide positive drainage away from built improvements.
16. Protect all existing and new structures and site improvements from damage.
17. Contractor is responsible for general maintenance of construction site erosion control, weeding, watering, pest and disease control during construction and for a period of one month after substantial completion.
18. All materials, equipment and labor to be warranted for a period of one year following Owner agreed completion date. Any materials or workmanship falling below the specified standards herein and/ or locally accepted standards if unspecified will be replaced or reworked until it meets the standard and is approved by the Owner.
19. Sediment and erosion control is required while under construction and thereafter.

Construction Notes

1. See General Notes:
2. The goal of this planting is to establish a healthy, sustainable and vital landscape true to the specified plants natural character, habit and/or intended purpose.
3. All work to be verified on site to be suitable with existing conditions.
4. Final layouts to be clearly identified by staking or marking and approved by Owner prior to installation of construction improvements.
5. Beds - Remove all topsoil from areas to be graded and stockpile. Rough grade subsoil to accommodate a minimum of twelve (12) inches of redistributed or purchased topsoil for areas supporting planting beds or tree rings. Scarify subsoil prior to placement of topsoil. Work subsoil and topsoil in optimal moisture conditions to create required horticultural growing medium; never work when wet or powdery.
6. Turf - Remove all topsoil from areas to be graded from areas to be graded and stockpile. Rough grade subsoil to accommodate a minimum of four (4) inches of redistributed or purchased topsoil for areas supporting turf. Scarify subsoil prior to placement of topsoil. Work subsoil and topsoil in optimal moisture conditions to create required horticultural growing medium; never work when wet or powdery.
7. Planting Soil - Amend existing or purchase topsoil to provide a well-draining planting medium that meets the optimum growing requirements of the specified plants. Amendments to be specified by certified soil scientist specializing in amending and modifying soils for ornamental and turf planting.
8. Planting soil should have a PH range of 5.5 to 7.
9. Plants - Contractor is to evaluate the suitability of specified plant material to determine if the specified plants, their known horticultural needs and the environment they are being placed will establish a healthy vigorous landscape.
10. It is best practice to supply dated purchased order or delivery slips for all materials to Owner. All plant to have grower tags verifying botanical name.

Plan Notes

11. Quantities shown are required. The plan shall be followed. The Contractor is responsible for verifying their own quantities as required to implement the design intent shown on the plans.
12. Repetitious planting and mass planting groups to align with adjacent geometries conforming to the lines and layout of the building, roads and other structures they are intended to relate to.
13. In line with the Plan, hedge material to be equally spaced, in straight unwavering rows, conforming and parallel to adjacent edges and geometries.
14. Bed edges to be true simple lines, unwavering and neat appearance. Bed edges to be laid out in field for approval of the Owner prior to implementation. All bed edges adjacent to turf to be sod cut edge of 5'' deep and 5'' wide.

Plant Selection, Layouts and Implementation

15. Plants to be selected at the nursery of origin by the landscape contractor.
16. For less extensive zoning codes, a single source supplier for each plant specified is required. Although in this case, due to the high complexity of the zoning code related to landscaping, multiple supliers is permissable if necessary - but specimans must be matching and symetrical. Contractor is to ensure availability of replacement stock from same source or risk replacing all plants to match new source. In other words, specimens must me like, matching and symmetrical.
17. It is best practice to submit plant photos to Owner prior to purchase. The plants must be healthy, vigorous and of professional landscape quality.
18. Plant substitutions shall be approved by the government official and the Landscape Site Arrangement Proffessional.
19. All plant locations to be staked or laid out for approval by Owner prior to planting.
20. See this sheet, Civil Documents and Architectural Documents for additional project requirements and full understanding of the project's intent.
21. Contractor is responsible to meet the design intent and is encouraged to arrange periodic meetings with the Owner and the landscape site arrangement specialist for continued understand and to confirm design and project intent. Follow the plan and do not be afraid to ask questions if unsure.
22. This planting is being installed on a new construction site. Expect over compacted and poor draining subsoils. Deep scarification of subsoil is likely required. Soil compaction and drainage problems encountered through testing plant pits as described in the details are to be corrected and reported to the Owner with remedies prior to planting plants.

Turf

23. All turf to be seed for turf type tall fescue at a rate of 10lbs/1000sf, provide soil stabilization and seed mulch as required for germination. Overseed bare areas as required after initial seeding.
24. Establish grass lawn in areas not shown as planting. Bed lines to be approved prior to seeding.
25. Seed must be of a professional quality. Please consult a turf specialist.

Plant Legend - New Building Area

Sym	QTY	Botanical Name	Common Name	Type	Size(DBH)	Description
SG	10	Thuja plicata "Grovepli"	Spring Grove Arborvitae*	B&B	2.5''	Matched and symetrical specimens, single leader and fully branched to ground.
GG	2	Zelkova plicata "Green Giant"	Green Giant Arborvitae*	B&B	2.5''	Matched and symetrical specimens, single leader and fully branched to ground.
SKY	5	Gleditsia tricanthos f. inermis "Skycole"	Skyline Honey Locust	B&B	2.5''	Matched specimens, single leader, well formed canapy
SKHL	1	Gleditsia tricanthos f. inermis "Draves"	Streetkeeper Honey Locust	B&B	2.5''	Specimen, single leader, well formed canopy
CBDW	1	Cornus florida "Cherokee Chief"	Cherokee Chief Dogwood**	B&B	2.5''	Specimen, Single leader, well formed canopy
SBBC	5	Taxodium distichum "Mickelson"	Shawnee Brave Bald Cypress	B&B	2.5''	Matched specimens, single leader, well formed canopy
CWFRB	2	Cercis Canadensis "Ruby Falls"	Ruby Falls Weeping Redbud**	B&B	1.5-2", 6-7'@P	Matched, symetrical specimans
MGM	7	Magnolia virginiana "Jim Wilson"	Moonglow Magnolia*	B&B	2.5'' total stems	Matched specimens, multi-stem, well formed shape
VSC	5	Vitex agnus-castus 'Shoal Creek'	Shoal Creek Vitex**	B&B or Pot	36''	Matched specimens, well formed shape
NCJ	41	Juniperus Chinensis "Nick's Compact"	Nick's Compact Juniper*	B&B or Pot	~24''	Matched specimens, well formed compact shape
JUDV	12	Viburnum x juddii	Judd's Viburnum**	B&B	36''	Matched specimens, well formed shape
PRO	7	Cephalotaxus harringtonia 'Prostrata'	Spreading Plum Yew*	B&B or Pot	12-18''	Matched specimens, well formed shape
TDF	37	Taxis Densiformis	Dense Spreading Yew*	B&B	36''	Matched specimens, well formed compact shape
AV	21	Viburnum rhytidophylloides 'Allegheny'	Allegheny Viburnum*,**	B&B	36''	Matched specimens, well formed shape
BKS	12	Spirea media "Blue Kazoo"	Double Play® Blue Kazoo® Spirea	Pot	~24''	Matched specimens, well formed shape
HY	5	Taxus x media "Hicksii"	Hick's Yew*	B&B	36''	Matched specimens, well formed compact shape

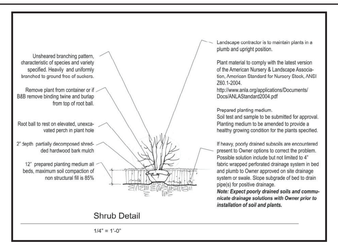
*=Evergreen **=Flowering

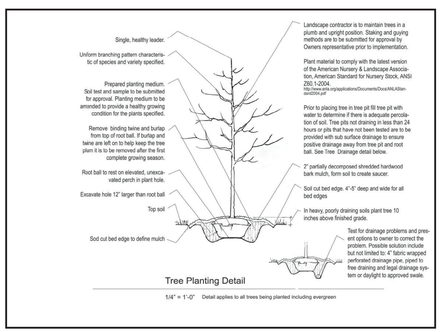
Plant Legend - Existing Area Symbols

Sym	QTY	Botanical Name	Common Name
CP	5	Pyrus calleryana	Bradford Pear
WP	4	Pinus strobus	White Pine
VH	5	mult varieties	Variegated Hosta
VPW	8	Vinca major "Varigata"	Variegated Periwinkle
SKY	10	Gleditsia tricanthos f. inermis "Skycole"	Skyline Honey Locust
SG	2	Liquidambar styraciflua	Sweetgum

Plants used for this project are to exhibit the finest aestetetic and horticultural qualities associated with the species and varieties specified. All substitutions are to be approved by the owner and government jurisdiction. Plants of the same species and variety are to be aquired from a single source with stock in quantities large enough to secure replacements. The contractor is to examine the site and determine if site will accomodate healthy vigorous growing conditions including drainage/ percolation requirements for the plants specified. Bring to the Owner's attention if site conditions are encountered that do not meet the horticultural requirements associated with a successful landscape installation prior to installation.

The plants in this plan are selected based on their hardiness, size considerations, and their commercial availability at professional plant nursuries in the Cincinnati/ Dayton Metropolitan Area.





Catalog # : _____ Project : _____ Type : _____

Prepared By : _____ Date : _____

Mirada Small Silicone (XWS SIL)

Outdoor Wall Sconce

OVERVIEW	
Lumen Package (lm)	1,000 - 8,000
Wattage Range (W)	10 - 61
Efficacy Range (LPW)	126 - 162
Weight lbs (kg)	10 (4.5)
Control Options	IMSBT, ALB, ALS, PCI

QUICK LINKS

Ordering Guide | Performance | Photometrics | Dimensions

FEATURES & SPECIFICATIONS

Construction

- Rugged die-cast aluminum housing.
- Fixtures are finished with LSI's DuraGrip® polyester powder coat finishing process. The DuraGrip finish withstands extreme weather changes without cracking or peeling. Other standard LSI finishes available. Consult factory.
- Extended housing available with 1/2" threaded hubs for surface conduit and rated wire.
- Standard luminaire shipping weight: TBD lbs in carton.
- Max luminaire shipping weight: 12 lbs in carton (20 lbs w/EH option)

Optical System

- State-of-the-Art one piece silicone optic provides industry leading optical control while also acting as an integrated gasket reducing system complexity and improving fixture reliability.
- Proprietary silicone refractor optics provide exceptional coverage and uniformity in distribution types 2, 3, and FT.
- Silicone optical material does not yellow or crack with age and provides a typical light transmittance of 93%.
- Zero uplight.
- Available in 5000K, 4000K, and 3000K color temperatures per ANSI C78.377. Also available in Phosphor Converted Amber with peak intensity at 610nm.
- Minimum CRI of 70

Electrical

- High-performance programmable driver features over-voltage, under-voltage, short circuit and over temperature protection. Custom lumen and wattage packages available.
- 0-10V dimming (10% - 100%) standard.
- Standard Universal Voltage (120-277 VAC) Input 50/60 Hz or optional High Voltage (347-480 VAC).
- L80 Calculated Life: >100k Hours
- Total harmonic distortion (THD): <20%
- 3L to 12L operating temperature: -40°C to +50°C (-40°F to +122°F)
- 15L operating temperature: -40°C to +45°C (-40°F to +113°F).
- 18L operating temperature: -40°C to +40°C (-40°F to +104°F).
- 21L operating temperature: -40°C to +35°C (-40°F to + 95°F).
- Power factor (PF): >.90
- Input power stays constant over life.
- Optional 10kV surge protection device meets a minimum Category C Low operation (per ANSI/IEEE C62.41.2).
- High-efficacy LEDs mounted to metal-core circuit board to maximize heat dissipation
- Components are fully encased in potting material for moisture resistance. Driver complies with FCC standards. Driver and key electronic components can easily be accessed via hinged door.
- Optional integral emergency battery pack provides 90-minutes of constant power to the LED system, ensuring code compliance. A test switch/indicator button is installed on the housing for ease of maintenance. The fixture delivers 1500 lumens during emergency mode.

Controls

- Integral passive infrared Bluetooth™ motion sensor options. Fixtures operate independently and can be commissioned via an iOS or Android configuration app. Updates and modifications to the control strategy are easily implemented via an intuitive app.
- LSI's AirLink™ Blue lighting control system is a simple feature rich wireless Bluetooth mesh network. The integrated fixture sensor module provides wireless control of grouped fixtures based on motion sensors, daylight or a fully customizable schedule.

Installation

- Universal wall mounting plate easily mounts directly to 4" octagonal or square junction box.
- 2 fasteners secure the hinged door underneath the housing and provide quick & easy access to the electrical compartment for installing/servicing.
- Optional terminal block accepts up to 12 ga wire.

Warranty

- LSI luminaires carry a 5-year limited warranty. Refer to https://www.lsicorp.com/resources/terms-conditions-warranty/ for more information.

Listings

- Listed to UL 1598 and UL 8750.
- Meets Buy American Act requirements.
- IDA compliant; with 3000K color temperature selection.
- Title 24 Compliant; see local ordinance for qualification information.
- Suitable for wet locations.
- IP65 rated luminaire per IEC 60598-1.
- 3G rated for ANSI C136.31 high vibration applications when pole mounted (using optional XPMA bracket) or wall mounted.
- IK08 rated luminiare per IEC 66262 mechanical impact code.
- DesignLights Consortium® (DLC) Premium qualified product. Not all versions of this product may be DLC Premium qualified. Please check the DLC Qualified Products List at www.designlights.org/QPL to confirm which versions are qualified.

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Mirada Small Silicone (XWS SIL)

Type : _____

Have questions? Call us at (800) 436-7800

ORDERING GUIDE

Back to Quick Links

TYPICAL ORDER EXAMPLE: XWS LED 6L SIL FT UNV DIM 40 70CRI ALBCS1 BLK CWBB

Prefix	Light Source	Lumen Package	Lens	Distribution	Voltage	Driver
XWS - Mirada Small Wall Sconce	**LED**	**1L** - 1,000 (10w) UNV Only **2L** - 2,000 (15w) **3L** - 3,000 (26w) **5L** - 5,000 (39w) **6L** - 6,000 (52w) **8L** - 8,000 (63w) **Custom Lumen Packages**[1]	**SIL** - Silicone	**2** - Type 2 **3** - Type 3 **FT** - Forward Throw	**UNV** - Universal Voltage (120-277V) **HV** - High Voltage (347-480V)	**DIM** - 0-10v Dimming (0-10%)

Color Temperature	Color Rendering	Controls	Finish	Options
50 - 5000K **40** - 4000K **30** - 3000K	**70CRI** - 70 CRI	**Blank** - None **Wireless Controls** **ALBMR1LR** - AirLink Blue Wireless Motion & Photo Sensor Controller (8-15' mounting height)[2] **ALBCS1** - AirLink Blue Wireless Motion & Photo Sensor Controller (8-24' mounting height)[2] **Standalone Controls** **EXT** - 0-10v Dimming leads extended to housing exterior **IMSBT1L** - Integral Bluetooth™ Motion Sensor 8-24' MH[2,3] **Button Type Photocells** **PCI120** - 120V **PCI208-277** - 208 -277V **PCI347** - 347V	**BLK** - Black **BRZ** - Dark Bronze **GMG** - Gun Metal Gray **GPT** - Graphite **MSV** - Metallic Silver **PLP** - Platinum Plus **SVG** - Satin Verde Green **WHT** - White	**Blank** - None **BB** - 10w Battery Back-up (0°C)[4] **CWBB** - 10w Cold Weather Battery Backup (-20°C)[4] **BB20** - 20W Battery Back-up (0°C)[4] **EH** - Extended Housing[5] **SP1** - 10kV Surge Protection Device

Need more information?
Click here for our glossary

Have additional questions?
Call us at (800) 436-7800

ACCESSORY ORDERING INFORMATION*

Part Number	Description
758274CLR	XWS Extended Housing/Surface Conduit Wiring Box
760159CLR	XWS Spacer Plate/Wiring Box

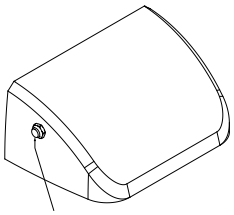
*Accessories are shipped separately and field installed.

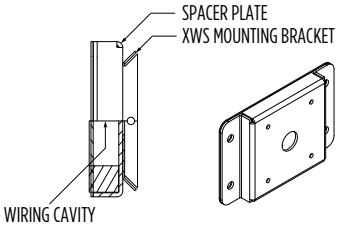
Battery Backup

- Emergency battery system provides 90-minutes of constant power to the LED system, ensuring code compliance.
- A test switch/indicator button is installed on the housing for ease of maintenance.
- 10w battery delivers ~1,500 lumens during emergency mode.
- 20w battery delivers ~3,000 lumens during emergency mode.

Luminaire shown with battery backup

AirLink Wireless Control Luminaire shown with ALBMR1LR





1 Custom lumen and wattage packages available, consult factory. Values are within industry standard tolerances but not DLC listed.
2 When high voltage (HV) is specified, IMSBT, ALBCS ALBMRxLR control options are limited to 6L and 8L lumen packages..
3 IMSBTxL is field configurable via the LSI app that can be downloaded from your smartphone's native app store.
4 Universal Voltage Only (120-277V). 20W Battery Backup only available 1L - 6L.
5 For applications with surface conduit.

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PERFORMANCE

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Delivered Lumens[1]

Lumen Package	Distribution	CRI	3000K CCT			4000K CCT			5000K CCT			Wattage
			Delivered Lumens	Efficacy	Bug Rating	Delivered Lumens	Efficacy	Bug Rating	Delivered Lumens	Efficacy	Bug Rating	
1L	2	70	1,429	143	B1-U0-G1	1,524	152	B1-U0-G1	1,526	153	B1-U0-G1	10
	3		1,491	149	B0-U0-G1	1,590	159	B0-U0-G1	1,592	159	B0-U0-G1	
	FT		1,459	146	B0-U0-G1	1,556	156	B1-U0-G1	1,557	156	B1-U0-G1	
2L	2	70	1,851	142	B1-U0-G1	1,974	152	B1-U0-G1	1,976	152	B1-U0-G1	13
	3		1,930	148	B1-U0-G1	2,058	158	B1-U0-G1	2,060	158	B1-U0-G1	
	FT		1,889	145	B1-U0-G1	2,015	155	B1-U0-G1	2,017	155	B1-U0-G1	
3L	2	70	2,765	146	B1-U0-G1	2,950	155	B1-U0-G1	2,953	155	B1-U0-G1	19
	3		2,884	152	B1-U0-G1	3,077	162	B1-U0-G1	3,079	162	B1-U0-G1	
	FT		2,822	149	B1-U0-G1	3,010	158	B1-U0-G1	3,012	159	B1-U0-G1	
5L	2	70	4,655	133	B2-U0-G1	4,965	142	B2-U0-G1	4,970	142	B2-U0-G1	35
	3		4,855	139	B1-U0-G1	5,179	148	B1-U0-G1	5,184	148	B1-U0-G1	
	FT		4,750	136	B1-U0-G2	5,067	145	B1-U0-G2	5,072	145	B1-U0-G2	
6L	2	70	5,578	130	B2-U0-G1	5,950	138	B2-U0-G2	5,956	139	B2-U0-G2	43
	3		5,819	135	B1-U0-G2	6,207	144	B1-U0-G2	6,214	145	B1-U0-G2	
	FT		5,693	132	B1-U0-G2	6,073	141	B1-U0-G2	6,079	141	B1-U0-G2	
8L	2	70	7,531	123	B2-U0-G2	8,034	132	B2-U0-G2	8,041	132	B2-U0-G2	61
	3		7,856	129	B2-U0-G2	8,380	137	B2-U0-G2	8,388	138	B2-U0-G2	
	FT		7,687	126	B2-U0-G2	8,199	134	B2-U0-G2	8,207	135	B2-U0-G2	

Electrical Data - Current Draw AMPS[2]

Lumen Package	120V	208V	240V	277V	347V	480V
1L	0.08	0.05	0.04	0.04	0.03	0.02
2L	0.11	0.06	0.05	0.05	0.04	0.03
3L	0.16	0.09	0.08	0.07	0.05	0.04
5L	0.29	0.17	0.15	0.13	0.10	0.07
6L	0.36	0.21	0.18	0.16	0.12	0.09
8L	0.51	0.29	0.25	0.22	0.18	0.13

Recommended Lumen Maintenance - XWS[3]

Ambient Temperature C°	Initial[4]	25K hrs.[4]	50K hrs.[4]	75K hrs.[5]	100K hrs.[5]
25	100%	95%	90%	85%	80%
40	100%	91%	82%	73%	65%

1 1L not available in HV
2 1L not available with controls.
3 Lumen maintenance values at 25°C are calculated per TM-21 based on LM-80 data and in-situ luminaire testing.
4 In accordance with IESNA TM-21-11, Projected Values represent interpolated value based on time durations that are within six times (6X)the IESNA LM-80-08 total test duration (in hours) for the device under testing ((DUT) i.e. the packaged LED chip).
5 In accordance with IESNA TM-21-11, Calculated Values represent time durations that exceed six times NA LM-80-08 total test duration (in hours) for the device under testing ((DUT) i.e. the packaged LED chip).

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PHOTOMETRICS

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Luminaire photometry has been conducted by a NVLAP accredited testing laboratory in accordance with IESNA LM-79-08. As specified by IESNA LM-79-08 the entire luminaire is tested as the source resulting in a luminaire efficiency of 100%.

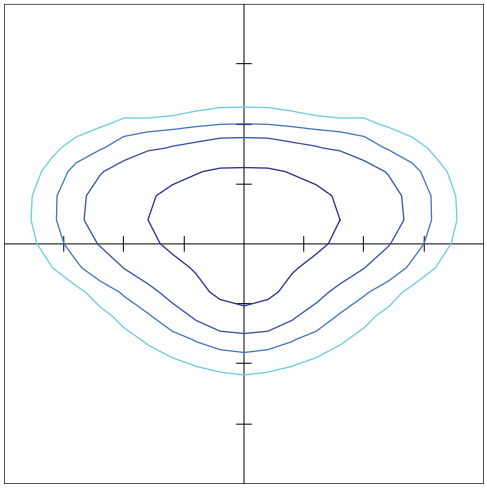
See the individual product page on https://www.lsicorp.com/ for detailed photometric data.

XWS-LED-6L-SIL-2-40-70CRI

Luminaire Data	
Type 2 Distribution	
Description	4000 Kelvin, 70 CRI
Delivered Lumens	5,951
Watts	42.5
Efficacy	138
IES Type	Type II - Short
BUG Rating	B1-U0-G1

Zonal Lumen Summary		
Zone	**Lumens**	**% Luminaire**
Low (0-30°)	834	20%
Medium (30-60°)	3,379	50%
High (60-80°)	1,647	28%
Very High (80-90°)	91	1%
Uplight (90-180°)	0	0%
Total Flux	5,951	100%

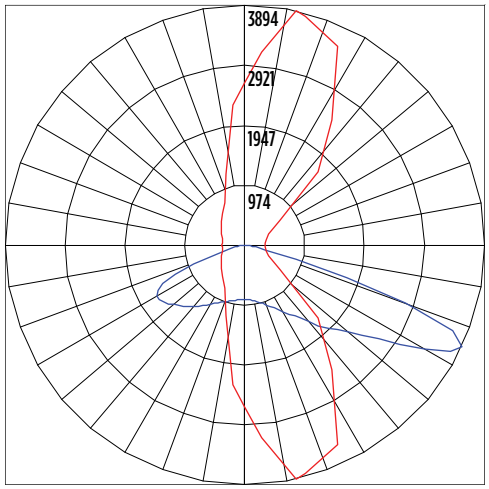
ISO Footcandle



10' Mounting Height / 10' Grid Spacing

5 FC 2 FC 1 FC 0.5 FC

Polar Curve



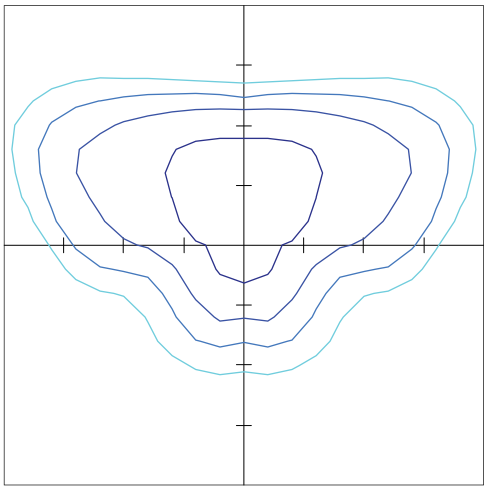
Vertical Plane Horizontal Cone

XWS-LED-6L-SIL-3-40-70CRI

Luminaire Data	
Type 3 Distribution	
Description	4000 Kelvin, 70 CRI
Delivered Lumens	6,208
Watts	42.5
Efficacy	146
IES Type	Type III - Medium
BUG Rating	B1-U0-G2

Zonal Lumen Summary		
Zone	**Lumens**	**% Luminaire**
Low (0-30°)	582	9%
Medium (30-60°)	2,997	48%
High (60-80°)	2,506	40%
Very High (80-90°)	124	2%
Uplight (90-180°)	0	0%
Total Flux	6,208	100%

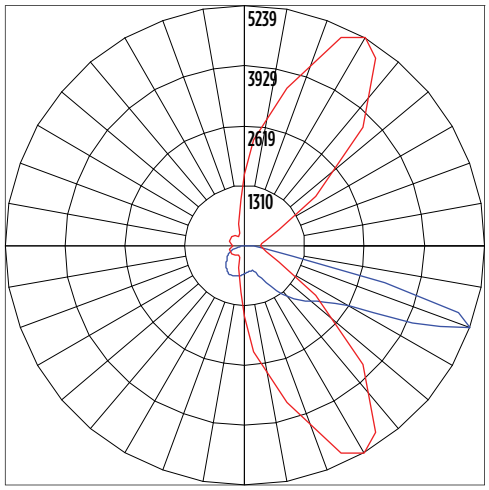
ISO Footcandle



10' Mounting Height / 10' Grid Spacing

5 FC 2 FC 1 FC 0.5 FC

Polar Curve



Vertical Plane Horizontal Cone

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PHOTOMETRICS

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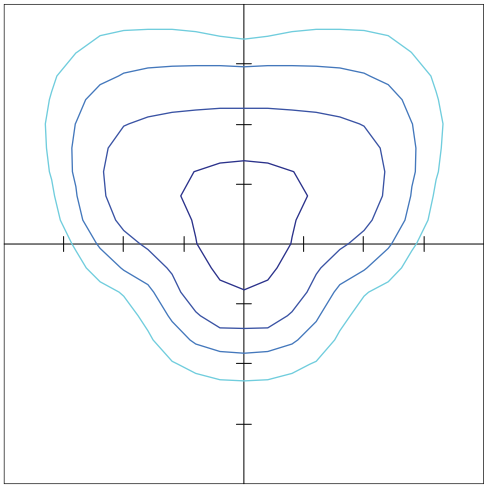
XWS-LED-6L-SIL-FT-40-70CRI

Luminaire Data	
Type FT Distribution	
Description	4000 Kelvin, 70 CRI
Delivered Lumens	6,073
Watts	42.5
Efficacy	143
IES Type	Type IV - Short
BUG Rating	B1-U0-G2

Zonal Lumen Summary		
Zone	**Lumens**	**% Luminaire**
Low (0-30°)	708.3	12%
Medium (30-60°)	2,715.5	45%
High (60-80°)	2,475.4	41%
Very High (80-90°)	173.6	3%
Uplight (90-180°)	0	0%
Total Flux	6,073	100%

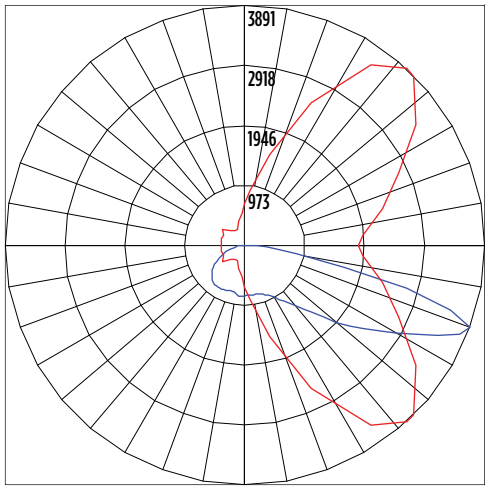
ISO Footcandle



10' Mounting Height / 10' Grid Spacing

5 FC 2 FC 1 FC 0.5 FC

Polar Curve



Vertical Plane Horizontal Cone

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PRODUCT DIMENSIONS

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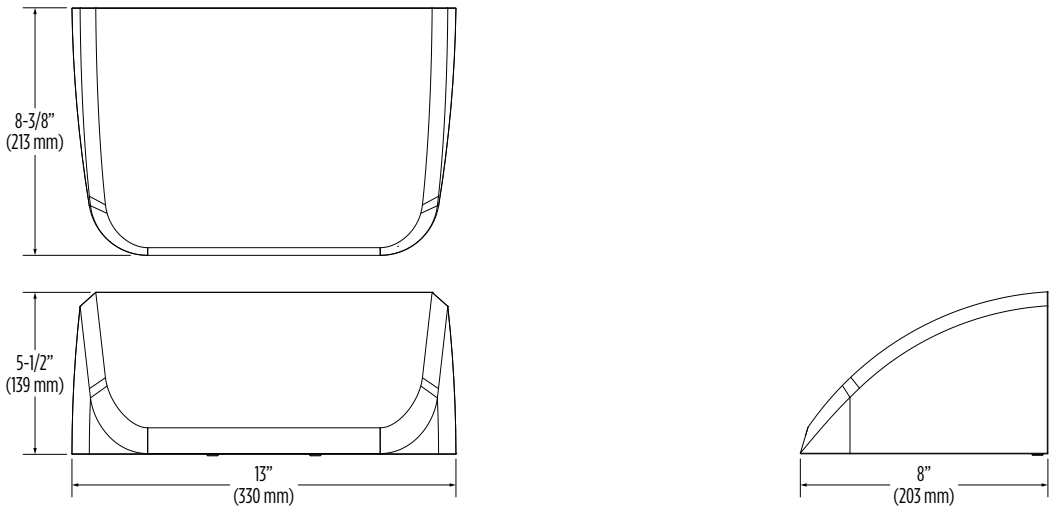
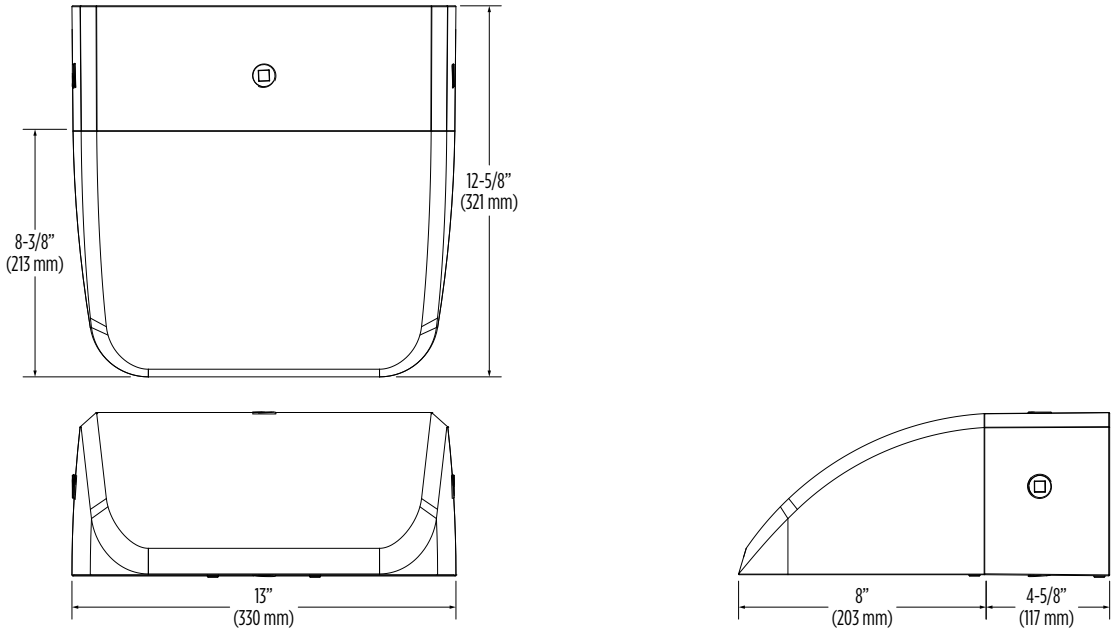
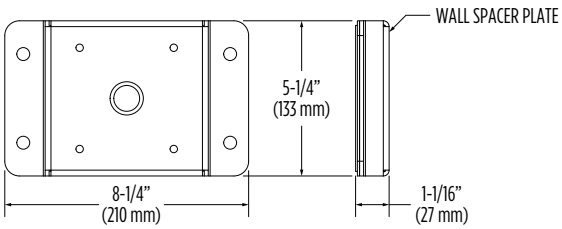
STANDARD HOUSING
(XWS)



SCWB EXTENDED HOUSING
(XWS 758274CLR)



XWS SPACER PLATE/WIRING BOX
(XWS 760159CLR)



NOTE: Wall spacer plate allows the luminaire to float off the wall and provides space for securing wires (8.25" X 5.25" X 1.07").

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CONTROLS

Back to Quick Links

Integral Bluetooth™ Motion and Photocell Sensor (IMSBTxL)

Slim low profile sensor provides multi-level control based on motion and/or daylight. Sensor controls 0-10 VDC LED drivers and is IP66 rated for cold and wet locations (-40°F to 167°F). Two unique PIR lenses are available and used based on fixture mounting height. All control parameters are adjustable via an iOS or Android App capable of storing and transmitting sensor profiles.

Click here to learn more details about IMSBT

LEVITON App | Apple | Android

AirLink Wireless Lighting Controller (ALSC, ALSCS)

The AirLink integrated controller is a California Title 24 compliant lighting controller that provides real-time light monitoring and control with utility-grade power monitoring. It includes a 24V sensor input and power supply to connect a sensor into the outdoor AirLink wireless lighting system. The wireless integrated controller is compatible with this fixture.

Click here to learn more details about AirLink

AirLink Blue (ALBMRxLR, ALBCSx)

Wireless Bluetooth Mesh Outdoor Lighting Control System that provides energy savings, code compliance and enhanced safety/security for parking lots and parking garages. Three key components; Bluetooth wireless radio/sensor controller, Time Keeper and an iOS App. Capable of grouping multiple fixtures and sensors as well as scheduling time-based events by zone. Radio/Sensor Controller is factory integrated into Area/Site, Wall Mounted, Parking Garage and Canopy luminaires.

Click here to learn more details about AirLink Blue

AirLink Blue App | Apple

Sensor Sequence of Operations

Standard Programming	On Event	Off Event	On Light Level	Dim Light Level	Daylight Harvesting	Delay To Off	Sensitivity
IMSBTxL	Motion	No Motion	100%	N/A	On; Auto Calibration	20 minutes	High

Operation	Description
On Event	Trigger that activates lights to turn on; either automatic via motion detected or manually activated via push of button.
Off Event	Trigger that activates lights to turn off; either automatic via no motion detected or manually activated via push of button.
On Light Level	The light level that the fixtures will turn on to when ON EVENT occurs.
Dim Light Level	The light level that the fixtures will dim down to when no motion is detected.
Delay to Dim	The amount of time after which no motion is detected that the fixtures will be triggered to dim down. This sequence is optional, and sensor can be programmed to only trigger the fixture to turn off by entering 100% in this field.
Delay to Off	The amount of time after which no motion is detected that the fixtures will be triggered to turn off. If delay to dim is part of the programmed functionality, this is the amount of time after which no motion is detected after the fixture have already dimmed down.
Sensitivity	The sensitivity can be set to high, medium, low, or auto where applicable. High will detect smaller, simple motions. Low will only detect larger more complex motions. Auto temperature calibration adjusts the PIR sensitivity as ambient temperature rises to increase detection of heat movement through the field of view.

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HELIOS LIGHTING

4" Round Downlight & Wall Wash
New Construction / Non-IC

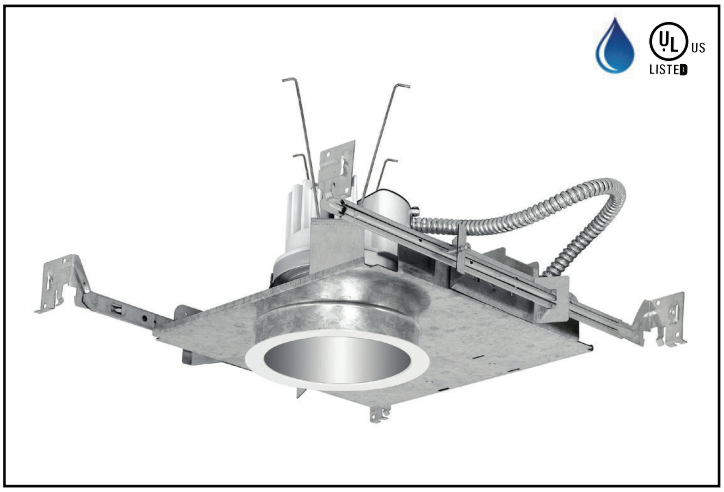
Date: _____

Project: _____

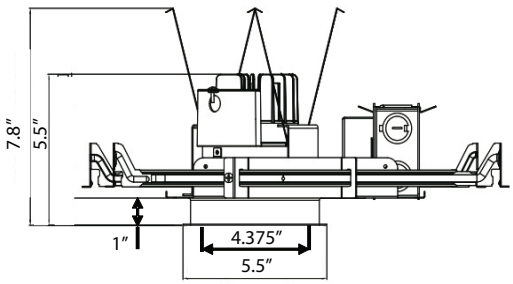
Type: _____

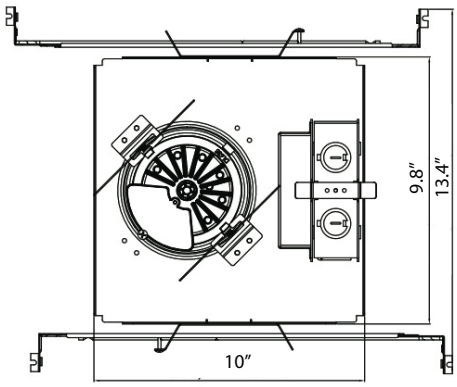
Cat. #: _____

PRODUCT IMAGES



Standard Dimensions:





See Page 3 for additional dimensioned Line Art

SPECIFICATIONS

Applications:
- New Construction Recessed Downlight suitable for Commercial and Architectural Applications.
- Suitable for ambient temperatures up to 35C (95F) with free airflow around fixture.

Key Dimensions
- Aperture – 4.375"
- Ceiling Cutout – 4.875"
- Overlap Flange – 5.50"

Construction:
- Galvanized Steel New Construction Housing
- Telescoping Bar Hangers Included (up to 24" grid)
- Light Engine and Driver Can Extend below the ceiling for ease of accessibility

Optical System:
- Self Flanged Aluminum Reflector with Semi-Diffuse Anodized Finish
- 80+ CRI / 3 SDCM Color Consistency
- 70% Lumen Maintenance at 50,000+ Hours
- 80 to 100 Lumens Per Watt
- Lensed Wall Wash Option Available, may be orientated in 90 degree increments to housing

Electrical:
- 120 thru 277v 50/60hz Input Power
- <20% THD; PF > 0.9
- EMI FCC 47CFR Part 15, Class A
- Standard 0-10v dimming to 10%, , 1% dimming available,
- Driver Sources up to 2ma of current to the dimming circuit
- FCC Part15, Class A

Certifications:
UL listed for Non-IC applications:
- Wet Location under covered ceilings with Downlight Option
- Energy Star Listed

Battery Back Up
- EMR option supplied with a pre-wired 7watt LED battery that is UL Listed for Field Installation. Remote Test Switch included.
- Top access required to service battery
- EMI Option supplied with a pre-wired 6watt, self-diagnostic, LED battery that is UL Listed for field installation. Test switch is supplied pre-installed integral with the reflector. Not suitable for use with Wall Wash reflector.

Warranty:
- Standard 5 Year Limited Warranty
- See www.heliosltg.com/warranty for Details.

ORDERING INFORMATION

ORDERING EXAMPLE: 6R15L35KAN

Aperture	Output	Kelvin	Reflector	Function	Dimming	Emergency
4R - 4" Round	**05L -** 500 lumens **10L -** 1000 lumens **15L -** 1500 lumens **20L -** 2000 lumens **25L -** 2500 lumens	**30K** **35K** **40K**	**AN -** Semi-Diffuse Anodized Cone and Flange **WF -** Anodized Cone and White Flange **WH -** White Cone & Trim **BF -** Andodized Cone & Black Flange **BL -** Black Cone and Black Flange **AMB** - Nano AntiMicrobial White Paint	**Blank** - 70° Wide Beam Downlight **MED** - 50° Medium Beam Downlight **NRW** - 25° Narrow Beam Downlight **SPT** - 15° Spot Beam Downlight **WW** - Lens Wall Wash (not available with 2500 lumen or AMB reflector)	**Blank -** 10%, 0-10V **DM1-** 1%, 0-10V	**Blank** - No Battery **EMR -** Battery Back Up with Remote Test Switch **EMI -** Battery Back Up with Integral Test Switch **GTD -** Generator Transfer Device, 0-10v compatible

Housing and Reflector Ship Separately

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BEAM SUMMARY

4R		Wide	Medium	Narrow	Spot
10L	Lumens	923	1086	1150	1213
	CBCP	913	1505	4479	7282
	Wattage	11	11	11	11
15L	Lumens	1450	1508	1606	1679
	CBCP	1427	2099	6246	10033
	Wattage	15	16	16	16
20L	Lumens	2027	2023	2155	2247
	CBCP	1673	2818	8375	13657
	Wattage	23	22	22	22
25L	Lumens	2513	2479	2639	2796
	CBCP	3325	3439	10286	17053
	Wattage	30	30	30	30
Beam Full Width, Half Max		70	50	23	18
Cut Off 10% Max, Half Angle		47	38	24	18
Spacing		1.00	0.80	0.40	0.30

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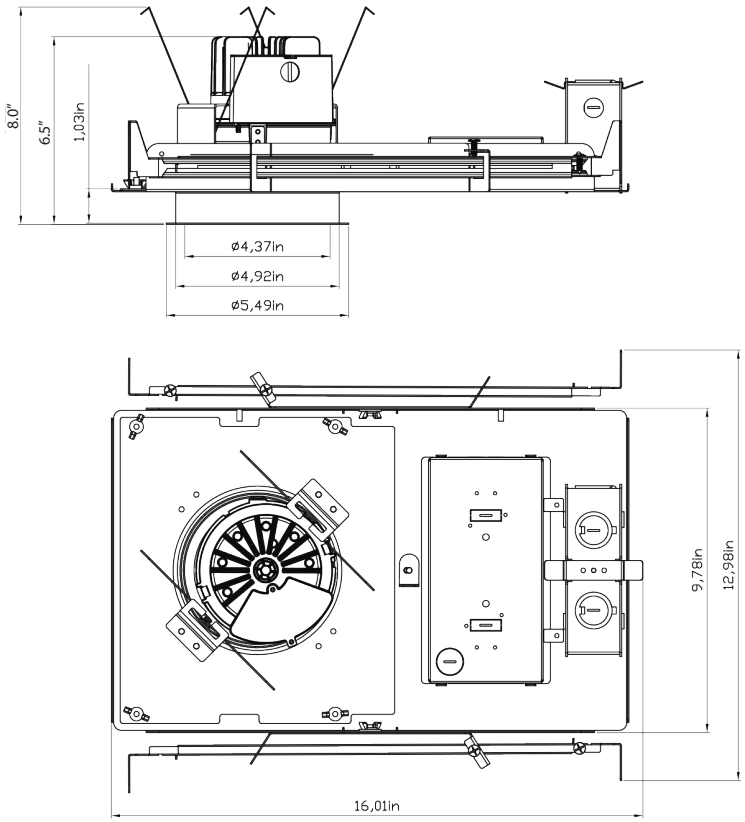
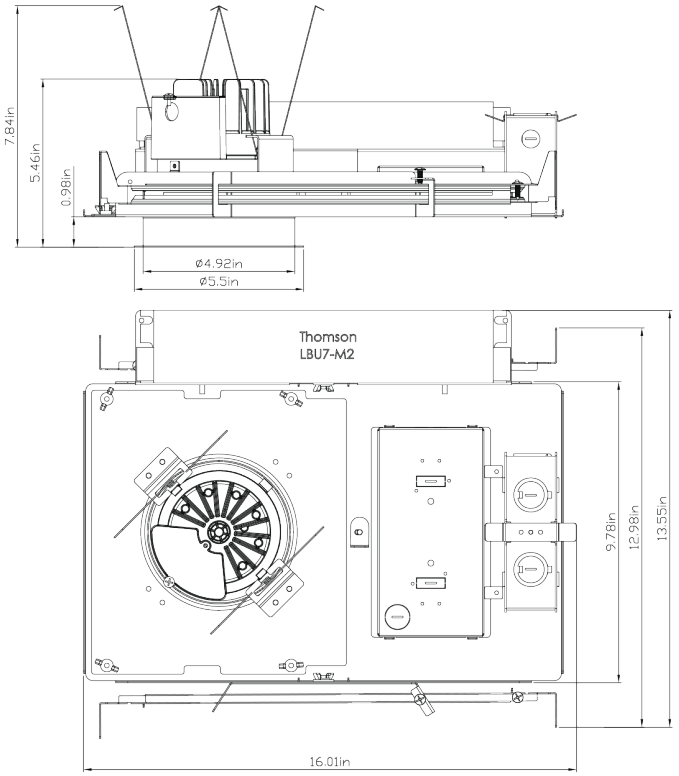
Narrow, Medium, and Spot Beam Housing Dimensions



EMR and EMI Dimensions



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Detention Calculations for:

MONROE FIRST CHURCH OF GOD SITE DEVELOPMENT

100 Easton Manor Drive, Monroe, OH 45050

Date: September 16, 2024

prepared by:

Apex Engineering & Surveying, Inc.
Joshua Liles, P.E.

ENGINEERING & SURVEYING, INC.

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Drainage Overview	page 1-3
Results	page 4
Conclusion	page 5

Appendix A – Watershed Drainage Maps
Appendix B – Water Quality Calculations
Appendix C – Modified Rational Calculations
Appendix D – Local Storm Calculations

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INTRODUCTION

The proposed addition to the Monroe First Church of God is located at 100 Easton Manor Drive within the City of Lebanon. This proposed site is currently partially developed zoned for residential use. This project consists of a new 11,700 SF church and related parking lot and utilities, along with a proposed redesign of the existing detention/water quality basins for storm runoff.

This report and calculations address all proposed work in this area.

STRATEGY

City of Lebanon technical design standards for drainage design were used when designing the storm water management system for this site. Section 8 lists the general design criteria and methods for stormwater requirements. As noted in this section, the Modified Rational method shall be used for purposes of sizing stormwater management systems/detention basins, and the detention of stormwater shall be regulated by determining the critical storm for a 1-year 24-hour storm. Storage facilities and control structures shall be designed such that the post development runoff rate is equal to a one-year predevelopment runoff rate up to the critical year storm. The rate of runoff for all storms greater than or equal to the critical storm shall be controlled to limit the peak rate of runoff to the predevelopment peak rate from the same frequency storm.

The calculations and hydraulic modeling were performed using the excel spreadsheets per City of Lebanon standards.

DRAINAGE OVERVIEW

There is an existing detention basin on site in the existing developed condition. This basin catches the western half of the existing site. All of the new development will take place on the half of the site. For calculations the existing conditions was assumed to be a grass field and the proposed condition is all of the existing and proposed impervious area that drains to the redesigned basin.

The runoff coefficients (C) were calculated using Lebanon standards section 8. See hydrograph reports in Appendix C.

The times of concentration (Tc) were assumed to be 30 min for the assumed existing condition.

Per the City of Lebanon design manual, a rainfall depth of 2.33” was used for the 1-yr 24-hour storm.

The stormwater approach will be discussed in depth in each of the following sections of this report.

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Pre-Developed Conditions West

This drainage area represents the on-site watershed for the existing condition. See Appendix A "Drainage Map".

	Area (AC)	Runoff Coeff (C)
Open Space, Fair Condition (grass cover >50%)	2.50	0.40
Total Area	**2.50**	**0.40**

Runoff Volume = 8458 CF (See Appendix C Page 3)

Total Pre-Developed Runoff Volume = 8458 CF

Post-Developed Conditions West

This drainage area represents the on-site east watershed for the proposed condition. See Appendix A "Post-Developed Drainage Map".

	Area (AC)	Curve Number (CN)
Open Space, Fair Condition (grass cover >75%)	0.95	0.35
Impervious Area	1.55	0.95
Total Area	**2.50**	**0.72**

Runoff Volume = 15,267 CF (See Appendix C Page 3)

Total Post-Developed Runoff Volume = 15,267 CF

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Determination of Critical Year Storm

$Volume_{Pre}$= 8,458 CF

$Volume_{Post}$= 15,267 CF

% Increase = $[(V_{post}-V_{pre})/V_{pre}]*100$ = [(11,765 – 5,430) / 5,430]*100 = 117%

If the percent of increase in runoff volume is		Critical storm for peak rate control will be	
equal to or greater than	and less than		
-	10	1 year	
10	20	2 year	
20	50	5 year	
50	100	10 year	<=81%
100	250	25 year	
250	500	50 year	
500	-	100 year	

Water Quality

Post-Construction water quality is being provided in the retention basins as required under Ohio NPDES Construction General Permit No. OHC000005. The water quality calculations per the City of Lebanon and OEPA standards were used to determine the necessary water quality volume and size the outlet orifice.

The design strategy for water quality treatment includes the use of a retention basin and control outlet structure. See Appendix D.

The summarized results are as follows for this watershed:

- Required WQv = 1816 CF
- Design Orifice Diameter =1” sized to achieve the 48-hour minimum draw-down time required by the OEPA)

Calculations for water quality can be found in Appendix B.

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RESULTS

A summary of the results is included in this section. Supplementary calculations and details can be found in the appendices.

Determination of Allowable Flow West

Year Storm	Post-Developed Flow (cfs)	Critical Year Allowable Flow (cfs)
10	3.54	1.72
25	6.62	3.97
50	7.35	4.32
100	6.73	4.95

Retention Basin West

The proposed surface retention basin will achieve the volume and release rate requirements. Within the required storage volume, a volume of 1,900 cu-ft is being provided in the basin for water quality purposes. A total volume of 8155 cu-ft is being provided in the basin at the spillway elevation of 821.0. The detention system is proposed to provide a storage volume of 5,970 cu-ft up to elevation 820.40' for the 10-year event, and 7,777 cu-ft at an elevation of 820.90' for the 100-year event. See Appendices B & C.

The outlet structure is a modified ODOT 2-3 Catch Basin. A 1" diameter orifice is proposed to be drilled into an orifice plate on the side of the outlet structure at elevation 818.00' to control the water quality volume, one 8"W x 6"H window on the south side of the outlet structure at elevation 819.15' and a second 24"wX2"H window on the south side of the outlet structure at elevation 820.40' . The structure grate will be set at elevation 861.50'. The spillway will be 5' wide and set at an elevation of 821.00'. A 12" outlet pipe will convey stormwater to the existing catch basin on the City's property. See Appendices C & D.

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CONCLUSIONS

The allowable release rates from the basin are compared to the design release rates from the basin in the table:

Detention Basin

Year Storm	Critical Year Allowable Flow (cfs	Design Flow from the Basin (cfs)
10	1.72	1.60
25	3.97	3.38
50	4.32	3.78
100	4.95	4.35

Design flows can be found in Appendix C.

Since the design release rates from the basin are less than the allowable release rates from the basin, this watershed is in compliance with the detention regulations.

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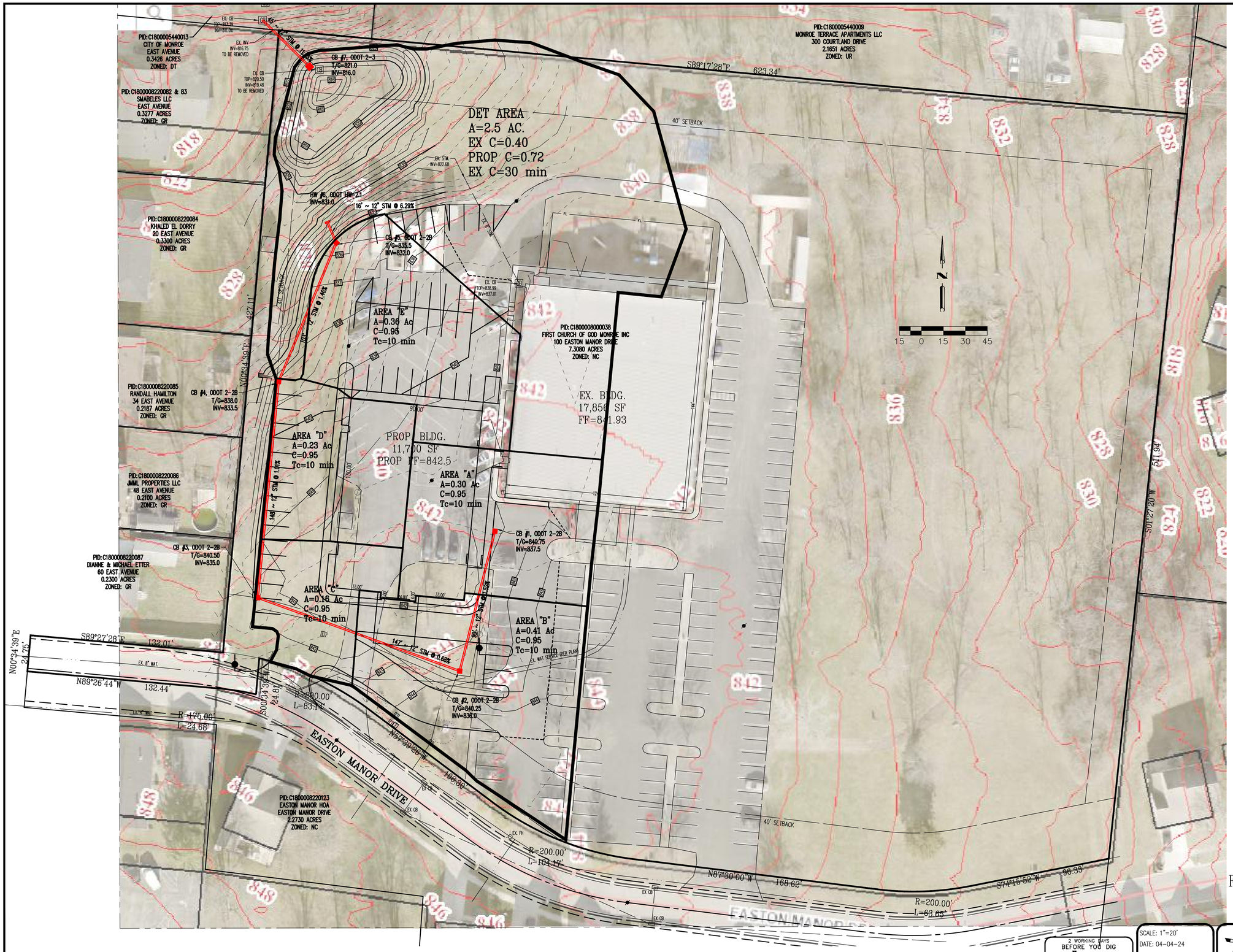
Appendix A

Watershed Drainage Maps



PROPOSED DRAINAGE MAP
FIRST CHURCH OF GOD MONROE
CITY OF MONROE
BUTLER COUNTY, OHIO

2 WORKING DAYS
BEFORE YOU DIG
OHIO811.org
CALL TOLL FREE 800-362-2764
OHIO UTILITIES PROTECTION SERVICE

SCALE: 1"=20'
DATE: 04-04-24
DRAWN: DES
DESIGNED: JLL
CHECKED:

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REVISIONS:
1.
2.
3.
4.

PROJECT: 240960
DRAWING: 240960BA
SHEET 4 OF 6

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Appendix B

Watershed Quality Calculations

AS-BUILT DETENTION VOLUME CALCULATION
MONROE 1ST CHURCH OF GOD
PROJECT: 240960

Calculate Water Quality Volume		WQv= T(P*A*Cq)/12		
Drainage area, A =			**2.50**	acres
			x	
Runoff coefficient, Rv =	0.05 + 0.9i		**0.44**	
	i = % imperv area (1.6/2.5)	= 0.64	x	
Precipitaion, P =			**0.75**	
Treatment Percent, T =			**0.40**	
	T = ((Aix * 20) + (Ain * 100)/(Aix + Ain)			
	Aix = 1.2	Ain = 0.4		
			=	
Water Quality Volume,		WQv=	**1816**	c.f.

Water Quality Specifications

Type of Pond:	DETENTION		Specify Retention or Detention
Required Drawdown Time, hrs.:	48		
Water Quality Volume:	1,816	C.F.	An additional 20% of WQv **must be added to the basin** for sediment storage.
48 hr. Drawdown Volume:	1,816	C.F.	
Normal Water Elevation:	818.00		
Surface Area at Normal Water Elevation:	606	S.F.	
Water Quality Elevation:	819.07		
Surface Area at Water Quality Elevation:	2,644	S.F.	
Volume at Water Quality Elevation:	1,816	C.F	
Allowable Water Quality Discharge Rate:	0.01	C.F.S.	
Diameter of Water Quality Orifice:	**1**	inches at ELEV.	**818.00**

File: 240960DA.xls
Date: 9/17/2024

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Appendix C

Modified Rational Calculations

STORMWATER CALCULATIONS

MONROE 1ST CHURCH OF GOD

CITY OF MONROE

13-Jun-24

File: 240960DA.xls
Date: 9/17/2024

CRITICAL STORM CALCULATION
MONROE 1ST CHURCH OF GOD
PROJECT: 240960

Calculate existing 1-yr runoff Runoff = (A*43560)*C*(R/12)

Drainage area, A =		**2.50**	acres
		x	
Runoff coefficient, C =	2.5 AC OPEN SPACE (0.40)	**0.40**	
		x	
1-yr, 24-hr event rainfall, R =		**2.33**	
		=	
The existing 1-yr runoff is		**8458**	c.f.

Calculate proposed 1-yr runoff Runoff = (A*43560)*C*(R/12)

Drainage area, A =		**2.50**	acres
		x	
Runoff coefficient, C =	0.95 Ac. GRASS (0.35) 1.55 Ac. IMPERVIOUS (0.95)	**0.72**	
		x	
1-yr, 24-hr event rainfall, R =		**2.33**	
		=	
The proposed 1-yr runoff is		**15267**	c.f.

Calculate Critical Year Storm Critical Stm= (Prop 1yr - Ex 1yr)/Ex 1yr * 100

Critical Stm= 81 %

Critical Stm= **10 yr**

File: 240960DA.xls
Date: 9/17/2024

ORIFICE SIZING CALCULATION
MONROE 1ST CHURCH OF GOD
PROJECT: 240960

Total Detention Volume Provided:

Total Provided:	8,155	c.f.
Volume Required:	5,660	c.f.
Excess Volume:	2,495	c.f.

WATER QUALITY ORIFICE

High water elevation =	819.15
Lower Orifice Inv. =	**818.00**
Maximum Depth =	1.15

Q = cxax (2xgxh)$^{0.5}$
c= 0.61 h= depth-1/2D
depth= h+1/2D

Diam (in)	Diam (ft)	area	h	velocity	q	
1	0.0833	0.00545	1.1083	5.1536	0.03	**<= @ water quality volume**

SIZE CRITICAL (10-YR) OUTFLOW ORIFICE

Allwable Outflow= 1.72 cfs

High water elevation =	820.40
Lower Orifice Inv. =	**819.15**
Maximum Depth =	1.25

Q=AV V = c 2gh c = 0.6

h = HWE - Inv. Out - d/2

WIDOW	h (ft)	V (ft/s)	A (s.f.)	Q (cfs)	
8"Wx6"T	1.00	4.81	0.33	1.60	**<= Use 8" wide X 6" high window bottom elev=819.0**

TOTAL PROPOSED 10-YR FLOW= 1.63 **CFS** =>LESS THAN ALLOWABLE

OVERFLOW STRUCTURE CHECK:

Q_{100} = 3.73

L = $Q_{100}/(C_w H^{3/2})$ C_w = 2.7
= 3.91 H = 0.5

L = 5' WIDE

File: 240960DA.xls
Date: 9/17/2024

DETENTION VOLUME CALCULATION
MONROE 1ST CHURCH OF GOD
PROJECT: 240960

	Elevation	Area (s.f.)	Volume (c.f.)	Volume (c.f.)
BOTTOM	818	606		0
			1600.5	
	819	2595		1601
			2929	
	820	3263		4530
			3625	
SPILLWAY	821	3987		8155
			4377.5	
TOP	822	4768		12532

STORM	Volume (CF)	WQV	Total Vol	H.W.E
10-YR	4154	1816	5970	820.40
25-YR	5476	1816	7292	820.76
50-YR	5678	1816	7494	820.82
100-YR	5961	1816	7777	820.90

File: 240960DA.xls
Date: 9/17/2024

10-YR RUNOFF CALCULATION
MONROE 1ST CHURCH OF GOD
PROJECT: 240960

Calculate 1-yr existing flow $q_o = ACi$

Drainage area, A = **2.50** acres

x

Runoff coefficient, C = **0.40**

x

Calculate intensity, i

$i = a / (b + t_c)^d$

a = 55.977

b = 15.4

d = 0.912

t_c = **30** min.

i = 55.977 / (15.4 + 30) ^ 0.912

i = **1.72**

=

The existing 1-yr runoff rate is, q_o **1.72** c.f.s.

The allowable release rate, q_o, is **1.72** c.f.s.

Calculate the 10-yr proposed flow $Q_o = ACI_{max}$

Drainage area, A = **2.50** acres

Runoff coefficient, C = **0.72**

Calculate maximum time of concentration, T_{Cmax}

a = 112.172

b = 16.8

$$T_{Cmax} = \sqrt{\frac{A \times C \times a \times b}{\frac{2 \times q_o}{3} - \frac{q^{o2} \times t_c}{6 \times C \times A \times a}}} - b$$

$$T_{Cmax} = \sqrt{\frac{2.5 \times 0.722 \times 112.2 \times 16.80}{\frac{2 \times 1.72}{3} - \frac{1.72^2 \times 30.0}{6 \times 0.722 \times 2.5 \times 112.2}}} - 16.8$$

T_{Cmax} = **39.41** min.

File: 240960DA.xls
Date: 9/17/2024

10-YR RUNOFF CALCULATION
MONROE 1ST CHURCH OF GOD
PROJECT: 240960

Calculate maximum intensity, I_{max}

$$I_{max} = \frac{a}{(b + T_{cmax})^d}$$

a = 112.172
b = 16.8
d = 1.004

T_{Cmax} = 39.41

$$I_{max} = \frac{112.17}{(16.8 + 39.41)^{1.004}}$$

A = 2.5 acres
x
C = 0.722
x
I_{max} = 1.96
=

The flow at maximum duration, Q_o is **3.54** c.f.s.

CALCULATE STORAGE VOLUME NEEDED

t_c = 30.0 min.

$$Vol = 60 \times Q_o \times T_{cmax} - \frac{2 \times q_o \times (T_{cmax} + t_c) \times 60}{3} + \frac{q_o^2 \times t_c \times 60}{6 \times Q_o}$$

$$Vol = 60 \times 3.54 \times 39.41 - 2 \times 1.72 \times \left(\frac{39.41 + 30.0}{3}\right) \times 60$$

$$+ \frac{1.72^2 \times 30.0 \times 60}{6 \times 3.54}$$

Vol = **3,844** c.f.

File: 240960DA.xls
Date: 9/17/2024

25-YR RUNOFF CALCULATION
MONROE 1ST CHURCH OF GOD
PROJECT: 240960

Calculate 25-yr existing flow $q_o = ACi$

Drainage area, A = **2.50** acres

x

Runoff coefficient, C = **0.40**

x

Calculate intensity, i

$i = a / (b + t_c)^d$

a = 198.920

b = 19.3

d = 1.004

t_c = **30** min.

i = 198.920 / (19.3 + 30) ^ 1.004

i = **3.97**

=

The existing 25-yr runoff rate is, q_o **3.97** c.f.s.

The allowable release rate, q_o, is **3.97** c.f.s.

Calculate the 25-yr proposed flow $Q_o = ACI_{max}$

Drainage area, A = **2.50** acres

Runoff coefficient, C = **0.72**

Calculate maximum time of concentration, T_{Cmax}

a = 198.92

b = 19.3

$$T_{Cmax} = \sqrt{\frac{A \times C \times a \times b}{\frac{2 \times q_o}{3} - \frac{q^{o2} \times t_c}{6 \times C \times A \times a}}} - b$$

$$T_{Cmax} = \sqrt{\frac{2.5 \times 0.722 \times 198.9 \times 19.30}{\frac{2 \times 3.97}{3} - \frac{3.97^2 \times 30.0}{6 \times 0.722 \times 2.5 \times 198.9}}} - 19.3$$

T_{Cmax} = **34.12** min.

File: 240960DA.xls
Date: 9/17/2024

25-YR RUNOFF CALCULATION
MONROE 1ST CHURCH OF GOD
PROJECT: 240960

Calculate maximum intensity, I_{max}

$$I_{max} = \frac{a}{(b + T_{cmax})^d}$$

a = 198.920
b = 19.3
d = 1.004

T_{Cmax} = 34.12

$$I_{max} = \frac{198.92}{(19.3 + 34.12)^{1.004}}$$

A = 2.5 acres
x
C = 0.722
x
I_{max} = 3.67
=
6.62 c.f.s.

The flow at maximum duration, Q_o is

CALCULATE STORAGE VOLUME NEEDED

t_c = 30.0 min.

$$Vol = 60 \times Q_o \times T_{cmax} - \frac{2 \times q_o \times (T_{cmax} + t_c) \times 60}{3} + \frac{q_o^2 \times t_c \times 60}{6 \times Q_o}$$

$$Vol = 60 \times 6.62 \times 34.12 - 2 \times 3.97 \times \left(\frac{34.12 + 30.0}{3}\right) \times 60$$

$$+ \frac{3.97^2 \times 30.0 \times 60}{6 \times 6.62}$$

Vol = **4,070** c.f.

File: 240960DA.xls
Date: 9/17/2024

50-YR RUNOFF CALCULATION
MONROE 1ST CHURCH OF GOD
PROJECT: 240960

Calculate 50-yr existing flow $q_o = ACi$

Drainage area, A = **2.50** acres

x

Runoff coefficient, C = **0.40**

x

Calculate intensity, i

$i = a / (b + t_c)^d$

a = 206.025

b = 19.6

d = 0.99

t_c = **30** min.

i = 206.025 / (19.6 + 30) ^ 0.99

i = **4.32**

=

The existing 50-yr runoff rate is, q_o **4.32** c.f.s.

The allowable release rate, q_o, is **4.32** c.f.s.

Calculate the 50-yr proposed flow $Q_o = ACI_{max}$

Drainage area, A = **2.50** acres

Runoff coefficient, C = **0.72**

Calculate maximum time of concentration, T_{Cmax}

a = 206.025

b = 19.6

$$T_{Cmax} = \sqrt{\frac{A \times C \times a \times b}{\frac{2 \times q_o}{3} - \frac{q^{o2} \times t_c}{6 \times C \times A \times a}}} - b$$

$$T_{Cmax} = \sqrt{\frac{2.5 \times 0.722 \times 206 \times 19.60}{\frac{2 \times 4.32}{3} - \frac{4.32^2 \times 30.0}{6 \times 0.722 \times 2.5 \times 206}}} - 19.6$$

T_{Cmax} = **33.06** min.

File: 240960DA.xls
Date: 9/17/2024

50-YR RUNOFF CALCULATION
MONROE 1ST CHURCH OF GOD
PROJECT: 240960

Calculate maximum intensity, I_{max}

$$I_{max} = \frac{a}{(b + T_{cmax})^d}$$

a = 206.025
b = 19.6
d = 0.99

T_{Cmax} = 33.06

$$I_{max} = \frac{206.03}{(19.6 + 33.06)^{0.99}}$$

A = 2.5 acres
x
C = 0.722
x
I_{max} = 4.07
=
The flow at maximum duration, Q_o is **7.35** c.f.s.

CALCULATE STORAGE VOLUME NEEDED

t_c = 30.0 min.

$$Vol = 60 \times Q_o \times T_{cmax} - \frac{2 \times q_o \times (T_{cmax} + t_c) \times 60}{3} + \frac{q_o^2 \times t_c \times 60}{6 \times Q_o}$$

$$Vol = 60 \times 7.35 \times 33.06 - 2 \times 4.32 \times \left(\frac{33.06 + 30.0}{3}\right) \times 60$$

$$+ \frac{4.32^2 \times 30.0 \times 60}{6 \times 7.35}$$

Vol = **4,441** c.f.

File: 240960DA.xls
Date: 9/17/2024

100-YR RUNOFF CALCULATION
MONROE 1ST CHURCH OF GOD
PROJECT: 240960

Calculate 100-yr existing flow $q_o = ACi$

Drainage area, A = **2.50** acres

x

Runoff coefficient, C = **0.40**

x

Calculate intensity, i

$i = a / (b + t_c)^d$

a = 355.551

b = 23.119

d = 1.076

t_c = **30** min.

i = 355.551 / (23.1 + 30) ^ 1.076

i = **4.95**

=

The existing 100-yr runoff rate is, q_o **4.95** c.f.s.

The allowable release rate, q_o, is **4.95** c.f.s.

Calculate the 100-yr proposed flow $Q_o = ACI_{max}$

Drainage area, A = **2.50** acres

Runoff coefficient, C = **0.72**

Calculate maximum time of concentration, T_{Cmax}

a = 355.551

b = 23.119

$$T_{Cmax} = \sqrt{\frac{A \times C \times a \times b}{\frac{2 \times q_o}{3} - \frac{q^{o2} \times t_c}{6 \times C \times A \times a}}} - b$$

$$T_{Cmax} = \sqrt{\frac{2.5 \times 0.722 \times 355.6 \times 23.12}{\frac{2 \times 4.95}{3} - \frac{4.95^2 \times 30.0}{6 \times 0.722 \times 2.5 \times 355.6}}} - 23.1$$

T_{Cmax} = **45.97** min.

File: 240960DA.xls
Date: 9/17/2024

100-YR RUNOFF CALCULATION
MONROE 1ST CHURCH OF GOD
PROJECT: 240960

Calculate maximum intensity, I_{max}

$$I_{max} = \frac{a}{(b + T_{cmax})^d}$$

a = 355.551
b = 23.119
d = 1.076

T_{Cmax} = 45.97

$$I_{max} = \frac{355.55}{(23.1 + 45.97)^{1.076}}$$

A = 2.5 acres
x
C = 0.722
x
I_{max} = 3.73
=

The flow at maximum duration, Q_o is **6.73** c.f.s.

CALCULATE STORAGE VOLUME NEEDED

t_c = 30.0 min.

$$Vol = 60 \times Q_o \times T_{cmax} - \frac{2 \times q_o \times (T_{cmax} + t_c) \times 60}{3} + \frac{q_o^2 \times t_c \times 60}{6 \times Q_o}$$

$$Vol = 60 \times 6.73 \times 45.97 - 2 \times 4.95 \times \frac{(45.97 + 30.0)}{3} \times 60$$

$$+ \frac{4.95^2 \times 30.0 \times 60}{6 \times 6.73}$$

Vol = **4,622** c.f.

File: 240960DA.xls
Date: 9/17/2024

HIGH WATER ELEVATION CALCULATIONS
MONROE 1ST CHURCH OF GOD
PROJECT: 240960

25-YR H.W.E.

Allwable Outflow = 3.97 cfs

High water elevation = 820.76
Lower Orifice Inv. = **819.15**
Maximum Depth = 1.61

Q = AV V = c $\sqrt{2gh}$
c= 0.6 h= HWE- Inv out -d/2

WIDOW	h (ft)	V (ft/s)	A (s.f.)	Q (cfs)	
8"Wx6"T	1.36	5.62	0.33	1.87	**<= @ HWE**

WIDOW	h (ft)	V (ft/s)	A (s.f.)	Q (cfs)
24"Wx7.2"H	0.18	2.05	0.72	1.48

High water elevation = 820.76
Lower Orifice Inv. = **820.40**
Maximum Depth = 0.36

TOTAL PROPOSED 25-YR FLOW= 3.36 **CFS** =>LESS THAN ALLOWABLE

50-YR H.W.E.

Allwable Outflow = 4.32 cfs

High water elevation = 820.82
Lower Orifice Inv. = **819.15**
Maximum Depth = 1.67

Q = AV V = c $\sqrt{2gh}$
c= 0.6 h= HWE- Inv out -d/2

WIDOW	h (ft)	V (ft/s)	A (s.f.)	Q (cfs)	
8"Wx6"T	1.42	5.74	0.33	1.91	**<= @ HWE**

WIDOW	h (ft)	V (ft/s)	A (s.f.)	Q (cfs)
24"Wx7.2"H	0.21	2.21	0.84	1.87

High water elevation = 820.82
Lower Orifice Inv. = **820.40**
Maximum Depth = 0.42

File: 240960DA.xls
Date: 9/17/2024

HIGH WATER ELEVATION CALCULATIONS
MONROE 1ST CHURCH OF GOD
PROJECT: 240960

TOTAL PROPOSED 50-YR FLOW= 3.78 **CFS** =>LESS THAN ALLOWABLE

100-YR H.W.E.

Allwable Outflow = 4.95 cfs

High water elevation = 820.90
Lower Orifice Inv. = **819.15**
Maximum Depth = 1.75

Q = AV $V = c\sqrt{2gh}$
c= 0.6 h= HWE- Inv out -d/2

WIDOW	h (ft)	V (ft/s)	A (s.f.)	Q (cfs)	
8"Wx6"T	1.50	5.89	0.33	1.96	**<= @ HWE**

WIDOW	h (ft)	V (ft/s)	A (s.f.)	Q (cfs)
24"Wx7.2"H	0.25	2.40	0.99	2.39

High water elevation = 820.90
Lower Orifice Inv. = **820.40**
Maximum Depth = 0.50

TOTAL PROPOSED 100-YR FLOW= 4.35 **CFS** =>LESS THAN ALLOWABLE

File: 240960DA.xls
Date: 9/17/2024

10-YR-VOLUME @ H.W.E. CALCULATION
MONROE 1ST CHURCH OF GOD
PROJECT: 240960

Calculate 10-yr H.W.E.

Outflow from CB#1 @ H.W.E.= **1.60** CFS

EX t_c = **30** min.

Calculate the 10-yr proposed flow $Q_o = ACI_{max}$

Drainage area, A = **2.50** acres

Runoff coefficient, C = **0.72**

Calculate maximum time of concentration, T_{Cmax}

a = 112.172
b = 16.8

$$T_{Cmax} = \sqrt{\frac{A \times C \times a \times b}{\frac{2 \times q_o}{3} - \frac{q^{o2} \times t_c}{6 \times C \times A \times a}}} - b$$

$$T_{Cmax} = \sqrt{\frac{2.5 \times 0.722 \times 112.2 \times 16.80}{\frac{2 \times 1.60}{3} - \frac{1.60^2 \times 30.0}{6 \times 0.722 \times 2.5 \times 112.2}}} - 16.8$$

T_{Cmax} = **41.41** min.

File: 240960DA.xls
Date: 9/17/2024

10-YR-VOLUME @ H.W.E. CALCULATION
MONROE 1ST CHURCH OF GOD
PROJECT: 240960

Calculate maximum intensity, I_{max}

$$I_{max} = \frac{a}{(b + T_{cmax})^d}$$

a = 112.172
b = 16.8
d = 1.004

T_{Cmax} = 41.41

$$I_{max} = \frac{112.17}{(16.8 + 41.41)^{1.004}}$$

A = 2.5 acres
x
C = 0.722
x
I_{max} = 1.90
=

The flow at maximum duration, Q_o is **3.42** c.f.s.

CALCULATE STORAGE VOLUME NEEDED

t_c = 30.0 min.

$$Vol = 60 \times Q_o \times T_{cmax} - \frac{2 \times q_o \times (T_{cmax} + t_c) \times 60}{3} + \frac{q_o^2 \times t_c \times 60}{6 \times Q_o}$$

$$Vol = 60 \times 3.42 \times 41.41 - 2 \times 1.60 \times \left(\frac{41.41 + 30.0}{3}\right) \times 60$$

$$+ \frac{1.60^2 \times 30.0 \times 60}{6 \times 3.42}$$

Vol = **4,154** c.f.

File: 240960DA.xls
Date: 9/17/2024

25-YR-VOLUME @ H.W.E. CALCULATION
MONROE 1ST CHURCH OF GOD
PROJECT: 240960

Calculate 25-yr H.W.E.

Outflow from CB#1 @ H.W.E.= **3.36** CFS

EX t_c = **30** min.

Calculate the 25-yr proposed flow $Q_o = ACI_{max}$

Drainage area, A = **2.50** acres

Runoff coefficient, C = **0.72**

Calculate maximum time of concentration, T_{Cmax}

a = 198.920
b = 19.3

$$T_{Cmax} = \sqrt{\frac{A \times C \times a \times b}{\frac{2 \times q_o}{3} - \frac{q^{o2} \times t_c}{6 \times C \times A \times a}}} - b$$

$$T_{Cmax} = \sqrt{\frac{2.5 \times 0.722 \times 198.9 \times 19.30}{\frac{2 \times 3.36}{3} - \frac{3.36^2 \times 30.0}{6 \times 0.722 \times 2.5 \times 198.9}}} - 19.3$$

T_{Cmax} = **38.41** min.

File: 240960DA.xls
Date: 9/17/2024

25-YR-VOLUME @ H.W.E. CALCULATION
MONROE 1ST CHURCH OF GOD
PROJECT: 240960

Calculate maximum intensity, I_{max}

$$I_{max} = \frac{a}{(b + T_{cmax})^d}$$

a = 198.920
b = 19.3
d = 1.004

T_{Cmax} = 38.41

$$I_{max} = \frac{198.92}{(19.3 + 38.41)^{1.004}}$$

A = 2.5 acres
x
C = 0.722
x
I_{max} = 3.39
=

The flow at maximum duration, Q_o is **6.12** c.f.s.

CALCULATE STORAGE VOLUME NEEDED

t_c = 30.0 min.

$$Vol = 60 \times Q_o \times T_{cmax} - \frac{2 \times q_o \times (T_{cmax} + t_c) \times 60}{3} + \frac{q_o^2 \times t_c \times 60}{6 \times Q_o}$$

$$Vol = 60 \times 6.12 \times 38.41 - 2 \times 3.36 \times \left(\frac{38.41 + 30.0}{3}\right) \times 60$$

$$+ \frac{3.36^2 \times 30.0 \times 60}{6 \times 6.12}$$

Vol = **5,476** c.f.

File: 240960DA.xls
Date: 9/17/2024

50-YR-VOLUME @ H.W.E. CALCULATION
MONROE 1ST CHURCH OF GOD
PROJECT: 240960

Calculate 50-yr H.W.E.

Outflow from CB#1 @ H.W.E.= **3.78** CFS

EX t_c = **30** min.

Calculate the 50-yr proposed flow $Q_o = ACI_{max}$

Drainage area, A = **2.50** acres

Runoff coefficient, C = **0.72**

Calculate maximum time of concentration, T_{Cmax}

a = 206.030
b = 19.6

$$T_{Cmax} = \sqrt{\frac{A \times C \times a \times b}{\frac{2 \times q_o}{3} - \frac{q^{o2} \times t_c}{6 \times C \times A \times a}}} - b$$

$$T_{Cmax} = \sqrt{\frac{2.5 \times 0.722 \times 206 \times 19.60}{\frac{2 \times 3.78}{3} - \frac{3.78^2 \times 30.0}{6 \times 0.722 \times 2.5 \times 206}}} - 19.6$$

T_{Cmax} = **36.35** min.

File: 240960DA.xls
Date: 9/17/2024

50-YR-VOLUME @ H.W.E. CALCULATION
MONROE 1ST CHURCH OF GOD
PROJECT: 240960

Calculate maximum intensity, I_{max}

$$I_{max} = \frac{a}{(b + T_{cmax})^d}$$

a = 206.030
b = 19.6
d = 0.99

T_{Cmax} = 36.35

$$I_{max} = \frac{206.03}{(19.6 + 36.35)^{0.99}}$$

A = 2.5 acres
x
C = 0.722
x
I_{max} = 3.83
=
The flow at maximum duration, Q_o is **6.92** c.f.s.

CALCULATE STORAGE VOLUME NEEDED

t_c = 30.0 min.

$$Vol = 60 \times Q_o \times T_{cmax} - \frac{2 \times q_o \times (T_{cmax} + t_c) \times 60}{3} + \frac{q_o^2 \times t_c \times 60}{6 \times Q_o}$$

$$Vol = 60 \times 6.92 \times 36.35 - 2 \times 3.78 \times \left(\frac{36.35 + 30.0}{3}\right) \times 60$$

$$+ \frac{3.78^2 \times 30.0 \times 60}{6 \times 6.92}$$

Vol = **5,678** c.f.

File: 240960DA.xls
Date: 9/17/2024

100-YR-VOLUME @ H.W.E. CALCULATION
MONROE 1ST CHURCH OF GOD
PROJECT: 240960

Calculate 100-yr H.W.E.

Outflow from CB#1 @ H.W.E.= **4.35** CFS

EX t_c = **30** min.

Calculate the 100-yr proposed flow $Q_o = ACI_{max}$

Drainage area, A = **2.50** acres

Runoff coefficient, C = **0.72**

Calculate maximum time of concentration, T_{Cmax}

a = 355.550
b = 23.119

$$T_{Cmax} = \sqrt{\frac{A \times C \times a \times b}{\frac{2 \times q_o}{3} - \frac{q^{o2} \times t_c}{6 \times C \times A \times a}}} - b$$

$$T_{Cmax} = \sqrt{\frac{2.5 \times 0.722 \times 355.6 \times 23.12}{\frac{2 \times 4.35}{3} - \frac{4.35^2 \times 30.0}{6 \times 0.722 \times 2.5 \times 355.6}}} - 23.1$$

T_{Cmax} = **50.30** min.

File: 240960DA.xls
Date: 9/17/2024

100-YR-VOLUME @ H.W.E. CALCULATION
MONROE 1ST CHURCH OF GOD
PROJECT: 240960

Calculate maximum intensity, I_{max}

$$I_{max} = \frac{a}{(b + T_{cmax})^d}$$

a = 355.550
b = 23.119
d = 1.076

T_{Cmax} = 50.30

$$I_{max} = \frac{355.55}{(23.1 + 50.30)^{1.076}}$$

A = 2.5 acres
x
C = 0.722
x
I_{max} = 3.49
=

The flow at maximum duration, Q_o is **6.31** c.f.s.

CALCULATE STORAGE VOLUME NEEDED

t_c = 30.0 min.

$$Vol = 60 \times Q_o \times T_{cmax} - \frac{2 \times q_o \times (T_{cmax} + t_c) \times 60}{3} + \frac{q_o^2 \times t_c \times 60}{6 \times Q_o}$$

$$Vol = 60 \times 6.31 \times 50.30 - 2 \times 4.35 \times \left(\frac{50.30 + 30.0}{3}\right) \times 60$$

$$+ \frac{4.35^2 \times 30.0 \times 60}{6 \times 6.31}$$

Vol = **5,961** c.f.

File: 240960DA.xls
Date: 9/17/2024

ENGINEERING & SURVEYING, INC.

1068 North University Boulevard
Middletown, Ohio 45042
PH. (513) 424- 5202
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Appendix D

Local Storm Calculations

Date: 9/17/2024
Designed: JLL
Reviewed:

MONROE FIRST CHURCH OF GOD
JOB #240960
Storm Sewer Computation Sheet

Intensity = 112.1752(T_c+16.8)^0.923
10-YR

LOCATION		AREA					TIME					DESIGN					PROFILE			
INLET or MH #	AREA REF #	INCR ACRES	TOTAL ACRES	C	INCR C*A	SUM OF C*A	TO INLET Ti (min.)	IN PIPE Tp (min.)	TOTAL Tc (min.)	INTENSITY I (in/hr)	Q REQ'D (cfs)	PIPE SIZE (inches)	n VALUE	SLOPE IN %	VEL (ft/sec)	Q PROVIDED	PIPE LENGTH	INV OUT	INV IN	T/C
CB #1	A	0.31	0.31	0.95	0.29	0.29	33.00	0.30	33.00	3.04	0.90	12	0.013	1.52	5.57	4.38	99	837.50	836.00	840.75
CB #2	B	0.41	0.72	0.95	0.39	0.68	10.00	0.66	33.30	3.03	2.07	12	0.013	0.68	3.73	2.93	147	836.00	835.00	840.25
CB #3	C	0.16	0.88	0.95	0.15	0.84	5.00	0.54	33.95	2.99	2.50	12	0.013	1.01	4.56	3.58	148	835.00	833.50	840.50
CB #4	D	0.23	1.11	0.95	0.22	1.05	5.00	0.31	34.49	2.96	3.12	12	0.013	1.46	5.46	4.29	103	833.50	832.00	838.00
CB #5	E	0.36	1.47	0.95	0.34	1.40	5.00	0.02	34.81	2.94	4.11	12	0.013	6.25	11.32	8.89	16	832.00	831.00	835.50
HW #6			1.47			1.40			34.83											

PRELIMINARY PLANNED UNIT DEVELOPMENT PLAN

TOWNES AT MONROE CROSSINGS

SECTION 35, TOWN 3, RANGE 3
CITY OF MONROE
BUTLER COUNTY, OHIO

OWNERS

PARK PLACE DEVELOPMENT, LLC
5372 COTTAGE VIEW CT.
LIBERTY TOWNSHIP, OHIO 45011
513-675-6408

APPLICANT

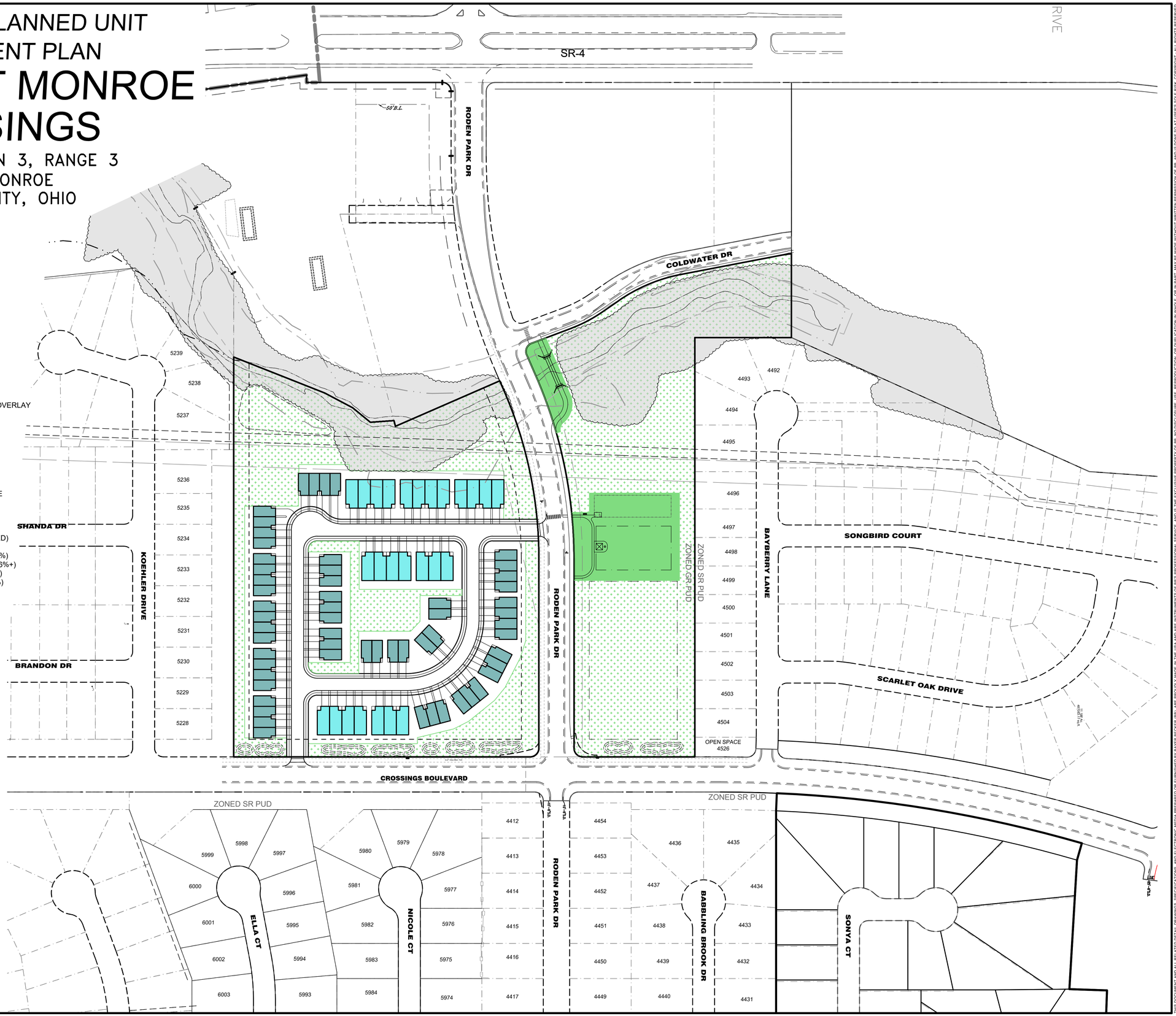
NVR, INC.
8622 JACQUEMIN DR.
WEST CHESTER, OH 45069
513-200-9014

CONCEPT SUMMARY:

EXISTING ZONING	GR WITH PUD OVERLAY
WEST PROPERTY	12.92 ACRES
EAST PROPERTY	7.99 ACRES
TOTAL SITE AREA	20.91 ACRES
THORNEWOOD	58
CAROLINE	26
TOTAL UNITS	84
DENSITY	4.017 D.U./ACRE
FRONT SETBACK	25'
FRONT SETBACK ON SIDE STREET	20'
REAR SETBACK	20'
SIDE SETBACK	6' (12' COMBINED)
OPEN SPACE REQUIRED	4.18 ACRES (20%)
OPEN SPACE PROVIDED	11.83 ACRES (56%+)
FORMAL OPEN SPACE REQUIRED	1.05 ACRES(5%)
FORMAL OPEN SPACE PROVIDED	1.31 ACRES (6%)

INDEX OF SHEETS

1 VICINITY MAP
2 PRELIMINARY PUD PLAN
3 LANDSCAPE PLAN: ZONING
4 LANDSCAPE PLAN : OVERALL
5 LANDSCAPE PLAN: STREET TREES
6 LANDSCAPE PLAN: COMMUNITY OPENSPACE
7 LANDSCAPE PLAN: PERIMETER BUFFER
8 LANDSCAPE DETAILS
9 LANDSCAPE SPECIFICATIONS



Basis of Bearing:
State Plane NAD83 (2011)
0 100 150
SCALE: 1" = 100'

Item	Revision Description	Date	Drwn:	Chk:

TOWNES AT MONROE CROSSINGS

SECTION 35, TOWN 3, RANGE 3
CITY OF MONROE
BUTLER COUNTY, OHIO

VICINITY MAP

bayer becker
www.bayerbecker.com
6900 Tylersville Road, Suite A
Mason, OH 45040 - 513.338.6600

Drawing: 21-0017 PPUD
Drawn by: LEM
Checked By: AJB
Issue Date: 11-06-24
Sheet: 1

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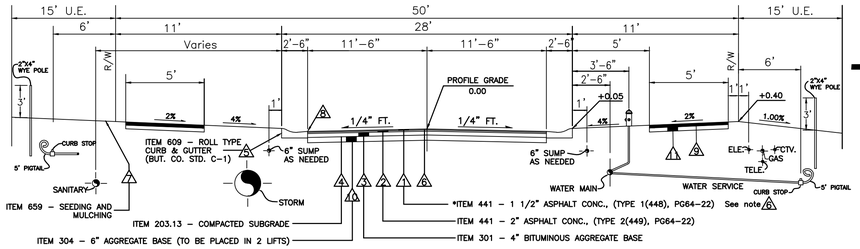
Plot time: Nov 05, 2024 - 8:38pm
Drawing name: J:\2021\21-0017PLD\DWG\NVR\21-0017 PPUD.dwg - Layout Tab: 1 Vicinity Map

PRELIMINARY PLANNED UNIT DEVELOPMENT PLAN

TOWNES AT MONROE CROSSINGS

SECTION 35, TOWN 3, RANGE 3
CITY OF MONROE
BUTLER COUNTY, OHIO



ITEM	DEPTH TOP OF PIPE
Sumplines	24" – 30"
Gas	24" – 30"
Water	48" – 54"
Electric	36" – 40"
Telephone	36" – 40"
Cable TV	36" – 40"

***SURFACE COURSE, ITEM 441, AND TACK COAT, ITEM 407 ARE TO BE APPLIED NO SOONER THAN NINE (9) MONTHS AFTER THE LEVELING COURSE, (ITEM 448), AND FIFTY (50) PERCENT OF THE HOMES ARE COMPLETED. IF AFTER TWO (2) YEARS FIFTY (50) PERCENT OF THE HOMES HAVE NOT BEEN COMPLETED, THEN THE TOP COURSE MAY BE APPLIED.

6 ITEM 407 – TACK COAT, to be applied at rate of 0.06 gal. per sq. yd.

6 TACK COAT shall be applied to front face of curb prior to the installation of 301 Bituminous Aggregate Base. Also to be applied to curb joint after the installation of 441 leveling course.

9 CONCRETE WALK – four inch thick concrete sidewalk, five feet wide, Item 608, Walk to be 1/2" higher than sod.

1 ITEM 304 – 4" Aggregate Base or 4" Sand

TYPICAL SECTION

NOTE: TYPICAL SECTION SHALL COMPLY WITH THE CITY SPECIFICATIONS AND STANDARDS IN PLACE AT THE TIME OF SUBMITTAL OF CONSTRUCTION DRAWINGS FOR EACH SECTION.

OWNERS

PARK PLACE DEVELOPMENT, LLC
5372 COTTAGE VIEW CT.
LIBERTY TOWNSHIP, OHIO 45011
513-675-6408

APPLICANT

NVR, INC.
8622 JACQUEMIN DR.
WEST CHESTER, OH 45069
513-200-9014

W11-2, 30"x30" with RRFB

W16-7PL 24"x12"

W11-2, 30"x30" with RRFB

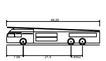
W16-7PL 24"x12"

CONCEPT SUMMARY:

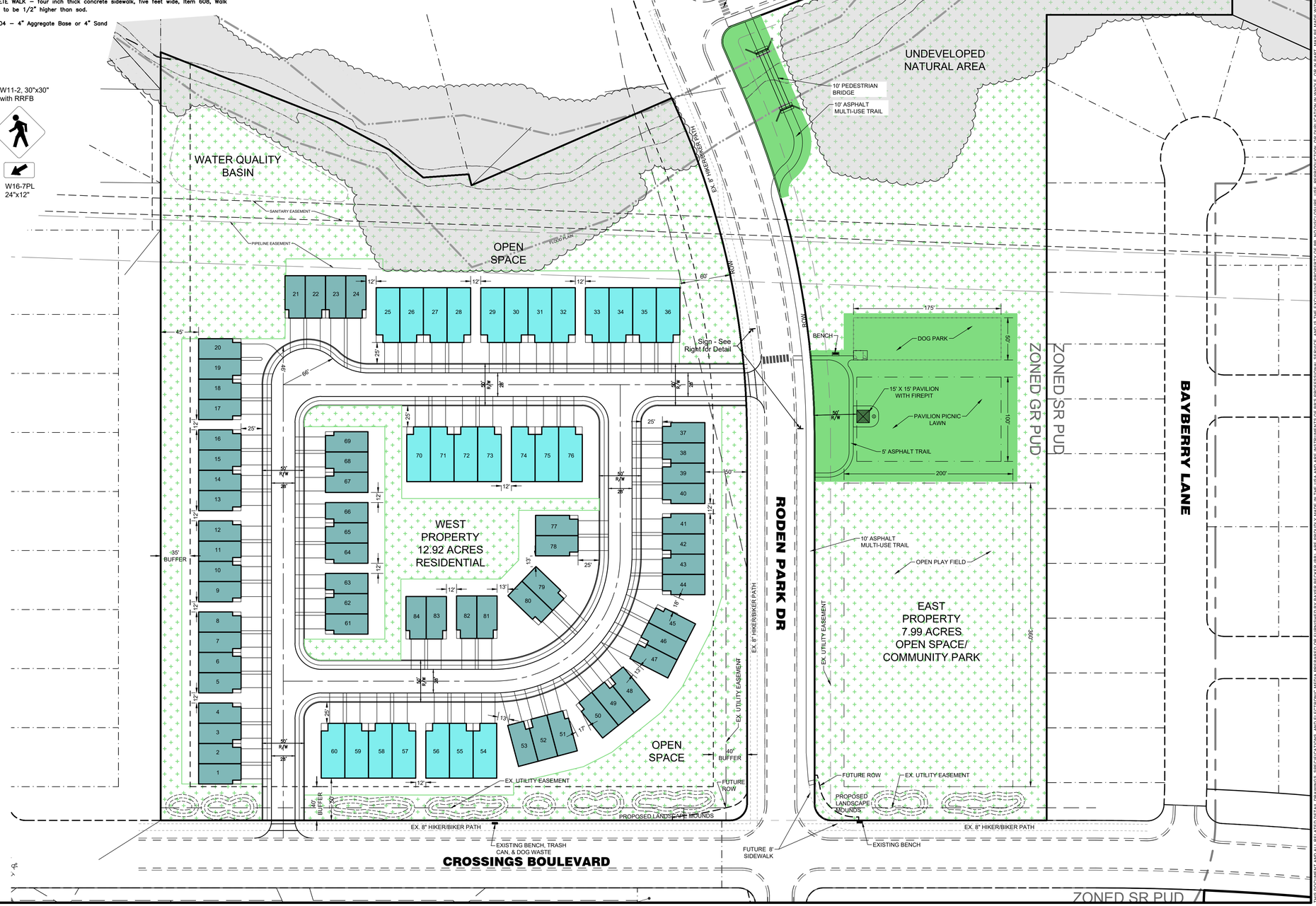
EXISTING ZONING	GR WITH PUD OVERLAY
WEST PROPERTY	12.92 ACRES
EAST PROPERTY	7.99 ACRES
TOTAL SITE AREA	20.91 ACRES
THORNEWOOD	58
CAROLINE	26
TOTAL UNITS	84
DENSITY	4.017 D.U./ACRE
FRONT SETBACK	25'
FRONT SETBACK ON SIDE STREET	20'
REAR SETBACK	20'
SIDE SETBACK	6' (12' COMBINED)
OPEN SPACE REQUIRED	4.18 ACRES (20%)
OPEN SPACE PROVIDED	11.83 ACRES (56%+)
FORMAL OPEN SPACE REQUIRED	1.05 ACRES (5%)
FORMAL OPEN SPACE PROVIDED	1.22 ACRES (6%)

DESIGN INTENT IMAGE:

10' PEDESTRIAN BRIDGE



Aerial Fire Truck with 2 rear axles	
Overall Length	49.250ft
Overall Width	8.670ft
Overall Body Height	11.417ft
Min Body Ground Clearance	1.517ft
Track Width	8.670ft
Min Wheel Time	12.00ft
Max Wheel Angle	34.70°



Basis of Bearing: State Plane NAD83 (2011)
0 60 90
SCALE: 1" = 60'

Item	Revision Description	Date	Drwn:	Chk:

TOWNES AT MONROE CROSSINGS
SECTION 35, TOWN 3, RANGE 3
CITY OF MONROE
BUTLER COUNTY, OHIO
PRELIMINARY PUD PLAN

bayer becker
www.bayerbecker.com
6960 Worthington Road, Suite A
Mason, OH 45040 - 513.336.6600

Drawing: 21-0017 PPUD
Drawn by: LEM
Checked By: AJB
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Sheet: 2

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Plot time: Nov 05, 2024 - 8:59pm
Drawing name: J:\2021\21-0017\PL\DWG\NVR\21-0017 PPUD.dwg - Layout Tab: 2 Preliminary PUD Plan

CONCEPT GRAPHICS SCHEDULE

STREET TREES
(1) TREE PER 40 LF
LOCATED IN THE PUBLIC ROW/ TREE LAWN

BUFFER YARD A (NATURAL)
REQUIREMENTS PER 100 LF
(1) CANOPY TREE + (5) ORNAMENTAL TREES + (15 SHRUBS)
WIDTH: 35'

BUFFER YARD B (NATURAL)
REQUIREMENTS PER 100 LF
(3) CANOPY TREE + (5) ORNAMENTAL TREES + (35 SHRUBS)
WIDTH: 35'

ZONING MATRIX

STREET TREE REQUIREMENTS (1204 E)

- STREET TREES REQUIRED ALONG BOTH SIDES OF ALL STREETS FOR ALL NEW SITES ALONG ALL FRONTAGES, EXCLUDING INTERSTATE HIGHWAY FRONTAGE AND ALLEYS.
- STREET TREES TO BE PLANTED 40' O.C. ALONG ALL STREETS WHERE REQUIRED

EAST PROPERTY:

RODEN PARK DR.: 640 LF/ 40 LF	= 16 TREES
CROSSINGS BOULEVARD: 235 LF/ 40 LF	= 6 TREES
COLDWATER DRIVE: 640 LF/ 40 LF	= 16 TREES

WEST PROPERTY:

RODEN PARK DR.: 560 LF/ 40 LF	= 14 TREES
CROSSINGS BOULEVARD: 625LF/ 40 LF	= 16 TREES
INTERNAL STREETS: 3309 LF/ 40 LF	= 83 TREES

BUFFERYARD LANDSCAPING (1204.21)

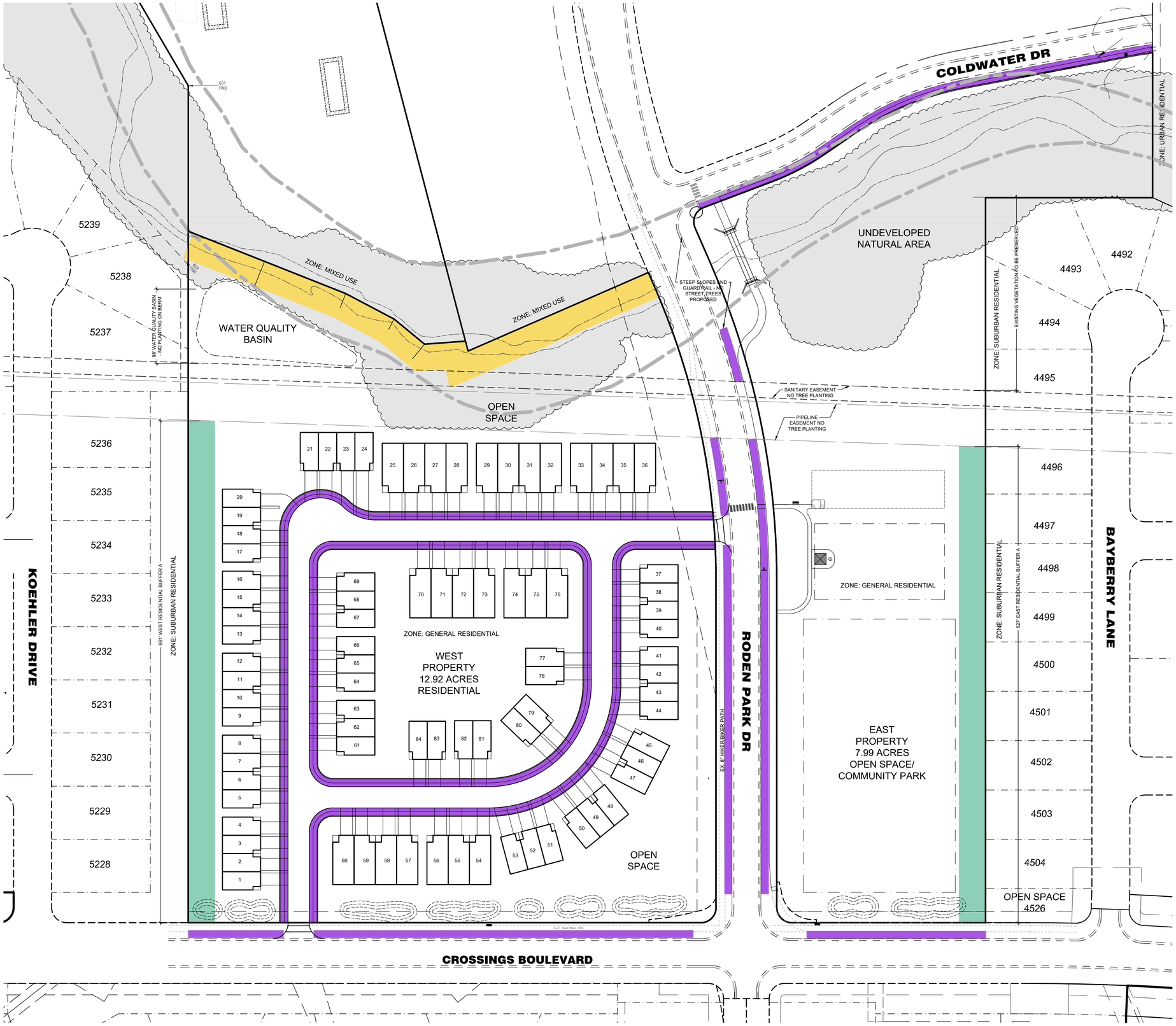
- BUFFERYARD TYPE DETERMINED BY ADJACENT ZONING DISTRICT
- TREES OR SHRUBS IN BUFFERYARD SHALL GENERALLY BE CLUSTERED IN ORDER TO PRESENT A NATURALISTIC CHARACTER
- BUFFERYARD AREAS B

BUFFER YARD A REQUIREMENTS (WIDTH 35'):
PLANTINGS PER 100 LF:
(1) CANOPY TREE
(5) ORNAMENTAL TREES*
(15) SHRUBS

* (2) ORNAMENTAL TREES CAN BE SUBSTITUTED WITH (1) EVERGREEN

EAST PROPERTY
- *NORTH:* MIXED USE - BUFFER B
  EXISTING VEGETATION MEETS BUFFER B REQUIREMENTS
- *EAST:* URBAN RESIDENTIAL - NO BUFFER
  SUBURBAN RESIDENTIAL - BUFFER A - 627 LF
  7 CANOPY TREES
  32 ORNAMENTAL TREES
  94 SHRUBS
- *SOUTH:* CROSSING BOULEVARD - STREET TREES
- *WEST*: RODEN PARK DR. - STREET TREES

WEST PROPERTY
- *NORTH:* MIXED USE - BUFFER B
  EXISTING VEGETATION MEETS BUFFER B REQUIREMENTS
- *EAST:* RODEN PARK DR. - STREET TREES
- *SOUTH*: CROSSING BOULEVARD - STREET TREES
- *WEST*: SUBURBAN RESIDENTIAL - BUFFER A - 661 LF
  7 CANOPY TREES
  33 ORNAMENTAL TREES
  100 SHRUBS



Basis of Bearing:
State Plane NAD83 (2011)
0 60 90
SCALE: 1" = 60'

Item	Revision Description	Date	Drwn:	Chk:

TOWNES AT MONROE CROSSINGS

SECTION 35, TOWN 3, RANGE 3
CITY OF MONROE
BUTLER COUNTY, OHIO

LANDSCAPE PLAN: ZONING

bayer becker
www.bayerbecker.com
6900 Tylersville Road, Suite A
Mason, OH 45040 - 513.336.6600

Drawing: 21-0017 LA
Drawn by: LEM
Checked By: AJB
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Sheet: 3

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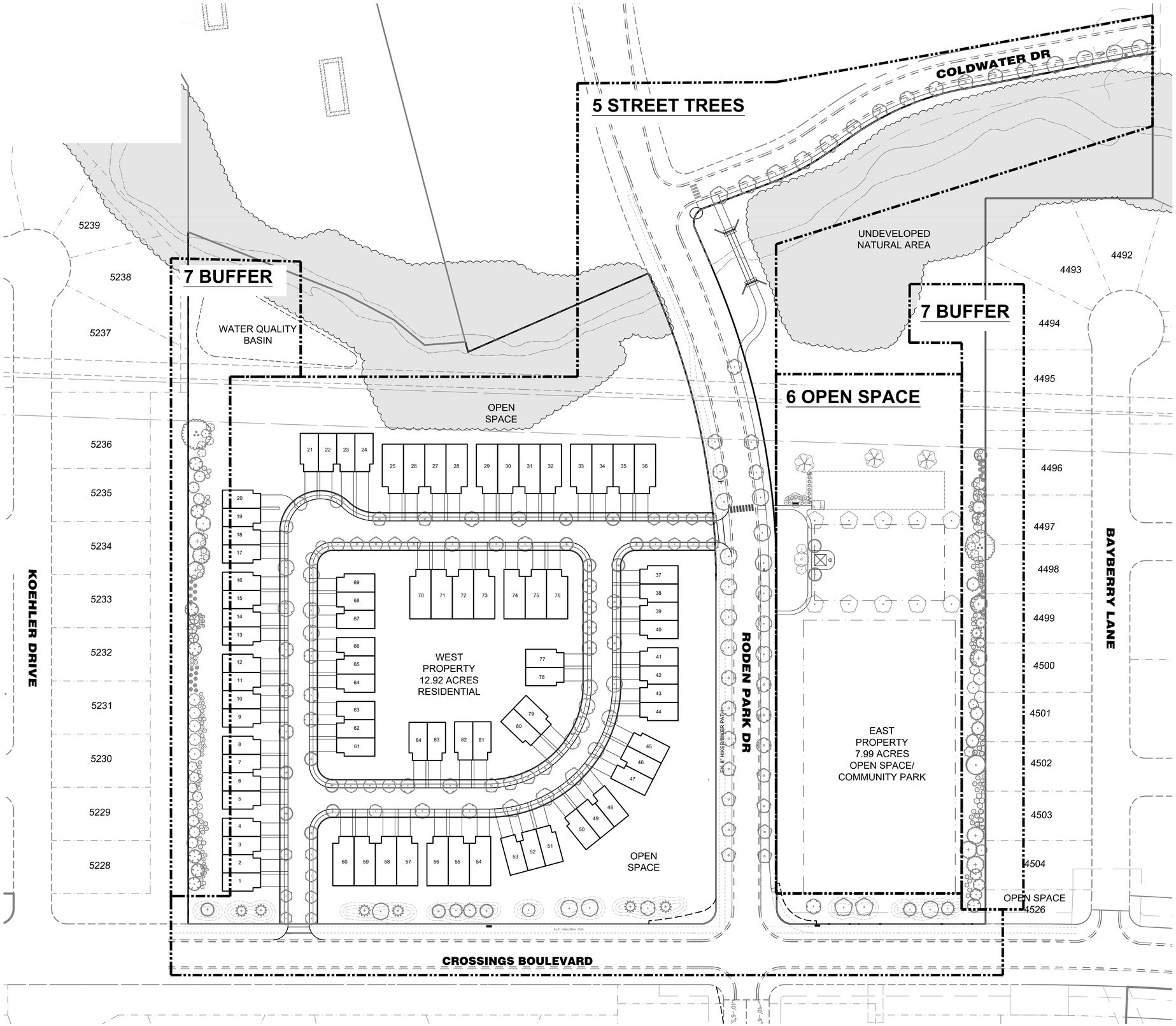
Plot time: Nov 05, 2024 - 2:37pm
Drawing name: J:\2021\21-0017\LA\DWG\21-0017 LA.dwg - Layout Tab: 3 Zoning



Basis of Bearing:
State Plane NAD83 (2011)
0 50 75
SCALE: 1" = 50'

Item	Revision Description	Date	Drwn:	Chk:

TOWNES AT MONROE CROSSINGS

SECTION 35, TOWN 3, RANGE 3
CITY OF MONROE
BUTLER COUNTY, OHIO

LANDSCAPE PLAN : OVERALL

bayer becker
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Mason, OH 45040 - 513.336.6600

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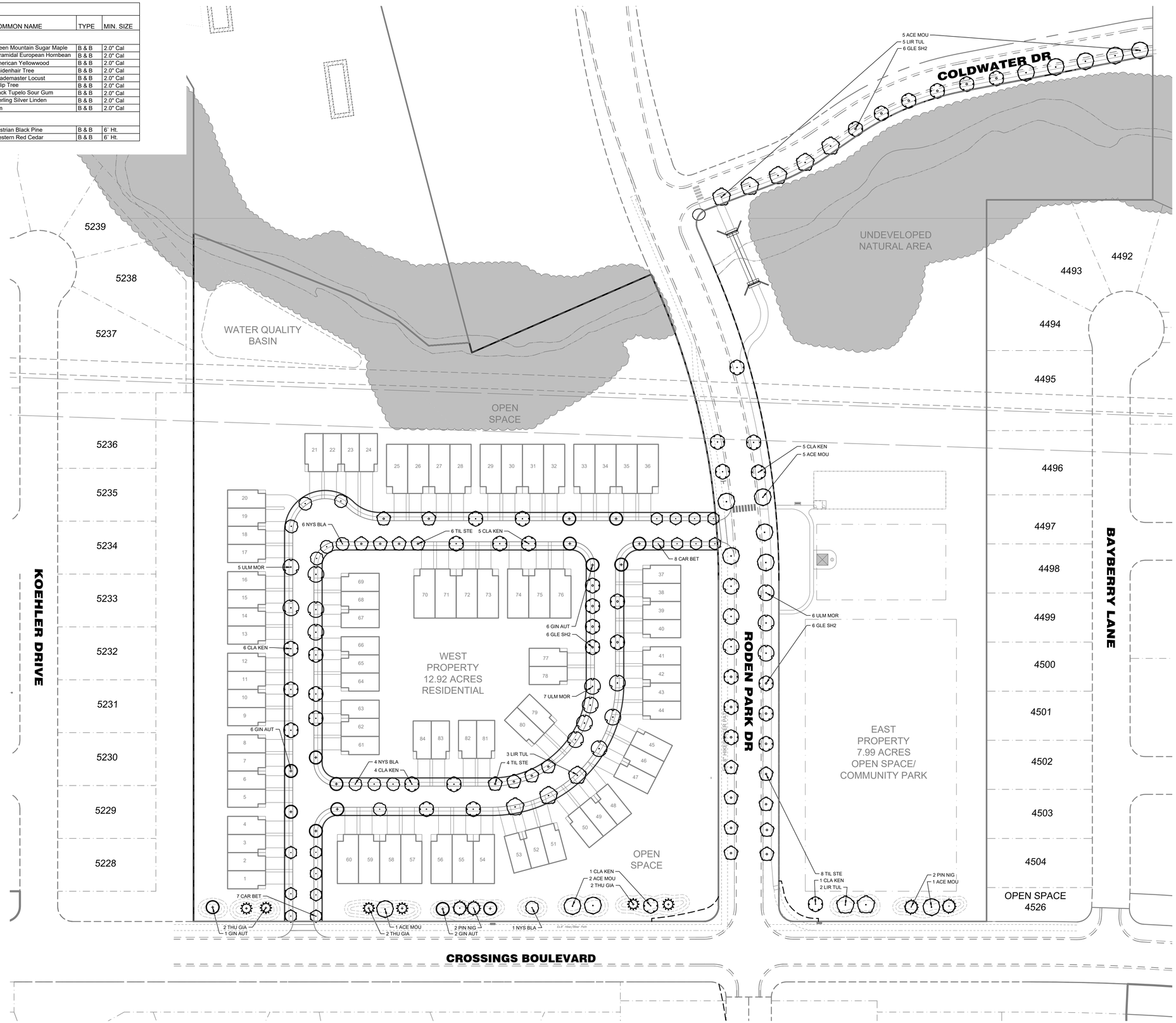
Plot time: Nov 05, 2024 - 2:36pm
Drawing name: J:\2021\21-0017\LA\DWG\21-0017 LA.dwg - Layout Tab: 4 Overall

PLANT SCHEDULE

CODE	QTY	BOTANICAL NAME	COMMON NAME	TYPE	MIN. SIZE
DECIDUOUS TREES					
ACE MOU	14	Acer saccharum `Green Mountain` TM	Green Mountain Sugar Maple	B & B	2.0" Cal
CAR BET	15	Carpinus betulus `Fastigiata`	Pyramidal European Hornbean	B & B	2.0" Cal
CLA KEN	22	Cladrastis kentukea	American Yellowwood	B & B	2.0" Cal
GIN AUT	15	Ginkgo biloba `Autumn Gold` TM	Maidenhair Tree	B & B	2.0" Cal
GLE SH2	18	Gleditsia triacanthos inermis `Shademaster` TM	Shademaster Locust	B & B	2.0" Cal
LIR TUL	10	Liriodendron tulipifera	Tulip Tree	B & B	2.0" Cal
NYS BLA	11	Nyssa sylvatica `Black Tupelo`	Black Tupelo Sour Gum	B & B	2.0" Cal
TIL STE	18	Tilia tomentosa `Sterling`	Sterling Silver Linden	B & B	2.0" Cal
ULM MOR	18	Ulmus x `Morton Accolade` TM	Elm	B & B	2.0" Cal
EVERGREEN TREES					
PIN NIG	4	Pinus nigra	Austrian Black Pine	B & B	6` Ht.
THU GIA	6	Thuja plicata `Green Giant`	Western Red Cedar	B & B	6` Ht.



Basis of Bearing: State Plane NAD83 (2011)

0 50 75

SCALE: 1" = 50'

Item	Revision Description	Date	Drwn:	Chk:

TOWNES AT MONROE CROSSINGS

SECTION 35, TOWN 3, RANGE 3
CITY OF MONROE
BUTLER COUNTY, OHIO

LANDSCAPE PLAN: STREET TREES

bayer becker
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6900 Tylersville Road, Suite A
Mason, OH 45040 - 513.336.6600

Drawing: 21-0017 LA
Drawn by: LEM
Checked By: AJB
Issue Date: 11-06-24
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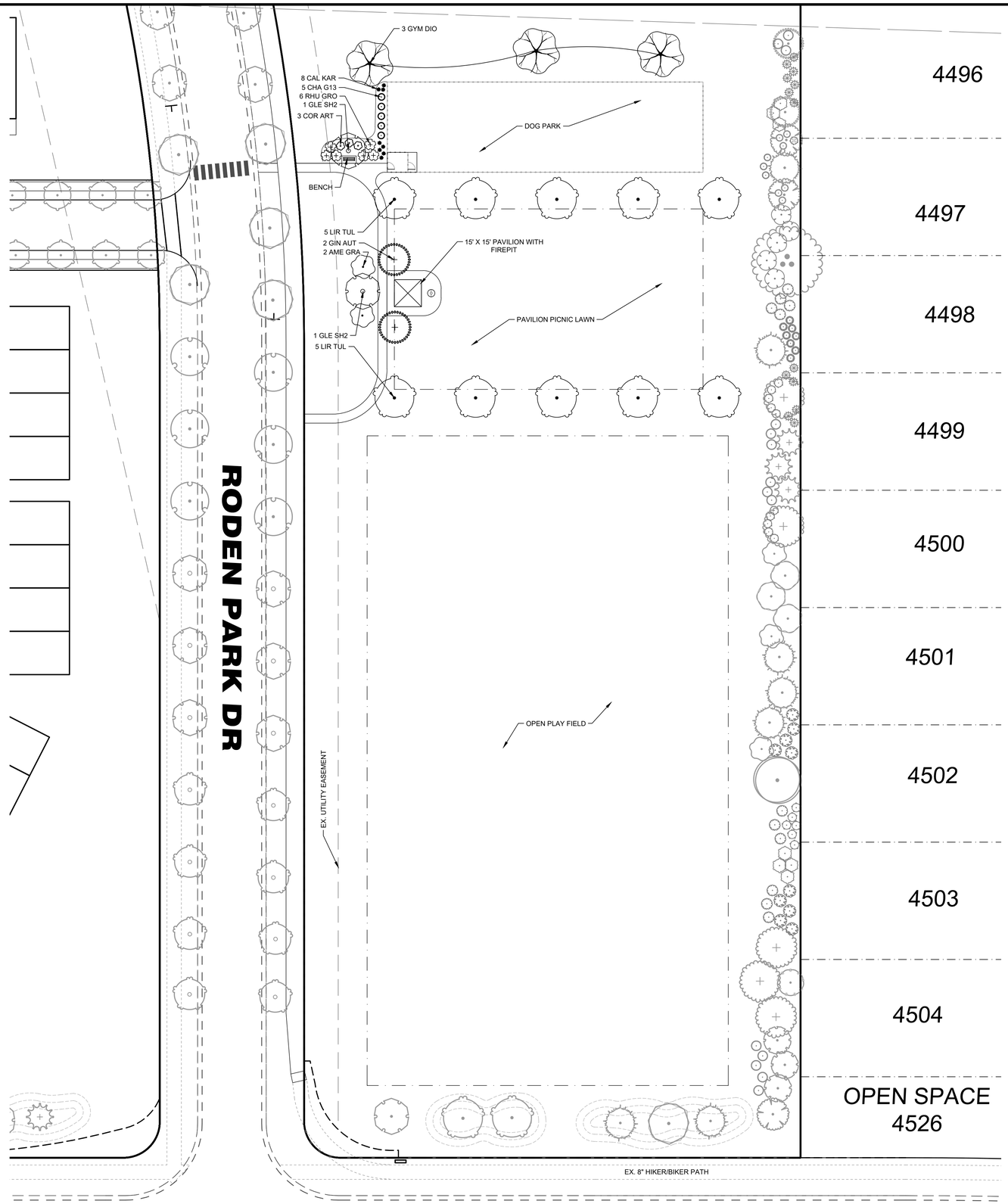
Plot time: Nov 05, 2024 - 2:28pm
Drawing name: J:\2021\21-0017\LA\DWG\21-0017 LA.dwg - Layout Tab: 5 Zoning - Street Trees



PLANT SCHEDULE OPEN SPACE

CODE	QTY	BOTANICAL NAME	COMMON NAME	TYPE	MIN. SIZE
DECIDUOUS TREES					
GIN AUT	2	Ginkgo biloba `Autumn Gold` TM	Maidenhair Tree	B & B	2.0" Cal
GLE SH2	2	Gleditsia triacanthos inermis `Shademaster` TM	Shademaster Locust	B & B	2.0" Cal
GYM DIO	3	Gymnocladus dioica `Espresso`	Kentucky Coffeetree	B & B	2.0" Cal
LIR TUL	10	Liriodendron tulipifera	Tulip Tree	B & B	2.0" Cal
ORNAMENTAL TREES					
AME GRA	2	Amelanchier x grandiflora `Autumn Brilliance`	Autumn Brilliance Serviceberry Tree Form	B & B	2.0" Cal
CODE	QTY	BOTANICAL NAME	COMMON NAME	SIZE	HEIGHT
DECIDUOUS SHRUBS					
COR ART	3	Cornus sericea `Arctic Fire`	Arctic Fire Dogwood	5 gal	24" Ht.
RHU GRO	6	Rhus aromatica `Gro-Low`	Gro-Low Fragrant Sumac	3 gal	18" Ht.
EVERGREEN SHRUBS					
CHA G13	5	Chamaecyparis pisifera `Golden Mop`	Golden Mop Threadleaf False Cypress	B & B	24" Ht.
ORNAMENTAL GRASSES					
CAL KAR	8	Calamagrostis x acutiflora `Karl Foerster`	Feather Reed Grass	2 gal	Clump

SITE FURNISHING DESIGN INTENT IMAGES

15' x 15' PAVILION

6' GENERATION 50 BENCH BY LANDSCAPE FORMS

47" ROUND CONCRETE FIRE PIT WITH STONE LEDGE

4' HT. BLACK VINYL CHAINLINK DOG PARK FENCE

Basis of Bearing:
State Plane NAD83 (2011)

0 30 45
SCALE: 1" = 30'

Item	Revision Description	Date	Drwn:	Chk:

TOWNES AT MONROE CROSSINGS

SECTION 35, TOWN 3, RANGE 3
CITY OF MONROE
BUTLER COUNTY, OHIO

LANDSCAPE PLAN: COMMUNITY OPENSPACE

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www.bayerbecker.com
6900 Tylersville Road, Suite A
Mason, OH 45040 - 513.336.6600

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Drawn by: LEM
Checked By: AJB
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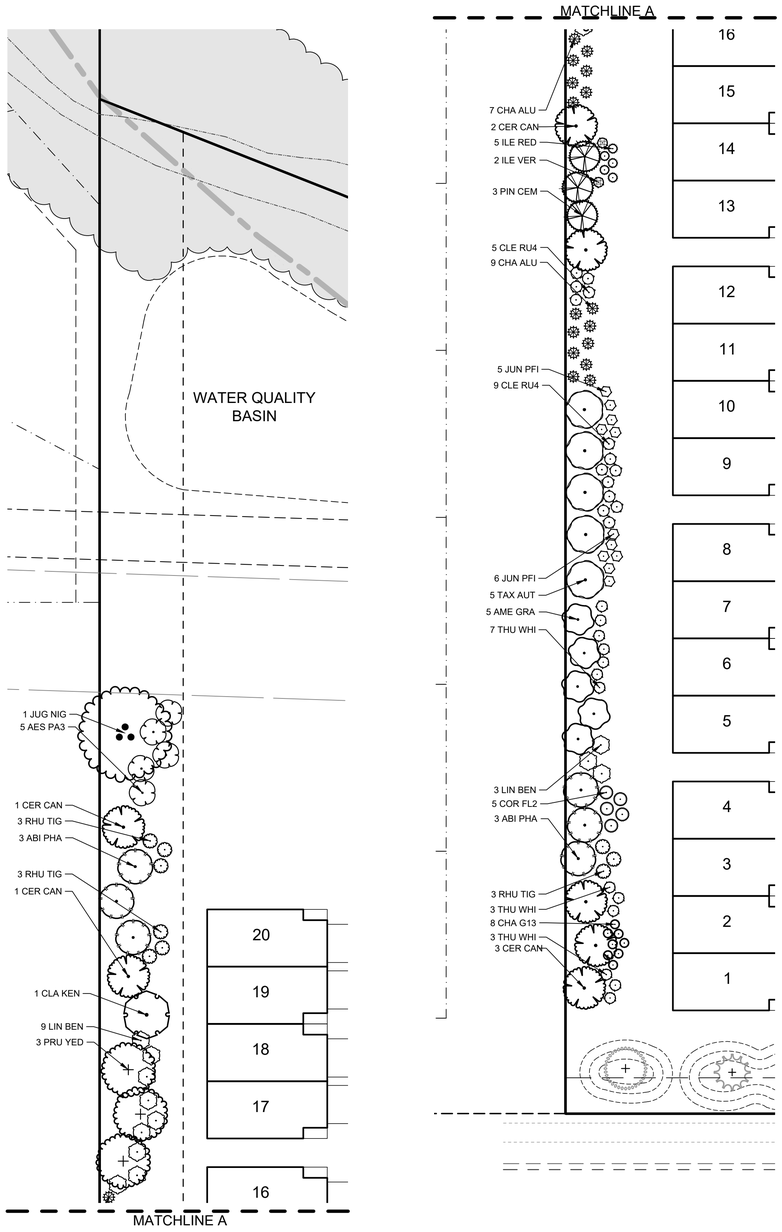
Plot time: Nov 05, 2024 - 2:21pm
Drawing name: J:\202\21-0017\LA\DWG\21-0017 LA.dwg - Layout Tab: 6 Community OpenSpace

WEST BUFFER PLANTING PLAN



BUFFER YARD A REQUIREMENTS (WIDTH 35'):

(2) ORNAMENTAL TREES CAN BE SUBSTITUTED WITH (1) EVERGREEN

EAST PROPERTY BUFFER A - 627 LF
7 CANOPY TREES REQUIRED & PROVIDED
32 ORNAMENTALS REQ. 14 ORNAMENTAL & 9 EVERGREEN PROVIDED
94 SHRUBS REQUIRED & PROVIDED

WEST PROPERTY BUFFER A - 661 LF
7 CANOPY TREES REQUIRED & PROVIDED
33 ORNAMENTAL TREES REQ. 15 ORNAMENTAL &
100 SHRUBS REQUIRED & PROVIDED

2024-09-13 13:32

PLANT SCHEDULE WEST BUFFER

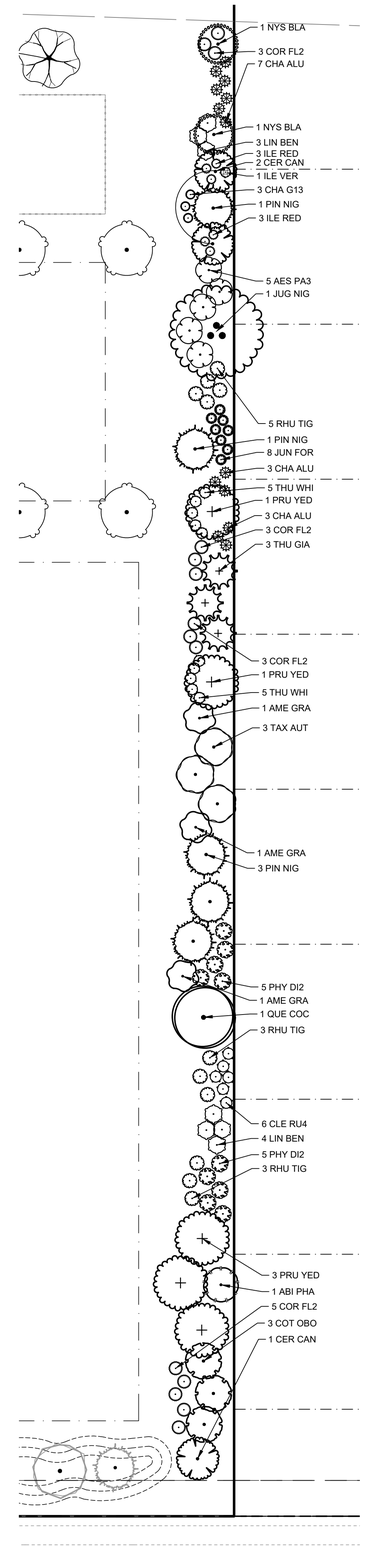
CODE	QTY	BOTANICAL NAME	COMMON NAME	TYPE	MIN. SIZE
DECIDUOUS TREES					
CLA KEN	1	Cladrastis kentukea	American Yellowwood	B & B	2.0" Cal
JUG NIG	1	Juglans nigra	Black Walnut	B & B	2.0" Cal
TAX AUT	5	Taxodium distichum `Autumn Gold`	Autumn Gold Bald Cypress	B & B	2.0" Cal
EVERGREEN TREES					
ABI PHA	6	Abies balsamea phanerolepis	Canaan Balsam Fir	B & B	6` Ht.
PIN CEM	3	Pinus cembra	Swiss Stone Pine	B & B	6` Ht.
ORNAMENTAL TREES					
AME GRA	5	Amelanchier x grandiflora `Autumn Brilliance`	Autumn Brilliance Serviceberry Tree Form	B & B	2.0" Cal
CER CAN	7	Cercis canadensis	Eastern Redbud	B & B	2.0" Cal
PRU YED	3	Prunus x yedoensis	Yoshino Cherry	B & B	2.0" Cal
CODE	QTY	BOTANICAL NAME	COMMON NAME	SIZE	HEIGHT
DECIDUOUS SHRUBS					
AES PA3	5	Aesculus parviflora	Bottlebrush Buckeye	5 gal	24" Ht.
CLE RU4	14	Clethra alnifolia `Ruby Spice`	Ruby Spice Clethra	5 gal	24" Ht.
COR FL2	5	Cornus sericea `Flaviramea`	Yellow Twig Dogwood	B & B	30" Ht.
ILE VER	2	Ilex verticillata `Jim Dandy`	Jim Dandy Winterberry	B & B	30" Ht.
ILE RED	5	Ilex verticillata `Red Sprite`	Red Sprite Winterberry	3 gal	18" Ht.
LIN BEN	12	Lindera benzoin	Spicebush	5 gal	30" Ht.
RHU TIG	9	Rhus typhina `Tiger Eyes`	Tiger Eyes Sumac	5 gal	36" Ht.
EVERGREEN SHRUBS					
CHA ALU	16	Chamaecyparis lawsoniana `Alumii`	Lake Erie Blue False Cypress	B & B	36" Ht.
CHA G13	8	Chamaecyparis pisifera `Golden Mop`	Golden Mop Threadleaf False Cypress	B & B	24" Ht.
JUN PFI	11	Juniperus chinensis `Kallays Compact`	Kallay Compact Pfitzer Juniper	B & B	30" Ht.
THU WHI	13	Thuja plicata `Whipcord`	Whipcord Western Red Cedar	3 gal	15" Ht.

2024-09-13 13:25

PLANT SCHEDULE EAST BUFFER

CODE	QTY	BOTANICAL NAME	COMMON NAME	TYPE	MIN. SIZE
DECIDUOUS TREES					
JUG NIG	1	Juglans nigra	Black Walnut	B & B	2.0" Cal
NYS BLA	2	Nyssa sylvatica `Black Tupelo`	Black Tupelo Sour Gum	B & B	2.0" Cal
QUE COC	1	Quercus coccinea	Scarlet Oak	B & B	2.0" Cal
TAX AUT	3	Taxodium distichum `Autumn Gold`	Autumn Gold Bald Cypress	B & B	2.0" Cal
EVERGREEN TREES					
ABI PHA	1	Abies balsamea phanerolepis	Canaan Balsam Fir	B & B	6` Ht.
PIN NIG	5	Pinus nigra	Austrian Black Pine	B & B	6` Ht.
THU GIA	3	Thuja plicata `Green Giant`	Western Red Cedar	B & B	6` Ht.
ORNAMENTAL TREES					
AME GRA	3	Amelanchier x grandiflora `Autumn Brilliance`	Autumn Brilliance Serviceberry Tree Form	B & B	2.0" Cal
CER CAN	3	Cercis canadensis	Eastern Redbud	B & B	2.0" Cal
COT OBO	3	Cotinus obovatus	American Smoke Tree	B & B	2.0" Cal
PRU YED	5	Prunus x yedoensis	Yoshino Cherry	B & B	2.0" Cal
CODE	QTY	BOTANICAL NAME	COMMON NAME	SIZE	HEIGHT
DECIDUOUS SHRUBS					
AES PA3	5	Aesculus parviflora	Bottlebrush Buckeye	5 gal	24" Ht.
CLE RU4	6	Clethra alnifolia `Ruby Spice`	Ruby Spice Clethra	5 gal	24" Ht.
COR FL2	14	Cornus sericea `Flaviramea`	Yellow Twig Dogwood	B & B	30" Ht.
ILE VER	1	Ilex verticillata `Jim Dandy`	Jim Dandy Winterberry	B & B	30" Ht.
ILE RED	6	Ilex verticillata `Red Sprite`	Red Sprite Winterberry	3 gal	18" Ht.
LIN BEN	7	Lindera benzoin	Spicebush	5 gal	30" Ht.
PHY DI2	10	Physocarpus opulifolius `Diabolo`	Diablo Ninebark	B & B	30" Ht.
RHU TIG	11	Rhus typhina `Tiger Eyes`	Tiger Eyes Sumac	5 gal	36" Ht.
EVERGREEN SHRUBS					
CHA ALU	13	Chamaecyparis lawsoniana `Alumii`	Lake Erie Blue False Cypress	B & B	36" Ht.
CHA G13	3	Chamaecyparis pisifera `Golden Mop`	Golden Mop Threadleaf False Cypress	B & B	24" Ht.
JUN FOR	8	Juniperus chinensis `Sea Green`	Sea Green Juniper	B & B	30" Ht.
THU WHI	10	Thuja plicata `Whipcord`	Whipcord Western Red Cedar	3 gal	15" Ht.

EAST BUFFER PLANTING PLAN



Basis of Bearing:
State Plane NAD83 (2011)
0 30 45
SCALE: 1" = 30'

Item	Revision Description	Date	Drwn:	Chk:

TOWNES AT MONROE CROSSINGS

SECTION 35, TOWN 3, RANGE 3
CITY OF MONROE
BUTLER COUNTY, OHIO

LANDSCAPE PLAN: PERIMETER BUFFER

bayer becker
www.bayerbecker.com
6900 Tylersville Road, Suite A
Mason, OH 45040 - 513.336.6600

Drawing: 21-0017 LA
Drawn by: LEM
Checked By: AJB
Issue Date: 11-06-24
Sheet: 7

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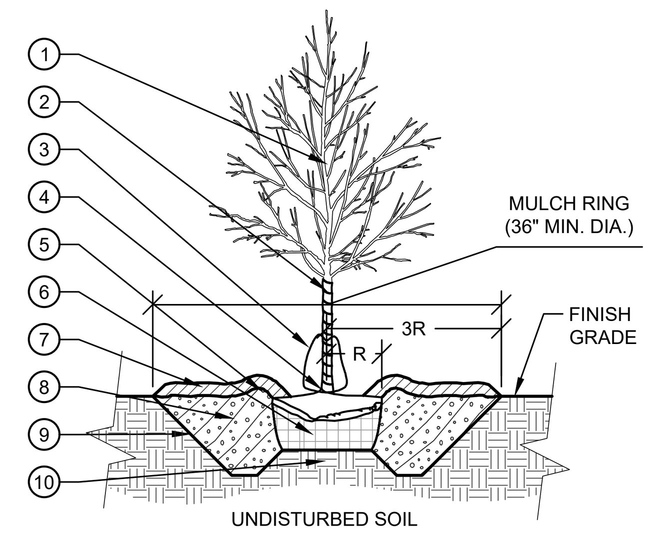
Plot time: Nov 05, 2024 - 2:19pm
Drawing name: J:\2021\21-0017\LA\DWG\21-0017 LA.dwg - Layout Tab: 7 Zoning Buffer Planting



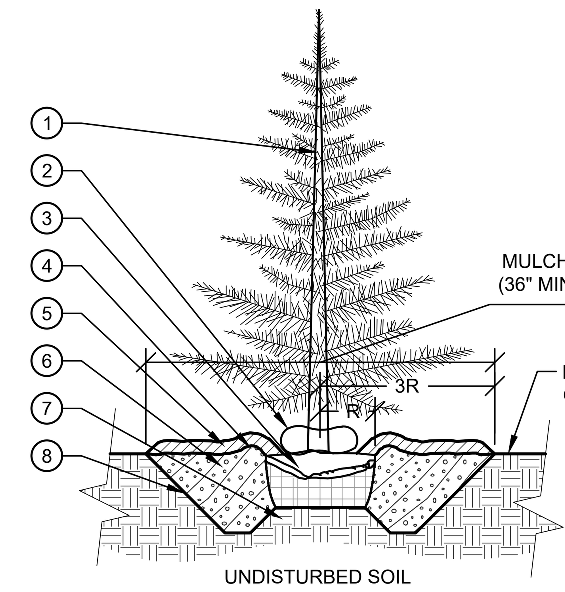
1. CENTRAL LEADER
2. TREE WRAP (STD. MANUFACTURER)
3. 15 GAL. GATOR BAG (SEE NOTES)
4. ROOT FLARE
5. SOIL BERM (SEE NOTES)
6. ROOTBALL
7. MULCH (SEE NOTES)
8. AMENDED PLANTING SOIL
9. ROOTBALL PIT
10. UNDISTURBED EXISTING OR RECOMPACTED BASE SOIL; 8" DEPTH

NOTES:

- A. REMOVE ALL TWINE, ROPE, WIRE, AND BURLAP FROM TOP ½ OF ROOTBALL.TOP OF ROOTBALL TO BE FLUSH WITH FINISH GRADE AFTER SETTLEMENT. ROOT FLARE 1" ABOVE FINISH GRADE.
- B. TREE PIT TO BE THREE TIMES THE WIDTH OF THE ROOTBALL.
- C. SCARIFY BOTTOM AND SIDES OF TREE PIT TO 4" MIN. DEPTH.
- D. SUBSOIL AND TOPSOIL REMOVED FROM EXCAVATIONS MAY BE USED AS PLANTING SOIL PROVIDED IT IS FREE OF ROCKS & DELETERIOUS MATERIALS. TOPSOIL AMENDED PER SOIL TESTING REPORT.
- E. SOIL BERM 4" HIGH X 8" WIDE ABOVE ROOT BALL SURFACE SHALL BE CONSTRUCTED AROUND THE ROOT BALL. BERM SHALL BEGIN AT ROOT BALL PERIPHERY.
- F. MULCH RING (SEE SPECIFICATIONS FOR DEPTH) AROUND TRUNK. MINIMUM 36" RADIUS DO NOT PLACE MULCH WITHIN 3" OF TRUNK.
- G. GATOR BAG TO BE INSTALLED & FILLED PER MANUFACTURER'S SPECIFICATIONS ON ALL TREES WHEN INSTALLED BETWEEN JUNE - AUG. 1"-4" CALIPER (1 BAG). 5"-8" (2 BAGS).
- H. TREE WRAP FOR TREES ABOVE 5" CALIPER REQUIRE A 4" CORRUGATED PVC TUBING DOUBLE WRAPPED IN FILTER FABRIC SOCK PIPE.
- I. TREES UNDER 5" CALIPER ARE NOT REQUIRED TO BE GUYED UNLESS LOCATED ON SLOPES GREATER THAN 3:1 OR IN A WINDY LOCATION OR OTHER WISE DETERMINED NECESSARY.

1 TYP. TREE PLANTING DETAIL

NOT TO SCALE — P-21-HYD-01



1. CENTRAL LEADER
2. 15 GAL. TREEGATOR JR. PRO (SEE NOTES)
3. ROOTBALL
4. SOIL BERM (SEE NOTES)
5. MULCH (SEE NOTES)
6. AMENDED PLANTING SOIL
7. UNDISTURBED EXISTING OR RECOMPACTED BASE SOIL; 8" DEPTH
8. ROOTBALL PIT

NOTES:

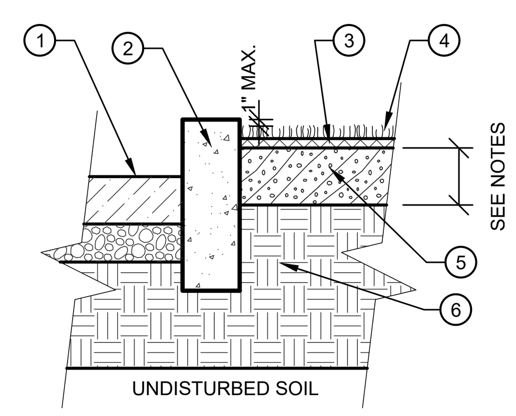
- A. REMOVE ALL TWINE, ROPE, WIRE, AND BURLAP FROM TOP ½ OF ROOTBALL.TOP OF ROOTBALL TO BE FLUSH WITH FINISH GRADE AFTER SETTLEMENT. ROOT FLARE 1" ABOVE FINISH GRADE.
- B. TREE PIT TO BE THREE TIMES THE WIDTH OF THE ROOTBALL.
- C. SCARIFY BOTTOM AND SIDES OF TREE PIT TO 4" MIN. DEPTH.
- D. SUBSOIL AND TOPSOIL REMOVED FROM EXCAVATIONS MAY BE USED AS PLANTING SOIL PROVIDED IT IS FREE OF ROCKS & DELETERIOUS MATERIALS. TOPSOIL AMENDED PER SOIL TESTING REPORT.
- E. SOIL BERM 4" HIGH X 8" WIDE ABOVE ROOT BALL SURFACE SHALL BE CONSTRUCTED AROUND THE ROOT BALL. BERM SHALL BEGIN AT ROOT BALL PERIPHERY.
- F. MULCH RING (SEE SPECIFICATIONS FOR DEPTH) AROUND TRUNK. MINIMUM 36" RADIUS DO NOT PLACE MULCH WITHIN 3" OF TRUNK.
- G. GATOR BAG TO BE INSTALLED & FILLED PER MANUFACTURER'S SPECIFICATIONS ON ALL TREES WHEN INSTALLED BETWEEN JUNE - AUG.

2 TYP. EVERGREEN PLANTING DETAIL

NOT TO SCALE — P-21-HYD-02

GENERAL LANDSCAPE NOTES

- A. REFER TO LANDSCAPE SPECIFICATIONS FOR ADDITIONAL INSTALLATION REQUIREMENTS.
- B. THE CONTRACTOR SHALL VISIT THE SITE AND COMPLETELY REVIEW THESE DOCUMENTS AND FULLY UNDERSTAND THE NATURE AND SCOPE OF WORK NEEDED TO ACHIEVE THE FINISHED PRODUCT INTENDED BY THE OWNER. IN ADDITION, THE CONTRACTOR SHALL AT ONCE REPORT TO THE LANDSCAPE ARCHITECT, INACCURACIES OR INCONSISTENCIES DISCOVERED. FAILURE TO REASONABLY RECOGNIZE OR NOTIFY THE LANDSCAPE ARCHITECT OF SUCH ITEMS SHALL RELEASE THE LANDSCAPE ARCHITECT AND OWNER OF ALL LIABILITY. ANY DEVIATIONS FROM THESE DOCUMENTS WITHOUT WRITTEN APPROVAL FROM THE LANDSCAPE ARCHITECT SHALL BE CORRECTED AT THE CONTRACTORS EXPENSE.
- C. PRIOR TO CONSTRUCTION, THE LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR OBTAINING ALL PERMITS NECESSARY TO COMPLETE THE WORK, LOCATING ALL UNDERGROUND UTILITIES, AND SHALL AVOID DAMAGE TO ALL UTILITIES DURING INSTALLATION. THE LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR REPAIRING ALL DAMAGE TO UTILITIES, STRUCTURES, SITE APPURTENANCES, ETC., WHICH MAY OCCUR AS A RESULT OF LANDSCAPE CONSTRUCTION.
- D. CONTRACTOR MUST CERTIFY THAT ITS SAFETY PROGRAM MEETS REGULATORY REQUIREMENTS AT A MINIMUM. CONTRACTOR TO PROVIDE DOCUMENTATION OF THE OSHA RECORD KEEPING SUMMARY.
- E. REFER TO BID DOCUMENTS AND COMPLY WITH ALL STATE & LOCAL TRAFFIC AND SAFETY REQUIREMENTS REGARDING APPROVED WORK TIMES, SCHEDULING OF INSTALLATION, AND ALL OTHER REQUIREMENTS.
- F. LANDSCAPE CONTRACT IS RESPONSIBLE FOR COORDINATING WITH OTHER CONTRACTORS AND/OR LOCATING PROPOSED SITE UTILITIES, STORM STRUCTURES, EASEMENTS, ETC.
- G. ALL PLANT MATERIAL MUST BE INSTALLED ACCORDING TO THE APPROVED LANDSCAPING PLAN BY NO LATER THAN THE NEXT PLANTING SEASON OR WITHIN 6 MONTHS FROM THE COMPLETION OF ALL SITE CONSTRUCTION.
- H. CONTRACTOR TO VERIFY ALL PLANT QUANTITIES. ANY DISCREPANCY BETWEEN THE PLANTING LIST AND THE PLAN SHALL BE VERIFIED BY THE LANDSCAPE ARCHITECT. ALL SUBSTITUTIONS AND/OR CHANGES SHALL BE REQUESTED IN WRITING TO THE OWNER OR OWNER'S REPRESENTATIVE AND BE APPROVED BY THE LANDSCAPE ARCHITECT AND THE LOCAL MUNICIPALITY (IF REQUIRED) PRIOR TO INSTALLATION.
- I. INSTALL PLANTS - REFER TO TYPICAL PLANTING DETAILS FOR PLANT INSTALLATION.
- J. IT IS THE CONTRACTOR'S OPTION WHETHER OR NOT TO STAKE A TREE UNDER 5" CALIPER, BUT IT IS ALSO THE CONTRACTOR'S RESPONSIBILITY TO ASSURE THAT PLANTS REMAIN IN AN UPRIGHT POSITION UNTIL THE END OF THE WARRANTY PERIOD, AT WHICH POINT ANY STAKES & WIRE ARE TO BE REMOVED BY THE CONTRACTOR.
- K. LANDSCAPE CONTRACTOR SHALL INSTALL GATOR BAGS, PER MANUFACTURER'S RECOMMENDATION FOR ALL TREES THAT ARE NOT OTHERWISE IRRIGATED. GATOR BAGS TO BE INSTALLED AND FILLED BETWEEN JUNE AND AUGUST. (1) BAG REQUIRED FOR 1" - 4" CALIPER TREES AND (2) BAGS REQUIRED FOR 5"-8" CALIPER TREES.
- L. LANDSCAPE CONTRACTOR SHALL ASSURE POSITIVE DRAINAGE FROM ALL PLANT BEDS WITHOUT ADVERSELY AFFECTING SITE DRAINAGE. GRADES BEHIND CURBS FOR AREAS TO RECEIVE MULCH SHALL BE HELD 4 INCHES BELOW TOP OF CURB AND 2 INCHES BELOW TOP OF CURB FOR SOD.
- M. CONTRACTOR TO RUN PERCOLATION TESTS TO ASSURE PROPER DRAINAGE IN PLANTING AREAS.
- N. ADDITIONAL ROCK EXCAVATION AND TOPSOIL MAY BE REQUIRED TO OBTAIN SPECIFIED PLANTING DEPTHS FOR ROOT COVERAGE BASED ON SITE CONDITIONS.



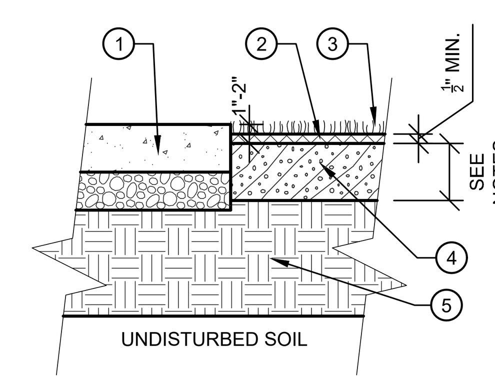
1. PAVEMENT (SEE PAVEMENT DETAIL)
2. ADJACENT CURB (SEE CIVIL PLANS)
3. ROOT LAYER (IF APPLICABLE)
4. LAWN (SOD OR SEED AS SPECIFIED)
5. AMENDED TOPSOIL (SEE NOTES)
6. UNDISTURBED SOIL

NOTES:

- A. LAWN/SOD SURFACE FLUSH WITH OR 1" MAX. BELOW ADJACENT PAVEMENT SURFACE.
- B. SEE SPECIFICATIONS FOR AMENDED SOIL DEPTH.
- C. IF LAWN AREAS ARE NOT IDENTIFIED ON PLANS TO BE SEED OR SOD, CONTACT LANDSCAPE ARCHITECT OR OWNER FOR VERIFICATION.

3 LAWN ADJACENT TO CURB

NOT TO SCALE — P-21-HYD-04



1. ADJACENT PAVEMENT
2. ROOT LAYER
3. LAWN (SOD OR SEED AS SPECIFIED)
4. AMENDED TOPSOIL (SEE NOTES)
5. UNDISTURBED SOIL

NOTES:

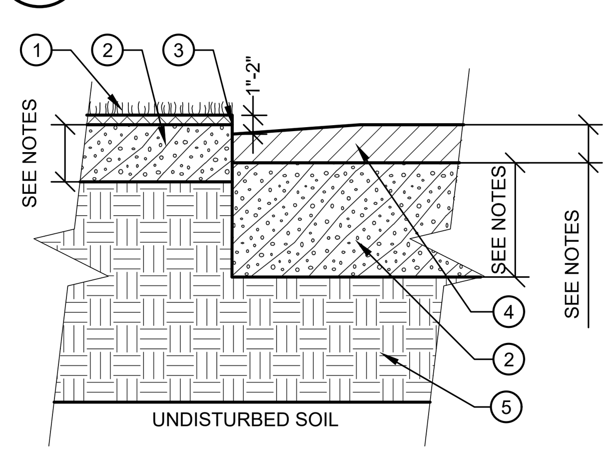
- A. LAWN TO BE HELD MIN. 1" BELOW ADJACENT WALK.
- B. SEE SPECIFICATIONS FOR AMENDED SOIL DEPTH.
- C. IF LAWN AREAS ARE NOT IDENTIFIED ON PLANS TO BE SEED OR SOD, CONTACT LANDSCAPE ARCHITECT OR OWNER FOR VERIFICATION.

4 LAWN ADJACENT TO PAVED SURFACE

NOT TO SCALE — P-21-HYD-05

IRRIGATION NOTES

- A. LANDSCAPE CONTRACTOR SHALL COORDINATE THE LOCATION OF ALL PLANT MATERIAL WITH THE IRRIGATION CONTRACTOR. IRRIGATION SYSTEM TO BE ACTIVATED UPON COMPLETION OF ALL LAWN AREAS.
- B. ALL IRRIGATION COMPONENTS SHALL BE OF THE SAME MANUFACTURER & INSTALLED PER MANUFACTURER'S SPECIFICATIONS.
- C. FURNISH ALL DESIGN, LABOR, MATERIALS, AND EQUIPMENT FOR THE PROPER INSTALLATION OF AN IRRIGATION SYSTEM TO SERVICE ALL LAWN AND PLANTED AREAS.
- D. THE CONTRACTOR SHALL PROVIDE LAYOUT AND DESIGN COORDINATION WITH THE LANDSCAPE REQUIREMENTS OF THE PLANTING TYPES, LOCATIONS AND SHALL INCLUDE WATER SAVING PRODUCTS (LIKE EPA WATERSENSE) AND PRACTICES WHICH DEMONSTRATE THE HIGHEST LEVEL OF PERFORMANCE (WATER SAVING FEATURES).
- E. SMART CONTROLLERS, HIGH-EFFICIENCY SPRAY NOZZLES, PRESSURE REGULATED HEADS, AND DRIPLINE IN BEDS MUST BE INCORPORATED. INDIVIDUAL SUB-ZONES MUST BE TAILORED TO THE WATERING REQUIREMENTS OF EACH MAJOR PLANT TYPE. UNDER NO CIRCUMSTANCES SHALL ANY TURF AREAS BE WATERED IN COMBINATION WITH PLANT BEDS. SPACING OF ALL SPRINKLER EQUIPMENT SELECTED SHALL NOT EXCEED THE MANUFACTURER'S RECOMMENDATIONS AS PUBLISHED. "HEAD TO HEAD" COVERAGE IS REQUIRED IN ALL TURF AREAS.
- F. IRRIGATION CONTRACTOR SHALL PARTICIPATE IN COORDINATION MEETINGS AS REQUIRED WITH THE OWNER'S REPRESENTATIVE AND RELATED PARTIES PRIOR TO COMMENCEMENT OF CONSTRUCTION.
- G. THE IRRIGATION SYSTEM IS TO BE INSTALLED BY A CONTRACTOR WHO SPECIALIZES IN IRRIGATION DESIGN AND INSTALLATION AND HAS INSTALLED AT LEAST FIVE (5) PROJECTS OF EQUAL OR COMPARATIVE SIZE AND COMPLEXITY. IRRIGATION WORK SHALL BE PERFORMED BY A SINGLE FIRM, ACCEPTABLE TO THE OWNER'S REPRESENTATIVE AND LICENSED AS A CONTRACTOR IN THE STATE WHERE THE PROJECT IS TO BE INSTALLED.
- H. THE SYSTEM SHALL BE DESIGNED BY A CERTIFIED EPA WATERSENSE PARTNER, AS FOUND ON THE EPA WATERSENSE WEBSITE, OR MUST BE A MEMBER OF THE IRRIGATION ASSOCIATION (IA), FAIRFAZ, VA, AND HOLD A CID (CERTIFIED DESIGNER DESIGNER) QUALIFICATION.
- I. REFERENCED STANDARDS: AMERICAN SOCIETY FOR TESTING AND MATERIALS, ANNUAL BOOK OF ASTM STANDARDS, LATEST EDITION.
- J. CODES AND STANDARDS: IRRIGATION DESIGN AND INSTALLATION SHALL COMPLY WITH ALL APPLICABLE FEDERAL, STATE, AND LOCAL GOVERNING AGENCY REQUIREMENTS AND TO INDUSTRY STANDARDS. NOTIFY LANDSCAPE ARCHITECT IMMEDIATELY IN WRITING OF ANY DISCREPANCIES, INCONSISTENCIES, OR CONTRADICTORY REQUIREMENTS.
- K. SUBSTITUTIONS: NO SUBSTITUTIONS FROM THE INITIAL PLAN WILL BE PERMITTED WITHOUT REVIEW AND APPROVAL BY THE OWNER'S REPRESENTATIVE. REQUESTS MUST BE MADE TWO (2) WEEKS IN ADVANCE OF THE PROJECT START DATE. IN THE EVENT THE CONTRACTOR WISHES TO MAKE SUBSTITUTIONS OF MATERIALS, SUFFICIENT DESCRIPTIVE LITERATURE, NEW DESIGN, AND MATERIAL SAMPLES MUST BE FURNISHED TO ESTABLISH THE MATERIAL AS AN EQUAL SUBSTITUTE, AND THE DESIGN AS FUNCTIONAL. THE PROPOSED MATERIAL SUBSTITUTION MUST MEET THE ORIGINAL DESIGN INTENT AS IT PERTAINS TO WATER CONSERVATION.
- L. APPROVAL AND SELECTION OF MATERIALS AND WORK: THE SELECTION OF ALL MATERIALS AND THE EXECUTION OF ALL OPERATIONS REQUIRED UNDER THIS PERFORMANCE SPECIFICATION IS SUBJECT TO THE APPROVAL OF THE OWNER'S REPRESENTATIVE WHO HAS THE RIGHT TO REJECT ANY AND ALL MATERIALS AND ANY AND ALL WORK WHICH, IN THEIR OPINION, DOES NOT MEET THE REQUIREMENTS OF THE CONTRACT DOCUMENTS AT ANY STAGE OF THE OPERATION. REMOVE REJECTED WORK AND MATERIALS FROM PROJECT SITE AND REPLACE PROMPTLY.
- M. WARRANTY FOR IRRIGATION SERVICE, PLUMBING, & DRAINAGE SHALL BE GUARANTEED FOR A PERIOD OF 1 YEAR AND WILL INCLUDE START-UP, WINTERIZATION, AND SECOND SEASON START-UP. WARRANTY SHALL INCLUDE ALL LABOR, MATERIAL, TOOLS, AND EQUIPMENT AS NECESSARY TO PROVIDE A FUNCTIONING SYSTEM, FREE FROM DEFECTS AND ADJUSTED PROPERLY FOR APPROPRIATE WATER DELIVERY TO ALL PLANT MATERIAL.



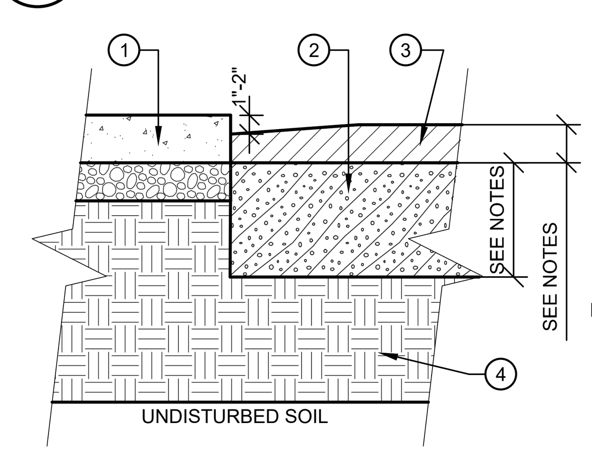
1. ADJACENT LAWN
2. AMENDED TOPSOIL
3. VERTICAL EDGE
4. MULCH
5. UNDISTURBED SOIL

NOTES:

- A. SHOVEL CUT BED EDGE SHALL CREATE A CLEAN SEPARATION BETWEEN LAWN AND PLANTING AREA TO CONTAIN MULCH.
- B. TAPER MULCH ALONG PLANTING BED EDGE. MULCH TO BE HELD 1"-2" BELOW ADJACENT LAWN.

5 MULCH BED EDGE ADJACENT TO LAWN

NOT TO SCALE — P-21-HYD-07



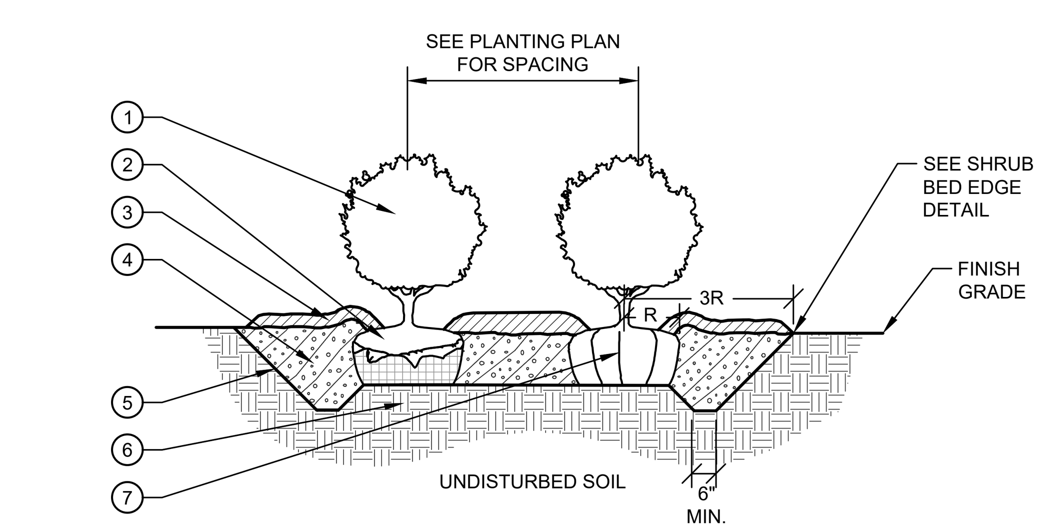
1. ADJACENT PAVEMENT
2. AMENDED TOPSOIL
3. MULCH
4. UNDISTURBED SOIL

NOTES:

- A. TAPER MULCH ALONG PLANTING BED EDGE.
- B. MULCH TO BE HELD 1"-2" BELOW ADJACENT WALK. NO VOLCANO MULCH.

6 MULCH BED EDGE ADJACENT TO WALK

NOT TO SCALE — P-21-HYD-08



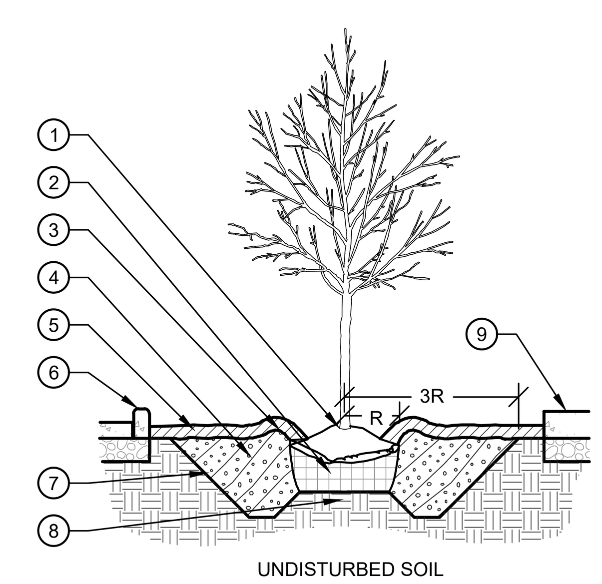
1. SHRUB
2. B&B SHRUB
3. MULCH (SEE NOTES)
4. AMENDED PLANTING SOIL
5. SHRUB PIT
6. UNDISTURBED EXISTING OR RECOMPACTED BASE SOIL; 8" DEPTH
7. CONTAINER SHRUB

NOTES:

- A. B&B: REMOVE TWINE, ROPE, WIRE, & BURLAP FROM TOP ½ OF ROOTBALL.TOP OF ROOTBALL TO BE FLUSH WITH FINISH GRADE AFTER SETTLEMENT. ROOT FLARE 1" ABOVE FINISH GRADE.
- B. CONTAINER: LOOSEN ROOT BALL OF ANY ROOT BOUND SHRUB.
- C. SHRUB PIT TO BE THREE TIMES THE WIDTH OF THE ROOTBALL.
- D. SCARIFY BOTTOM AND SIDES OF SHRUB PIT TO 4" MIN. DEPTH.
- E. SUBSOIL AND TOPSOIL REMOVED FROM EXCAVATIONS MAY BE USED AS PLANTING SOIL PROVIDED IT IS FREE OF ROCKS & DELETERIOUS MATERIALS. TOPSOIL AMENDED PER SOIL TESTING REPORT.
- F. MULCH ENTIRE SHRUB BED (SEE SPECIFICATIONS FOR DEPTH). MINIMUM 36" RADIUS. DO NOT PLACE MULCH WITHIN 3" OF STEMS.

7 SHRUB PLANTING DETAIL

NOT TO SCALE — P-21-HYD-06



1. ROOT FLARE
2. ROOTBALL
3. SOIL BERM (SEE NOTES)
4. AMENDED PLANTING SOIL
5. MULCH (SEE NOTES)
6. CURB (SEE CIVIL DETAILS)
7. ROOTBALL PIT
8. UNDISTURBED EXISTING OR RECOMPACTED BASE SOIL; 8" DEPTH
9. SIDEWALK (SEE CIVIL DETAILS)

NOTES:

- A. REMOVE ALL TWINE, ROPE, WIRE, AND BURLAP FROM TOP ½ OF ROOTBALL.TOP OF ROOTBALL TO BE FLUSH WITH FINISH GRADE AFTER SETTLEMENT. ROOT FLARE 1" ABOVE FINISH GRADE.
- B. TREE PIT TO BE THREE TIMES THE WIDTH OF THE ROOTBALL.
- C. SCARIFY BOTTOM AND SIDES OF TREE PIT TO 4" MIN. DEPTH.
- D. SUBSOIL AND TOPSOIL REMOVED FROM EXCAVATIONS MAY BE USED AS PLANTING SOIL PROVIDED IT IS FREE OF ROCKS & DELETERIOUS MATERIALS. TOPSOIL AMENDED PER SOIL TESTING REPORT.
- E. SOIL BERM 4" HIGH X 8" WIDE ABOVE ROOT BALL SURFACE SHALL BE CONSTRUCTED AROUND THE ROOT BALL. BERM SHALL BEGIN AT ROOT BALL PERIPHERY.
- F. MULCH (SEE SPECIFICATIONS FOR DEPTH). DO NOT PLACE MULCH WITHIN 3" OF TRUNK. TOP OF MULCH SHALL BE A MINIMUM OF 1" BELOW ADJACENT CURB/WALK FOR MULCH CONTAINMENT.
- G. SEE TYP. TREE PLANTING DETAIL FOR TREE WRAP AND WATERING REQUIREMENTS.

8 TREE ADJACENT TO CURB AND SIDEWALK

NOT TO SCALE — P-21-HYD-15

Plot time: Nov 05, 2024 - 2:18pm
Drawing name: J:\2021\21-0017\LA\DWG\21-0017 LA.dwg - Layout Tab: 8 Landscape Details

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Item	Revision Description	Date	Drwn:	Chk:

TOWNES AT MONROE CROSSINGS

SECTION 35, TOWN 3, RANGE 3
CITY OF MONROE
BUTLER COUNTY, OHIO

LANDSCAPE DETAILS

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Drawing:	21-0017 LA
Drawn by:	LEM
Checked By:	AJB
Issue Date:	11-06-24
Sheet:	8

SECTION 32 93 00 - PLANTS

PART 1 - GENERAL

1.1 RELATED DOCUMENTS
A. DRAWINGS AND GENERAL PROVISIONS OF THE CONTRACT, INCLUDING GENERAL AND SUPPLEMENTARY CONDITIONS AND DIVISION 01 SPECIFICATION SECTIONS, APPLY TO THIS SECTION.

1.2 SUMMARY
A. SECTION INCLUDES:
1. PLANTS.
2. PLANTING SOILS.
3. MISCELLANEOUS PRODUCTS.

1.3 SUBMITTALS
A. PRODUCT DATA: FOR EACH TYPE OF PRODUCT INDICATED, INCLUDING SOILS.
1. PLANT MATERIALS: INCLUDE QUANTITIES, SIZES, QUALITY, AND SOURCES FOR PLANT MATERIALS.
2. PESTICIDES AND HERBICIDES: INCLUDE PRODUCT LABEL AND MANUFACTURER'S APPLICATION INSTRUCTIONS SPECIFIC TO THE PROJECT.
B. SAMPLES FOR VERIFICATION: SUBMIT EACH PRODUCT AND MATERIAL WHERE REQUIRED BY THE SPECIFICATIONS TO THE OWNER'S REPRESENTATIVE FOR APPROVAL.
C. PRODUCT CERTIFICATES: FOR EACH TYPE OF MANUFACTURED PRODUCT, FROM MANUFACTURER, AND COMPLYING WITH THE FOLLOWING:
1. MANUFACTURER'S CERTIFIED ANALYSIS OF STANDARD PRODUCTS.
D. MATERIAL TEST REPORTS: FOR STANDARDIZED ASTM D 5268 TOPSOIL, EXISTING NATIVE SURFACE TOPSOIL, AND IMPORTED OR MANUFACTURED TOPSOIL.
E. WARRANTY: SAMPLE OF SPECIAL WARRANTY.

1.4 QUALITY ASSURANCE
A. INSTALLER QUALIFICATIONS: A QUALIFIED LANDSCAPE INSTALLER WHOSE WORK HAS RESULTED IN SUCCESSFUL ESTABLISHMENT OF PLANTS.
1. EXPERIENCE: FIVE YEARS' EXPERIENCE IN LANDSCAPE INSTALLATION IN ADDITION TO REQUIREMENTS IN DIVISION 01 SECTION "QUALITY REQUIREMENTS."
2. INSTALLER'S FIELD SUPERVISION: REQUIRE INSTALLER TO MAINTAIN AN EXPERIENCED FULL-TIME SUPERVISOR ON PROJECT SITE WHEN WORK IS IN PROGRESS.
3. PESTICIDE APPLICATOR: STATE LICENSED, COMMERCIAL.
B. SOIL ANALYSIS: FOR EACH UNAMENDED SOIL TYPE, FURNISH SOIL ANALYSIS AND A WRITTEN REPORT BY A QUALIFIED SOIL-TESTING LABORATORY STATING PERCENTAGES OF ORGANIC MATTER; GRADATION OF SAND, SILT, AND CLAY CONTENT; CATION EXCHANGE CAPACITY; SODIUM ABSORPTION RATIO; DELETERIOUS MATERIAL; PH; AND MINERAL AND PLANT-NUTRIENT CONTENT OF THE SOIL.
1. TESTING METHODS AND WRITTEN RECOMMENDATIONS SHALL COMPLY WITH USDA'S HANDBOOK NO. 60.
2. THE SOIL-TESTING LABORATORY SHALL OVERSEE SOIL SAMPLING; WITH DEPTH, LOCATION, AND NUMBER OF SAMPLES TO BE TAKEN PER INSTRUCTIONS FROM LANDSCAPE LANDSCAPE ARCHITECT. A MINIMUM OF THREE REPRESENTATIVE SAMPLES SHALL BE TAKEN FROM VARIED LOCATIONS FOR EACH SOIL TO BE USED OR AMENDED FOR PLANTING PURPOSES.
3. REPORT SUITABILITY OF TESTED SOIL FOR PLANT GROWTH.
a. BASED UPON THE TEST RESULTS, STATE RECOMMENDATIONS FOR SOIL TREATMENTS AND SOIL AMENDMENTS TO BE INCORPORATED. STATE RECOMMENDATIONS IN WEIGHT PER 1000 SQ. FT. (92.9 SQ. M) OR VOLUME PER CU. YD. (0.76 CU. M) FOR NITROGEN, PHOSPHORUS, AND POTASH NUTRIENTS AND SOIL AMENDMENTS TO BE ADDED TO PRODUCE SATISFACTORY PLANTING SOIL SUITABLE FOR HEALTHY, VIABLE PLANTS.
b. REPORT PRESENCE OF PROBLEM SALTS, MINERALS, OR HEAVY METALS, INCLUDING ALUMINUM, ARSENIC, BARIUM, CADMIUM, CHROMIUM, COBALT, LEAD, LITHIUM, AND VANADIUM. IF SUCH PROBLEM MATERIALS ARE PRESENT, PROVIDE ADDITIONAL RECOMMENDATIONS FOR CORRECTIVE ACTION.
C. PROVIDE QUALITY, SIZE, GENUS, SPECIES, AND VARIETY OF PLANTS INDICATED, COMPLYING WITH APPLICABLE REQUIREMENTS IN ANSI Z60.1. PLANTS WITH HEALTHY ROOT SYSTEMS DEVELOPED BY TRANSPLANTING OR ROOT PRUNING. PROVIDE WELL-SHAPED, FULLY BRANCHED, HEALTHY, VIGOROUS STOCK, FREE OF DISEASE, INSECTS, EGGS, LARVAE, AND DEFECTS SUCH AS KNOTS, SUN SCALD, INJURIES, ABRASIONS, AND DISFIGUREMENT.
a. IF FORMAL ARRANGEMENTS OR CONSECUTIVE ORDER OF TREES OR SHRUBS IS SHOWN, SELECT STOCK FOR UNIFORM HEIGHT AND SPREAD, AND NUMBER LABEL TO ASSURE SYMMETRY IN PLANTING.
D. MEASUREMENTS: MEASURE ACCORDING TO ANSI Z60.1. DO NOT PRUNE TO OBTAIN REQUIRED SIZES.
1. TREES AND SHRUBS: MEASURE WITH BRANCHES AND TRUNKS OR CANES IN THEIR NORMAL POSITION. TAKE HEIGHT MEASUREMENTS FROM OR NEAR THE TOP OF THE ROOT FLARE FOR FIELD-GROWN STOCK AND CONTAINER GROWN STOCK. MEASURE MAIN BODY OF TREE OR SHRUB FOR HEIGHT AND SPREAD; DO NOT MEASURE BRANCHES OR ROOTS TIP TO TIP. TAKE CALIPER MEASUREMENTS 6 INCHES (150 MM) ABOVE THE ROOT FLARE FOR TREES UP TO 4-INCH (100-MM) CALIPER SIZE, AND 12 INCHES (300 MM) ABOVE THE ROOT FLARE FOR LARGER SIZES.
2. OTHER PLANTS: MEASURE WITH STEMS, PETIOLES, AND FOLIAGE IN THEIR NORMAL POSITION.
E. PLANT MATERIAL OBSERVATION: LANDSCAPE ARCHITECT MAY OBSERVE PLANT MATERIAL EITHER AT PLACE OF GROWTH OR AT SITE BEFORE PLANTING FOR COMPLIANCE WITH REQUIREMENTS FOR GENUS, SPECIES, VARIETY, CULTIVAR, SIZE, AND QUALITY. LANDSCAPE ARCHITECT RETAINS RIGHT TO OBSERVE TREES AND SHRUBS FURTHER FOR SIZE AND CONDITION OF BALLS AND ROOT SYSTEMS, PESTS, DISEASE SYMPTOMS, INJURIES, AND LATENT DEFECTS AND TO REJECT UNSATISFACTORY OR DEFECTIVE MATERIAL AT ANY TIME DURING PROGRESS OF WORK. REMOVE REJECTED TREES OR SHRUBS IMMEDIATELY FROM PROJECT SITE.

1.5 DELIVERY, STORAGE, AND HANDLING
A. PACKAGED MATERIALS: DELIVER PACKAGED MATERIALS IN ORIGINAL, UNOPENED CONTAINERS SHOWING WEIGHT, CERTIFIED ANALYSIS, NAME AND ADDRESS OF MANUFACTURER, AND INDICATION OF CONFORMANCE WITH STATE AND FEDERAL LAWS IF APPLICABLE.
B. BULK MATERIALS:
1. DO NOT DUMP OR STORE BULK MATERIALS NEAR STRUCTURES, UTILITIES, WALKWAYS AND PAVEMENTS, OR ON EXISTING TURF AREAS OR PLANTS.
2. PROVIDE EROSION-CONTROL MEASURES TO PREVENT EROSION OR DISPLACEMENT OF BULK MATERIALS, DISCHARGE OF SOIL-BEARING WATER RUNOFF, AND AIRBORNE DUST REACHING ADJACENT PROPERTIES, WATER CONVEYANCE SYSTEMS, OR WALKWAYS.
3. ACCOMPANY EACH DELIVERY OF BULK FERTILIZERS, LIME, AND SOIL AMENDMENTS WITH APPROPRIATE CERTIFICATES.
C. DO NOT PRUNE TREES AND SHRUBS BEFORE DELIVERY. PROTECT BARK, BRANCHES, AND ROOT SYSTEMS FROM SUN SCALD, DRYING, WIND BURN, SWEATING, WHIPPING, AND OTHER HANDLING AND TYING DAMAGE. DO NOT BEND OR BIND-TIE TREES OR SHRUBS IN SUCH A MANNER AS TO DESTROY THEIR NATURAL SHAPE. PROVIDE PROTECTIVE COVERING OF PLANTS DURING SHIPPING AND DELIVERY. DO NOT DROP PLANTS DURING DELIVERY AND HANDLING.
D. HANDLE PLANTING STOCK BY ROOT BALL.
E. STORE BULBS, CORMS, AND TUBERS IN A DRY PLACE AT 60 TO 65 DEG F (16 TO 18 DEG C) UNTIL PLANTING.
F. DELIVER PLANTS AFTER PREPARATIONS FOR PLANTING HAVE BEEN COMPLETED, AND INSTALL IMMEDIATELY. IF PLANTING IS DELAYED MORE THAN SIX HOURS AFTER DELIVERY, SET PLANTS AND TREES IN THEIR APPROPRIATE ASPECT (SUN, FILTERED SUN, OR SHADE), PROTECT FROM WEATHER AND MECHANICAL DAMAGE, AND KEEP ROOTS MOIST.
1. SET BALLED STOCK ON GROUND AND COVER BALL WITH SOIL, PEAT MOSS, SAWDUST, OR OTHER ACCEPTABLE MATERIAL.
2. DO NOT REMOVE CONTAINER-GROWN STOCK FROM CONTAINERS BEFORE TIME OF PLANTING.
3. WATER ROOT SYSTEMS OF PLANTS STORED ON-SITE DEEPLY AND THOROUGHLY WITH A FINE-MIST SPRAY. WATER AS OFTEN AS NECESSARY TO MAINTAIN ROOT SYSTEMS IN A MOIST, BUT NOT OVERLY-WET CONDITION.

1.6 PROJECT CONDITIONS
A. FIELD MEASUREMENTS: VERIFY ACTUAL GRADE ELEVATIONS, SERVICE AND UTILITY LOCATIONS, IRRIGATION SYSTEM COMPONENTS, AND DIMENSIONS OF PLANTINGS AND CONSTRUCTION CONTIGUOUS WITH NEW PLANTINGS BY FIELD MEASUREMENTS BEFORE PROCEEDING WITH PLANTING WORK.
B. WEATHER LIMITATIONS: PROCEED WITH PLANTING ONLY WHEN EXISTING AND FORECASTED WEATHER CONDITIONS PERMIT PLANTING TO BE PERFORMED WHEN BENEFICIAL AND OPTIMUM RESULTS MAY BE OBTAINED. APPLY PRODUCTS DURING FAVORABLE WEATHER CONDITIONS ACCORDING TO MANUFACTURER'S WRITTEN INSTRUCTIONS AND WARRANTY REQUIREMENTS.
C. COORDINATION WITH TURF AREAS (LAWNS): PLANT TREES, SHRUBS, AND OTHER PLANTS AFTER FINISH GRADES ARE ESTABLISHED AND BEFORE PLANTING TURF AREAS UNLESS OTHERWISE INDICATED.
1. WHEN PLANTING TREES, SHRUBS, AND OTHER PLANTS AFTER PLANTING TURF AREAS, PROTECT TURF AREAS, AND PROMPTLY REPAIR DAMAGE CAUSED BY PLANTING OPERATIONS.

1.7 WARRANTY
A. SPECIAL WARRANTY: INSTALLER AGREES TO REPAIR OR REPLACE PLANTINGS AND ACCESSORIES THAT FAIL IN MATERIALS, WORKMANSHIP, OR GROWTH WITHIN SPECIFIED WARRANTY PERIOD.
1. FAILURES INCLUDE, BUT ARE NOT LIMITED TO, THE FOLLOWING:
a. DEATH & UNSATISFACTORY GROWTH, EXCEPT FOR DEFECTS RESULTING FROM ABUSE, LACK OF ADEQUATE MAINTENANCE, OR NEGLECT BY OWNER, OR INCIDENTS THAT ARE BEYOND CONTRACTOR'S CONTROL.
b. STRUCTURAL FAILURES INCLUDING PLANTINGS FALLING OR BLOWING OVER.
c. FAULTY PERFORMANCE OF TREE STABILIZATION, EDGINGS.
d. DETERIORATION OF METALS, METAL FINISHES, AND OTHER MATERIALS BEYOND NORMAL WEATHERING.
2. WARRANTY PERIODS FROM DATE OF PLANTING COMPLETION:
a. TREES, SHRUBS, VINES, AND ORNAMENTAL GRASSES: 12 MONTHS.
b. GROUND COVERS, BIENNIALS, PERENNIALS, AND OTHER PLANTS: 12 MONTHS.
3. INCLUDE THE FOLLOWING REMEDIAL ACTIONS AS A MINIMUM:
a. IMMEDIATELY REMOVE DEAD PLANTS AND REPLACE UNLESS REQUIRED TO PLANT IN THE SUCCEEDING PLANTING SEASON.
b. REPLACE PLANTS THAT ARE MORE THAN 25 PERCENT DEAD OR IN AN UNHEALTHY CONDITION AT END OF WARRANTY PERIOD.
c. A LIMIT OF ONE REPLACEMENT OF EACH PLANT WILL BE REQUIRED EXCEPT FOR LOSSES OR REPLACEMENTS DUE TO FAILURE TO COMPLY WITH REQUIREMENTS.
d. PROVIDE EXTENDED WARRANTY FOR PERIOD EQUAL TO ORIGINAL WARRANTY PERIOD, FOR REPLACED PLANT MATERIAL.

PART 2 - PRODUCTS

2.1 PLANT MATERIAL
A. GENERAL: FURNISH NURSERY-GROWN PLANTS TRUE TO GENUS, SPECIES, VARIETY, CULTIVAR, STEM FORM, SHEARING, AND OTHER FEATURES INDICATED IN PLANT SCHEDULE OR PLANT LEGEND SHOWN ON DRAWINGS AND COMPLYING WITH ANSI Z60.1; AND WITH HEALTHY ROOT SYSTEMS DEVELOPED BY TRANSPLANTING OR ROOT PRUNING. PROVIDE WELL-SHAPED, FULLY BRANCHED, HEALTHY, VIGOROUS STOCK, DENSELY FOLIATED WHEN IN LEAF AND FREE OF DISEASE, PESTS, EGGS, LARVAE, AND DEFECTS SUCH AS KNOTS, SUN SCALD, INJURIES, ABRASIONS, AND DISFIGUREMENT.
1. TREES WITH DAMAGED, CROOKED, OR MULTIPLE LEADERS; TIGHT VERTICAL BRANCHES WHERE BARK IS SQUEEZED BETWEEN TWO BRANCHES OR BETWEEN BRANCH AND TRUNK ("INCLUDED BARK"); CROSSING TRUNKS; CUT-OFF LIMBS MORE THAN 3/4 INCH (19 MM) IN DIAMETER; OR WITH STEM GIRDLING ROOTS WILL BE REJECTED.
2. COLLECTED STOCK: DO NOT USE PLANTS HARVESTED FROM THE WILD, FROM NATIVE STANDS, FROM AN ESTABLISHED LANDSCAPE PLANTING, OR NOT GROWN IN A NURSERY UNLESS OTHERWISE INDICATED.
B. PROVIDE PLANTS OF SIZES, GRADES, AND BALL OR CONTAINER SIZES COMPLYING WITH ANSI Z60.1 FOR TYPES AND FORM OF PLANTS REQUIRED. PLANTS OF A LARGER SIZE MAY BE USED IF ACCEPTABLE TO LANDSCAPE ARCHITECT, WITH A PROPORTIONATE INCREASE IN SIZE OF ROOTS OR BALLS.
C. ROOT-BALL DEPTH: FURNISH TREES AND SHRUBS WITH ROOT BALLS MEASURED FROM TOP OF ROOT BALL, WHICH SHALL BEGIN AT ROOT FLARE ACCORDING TO ANSI Z60.1. ROOT FLARE SHALL BE VISIBLE BEFORE PLANTING.
D. LABELING: LABEL AT LEAST ONE PLANT OF EACH VARIETY, SIZE, AND CALIPER WITH A SECURELY ATTACHED, WATERPROOF TAG BEARING LEGIBLE DESIGNATION OF COMMON NAME AND FULL SCIENTIFIC NAME, INCLUDING GENUS AND SPECIES. INCLUDE NOMENCLATURE FOR HYBRID, VARIETY, OR CULTIVAR, IF APPLICABLE FOR THE PLANT AS SHOWN ON DRAWINGS. PLANT TAGS SHALL REMAIN ON INSTALLED PLANT MATERIAL UNTIL THE WORK HAS BEEN APPROVED BY LOCAL INSPECTOR AND/OR THE OWNER OR OWNER'S REPRESENTATIVE.

2.2 INORGANIC SOIL AMENDMENTS
A. LIME: ASTM C 602, AGRICULTURAL LIMING MATERIAL CONTAINING A MINIMUM OF 80 PERCENT CALCIUM CARBONATE EQUIVALENT AND AS FOLLOWS:
1. PROVIDE LIME IN FORM OF GROUND DOLOMITIC LIMESTONE PER ASTM 605, CONTAINING NOT LESS THAN 85% OF TOTAL CARBONATES AND SHALL BE GROUND TO SUCH A FINENESS THAT 50% WILL PASS THROUGH A 100 MESH SIEVE AND 90% WILL PASS THROUGH A 20 MESH SIEVE. COARSER MATERIAL WILL BE ACCEPTABLE, PROVIDED THE SPECIFIED RATES OF APPLICATION ARE INCREASED PROPORTIONALLY ON THE BASIS OF QUANTITIES PASSING THE 100 MESH SIEVE.
B. SULFUR: GRANULAR, BIODEGRADABLE, AND CONTAINING A MINIMUM OF 90 PERCENT SULFUR, WITH A MINIMUM OF 99 PERCENT PASSING THROUGH NO. 6 (3.35-MM) SIEVE AND A MAXIMUM OF 10 PERCENT PASSING THROUGH NO. 40 (0.425-MM) SIEVE.

2.3 MULCHES
A. ORGANIC MULCH: FREE FROM DELETERIOUS MATERIALS AND SUITABLE AS A TOP DRESSING OF TREES AND SHRUBS, CONSISTING OF ONE OF THE FOLLOWING:
1. TYPE: DOUBLE SHREDDED HARDWOOD BARK.

2.4 MISCELLANEOUS PRODUCTS
A. ANTIDESICCANT: WATER-INSOLUBLE EMULSION, PERMEABLE MOISTURE RETARDER, FILM FORMING, FOR TREES AND SHRUBS. DELIVER IN ORIGINAL, SEALED, AND FULLY LABELED CONTAINERS AND MIX ACCORDING TO MANUFACTURER'S WRITTEN INSTRUCTIONS.
B. TREE-WRAP TAPE: TWO LAYERS OF CRINKLED PAPER CEMENTED TOGETHER WITH BITUMINOUS MATERIAL, 4" WIDE MINIMUM, WITH STRETCH FACTOR 33 PERCENT.
C. PRE-EMERGENT HERBICIDE: TO KILL GENERATING WEED SEEDLINGS, APPLY ONE OF THE FOLLOWING PRE-EMERGENT HERBICIDES AS MANUFACTURER'S RECOMMENDED RATE:
1. ORYZALIN (SURFLAN).
2. SIMAZIN (PRINCEP).
3. TRIFLURALIN (TREFLAN).
D. POST-EMERGENT HERMICIDE: TO KILL EMERGENT WEEDS DURING MAINTENANCE PERIOD, APPLY ONE OF THE FOLLOWING POST-EMERGENT HERBICIDES AT MANUFACTURER'S RECOMMENDED RATE;
1. SETHOXYDIM (POAST)
2. FLUAZIFOP (FUSILADE)

PART 3 - EXECUTION

3.1 EXAMINATION
A. EXAMINE AREAS TO RECEIVE PLANTS FOR COMPLIANCE WITH REQUIREMENTS AND CONDITIONS AFFECTING INSTALLATION AND PERFORMANCE.
1. VERIFY THAT NO FOREIGN OR DELETERIOUS MATERIAL OR LIQUID SUCH AS PAINT, PAINT WASHOUT, CONCRETE SLURRY, CONCRETE LAYERS OR CHUNKS, CEMENT, PLASTER, OILS, GASOLINE, DIESEL FUEL, PAINT THINNER, TURPENTINE, TAR, ROOFING COMPOUND, OR ACID HAS BEEN DEPOSITED IN SOIL WITHIN A PLANTING AREA.
2. DO NOT MIX OR PLACE SOILS AND SOIL AMENDMENTS IN FROZEN, WET, OR MUDDY CONDITIONS.
3. SUSPEND SOIL SPREADING, GRADING, AND TILLING OPERATIONS DURING PERIODS OF EXCESSIVE SOIL MOISTURE UNTIL THE MOISTURE CONTENT REACHES ACCEPTABLE LEVELS TO ATTAIN THE REQUIRED RESULTS.
4. UNIFORMLY MOISTEN EXCESSIVELY DRY SOIL THAT IS NOT WORKABLE AND WHICH IS TOO DUSTY.
B. PROCEED WITH INSTALLATION ONLY AFTER UNSATISFACTORY CONDITIONS HAVE BEEN CORRECTED.
C. IF CONTAMINATION BY FOREIGN OR DELETERIOUS MATERIAL OR LIQUID IS PRESENT IN SOIL WITHIN A PLANTING AREA, REMOVE THE SOIL AND CONTAMINATION AS DIRECTED BY LANDSCAPE ARCHITECT AND REPLACE WITH NEW PLANTING SOIL.

3.2 PREPARATION
A. PROTECT STRUCTURES, UTILITIES, SIDEWALKS, PAVEMENTS, AND OTHER FACILITIES AND TURF AREAS AND EXISTING PLANTS FROM DAMAGE CAUSED BY PLANTING OPERATIONS.
B. INSTALL EROSION-CONTROL MEASURES TO PREVENT EROSION OR DISPLACEMENT OF SOILS AND DISCHARGE OF SOIL-BEARING WATER RUNOFF OR AIRBORNE DUST TO ADJACENT PROPERTIES AND WALKWAYS.
C. LAY OUT INDIVIDUAL TREE AND SHRUB LOCATIONS AND AREAS FOR MULTIPLE PLANTINGS. STAKE LOCATIONS, OUTLINE AREAS, ADJUST LOCATIONS WHEN REQUESTED, AND OBTAIN LANDSCAPE ARCHITECT'S ACCEPTANCE OF LAYOUT BEFORE EXCAVATING OR PLANTING. MAKE MINOR ADJUSTMENTS AS REQUIRED.
D. LAY OUT PLANTS AT LOCATIONS DIRECTED BY LANDSCAPE ARCHITECT. STAKE LOCATIONS OF INDIVIDUAL TREES AND SHRUBS AND OUTLINE AREAS FOR MULTIPLE PLANTINGS.
E. IF EXISTING ECOLOGY CAUSES ADJUSTMENTS OF LANDSCAPE PLANS TO FIT THE SITE CONDITIONS, A STAKE OUT BY LANDSCAPE CONTRACTOR AND ADJUSTMENTS BY LANDSCAPE ARCHITECT SHALL BE REQUIRED PRIOR TO INSTALLATION.
F. APPLY ANTIDESICCANT TO TREES AND SHRUBS USING POWER SPRAY TO PROVIDE AN ADEQUATE FILM OVER TRUNKS (BEFORE WRAPPING), BRANCHES, STEMS, TWIGS, AND FOLIAGE TO PROTECT DURING DIGGING, HANDLING, AND TRANSPORTATION.
1. IF DECIDUOUS TREES OR SHRUBS ARE MOVED IN FULL LEAF, SPRAY WITH ANTIDESICCANT AT NURSERY BEFORE MOVING AND AGAIN TWO WEEKS AFTER PLANTING.
G. WRAP TREES AND SHRUBS WITH BURLAP FABRIC OVER TRUNKS, BRANCHES, STEMS, TWIGS, AND FOLIAGE TO PROTECT FROM WIND AND OTHER DAMAGE DURING DIGGING, HANDLING, AND TRANSPORTATION.

3.3 PLANTING AREA ESTABLISHMENT
A. LOOSEN SUBGRADE OF PLANTING AREAS TO A MINIMUM DEPTH OF 18 INCHES (450 MM). REMOVE STONES LARGER THAN 1 INCH (25 MM) IN ANY DIMENSION AND STICKS, ROOTS, RUBBISH, AND OTHER EXTRANEOUS MATTER AND LEGALLY DISPOSE OF THEM OFF OWNER'S PROPERTY.
1. APPLY FERTILIZER DIRECTLY TO SUBGRADE BEFORE LOOSENING.
2. SPREAD TOPSOIL, APPLY SOIL AMENDMENTS AND FERTILIZER ON SURFACE, AND THOROUGHLY BLEND PLANTING SOIL.
a. DELAY MIXING FERTILIZER WITH PLANTING SOIL IF PLANTING WILL NOT PROCEED WITHIN A FEW DAYS.
b. MIX LIME WITH DRY SOIL BEFORE MIXING FERTILIZER.
3. SPREAD PLANTING SOIL TO A DEPTH OF 18 INCHES (450 MM) BUT NOT LESS THAN REQUIRED TO MEET FINISH GRADES AFTER NATURAL SETTLEMENT. DO NOT SPREAD IF PLANTING SOIL OR SUBGRADE IS FROZEN, MUDDY, OR EXCESSIVELY WET.
B. FINISH GRADING: GRADE PLANTING AREAS TO A SMOOTH, UNIFORM SURFACE PLANE WITH LOOSE, UNIFORMLY FINE TEXTURE. ROLL AND RAKE, REMOVE RIDGES, AND FILL DEPRESSIONS TO MEET FINISH GRADES.
C. RESTORE PLANTING AREAS IF ERODED OR OTHERWISE DISTURBED AFTER FINISH GRADING.
D. ALL PLANTING AREAS SHOWN ON PLANS SHALL BE WITHIN 2" OF FINAL GRADE BEFORE LANDSCAPE CONTRACTOR COMMENCES INSTALLATION.

3.4 EXCAVATION FOR TREES AND SHRUBS
A. PLANTING PITS AND TRENCHES: EXCAVATE CIRCULAR PLANTING PITS WITH SIDES SLOPING INWARD AT A 45-DEGREE ANGLE. EXCAVATIONS WITH VERTICAL SIDES ARE NOT ACCEPTABLE. TRIM PERIMETER OF BOTTOM LEAVING CENTER AREA OF BOTTOM RAISED 8 INCHES TO SUPPORT ROOT BALL AND ASSIST IN DRAINAGE AWAY FROM CENTER. DO NOT FURTHER DISTURB BASE. ENSURE THAT ROOT BALL WILL SIT ON UNDISTURBED BASE SOIL TO PREVENT SETTLING. SCARIFY SIDES OF PLANTING PIT SMEARED OR SMOOTHED DURING EXCAVATION.
1. EXCAVATE APPROXIMATELY THREE TIMES AS WIDE AS BALL DIAMETER FOR BALLED AND BURLAPPED STOCK.
2. EXCAVATE AT LEAST 12 INCHES (300 MM) WIDER THAN ROOT SPREAD AND DEEP ENOUGH TO ACCOMMODATE VERTICAL ROOTS FOR BARE-ROOT STOCK.
3. IF DRAIN TILE IS SHOWN ON DRAWINGS OR REQUIRED UNDER PLANTING AREAS, EXCAVATE TO TOP OF POROUS BACKFILL OVER TILE.
B. SUBSOIL AND TOPSOIL REMOVED FROM EXCAVATIONS MAY BE USED AS PLANTING SOIL PROVIDED IT IS FREE OF ROCKS OR OTHER DELETERIOUS MATERIALS.
C. OBSTRUCTIONS: NOTIFY LANDSCAPE ARCHITECT IF UNEXPECTED ROCK OR OBSTRUCTIONS DETRIMENTAL TO TREES OR SHRUBS ARE ENCOUNTERED IN EXCAVATIONS.
D. DRAINAGE: NOTIFY LANDSCAPE ARCHITECT IF SUBSOIL CONDITIONS EVIDENCE UNEXPECTED WATER SEEPAGE OR RETENTION IN TREE OR SHRUB PLANTING PITS.
E. FILL EXCAVATIONS WITH WATER AND ALLOW TO PERCOLATE AWAY BEFORE POSITIONING TREES AND SHRUBS.

3.5 TREE, SHRUB, AND VINE PLANTING
A. BEFORE PLANTING, VERIFY THAT ROOT FLARE IS VISIBLE AT TOP OF ROOT BALL ACCORDING TO ANSI Z60.1. IF ROOT FLARE IS NOT VISIBLE, REMOVE SOIL IN A LEVEL MANNER FROM THE ROOT BALL TO WHERE THE TOP-MOST ROOT EMERGES FROM THE TRUNK. AFTER SOIL REMOVAL TO EXPOSE THE ROOT FLARE, VERIFY THAT ROOT BALL STILL MEETS SIZE REQUIREMENTS.
B. REMOVE STEM GIRDLING ROOTS AND KINKED ROOTS. REMOVE INJURED ROOTS BY CUTTING CLEANLY; DO NOT BREAK.
C. SET BALLED AND BURLAPPED STOCK PLUMB AND IN CENTER OF PLANTING PIT OR TRENCH WITH ROOT FLARE 1 INCH (25 MM) ABOVE ADJACENT FINISH GRADES.
D. SET CONTAINER-GROWN STOCK PLUMB AND IN CENTER OF PLANTING PIT OR TRENCH WITH ROOT FLARE 1 INCH (25 MM) ABOVE ADJACENT FINISH GRADES.
1. CAREFULLY REMOVE ROOT BALL FROM CONTAINER WITHOUT DAMAGING ROOT BALL OR PLANT.
2. PLACE PLANTING SOIL MIX AROUND ROOT BALL IN LAYERS, TAMPING TO SETTLE MIX AND ELIMINATE VOICE AND AIR POCKETS. WHEN PIT IS APPROXIMATELY ONE-HALF BACKFILLED, WATER THOROUGHLY BEFORE PLACING REMAINDER OF BACKFILL. REPEAT WATERING UNTIL NO MORE WATER IS ABSORBED. WATER AGAIN AFTER PLACING AND TAMPING FINAL LAYER OF PLANTING SOIL MIX.
E. AFTER THE LANDSCAPE ARCHITECT HAS EXAMINED THE TRUNKS OF NEW INSTALLED TREES, WRAP TREES OF 2-INCH CALIPER AND LARGER WITH TREE-WRAP TAPE. START AT THE BASE OF THE TRUNK AND SPIRAL COVER THE TRUNK TO THE HEIGHT OF THE FIRST BRANCHES. OVERLAP THE WRAP, EXPOSING HALF THE WIDTH, AND SECURELY ATTACH WITHOUT CAUSING GIRDLING. INSPECT TREE TRUNKS FOR INJURY, IMPROPER PRUNING, AND INSECT INFESTATION; TAKE CORRECTIVE MEASURES REQUIRED BEFORE TREE WRAPPING.

3.6 TREE, SHRUB, AND VINE PRUNING
A. REMOVE ONLY DEAD, DYING, OR BROKEN BRANCHES. DO NOT PRUNE FOR SHAPE.
B. PRUNE, THIN, AND SHAPE TREES, SHRUBS, AND VINES AS DIRECTED BY LANDSCAPE ARCHITECT.
C. PRUNE, THIN, AND SHAPE TREES, SHRUBS, AND VINES ACCORDING TO STANDARD PROFESSIONAL HORTICULTURAL AND ARBORICULTURAL PRACTICES. UNLESS OTHERWISE INDICATED BY LANDSCAPE ARCHITECT, DO NOT CUT TREE LEADERS; REMOVE ONLY INJURED, DYING, OR DEAD BRANCHES FROM TREES AND SHRUBS; AND PRUNE TO RETAIN NATURAL CHARACTER.
D. DO NOT APPLY PRUNING PAINT TO WOUNDS.

3.7 GROUND COVER AND PLANT PLANTING
A. SET OUT AND SPACE GROUND COVER AND PLANTS OTHER THAN TREES, SHRUBS, AND VINES AS INDICATED IN EVEN ROWS WITH TRIANGULAR SPACING.
B. DIG HOLES LARGE ENOUGH TO ALLOW SPREADING OF ROOTS.
C. WORK SOIL AROUND ROOTS TO ELIMINATE AIR POCKETS AND LEAVE A SLIGHT SAUCER INDENTATION AROUND PLANTS TO HOLD WATER.
D. WATER THOROUGHLY AFTER PLANTING, TAKING CARE NOT TO COVER PLANT CROWNS WITH WET SOIL.
E. PROTECT PLANTS FROM HOT SUN AND WIND; REMOVE PROTECTION IF PLANTS SHOW EVIDENCE OF RECOVERY FROM TRANSPLANTING SHOCK.

3.8 PLANTING AREA MULCHING
A. INSTALL WEED-CONTROL BARRIERS BEFORE MULCHING ACCORDING TO MANUFACTURER'S WRITTEN INSTRUCTIONS. COMPLETELY COVER AREA TO BE MULCHED, OVERLAPPING EDGES A MINIMUM OF 6 INCHES (150 MM) AND SECURE SEAMS WITH GALVANIZED PINS. PINS TO BE 6"-10" APART ALONG EDGES AND 12" MINIMUM IN CENTER.
B. MULCH BACKFILLED SURFACES OF PLANTING AREAS AND OTHER AREAS INDICATED.
1. TREES AND TREE-LIKE SHRUBS IN TURF AREAS: APPLY ORGANIC MULCH RING OF 4-INCH (75-MM)] AVERAGE THICKNESS, WITH 36-INCH (900-MM) RADIUS AROUND TRUNKS OR STEMS. DO NOT PLACE MULCH WITHIN 3 INCHES (75 MM) OF TRUNKS OR STEMS OR VOLCANO MULCH.
2. ORGANIC MULCH IN PLANTING AREAS: APPLY 2-INCH (50-MM) AVERAGE THICKNESS OF ORGANIC MULCH EXTENDING 12 INCHES (300 MM) BEYOND EDGE OF INDIVIDUAL PLANTING PIT OR TRENCH AND OVER WHOLE SURFACE OF PLANTING AREA, AND FINISH LEVEL WITH ADJACENT FINISH GRADES. DO NOT PLACE MULCH WITHIN 3 INCHES (75 MM) OF TRUNKS OR STEMS.

3.9 PLANT MAINTENANCE
A. MAINTAIN PLANTINGS BY PRUNING, CULTIVATING, WATERING, WEEDING, FERTILIZING, MULCHING, RESTORING PLANTING SAUCERS, ADJUSTING AND REPAIRING TREE-STABILIZATION DEVICES, RESETTING TO PROPER GRADES OR VERTICAL POSITION, AND PERFORMING OTHER OPERATIONS AS REQUIRED TO ESTABLISH HEALTHY, VIABLE PLANTINGS. SPRAY OR TREAT AS REQUIRED TO KEEP TREES AND SHRUBS FREE OF INSECTS AND DISEASE.
a. WATER EXISTING PROTECTED TREES AND VEGETATION WITH ONE INCH OF RAIN (RAIN GAUGE OR NOAH LOCAL WEATHER VERIFIED) PER WEEK FOR DURATION OF CONSTRUCTION PROJECT.
B. FILL IN AS NECESSARY SOIL SUBSIDENCE THAT MAY OCCUR BECAUSE OF SETTLING OR OTHER PROCESSES. REPLACE MULCH MATERIALS DAMAGED OR LOST IN AREAS OF SUBSIDENCE.
C. APPLY TREATMENTS AS REQUIRED TO KEEP PLANT MATERIALS, PLANTED AREAS, AND SOILS FREE OF PESTS AND PATHOGENS OR DISEASE. USE INTEGRATED PEST MANAGEMENT PRACTICES WHENEVER POSSIBLE TO MINIMIZE THE USE OF PESTICIDES AND REDUCE HAZARDS. TREATMENTS INCLUDE PHYSICAL CONTROLS SUCH AS HOSING OFF FOLIAGE, MECHANICAL CONTROLS SUCH AS TRAPS, AND BIOLOGICAL CONTROL AGENTS.

3.10 PESTICIDE APPLICATION
A. APPLY PESTICIDES AND OTHER CHEMICAL PRODUCTS AND BIOLOGICAL CONTROL AGENTS IN ACCORDANCE WITH AUTHORITIES HAVING JURISDICTION AND MANUFACTURER'S WRITTEN RECOMMENDATIONS. COORDINATE APPLICATIONS WITH OWNER'S OPERATIONS AND OTHERS IN PROXIMITY TO THE WORK. NOTIFY OWNER BEFORE EACH APPLICATION IS PERFORMED.
B. PRE-EMERGENT HERBICIDES (SELECTIVE AND NON-SELECTIVE): APPLY TO TREE, SHRUB, AND GROUND-COVER AREAS IN ACCORDANCE WITH MANUFACTURER'S WRITTEN RECOMMENDATIONS. DO NOT APPLY TO SEEDED AREAS.
C. POST-EMERGENT HERBICIDES (SELECTIVE AND NON-SELECTIVE): APPLY ONLY AS NECESSARY TO TREAT ALREADY-GERMINATED WEEDS AND IN ACCORDANCE WITH MANUFACTURER'S WRITTEN RECOMMENDATIONS.

3.11 CLEANUP AND PROTECTION
A. DURING PLANTING, KEEP ADJACENT PAVING AND CONS

TRANSFER NOT NECESSARY
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BK 9952 PG 1698

HYDE PARK AT THE CROSSINGS
PLANNED UNIT DEVELOPMENT AGREEMENT

THIS PLANNED UNIT DEVELOPMENT AGREEMENT (the "Agreement") is made and entered into as of this 23rd day of February, 2023, by and between Park Place Development, LLC, an Ohio limited liability company ("Park Place") and **THE CITY OF MONROE, OHIO,** an Ohio Municipal Corporation (the "City").

Recorded: 03/15/2023 01:30 PM Page: 1 of 9
File # 2023-00007658 Fee Amt: $90.00

1. **Recitals.** This Agreement shall be considered a First Amendment to the Planned Unit Development Agreement by and between the Shops of Monroe Crossings, LLC and the City of Monroe dated July 31, 2007, and recorded in the Butler County Recorder's office being Book 7944, Page 1530. Park Place, acting as agent for the property owners, proposed to develop 83 owner occupied single-family attached units located on approximately 20.91 acres of the original area set forth in the Agreement further described in the Preliminary Development known as Hyde Park at the Crossings as submitted to the Monroe City Council. Park Place has further agreed to develop the Project according to the guidelines set forth in Monroe Zoning Ordinance Chapter 1206 "Planned Unit Developments."

   Park Place has agreed to develop the area subject to this Planned Unit Development ("Project") according to the guidelines set forth in the Monroe Planning and Zoning Code ("Code"). The parties desire to enter into this Agreement to memorialize the substantive conditions attached to this Planned Unit Development.

2. **Scope of Application for this Agreement.** This Agreement is applicable to any and all new development occurring upon the Project property as described on the Preliminary Development Plan approved by Monroe City Council. This Agreement shall also apply to any future reconstruction or expansion to existing structures located upon the Project property.

   This Agreement applies to the approved final development plans for all structures located on the Project property. The final development plans for each structure located on the Project property shall follow the site plan standards as set forth in Monroe Planning and Zoning Code and all other applicable chapters contained within the Code unless any such site plan standards or other applicable zoning code regulations have been modified by the City Council.

3. **Conditions Specific to Hyde Park at the Crossings R-4 PUD Overlay Area.**

   A. **Land Use and Infrastructure Improvements**
      a. Park Place shall construct all public and private infrastructure improvements as indicated on the approved preliminary plat and incorporating any modification, additions and conditions set forth in the construction drawing approval.
      b. Access to the Park Place development will be provided on both Crossings Boulevard and Roden Park Drive.
      c. Access from London Lane onto Crossings Boulevard shall be a right turn-out.
      d. Access from Crossing Boulevard onto London Lane shall be a right turn-in.
      e. Access on London Lane shall include a raised island design to restrict left turn-in and a left out turning movements at the intersection with Crossing Boulevard. The forced right turn-in and a right turn-out traffic calming island shall:
         1. Be constructed to allow a vehicle no larger than a single-unit box truck to pass through the intersection without encroaching upon the raised concrete island.

File # 2023-00007658 Page: 2 of 9
BK 9952 PG 1699

2. Be constructed to City standards to allow fire trucks, emergency vehicles, school buses, and trash trucks to mount the island.
3. Include proper traffic control markings and signage on both Crossings Boulevard and London Lane to prohibit left turn movements both in and out of London Lane.
4. Be geometrically designed to sufficiently discourage motorists from attempting to turn left in and out of London Lane.

f. All streets will be public and maintained by the City.
g. All streets will be two-way, 28 feet in width back of curb to back of curb and be constructed of asphalt with curb and gutter according to City specifications.
h. A five-foot wide sidewalk shall be constructed along both sides of each internal street (all streets excepting Roden Park Drive and Crossings Boulevard).
i. "No Parking" signage shall be installed on Roden Park Drive and Crossing Boulevard in the tree lawn(s) fronting the Hyde Park at the Crossings subdivision.
j. The maximum number of dwelling units constructed within the Project shall not exceed 83 units.
k. The maximum density of units shall not exceed 3.97 units per acre.
l. Park Place agrees to construct required buffer yard improvements meeting minimum Code requirements as determined by City Council along all property lines abutting single-family uses, to include the property line abutting single-family homes on Koehler Drive, the property line abutting single-family homes on Bayberry Lane, and property line against Crossings Boulevard.
m. Park Place shall install adequate street trees along both sides of all proposed internal public roads as well as Roden Park Drive and Crossings Boulevard in accordance with Monroe Planning and Zoning Code Chapter 1212.06 Street Tree Requirements as determined by City Council.
n. Street trees on Roden Park Drive and Coldwater Drive shall be located and installed every 40 feet on center in the tree lawn in accordance with Monroe Planning and Zoning Code Chapter 1212.06 Street Tree Requirements.
o. Street trees on Coldwater Drive shall be installed every 40 feet on center in the tree lawn in accordance with Monroe Planning and Zoning Code Chapter 1212.06 Street Tree Requirements.

B. <u>Open Space and Recreation Amenities Provisions</u>

a. A total of 6.38 acres (30%) of open space will be provided, with 1.18 acres (5.64%) to be developed as formal open space in accordance with Monroe Planning and Zoning Code Chapter 1213. The formal open space shall consist of walking trails, pavilions, and seating areas.
b. All open space and multiuse paths or trails shall be wholly contained within either: 1) a properly recorded Easement, which title is vested in the HOA or 2) located within the public right-of-way. All maintenance burdens of said hiking/biking trail shall be borne by a HOA including any portions of the path or trail that encroaches upon the public right-of-way.
c. All designated open space and formal open space outlined in the Preliminary Plan shall be owned and maintained by a HOA.
d. Playground equipment shall be installed in each formal open space area where a pavilion is shown on the preliminary plan.

C. <u>Sidewalk Provisions</u>

a. All private and public roadways part of the Project area shall conform to the sidewalk specifications of the City unless specifically included herein:

i. The multi-use path located on the northeast side of Roden Park Drive shall be a minimum 10-foot-wide asphalt or concrete paved path and extend further towards Coldwater Creek with appropriate safety signage at the trail stopping point at Coldwater Creek as approved by the City Engineer.

D. Conformance to R-4 Zoning Regulations

a. The lots contained in the R-4 PUD development shall deviate from the R-4 zoning requirements as specifically described below:

i. The minimum front yard building setback shall be twenty-five feet (25')
ii. The minimum side yard building setback shall be zero feet (0')
iii. The minimum rear yard building setback shall be twenty-four feet (24')
iv. All dwelling units shall consist of a minimum of 1,200 square feet of livable floor area, with a minimum one bedroom and two bathrooms, and a maximum of three bedroom and two bathrooms.
v. All dwelling units shall have attached two car garages.
vi. The entire first and second floor of the front, side and rear exterior walls shall be constructed of brick, stone, cultured stone, stucco and dryvit materials (as a complimentary or trim material).
vii. Front facades shall incorporate variation in mass through one or more of the following methods every 30 feet of façade frontage:
    1. Wall offsets in the form of projections and/or recesses in the façade plane; Wall offsets shall have a minimum depth of two feet;
    2. Bay windows;
    3. Façade color changes;
    4. Use of pilasters, columns, or other detailing to articulate the facades; or
    5. Roofline changes when coupled with correspondingly aligned façade material changes.
viii. In addition to wall offsets, front facades and side facades on buildings located on the corners of streets shall provide a minimum of three of the following design features for each residential unit fronting onto the street:
    1. One or more dormer windows or cupolas;
    2. A recessed entrance;
    3. A covered porch;
    4. Pillars, posts, or pilasters;
    5. One or more bay windows with a minimum of 12 inch projection from the façade plane;
    6. Eaves with a minimum of six inch projection from the façade plane;
    7. A parapet wall with an articulated design, which entails design variation rather than a simple rectilinear form; or
    8. Multiple windows with a minimum of four inch wide trim.
ix. A minimum overhang length of twelve (12) inches shall be provided over all faces of the exterior walls of a dwelling.
x. All dwellings will be constructed with a minimum 4/12 pitched roof design.
xi. All structures shall have asphalt roof shingles.

E. Minor Changes

a. Minor changes in an approved preliminary or final development plan may be approved by the Director of Development or designee if such changes are consistent with the purposes and general character of the approved PUD plans and do not increase density, decrease lot sizes, decrease the total amount of open space, or propose major deviations from other requirements of the Code. All other modifications, including extensions or revisions of the

File # 2023-00007658 Page: 3 of 9
BK 9952 PG 1700

stage development schedule, shall be processed in the same manner as the original application and shall be subject to the same procedural requirements.

4. **General Conditions Relating to the Overall Project.**
   a. Compliance with all other applicable standards of the Code, all other terms, conditions, current applicable engineering, subdivision or zoning regulations not specifically modified by this PUD Agreement shall be in effect and enforced based on requirements that are vested at the time of application for construction drawings, final plat or site/plot plan approval. All other regulations contained in this Agreement not expressly modified herein shall remain in full force and effect.
   b. The Preliminary Plat for Hyde Park at the Crossings shall serve as the general layout plan for all lots, blocks, easements, streets, utilities, drainage, and open space requirements.
   c. All sign applications shall be reviewed and approved by the Zoning Enforcement Officer with strict conformance to the applicable sign code regulations.

5. **Miscellaneous.** This Agreement shall bind and inure to the benefit of the parties hereto and their respective successors and assigns. The parties agree that the specific conditions set forth in this Agreement shall be wholly enforceable against all subsequent purchasers and/or users of the Project or any portion thereof. Compliance with the approved PUD final development plan shall be controlled by Monroe Planning and Zoning Code Chapter 1206.06 "Compliance with Approved Plan and Modifications." Failure to comply with the Preliminary Development Plan or subsequently approved final development plans (i.e. site plans) shall initiate the enforcement actions set forth in Monroe Planning and Zoning Code Chapter 1206.07 "PUD Plan Revocation and Expiration" in addition to any other non-performance penalty provided for in this Agreement.

   It is further agreed that Park Place shall cause this Agreement to be properly recorded with the Butler County Recorder's Office upon the issuance of the PUD permit by the Monroe City Council.

   If one or more of the provisions contained in this Agreement is held by a court of competent jurisdiction to be invalid, illegal, unconstitutional, or unenforceable in any respect, that invalidity, illegality, unconstitutionality or unenforceability shall not affect any other provision. This Agreement shall be construed as if the invalid, illegal, unconstitutional, or unenforceable provision had never been contained herein.

   This Agreement constitutes the sole and entire agreement between the parties, their successors, and assigns and no modification hereof shall be binding unless set forth in writing signed by the parties. This agreement shall be governed under the laws of the State of Ohio.

IN WITNESS WHEREOF, the parties have caused this agreement to be executed in their names by their respective duly authorized representatives on the date first written above.

Signed in the presence of:

THE CITY OF MONROE, OHIO

By: _____
William J. Brock

PARK PLACE MONROE DEVELOPMENT, LLC

By: Managing Member

Name: K Scott Willis

Title:

File # 2023-00007658 Page: 5 of 9

BK 9952 PG 1702

STATE OF OHIO)
)SS:
COUNTY OF BUTLER)

SWORN to and SUBSCRIBED in my presence by the said William J. Brock, City Manager of the City of Monroe on this 26th day of January, 2023.

Angela S Wasson, Notary Public
In and for the State of Ohio
My Commission Expires Feb. 3, 2023

Notary Public

STATE OF OHIO)
)SS:
COUNTY OF BUTLER)

SWORN to and SUBSCRIBED in my presence by the said K. Scott Willis, Managing Member of Park Place Development, LLC, on this 10 day of March, 2023.

Notary Public

THIS INSTRUMENT PREPARED BY: The City of Monroe, 233 South Main Street, Monroe, Ohio 45050. 513-539-7374.

SHARLEEN SCHWEITZER
Notary Public, State of Ohio
Butler County
My Commission Expires
03/24/2026

Date: September 20, 2022

Description: Lot #4599
7.9901 Acres
C-4 with C-PUD Overlay to
R-4 with R-PUD Overlay

Location: City of Monroe
Butler County, Ohio

Situated in the State of Ohio, Between the Miamis, Section 35, Town 3, Range 3, City of Monroe, Butler County and being entire Lot #4599 of Monroe Crossings, Phase One as recorded in Plat Envelope 3637, Pages A-C and being part of the lands of Shops of Monroe Crossings, LLC as recorded in Official Record 7944, Page 1527 of the Butler County, Ohio Recorder's Office and being further described as follows:

Beginning at the southwest corner of Lot #4526 of Monroe Crossings, Phase Two, Block B as recorded in Plat Envelope 3662, Pages A-B of the Butler County, Ohio Recorder's Office and being on the westerly right of way of Crossings Boulevard and being the **True Point of Beginning**;

thence, leaving the southwest corner of said Lot #4526 and with the westerly right of way of said Crossings Boulevard, South 43° 48' 02" West, 255.00 feet to the northerly right of way of Roden Park Drive;

thence, leaving the westerly right of way of said Crossings Boulevard and with the northerly right of way of said Roden Park Drive for the following five courses:

1) with a curve to the right, having a central angle of 90° 00' 00", a radius of 20.00 feet, an arc length of 31.42 feet, and a chord bearing and distance of South 88° 48' 02" West, 28.28 feet;
2) North 46° 11' 58" West, 431.70 feet;
3) with a curve to the left, having a central angle of 23° 33' 24", a radius of 1040.00 feet, an arc length of 427.58 feet, and a chord bearing and distance of North 57° 58' 39" West, 424.58 feet;
4) North 69° 45' 21" West, 41.70 feet;
5) with a curve to the right, having a central angle of 00° 32' 46", a radius of 1160.00 feet, an arc length of 11.06 feet, and a chord bearing and distance of North 69° 28' 58" West, 11.06 feet to the easterly right of way of Cold Water Drive;

thence, leaving the northerly right of way of said Roden Park Drive and with the easterly right of way of said Cold Water Drive for the following seven courses:

1) with a curve to the right, having a central angle of 92° 15' 44", a radius of 20.00 feet, an arc length of 32.21 feet, and a chord bearing and distance of North 23° 04' 43" West, 28.84 feet;
2) North 23° 03' 09" East, 97.03 feet;
3) with a curve to the left, having a central angle of 13° 49' 02", a radius of 325.00 feet, an arc length of 78.38 feet, and a chord bearing and distance of North 16° 08' 38" East, 78.19 feet;
4) North 09° 14' 07" East, 47.26 feet;
5) with a curve to the right, having a central angle of 23° 41' 58", a radius of 375.00 feet, an arc length of 155.11 feet, and a chord bearing and distance of North 21° 05' 06" East, 154.01 feet;
6) North 32° 56' 05" East, 228.09 feet;

7) with a curve to the right, having a central angle of 04° 51' 26", a radius of 315.00 feet, an arc length of 26.70 feet, and a chord bearing and distance of North 35° 21' 47" East, 26.70 feet to the northerly terminus of said Cold Water Drive and being on the southerly boundary of Lot #4593 of said Monroe Crossings, Phase One;

thence, leaving the easterly right of way of said Cold Water Drive and with the southerly boundary of said Lot #4593, South 46° 11' 58" East, 190.83 feet to the westerly boundary of said Monroe Crossings, Phase Two, Block B;

thence, leaving the southerly boundary of said Lot #4593 and with the westerly boundary of said Monroe Crossings, Phase Two, Block B for the following two courses:

1) South 43° 48' 02" West, 220.00 feet;

2) South 46° 11' 58" East, 955.28 feet to the True Point of Beginning containing 348,047 square feet or 7.9901 acres of land, more or less, to be rezoned.

I hereby certify that the above description is a complete, proper and legal description of the property to be rezoned.

9-20-22

Jeffrey O. Lambert
Professional Surveyor #7568
In the State of Ohio

STATE OF OHIO
JEFFREY O. LAMBERT 7568 REGISTERED
PROFESSIONAL SURVEYOR

Date: September 20, 2022

Description: Pt. Lot #4600
12.9164 Acres
C-4 With C-PUD Overlay to
R-4 With R-PUD Overlay

Location: City of Monroe
Butler County, Ohio

Situated in the State of Ohio, Between the Miamis, Section 35, Town 3, Range 3, City of Monroe, Butler County and being part of Lot #4600 of Monroe Crossings, Phase One as recorded in Plat Envelope 3637, Pages A-C and being part of the lands of Shops of Monroe Crossings, LLC as recorded in Official Record 9415, Page 889 of the Butler County, Ohio Recorder's Office and being further described as follows:

Beginning at the northeast corner of Monroe Crossings, Phase Three, Block "D" as recorded in Official Record 8171, Page 1813 of the Butler County, Ohio Recorder's Office and being on the westerly right of way of Crossings Boulevard and being the **True Point of Beginning**;

thence, leaving the westerly right of way of said Crossings Boulevard and with the northerly boundary of said Monroe Crossings, Phase Three, Block "D", North 46° 11' 58" West, 911.00 feet to the southerly boundary of Part of Lot #4600 and being part of the lands of Shops of Monroe Crossings, LLC as recorded in Official Record 7944, Page 1527of the Butler County, Ohio Recorder's Office;

thence, leaving the northerly boundary of said Monroe Crossings, Phase Three, Block "D" and with the southerly boundary of said part of Lot #4600 of said lands of Shops of Monroe Crossings, LLC as recorded in Official Record 7944, Page 1527 for the following five courses:

1) North 65° 21' 36" East, 108.00 feet;
2) North 65° 25' 29" East, 115.00 feet;
3) North 71° 38' 05" East, 72.00 feet;
4) North 83° 16' 41" East, 52.00 feet;
5) North 39° 37' 17" East, 54.00 feet to the southerly boundary of Part of Lot #4600 and being the lands of Bridge Investments II, LLC as recorded in Official Record 9083, Page 644 of the Butler County, Ohio Recorder's Office;

thence, with the southerly boundary of said part of Lot #4600 of said lands of Bridge Investments II, LLC, South 60° 52' 24" East, 13.50 feet;

thence, with the easterly boundary of said part of Lot #4600 of said lands of Bridge Investments II, LLC, North 20° 14' 39" East, 258.89 feet to the southerly right of way of Roden Park Drive;

thence, leaving the easterly boundary of said part of Lot #4600 of said lands of Bridge Investments II, LLC and with the southerly right of way of said Roden Park Drive for the following four courses:

1) South 69° 45' 21" East, 23.15 feet;
2) with a curve to the right, having a central angle of 23° 33' 24", a radius of 960.00 feet, an arc length of 394.69 feet, and a chord bearing and distance of South 57° 58' 39" East, 391.92 feet;

6900 Tylersville Road, Suite A
Mason, OH 45040
513-336-6600

110 South College Ave, Suite 101
Oxford, OH 45056
513-523-4270

1404 Race Street, Suite 204
Cincinnati, OH 45202
513-834-6151

209 Grandview Drive
Fort Mitchell, KY 41017
859-261-1113

http://www.bayerbecker.com

3) South 46° 11' 58" East, 431.70 feet;

4) with a curve to the right, having a central angle of 90° 00' 00", a radius of 20.00 feet, an arc length of 31.42 feet, and a chord bearing and distance of South 01° 11' 58" East, 28.28 feet to the westerly right of way of said Crossings Boulevard;

thence, leaving the southerly right of way of said Roden Park Drive and with the westerly right of way of said Crossings Boulevard, South 43° 48' 02" West, 675.00 feet to the **True Point of Beginning** containing 562,640 square feet or 12.9164 acres of land, more or less, to be rezoned.

I hereby certify that the above description is a complete, proper and legal description of the property to be rezoned.

9-20-22

Jeffrey O. Lambert
Professional Surveyor #7568
In the State of Ohio

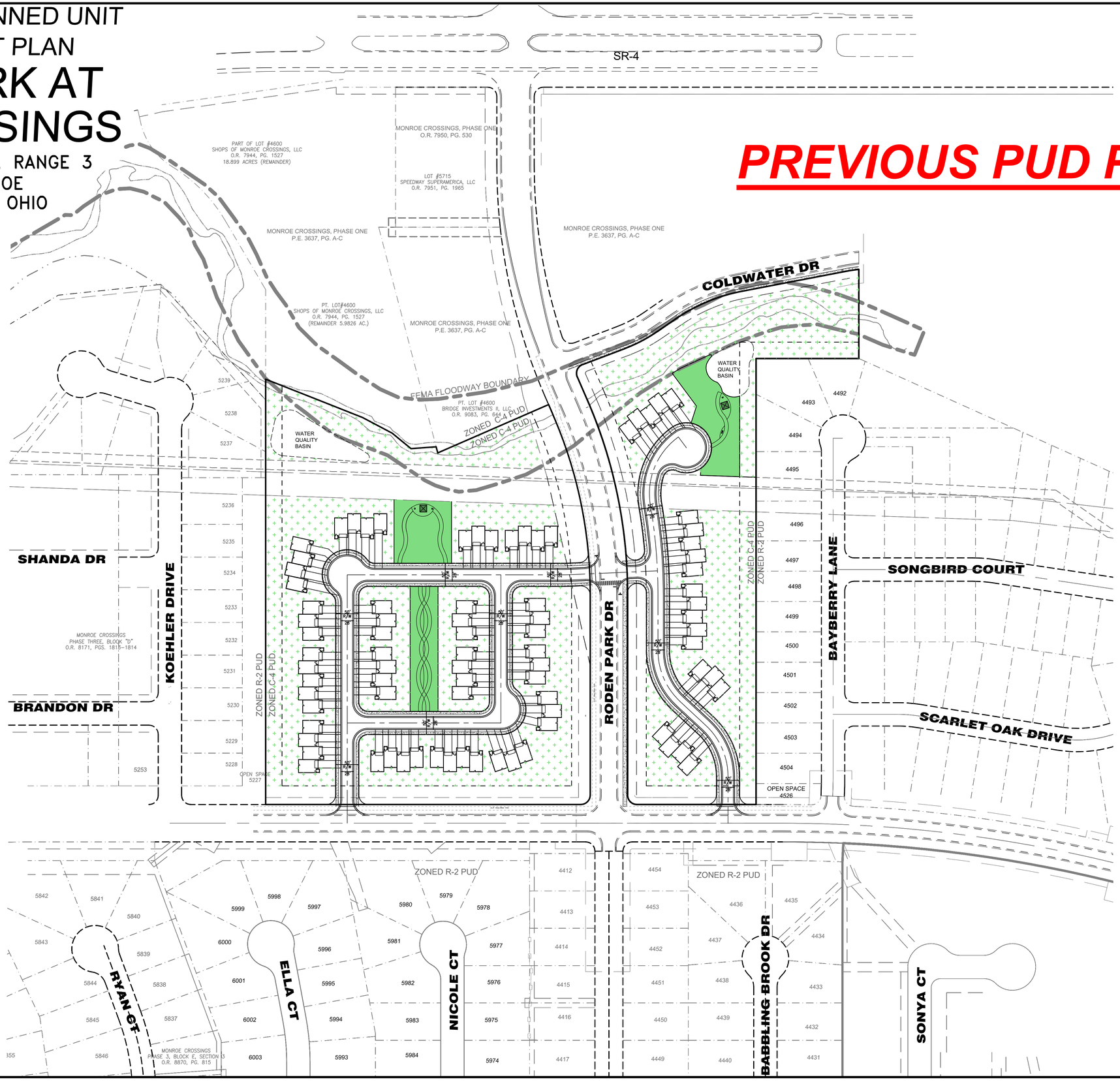
STATE OF OHIO
JEFFREY O. LAMBERT 7568 REGISTERED
PROFESSIONAL SURVEYOR

PRELIMINARY PLANNED UNIT DEVELOPMENT PLAN

HYDE PARK AT THE CROSSINGS

SECTION 35, TOWN 3, RANGE 3
CITY OF MONROE
BUTLER COUNTY, OHIO

PREVIOUS PUD PLAN



OWNERS

SHOPS OF MONROE CROSSINGS L.L.C.
6515 WINFORD DR
HAMILTON, OHIO 45011
(513) 858-2555

APPLICANT

PARK PLACE DEVELOPMENT, LLC
5372 COTTAGE VEW CT.
LIBERTY TOWNSHIP, OHIO 45011
513-675-6408

PROJECT SUMMARY:

EXISTING ZONING: C-4 WITH PUD OVERLAY
PROPOSED ZONING: R-4 WITH PUD OVERLAY

TOTAL SITE AREA	20.91	ACRES
OPEN SPACE PROVIDED	6.38	ACRES (30%)
OPEN SPACE REQUIRED	4.18	ACRES (20%)
FORMAL OPEN SPACE (WEST)	0.74	ACRES (5.7%)
FORMAL OPEN SPACE (EAST)	0.44	ACRES (5.5%)

MULTI-FAMILY UNITS = 83 (3.97 D.U./ACRE)

FORMAL OPEN SPACE

OPEN SPACE

INDEX OF SHEETS

1 VICINITY MAP
2 PRELIMINARY PUD PLAN
3 PLANTING NOTES & DETAILS
4 STREET TREE PLAN
5 PERIMETER BUFFER PLANTING
6 OVERALL SUPPLEMENTAL PLANTING
7 SUPPLEMENTAL BUFFER
8 SUPPLEMENTAL BUFF & PEDESTRIAN CORRIDOR
9 SUPPLEMENTAL PATIO
10 OPEN SPACE SITE LAYOUT

Basis of Bearing: State Plane NAD83 (2011)
SCALE: 1" = 100'

Item	Revision Description	Date	Drwn:	Chk:

HYDE PARK at THE CROSSINGS
SECTION 35, TOWN 3, RANGE 3
CITY OF MONROE
BUTLER COUNTY, OHIO
VICINITY MAP

bayer becker
www.bayerbecker.com
6670 Tylersville Road, Suite A
Mason, OH 45040 513.336.6600

Drawing: 21-0017 PPUD
Drawn by: AMB
Checked By: EMR
Issue Date: 9-20-22
Sheet: 1

THIS DOCUMENT AND ALL RELATED DETAIL DRAWINGS, SPECIFICATIONS, AND ELECTRONIC MEDIA PREPARED OR FURNISHED BY BAYER BECKER (BB), ARE PROUDLY MADE IN THE USA AND ARE INSTRUMENTS OF BB'S PROFESSIONAL SERVICE, AND IS THE EXCLUSIVE PROPERTY OF BB. NO DISCLOSURE, USE, REPRODUCTION, OR DUPLICATION IN WHOLE, OR IN PART, MAY BE MADE WITHOUT WRITTEN PERMISSION OF BB, AND IS DONE SO AT USER'S SOLE RISK. COPYRIGHT - ALL RIGHTS RESERVED

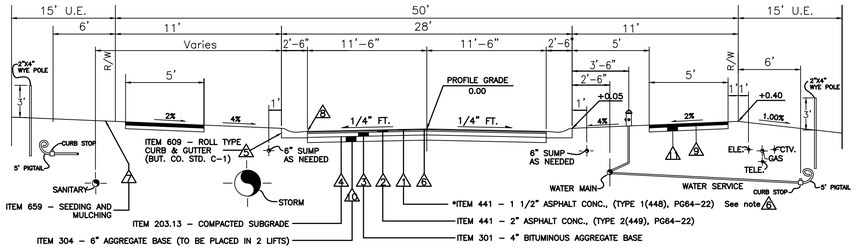
Plot time: Sep 16, 2022 - 9:09am
Drawing name: J:\2021\21-0017\CV\DWG\21-0017 PPUD.dwg - Layout Tab: Vicinity Map

PRELIMINARY PLANNED UNIT DEVELOPMENT PLAN

HYDE PARK AT THE CROSSINGS

SECTION 35, TOWN 3, RANGE 3
CITY OF MONROE
BUTLER COUNTY, OHIO

PREVIOUS PUD PLAN



ITEM	DEPTH TOP OF PIPE
Sumplines	24" – 30"
Gas	24" – 30"
Water	48" – 54"
Electric	36" – 40"
Telephone	36" – 40"
Cable TV	36" – 40"

***SURFACE COURSE, ITEM 441, AND TACK COAT, ITEM 407 ARE TO BE APPLIED NO SOONER THAN NINE (9) MONTHS AFTER THE LEVELING COURSE, (ITEM 448), AND FIFTY (50) PERCENT OF THE HOMES ARE COMPLETED. IF AFTER TWO (2) YEARS FIFTY (50) PERCENT OF THE HOMES HAVE NOT BEEN COMPLETED, THEN THE TOP COURSE MAY BE APPLIED.

5 ITEM 407 – TACK COAT, to be applied at rate of 0.06 gal. per sq. yd.

6 TACK COAT shall be applied to front face of curb prior to the installation of 301 Bituminous Aggregate Base. Also to be applied to curb joint after the installation of 441 leveling course.

9 CONCRETE WALK – four inch thick concrete sidewalk, five feet wide, Item 608, Walk to be 1/2" higher than sod.

11 ITEM 304 – 4" Aggregate Base or 4" Sand

TYPICAL SECTION

NOTE: TYPICAL SECTION SHALL COMPLY WITH THE CITY SPECIFICATIONS AND STANDARDS IN PLACE AT THE TIME OF SUBMITTAL OF CONSTRUCTION DRAWINGS FOR EACH SECTION.

OWNERS

SHOPS OF MONROE
CROSSINGS L.L.C.
6515 WINFORD DR.
HAMILTON, OHIO 45011
(513) 858-2555

APPLICANT

PARK PLACE DEVELOPMENT, LLC
5372 COTTAGE VEW CT.
LIBERTY TOWNSHIP, OHIO 45011
513-675-6408

W11-2, 30"x30" with RRFB — W16-7PL 24"x12"

W11-2, 30"x30" with RRFB — W16-7PL 24"x12"

PROJECT SUMMARY:

EXISTING ZONING: C-4 WITH PUD OVERLAY
PROPOSED ZONING: R-4 WITH PUD OVERLAY

TOTAL SITE AREA	20.91 ACRES	
MULTI-FAMILY UNITS	83 (3.97 D.U./ACRE)	
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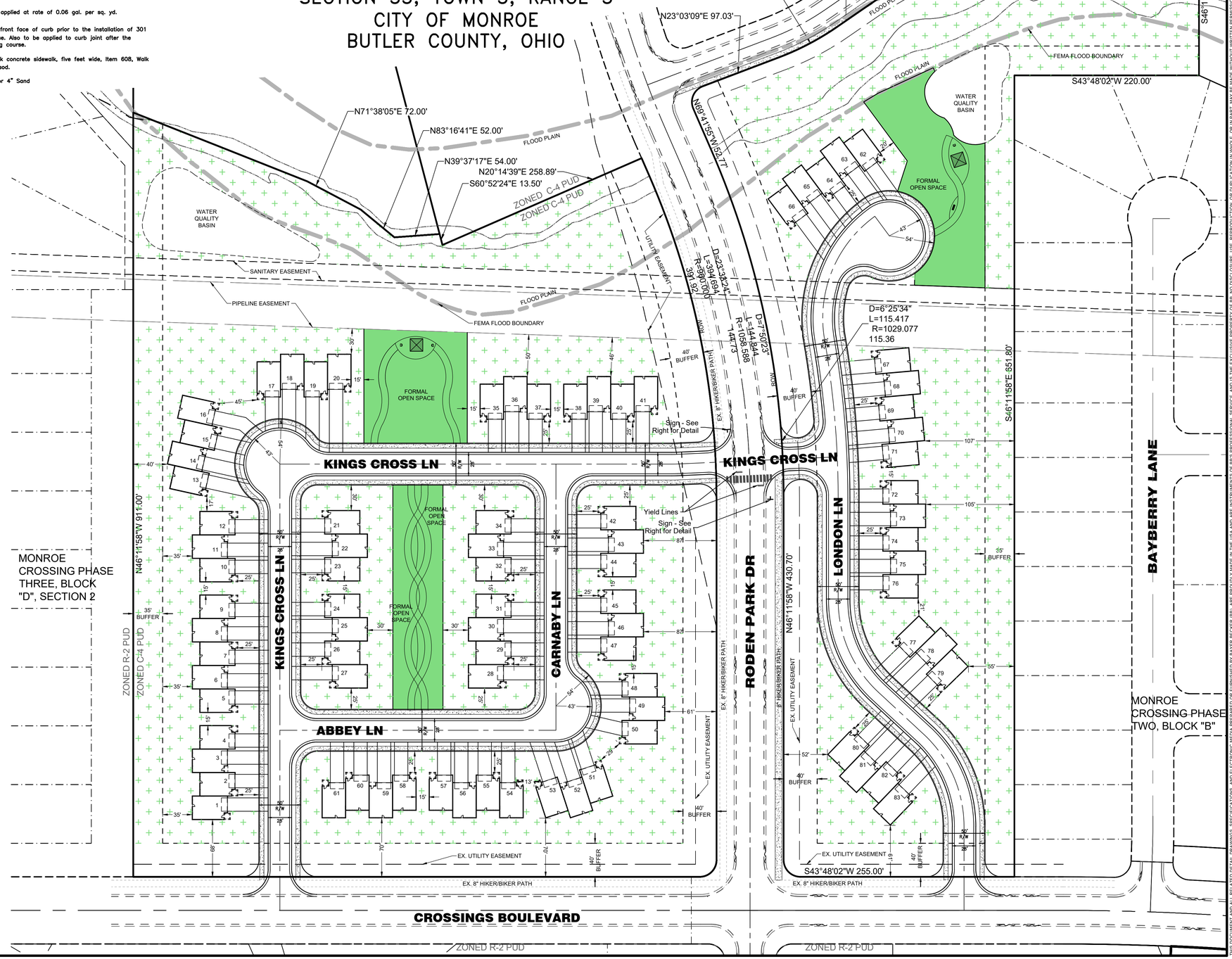
OPEN SPACE REQUIRED	4.18	ACRES (20%)
FORMAL OPEN SPACE (WEST)	0.74	ACRES (5.7%)
FORMAL OPEN SPACE (EAST)	0.44	ACRES (5.5%)
FRONT SETBACK (MIN)	25'	
TOTAL SIDE SETBACK (MIN)	15' COMBINED	

LEGEND

FORMAL OPEN SPACE

OPEN SPACE



Basis of Bearing: State Plane NAD83 (2011)
SCALE: 1" = 60'

Item	Revision Description	Date	Drwn:	Chk:

HYDE PARK at THE CROSSINGS
SECTION 35, TOWN 3, RANGE 3
CITY OF MONROE
BUTLER COUNTY, OHIO
PRELIMINARY PUD PLAN

bayer becker
www.bayerbecker.com
6900 Tylersville Road, Suite A
Mason, OH 45040 - 513.336.6600

Drawing: 21-0017 PPUD
Drawn by: AMB
Checked By: EMR
Issue Date: 9-20-22
Sheet: 2

THIS DOCUMENT AND ALL RELATED DETAIL DRAWINGS, SPECIFICATIONS, AND ELECTRONIC MEDIA PREPARED OR FURNISHED BY BAYER BECKER (BB), ARE PROUDLY MADE IN THE USA AND ARE INSTRUMENTS OF BB'S PROFESSIONAL SERVICE, AND IS THE EXCLUSIVE PROPERTY OF BB. NO DISCLOSURE, USE, REPRODUCTION, OR DUPLICATION IN WHOLE, OR IN PART, MAY BE MADE WITHOUT WRITTEN PERMISSION OF BB, AND IS DONE SO AT USER'S SOLE RISK. COPYRIGHT - ALL RIGHTS RESERVED

Plot time: Sep 15, 2022 - 9:44am
Drawing name: J:\2021\21-0017\CV\DWG\21-0017 PPUD.dwg - Layout Tab: PPUD

Application for a Planned Unit Development (PUD)

Monroe Development Department
233 South Main Street, Monroe, Ohio 45050
Phone: 513-539-7374
www.monroeohio.org

For Staff Use Only	
Submittal Date:	
Date Application Determined Complete:	
Date of Planning Commission Review:	
Fee Paid:	Staff Initials:
Application/Case Number:	

Planned Unit Development Review Information

1. The purpose of the Planned Unit Development (PUD) is to provide certain flexibility to clearly achieve innovative, creative, new development that help meet the objectives of Monroe's comprehensive plan and policies.
2. The review procedure and review criteria for Planned Unit Developments are established in Chapter 1207.23 of the Monroe Planning and Zoning Code under Zoning Map Amendment.
3. The PUD review procedure follows the same process as a zoning map amendment and is accompanied by a Master Development Plan (MDP), referenced in 1207.16 of the Monroe Planning and Zoning Code. This application form shall serve as the application for a PUD zoning map amendment.
4. A pre-application conference is required prior to submission of an application for a PUD zoning map amendment unless the Director waives the requirement.
5. The applicant shall be responsible for contacting the Development Department to set up a pre-application conference and submitting conceptual plans at least one week in advance of submitting this application and related information.
6. The application fee is due at the time the application is submitted. The fee schedule is located in Chapter 286 Fees of the Monroe Code of Ordinances.

Basic Information

Project Address: 4600 Pt Lot and 4599 Entire Lot

☐ New PUD Development ☒ PUD Amendment

County: ☒ Butler ☐ Warren | Total Area of Property: 21 acres

County Tax Parcel ID: C1800016000030, C1800016000019

Existing Zoning District: GR - PUD (General Residential - Planned Unit Development)

Proposed Zoning District: GR - PUD (General Residential - Planned Unit Development)

Applicant Information

Applicant Name: NVR, Inc.

Contact Person: Shawn Bullock

Contact Address: 8622 Jacquemin Dr. West Chester, OH 45069

Contact Phone Number: 513-200-9014 | Contact Fax Number:

Contact E-Mail: sbullock@nvrinc.com

Property Owner Name: Park Place Development LLC

The applicant may attach a separate sheet of a paper with contact information for additional people, if necessary (e.g., additional owners, registered engineer, landscape architect, etc.). The same contact information shall be provided for each contact name.

Project Address or Tax Parcel ID: C1800016000030, C1800016000019

Planned Unit Development Information

1) Describe any change in conditions, trends, or other facts that necessitates the proposed amendment. Furthermore, describe how the proposed zoning district will remedy the change in conditions, trends, or other issues.

This proposed amendment to the existing Planned Unit Development keeps the intent of the previously approved PUD in tact (submitted by a different applicant) by proposing a similar townhome community. The current applicant has made improvements by consolidating all of the townhomes on the western side of Roden Park Drive and preserving all of the land on the eastern side for open space and community amenities. The formerly agreed upon landscape buffers and permitted materials will remain.

2) Describe how the proposed amendment furthers the objectives of the comprehensive plan.

The Advanced Monroe 2024 Comprehensive Plan recommends these properties be developed as 'Mixed Residential' which is illustrated on the Future Land Use Map. It also encourages "a wide range of quality housing including townhomes" to help create a vibrant, safe, and welcoming environment for residents and their families. It also states, "ensuring continued opportunities for a diverse housing stock is essential to the long-term success of Monroe.

This proposed community of 84 townhome units responds to the current market demand that is outlined in the Comprehensive Plan, as well as the 2019 Monroe Comprehensive Housing Study.

3) Provide any additional information necessary to document how the proposed plans meet the review criteria established for PUDs in the Monroe Planning and Zoning Code.

The base zoning district (GR General Residential) allows for townhomes with a density of up to 6 du/ac for a conventional development with 15% open space minimum, and with a density of 8 du/ac for a conservation development with 30% open space minimum. The proposed development has set aside over 50% of the land to be preserved as open space and has a density of just over 4 du/ac.

Section 1202.07 of the current zoning code outlines the purpose of a Planned Use Development. One purpose is to provide regulatory flexibility to help achieve a development that is in accordance with the City's Comprehensive Plan, protects and preserves natural resources and features, and creates useful open space particularly suited for the proposed development. The proposed plan is in alignment with these stated purposes.

The code also states that a PUD should not be used for the sole purpose of circumventing the requirements of the zoning code. As noted above, even without the PUD overlay, this development is mostly in alignment with the requirements of the existing base zoning district. The PUD standards also states that permitted uses shall be based on the underlying zoning district.

The GR district standards require a 30' minimum lot width for a conservation development. The proposed concept plan proposes a minimum lot width of 24'. Otherwise, the proposed plan is in compliance with all other district standards.

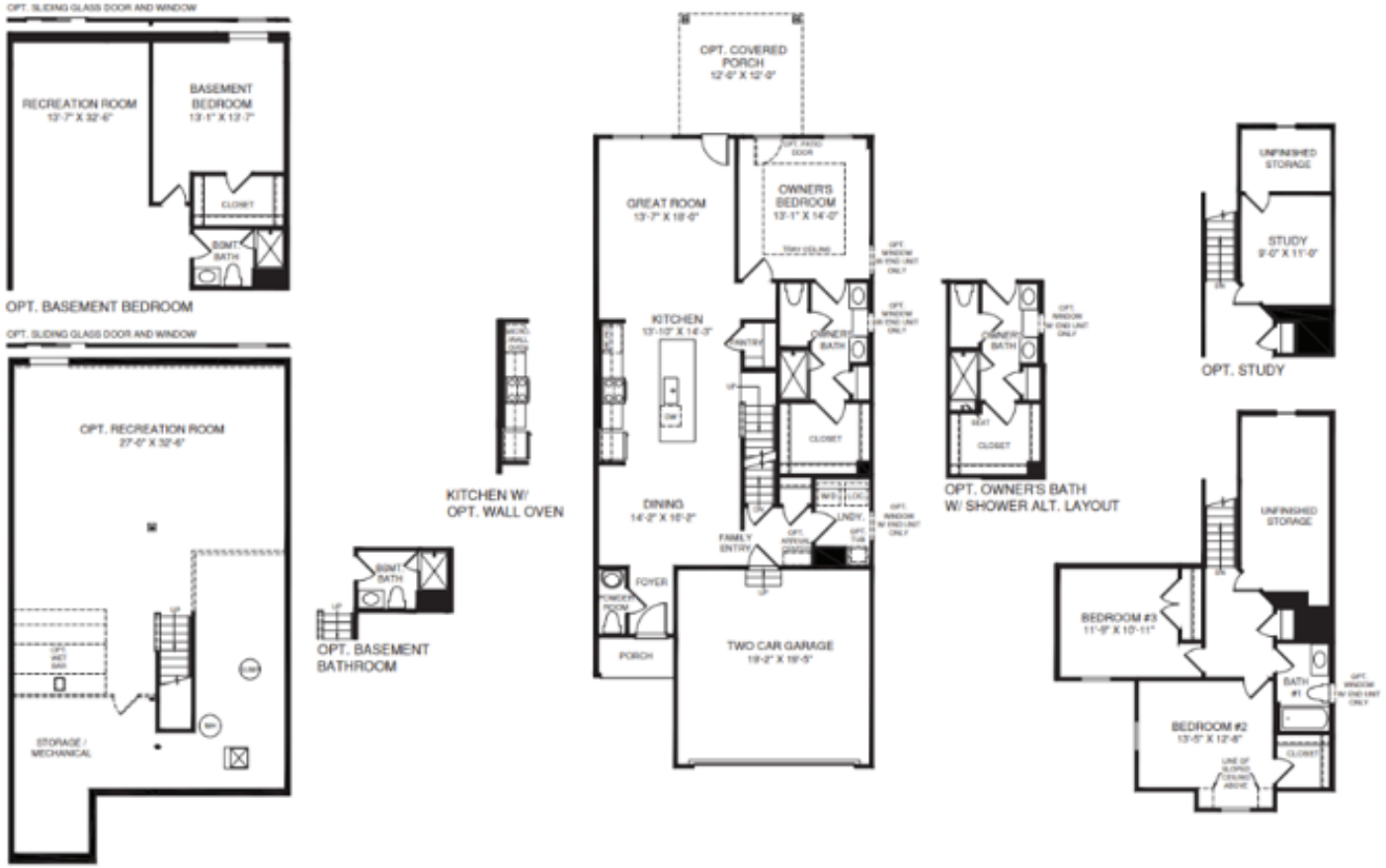
Submittal Requirement Checklist All document applications shall be submitted in a compatible electronic format to planning@monroeohio.org. Paper copies may be required based on project specifics. Final digital Files will be required after approval.	
General Information	
[x]	Completion of required pre-application conference
[x]	Planned Unit Development Review Application Form
[x]	Application fee
[x]	Plans and maps established below at a scale no smaller than 1 inch = 100 feet, unless otherwise noted
[ ]	Traffic impact study, if required by the City Engineer.
[ ]	Any additional information determined to be necessary by the Development Department
Vicinity Map (Scale may be smaller than 1" = 100')	
[x]	Date, north arrow, scale, and a legend for all symbols
[x]	Identification of properties subject to the proposed rezoning
[x]	All surrounding properties, streets, and corporation limits within a minimum of 500' of the outer boundaries of the project site
PUD Plan and Map Amendment	
[x]	The existing and proposed zoning for all properties that are a part of this application for a PUD. The map shall also identify the existing zoning for all surrounding properties
[x]	Existing streets within 200' of site with names and centerlines
[x]	Existing watercourses and bodies of water including any applicable flood hazard areas
[x]	A development plan with an appropriate scale illustrating the proposed streets, internal circulation, sidewalks and trails, open spaces and related improvements, lots, land uses and related densities, for the entire PUD, regardless if the PUD will be developed in phases
[x]	A proposed schedule for completion of the project, including any phasing schedule, for submitting the final PUD plan(s)
[x]	General illustrations of building elevations to demonstrate an understanding of the applicable architectural standards
[x]	Subdivision level details illustrating the lot layout, street information (e.g., width and access), sidewalks and trails, building footprints, and other information deemed necessary by the Development Department
[ ]	A copy of any deed restrictions or covenants that will apply to development in the PUD. Note: This submittal does not imply a requirement for the City to enforce any of these private agreements
[ ]	Final building elevations for all buildings to be constructed. The applicant may submit a series of elevations to illustrate the architectural character and materials for any residential product(s)

Project Address or Tax Parcel ID: C1800016000030, C1800016000019
Certification and Signatures
Applicant Signature - I certify that, to the best of my knowledge, the information contained in this form and within any attachments is correct and truthful. I understand that knowingly falsifying this information may be grounds for the denial or revoking of this PUD application and any subsequent zoning permit or other review applications.
Print Name: Shawn Bullock
Signature:
Date: 9/12/24
Property Owner Signature - If the property owner is not the named applicant on this form, the property owner shall sign the form below acknowledging that the applicant is an authorized agent of the property owner as it relates to proposed project. If the proposed PUD affects multiple properties owned by different property owners, each property owner subject to the PUD review shall be required to sign this form acknowledging consents of this PUD request. Separate signature sheets or letters acknowledging such consent are acceptable.
Print Name: K. Scott Willis GAYLE A WILLIS
Signature:
Date: 9/12/24
Note: A letter signed by the property owner, authorizing the applicant to act on their behalf may be submitted in lieu of the property owner's signature on this form.

Townes at Monroe Crossings

Caroline

Caroline


OPT. SLIDING GLASS DOOR AND WINDOW
RECREATION ROOM
13'-7" X 32'-6"
BASEMENT BEDROOM
13'-1" X 13'-7"
CLOSET
BSMT. BATH
OPT. BASEMENT BEDROOM
OPT. SLIDING GLASS DOOR AND WINDOW
OPT. RECREATION ROOM
27'-6" X 32'-6"
STORAGE / MECHANICAL
BSMT. BATH
OPT. BASEMENT BATHROOM
KITCHEN W/ OPT. WALL OVEN
OPT. COVERED PORCH
12'-0" X 12'-0"
GREAT ROOM
13'-7" X 18'-6"
OWNER'S BEDROOM
13'-1" X 14'-0"
KITCHEN
13'-10" X 14'-3"
OWNER'S BATH
CLOSET
DINING
14'-2" X 16'-2"
FAMILY ENTRY
LNDY.
FOYER
PORCH
TWO CAR GARAGE
19'-2" X 19'-5"
OPT. OWNER'S BATH W/ SHOWER ALT. LAYOUT
UNFINISHED STORAGE
STUDY
9'-0" X 11'-0"
OPT. STUDY
UNFINISHED STORAGE
BEDROOM #3
11'-9" X 10'-11"
BATH #1
BEDROOM #2
13'-5" X 12'-8"

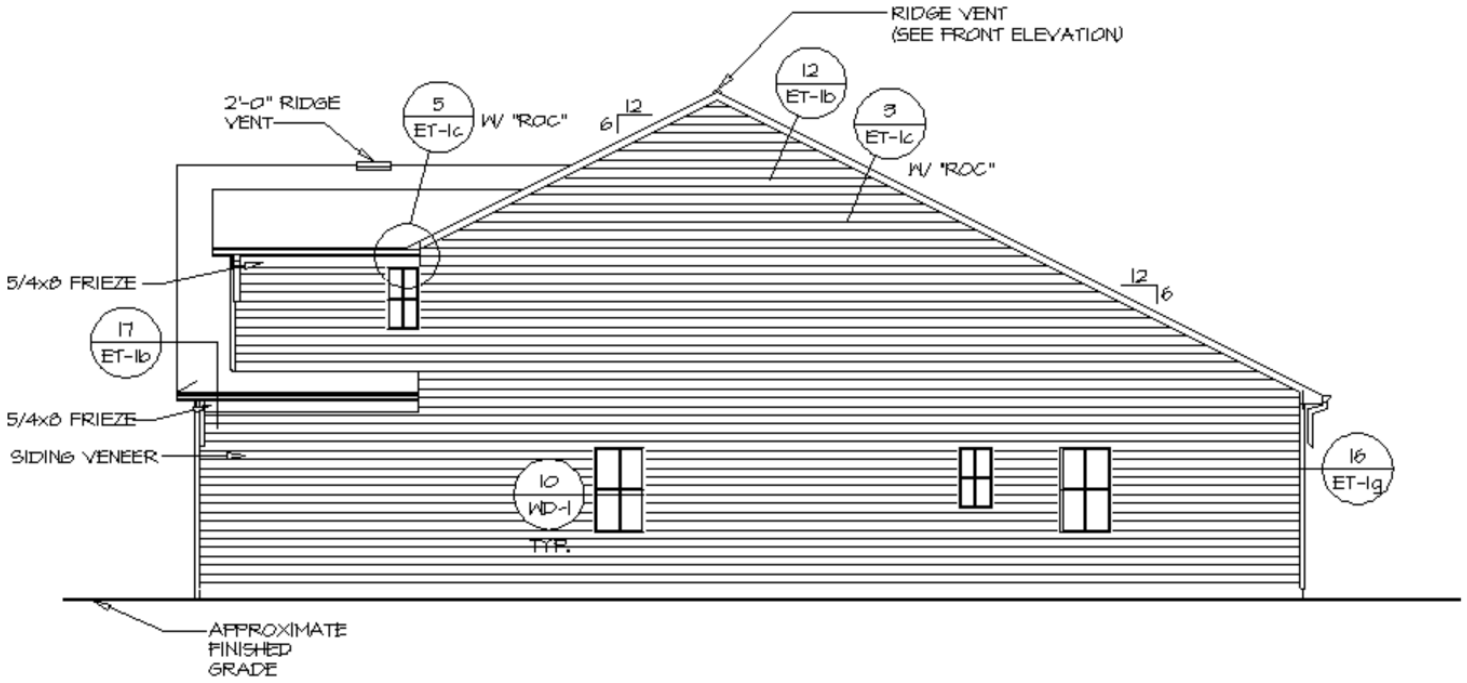
Caroline 3-Unit Building

* Stone garage front
* Façade color changes
* Covered porch
* Roof line changes
* Fiber cement siding
* return gables with offsets
* Dormer windows
* 12" overhangs

Caroline 4-Unit Building

* Stone garage front
* Façade color changes
* Covered porch
* Roof line changes
* Fiber cement siding
* return gables with offsets
* Dormer windows
* 12" overhangs

Caroline side elevation (fiber cement siding)



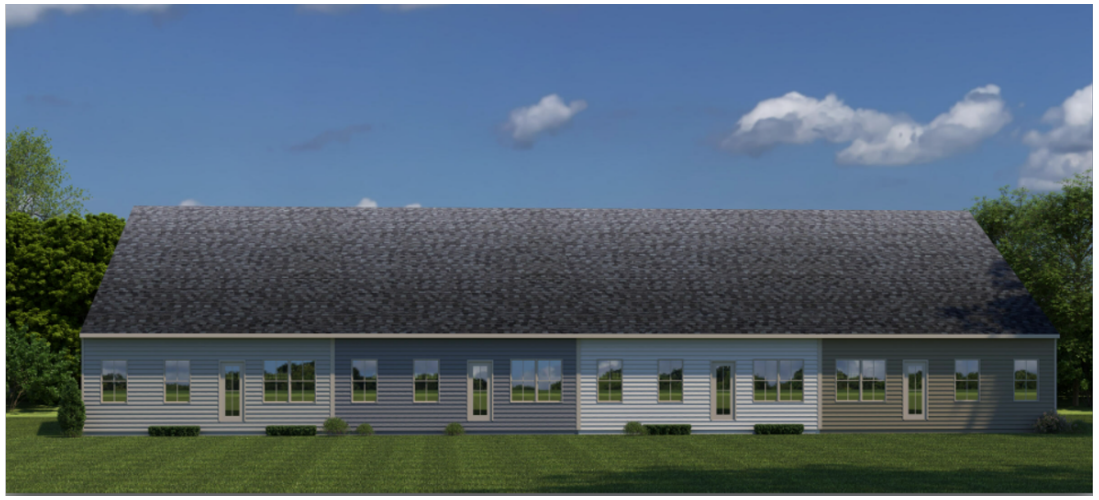
2
A-2

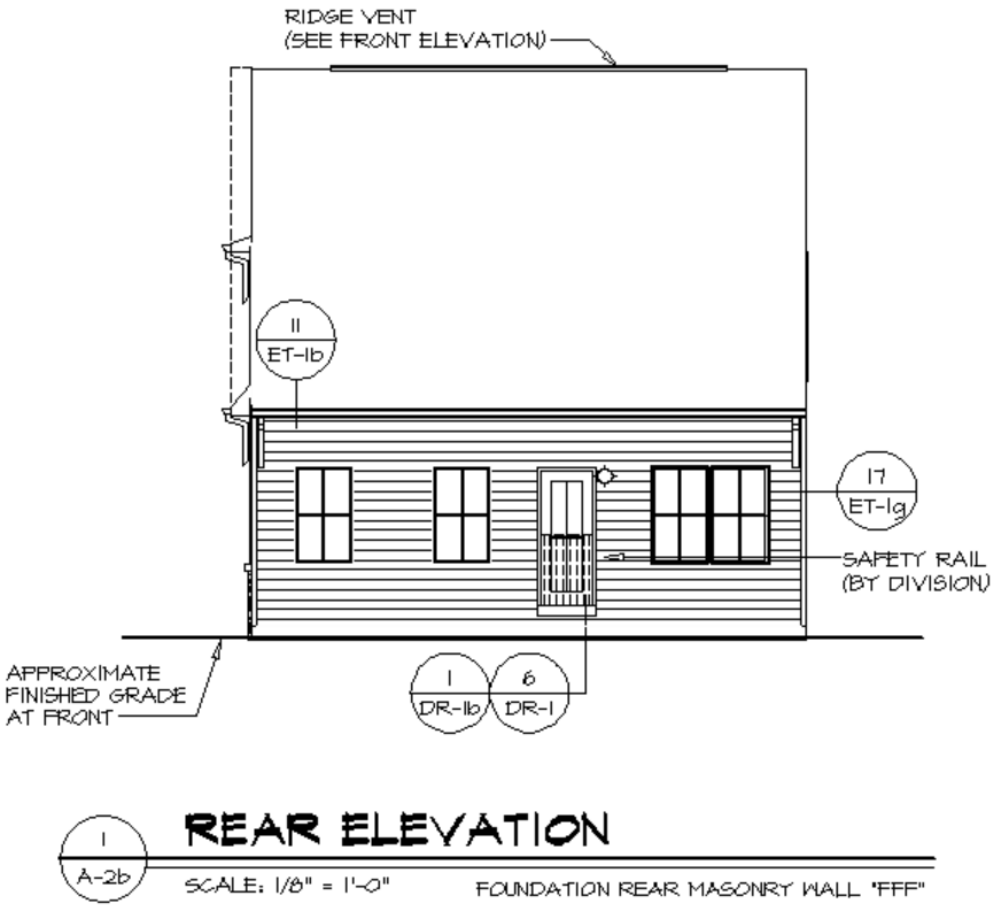
RIGHT ELEVATION

SCALE: 1/8" = 1'-0"

END UNIT "SAE"
WINDOW(S) END UNIT SIDE "WCC"

Caroline rear elevation (fiber cement siding)

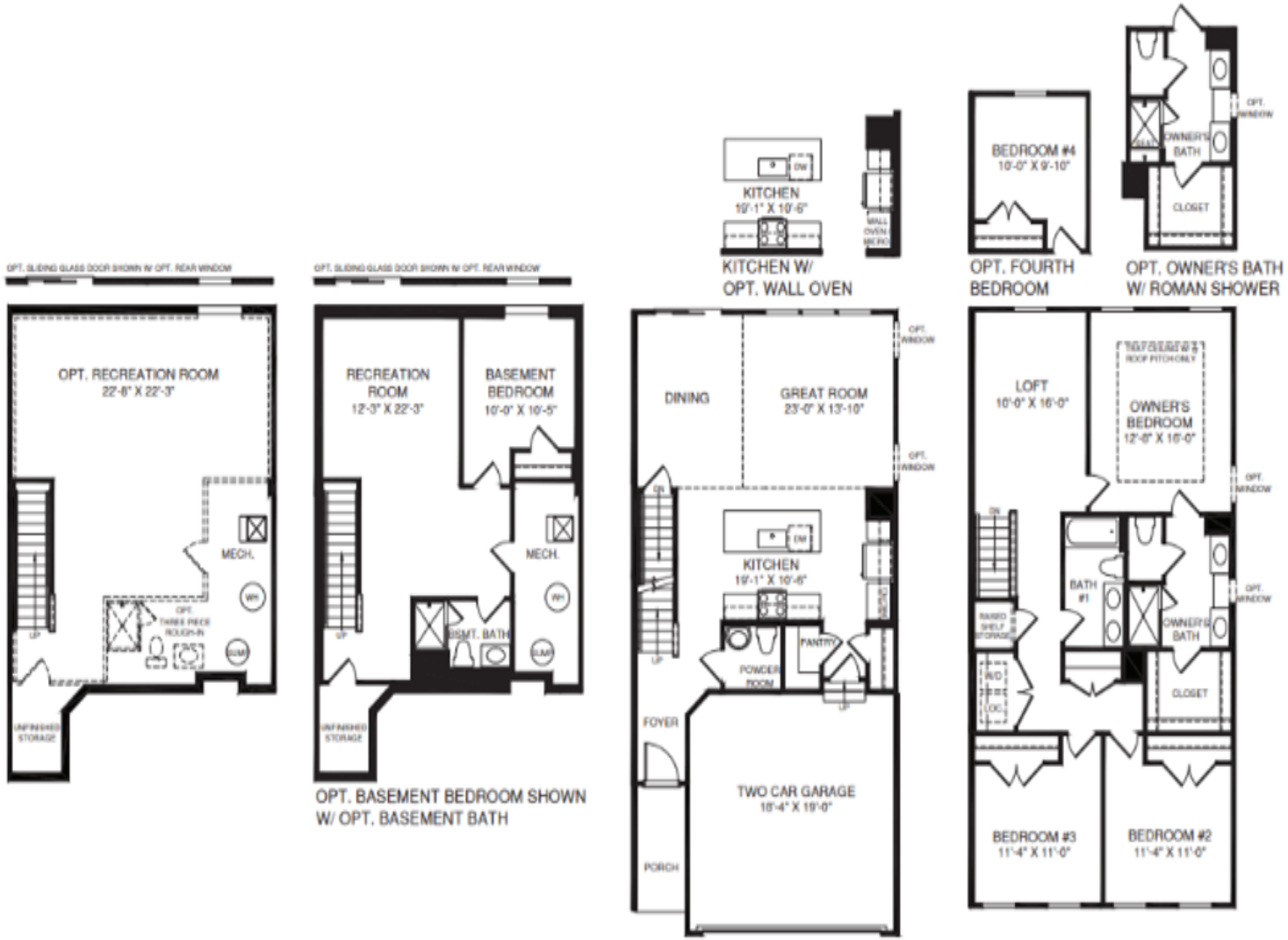




Thornewood

Thornewood

Thornewood


OPT. SLIDING GLASS DOOR SHOWN W/ OPT. REAR WINDOW
OPT. RECREATION ROOM
22'-6" X 22'-3"
MECH.
WH
UP
UNFINISHED STORAGE
OPT. SLIDING GLASS DOOR SHOWN W/ OPT. REAR WINDOW
RECREATION ROOM
12'-3" X 22'-3"
BASEMENT BEDROOM
10'-0" X 10'-5"
MECH.
WH
BSMT. BATH
UP
UNFINISHED STORAGE
OPT. BASEMENT BEDROOM SHOWN W/ OPT. BASEMENT BATH
KITCHEN
10'-1" X 10'-6"
DW
KITCHEN W/ OPT. WALL OVEN
DINING
GREAT ROOM
23'-0" X 13'-10"
OPT. WINDOW
OPT. WINDOW
KITCHEN
10'-1" X 10'-6"
DW
POWDER ROOM
PANTRY
UP
FOYER
TWO CAR GARAGE
18'-4" X 19'-0"
PORCH
BEDROOM #4
10'-0" X 9'-10"
OPT. FOURTH BEDROOM
OPT. WINDOW
OWNER'S BATH
CLOSET
OPT. OWNER'S BATH W/ ROMAN SHOWER
LOFT
10'-0" X 16'-0"
ROOF PITCH ONLY
OWNER'S BEDROOM
12'-6" X 16'-0"
OPT. WINDOW
OPT. WINDOW
BATH #1
OWNER'S BATH
CLOSET
A/C
BEDROOM #3
11'-4" X 11'-0"
BEDROOM #2
11'-4" X 11'-0"

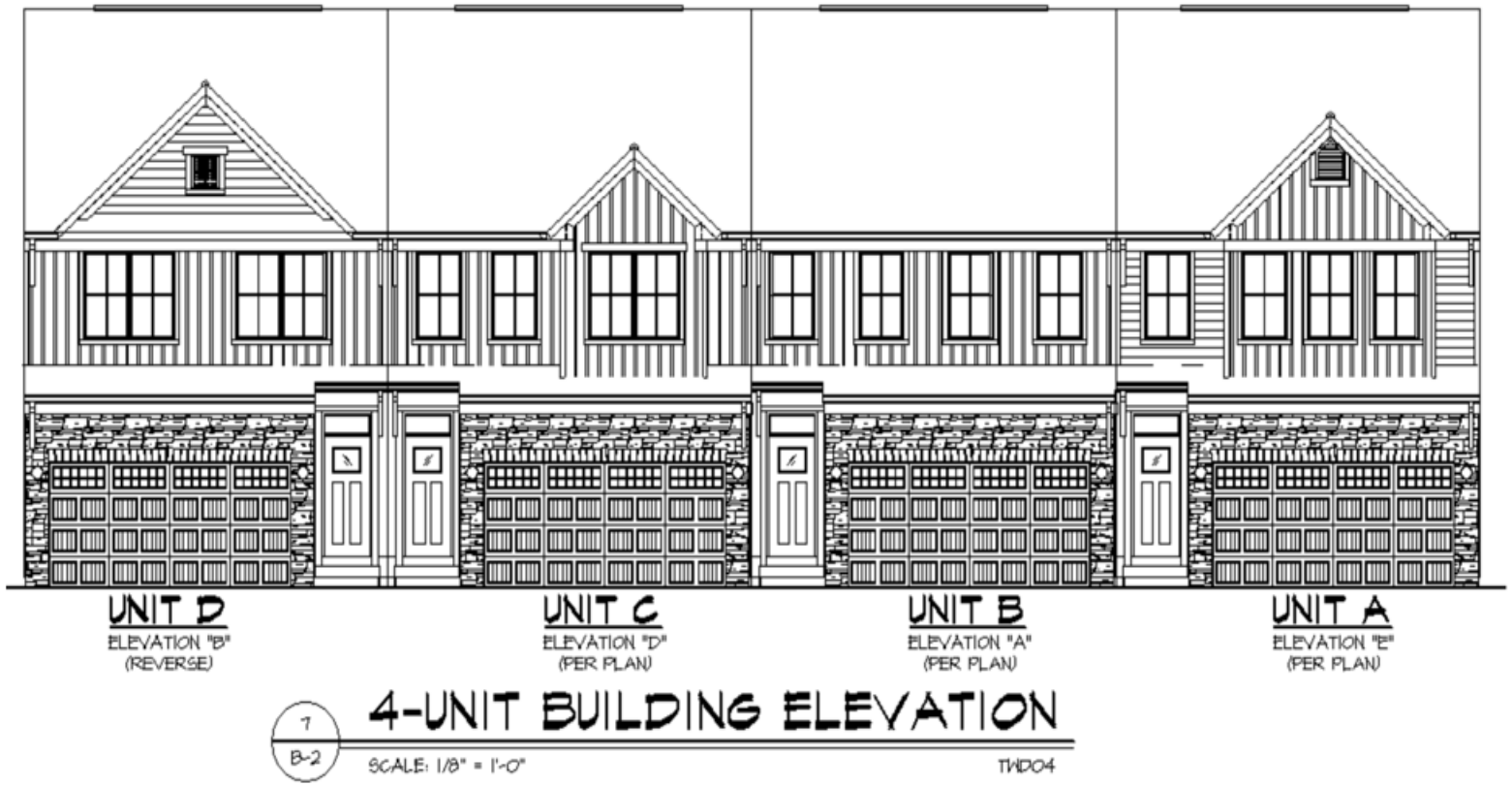
Thornewood 2-Unit Building

* Stone garage front
* Fiber cement siding
* Façade color changes
* return gables with offsets
* Covered porch
* Pilaster
* Roof line changes
* 12" overhangs

Thornewood 3-Unit Building

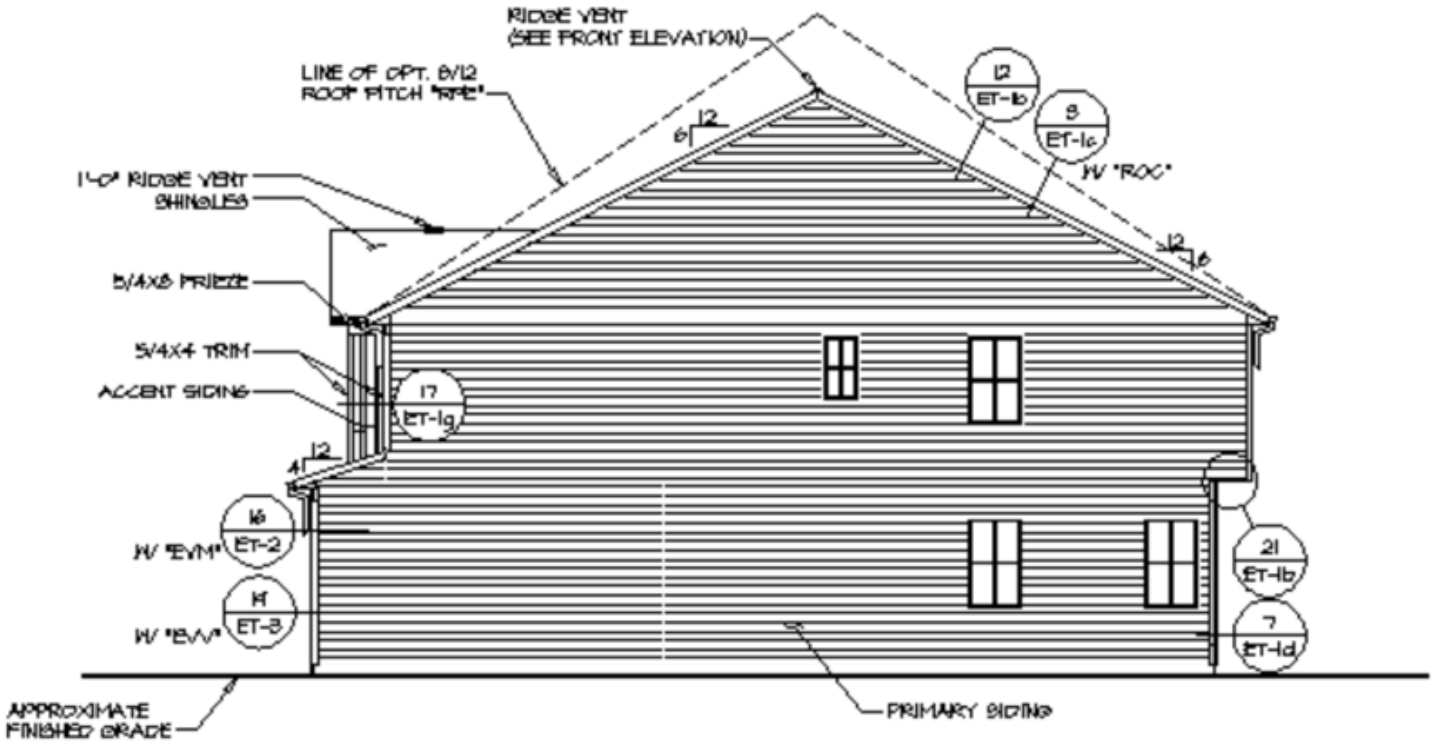
* Stone garage front
* Fiber cement siding
* Façade color changes
* return gables with offsets
* Covered porch
* Pilaster
* Roof line changes
* 12” overhangs

Thornewood 4-Unit Building

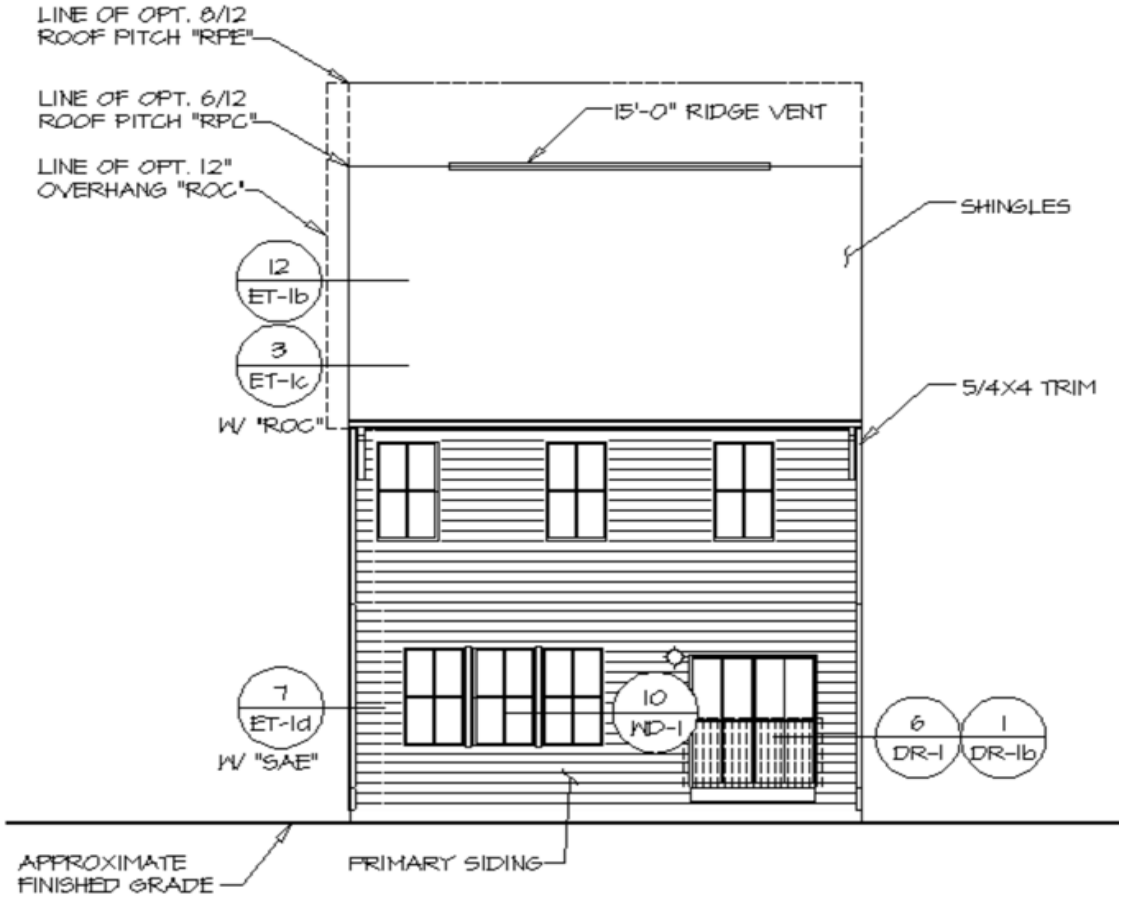


* Stone garage front
* Façade color changes
* Covered porch
* Roof line changes
* Fiber cement siding
* return gables with offsets
* Pilaster
* 12” overhangs

Thornewood side elevation (fiber cement siding)



Thornewood rear elevation (fiber cement siding)



Pavilion example

15' x 15' PAVILION

Dog Park example

CURRENT REGULATION		A/R/C	PROPOSED CHANGE	REASON FOR CHANGE	PDF PAGE #	COMPLETED?
1204.25(B)(2)	2.Size and Proportions. The square footage of changeable copy centers shall not exceed the maximum sign area permitted for that sign type within the zoning district where the proposed sign is to be located with the following requirements or limitations for the changeable copy	ADD	2. Size and Proportions. The square footage of changeable copy centers shall not exceed 35% of the maximum sign area permitted for that sign type within the zoning district where the proposed sign is to be located with the following requirements or limitations for the changeable copy:	Keep consistency with previous code.	292	Y
1204.25(B)(4)	b. Manual changeable copy message centers, including their frames, shall make up not more than 35 percent of the sign area. The balance of the sign area shall utilize permanently affixed letters or symbols.	REMOVE	STRIKE	Move regulation to 1204.25(B)(2) which covers both manual and electronic copy.	292	Y
1204.25(B)(2)	a. *Other Sign Types* . 25 percent of the sign area of a monument sign, pylon sign, or a menu board that is visible from a residential property or a public or private street.	CHANGE	a. *Other Sign Types* . 25 percent of the sign area of a monument sign, pylon sign, or a menu board that is visible from a residential property.	Impractical.	293	Y
1202.05(A)	A. Purpose. The district concentrates a compatible mix of residential, commercial, retail, service, live-work uses, and open spaces, together with certain governmental, educational, religious, recreational, and support uses.	CHANGE	A. Purpose. The district requires a compatible mix of residential, commercial, retail, service, live-work uses, and open spaces, together with certain governmental, educational, religious, recreational, and support uses.	Provide clarity to the requirement for a mix of uses in the MU district.	49	Y
1207.29	A. Purpose. The purpose of a Preliminary Plat is to provide sufficient information to evaluate and review the general conceptual design of a proposed major subdivision to ensure compliance with the requirements of this PZC prior to the submittal of construction drawings and a final plat.	CHANGE	A. Purpose. The purpose of a Preliminary Plat is to provide sufficient information to evaluate and review the general conceptual design of a proposed major subdivision, meaning those creating more than five lots or the dedication of new streets or infrastructure, or major extensions of infrastructure, to ensure compliance with the requirements of this PZC prior to the submittal of construction drawings and a final plat.	Provide definition of major subdivision.	389	Y
1207.15(B)(1)	1. Full Site Plan. Full Site Plan review is required for: a. Expansions of existing nonresidential uses representing an increase in gross floor area of 25% or less of the existing building square feet and the associated increase in parking; Modifications to sites involving changes to landscaping, parking, or loading, not to include outdoor storage areas, without expansions to buildings; and All applications for a conditional use permit.	CHANGE	1. Full Site Plan. Full Site Plan review is required for: a. Expansions of existing nonresidential uses representing an increase in gross floor area of 25% or more of the existing building square feet and the associated increase in parking; b. Modifications to sites involving a 25% change or greater in landscaping, parking, or loading, or outdoor storage areas, without expansions to buildings; and c. All applications for a conditional use permit; d. All development, changes in a site, or changes in use that are not exempt from site plan review below.	Correction.	379	Y
1207.15(B)(2)	N/A	ADD	2. Exemptions. Permit and related plan review are required for all other development and as outlined in 1207.14.	Correction.	379	Y
1203.07(F)(10)	N/A	ADD	d. Outdoor storage areas shall be required to be located on a paved solid surface of asphalt or concrete. Gravel surfaces are prohibited.	Provide clarity to the requirement for solid surface.	160	Y
1207.28(B)	Any party aggrieved by or alleging an error in a final decision of the City Council or Board of Adjustment may appeal to a court of competent jurisdiction within a timeframe established by the court.	CHANGE	Any party aggrieved by or alleging an error in a final decision of the City Council or Board of Zoning Appeals may appeal to a court of competent jurisdiction within a timeframe established by the court.	Correct name of board.	388	Y
1207.28(B)	Any party aggrieved by or alleging an error in a final decision of the Planning and Zoning Commission may appeal to the City Council within 30 calendar days of the Planning and Zoning Commission's decision.	CHANGE	Any party aggrieved by or alleging an error in a final decision of the Planning Commission may appeal to the City Council within 30 calendar days of the Planning Commission's decision.	Correct name of board.	388	Y
1201.06(F)(3)	Approved Planned Unit Developments (PUDs). Planned Unit Development site plans approved prior to the effective date of this PZC are governed according to the express terms and conditions of each agreement, unless expressly repealed or modified as provided in Section 1207.20.	CHANGE	3. Approved Planned Unit Developments (PUDs). Planned Unit Development agreements approved prior to the effective date of this PZC are governed according to the express terms and conditions of each agreement, unless expressly repealed, revoked, or modified as provided in the PZC.	Remove incorrect code section reference.	10	Y
1203.06(P)(3)	All equipment related to the operation of a lower and any other wireless telecommunications facility structure subject to this Section	CHANGE	All equipment related to the operation of a tower and any other wireless telecommunications facility structure subject to this Section	Correct spelling of "tower".	143	Y
1203.06(T)	Minor Modification. Any repair, antenna modification, height modification that does not exceed the maximum permitted, ground equipment additions within the screened area as required in Section 1204.23(B)(5), and minor structure additions may be approved by the Director and shall be required to submit an application for zoning permit.	CHANGE	Minor Modification. Any repair, antenna modification, height modification that does not exceed the maximum permitted, ground equipment additions within the screened area as required in this section, and minor structure additions may be approved by the Director and shall be required to submit an application for zoning permit.	Remove incorrect code section reference.	145	Y
1204.03(D)	1204.03(D)(4-14)	CHANGE	Numbering runs 4-14 and should run 1-11.	Numbering runs 4-14 and should run 1-11.	178	Y
1203.04(G)(3)	Retail Fuel Station.	CHANGE	Retail Fuel Sales.	Make name consistent with Primary Use Table.	128	Y
1203.04(G)(3)	Retail Fuel Station.	CHANGE	Retail Fuel Sales.	Make name consistent with Primary Use Table.	129	Y
Table 1204.10-1	Retail Fuel Station.	CHANGE	Retail Fuel Sales.	Make name consistent with Primary Use Table.	243	Y
Table 1203.02-1	Primary Use Table, Retail Fuel Sales	CHANGE	Prohibit in HC	Make consistent with previous code.	103	Y

1207.14	N/A	ADD	B. Applicability 1. Limited Uses. Ensure that a use designated as a limited use in Table 1203.02-1, Primary Use Table, complies with the requirements of this PZC, including 1203.04, Limited Use Standards. 2. Nonconformities. Identify a lot, building, structure, use, sign, or another site element as a legal nonconforming. A copy of such permit shall be kept on file in the offices of the Director. 3. New Development a) New single-family and two-family residential dwellings; b) The internal construction or change in floor area of a nonresidential development that does not increase gross floor area, increase the intensity of use, or affect parking requirements on a site that meets all development and site design standards of this code; c) Expansions of existing nonresidential uses representing an increase in gross floor area less than 25% of the existing building square feet and the associated increase in parking; d) A change in use of a nonresidential building; e) Modifications to the façade of any nonresidential building for compliance with Section 1204.07; f) Modifications to sites involving less than 25% increase to landscaping, parking or loading without expansions to buildings; g) Accessory structures and uses; and h) Temporary structures and uses;	Correction.	378	Y
1204.07(B)	N/A	ADD	Add Section for Accessory Structures.	Clarification language.	204	Y
Table 1204.26-3	Maximum Sign Area for HC and GC; 400 ft. of street frontage = 100 SF > 400 ft. of street frontage = 150 SF	CHANGE	60 SF	Make consistent with previous code.	306	Y
Table 1204.26-3	1. Freestanding signs may be placed a minimum of three feet from the building-side edge of a sidewalk.		1. Freestanding signs must be placed a minimum of three feet from the building-side edge of a sidewalk.	Clarification language.	312	Y
1203.05(G)(1)	Place of Public Assembly. The use shall not exceed 8,500 square feet.	CHANGE	The height of the main structure of a religious place of worship or any other building shall comply with restrictions of the applicable district with the exception of a steeple or tower, which may not exceed 75 feet in height.	Make consistent with previous code.	135	Y
1204.19(E)	1. Street trees shall be required on all frontages, except interstate frontage and alleys, for all subdivisions, new sites or development, and expansions of sites or developments.	CHANGE	1. Street trees shall be required on all public and private frontages, except interstate frontage and alleys, for all subdivisions, new sites or development, and expansions of sites or developments.	Make consistent with earlier sections of code.	275	Y
1204.19(E)	3. Street trees shall be required along both sides of all streets, planted 40 feet on center in the public right-of-way (tree lawn).	CHANGE	3. Street trees shall be required along both sides of all streets, planted 40 feet on center in the tree lawn.	Make consistent with earlier sections of code.	275	Y
1204.19(E)	N/A	ADD	6. Street tree placement may be subject to setback requirements from the curb, sidewalk, driveway, and other utilities. Such restrictions shall be established in a document maintained by the Development Department.	Clarification language.	277	Y
1207.32(C)	N/A	ADD	4. City Standards. Required improvements are constructed to City standards and have passed all required inspections.	Clarification language.	391	Y
1203.05(G)(13)	N/A	ADD	13. Restaurant, Drive in a. Setback. All structures and activity areas, except off-street parking, shall be set back a minimum of 50 feet from all lot lines.	Make consistent with Primary Use Table.	131	Y
Table 1203.02-1, others	Drive thru/Drive in Restaurant	CHANGE	Drive-in Restaurant	Create standalone use and definition.	104	Y
1209.03	Restaurant, Drive-Through or Drive-in means a public eating and drinking establishment that, in addition to providing service inside the restaurant, also provides services to customers in vehicles who either drive up to a window or station or drive through to the building for purchases. Take-out only restaurants are not included this definition.	CHANGE	Restaurant, Drive-in means a restaurant which does not contain a dining room but where it is intended that patrons consume food within their vehicles while parked on the lot where the restaurant is located.	Remove "drive through restaurant" language.	427	Y
1207.06(B)	By the Applicant After Public Notice. A request for deferral of consideration of an application received by the Director after any required shall be considered as a request for a continuance of the public meeting or hearing, and may only be granted by the development review body holding the meeting or hearing.	CHANGE	By the Applicant After Public Notice. A request for deferral of consideration of an application received by the Director after any required notice shall be considered as a request for a continuance of the public meeting or hearing, and may only be granted by the development review body holding the meeting or hearing.	Add the word "notice" to complete the sentence	367	Y
1205.06(A)	The subdivider shall install sidewalks along public and private collector level and higher streets prior to acceptance of subdivision improvements. This requirement applies to all land uses and street classifications, except as modified in this Section.	CHANGE	The subdivider shall install sidewalks along public and private streets prior to acceptance of subdivision improvements. This requirement applies to all land uses and street classifications, except as modified in this Section.	Remove "collector level and higher"	344	Y
1203.07(F)(11)	1203.07(F)(11) Porches and Decks.	CHANGE	Move to 1203.07(E) Standards for Residential Accessory Structures or Uses.	Belongs as primarily residential use.	160	Y
1203.05(H)	N/A	ADD	1203.05(H)(6) Self-Storage Facilities Uses.	Pull from old code.	137	Y
1203.07(F)	N/A	ADD	1203.07(F)(12) Roadside Stands.	Pull from old code.	162	Y
Table 1203.07-1	N/A	ADD	Add "Satellite Dishes" to accessory use table	Make consistent with Limited Use Standards.	147	Y
Table 1204.26-3	N/A	ADD	2. All freestanding signs shall be located in a mulched and landscaped area that includes a variety of plant types or bushes and is equal to or larger than the total sign area of the applicable sign. Such landscaped area may be an area already used to fulfill Article 04.05 Landscaping, Screening, and Buffering.	Pull from old code.	296	Y
1203.07	N/A	ADD	4. Location. Be located in the rear yard unless specific additional requirements permit other yards; The Director may grant an exception to location on through lots that have two front yards (i.e. State Route 63) for the area that functionally serves as the rear yard, subject to any provisions that may be imposed to ensure the surrounding character and privacy of the neighboring lots are preserved.	To offer the same flexibility already provided for fences.	146	Y
1204.17	N/A	ADD	Sidewalks, at least eight feet in width, shall be provided along any facade featuring a customer entrance, and along any facade abutting parking lots. At all times, such sidewalks shall maintain a clear pedestrian passage equal to the width of the sidewalk.	Pull from old code.	269	Y
Figure 1204.17-1	Figure 1204.17-1, Cross Access	CHANGE	Figure 1204.17-2 Cross Access	Correct numbering error.	272	Y
Table 1203.02-1, Primary Use Table	24- Hour Operation Adjacent to a Residential District or Subdivision	CHANGE	24- Hour Operation Adjacent to a Residential District or Use	Change name of use	103	Y

Table 1203.02-1, Primary Use Table	24- Hour Operation Adjacent to a Residential District or Subdivision, Public and Civic Use Categories	REMOVE	N/A	Not necessary for most public and civic use types	103	Y
1209.03 Definitions	24- Hour Operation Adjacent to a Residential District or Subdivision	CHANGE	24- Hour Operation Adjacent to a Residential District or Use	Change name of use	410	Y
Table 1203.03-1, Primary Use Table	Contractor Yard	CHANGE	Contractor Service, Equipment, and Storage Yard	Change name of use	103	Y
1203.07(F)	Agricultural Buildings, If directly adjacent to a residential zoning district, the minimum setback for all livestock uses, such as agricultural livestock buildings or pasturing areas shall be 50 feet.	REMOVE	N/A	Redundant. Same as 1203.07(F)(2)(iii)	156	Y
1203.04(E)	Setback. If the use is abutting a residential zoning district, the minimum setback for all activities shall be at least 50 feet.	CHANGE	Setback. If the use is abutting a SR, NC, GR, or UR zoning district or residential use, the minimum setback for all activities shall be 50 feet.	Correction.	126	Y
Table 1204.20-1	Front Yard Landscaping	ADD	This landscaping may be used to fulfill the perimeter landscaping requirement.	Pull from old code.	280	Y
Table 1207.10-1	Final Plat	ADD	Submittal Timing- Following approval of a preliminary plat and completion of improvements	Clarification language.	378	Y
1207.32(A)	A. Purpose. The purpose of a Final Plat is to implement the approved preliminary plat for a major subdivision, meet the technical requirements of the final plat, and to serve as the officially recorded map of the property to be developed, showing the boundaries, lots, public streets, easements, and other significant facilities and features that are necessary to serve the development.	ADD	A. Purpose. The purpose of a Final Plat is to implement the approved preliminary plat for a major subdivision, recognize the completion of required improvements of the associated construction plans, meet the technical requirements of the final plat, and to serve as the officially recorded map of the property developed, showing the boundaries, lots, public streets, easements, and other significant facilities and features that are necessary to serve the development.	Clarification language.	394	Y

CITY OF
MONROE
OHIO

PLANNING AND ZONING CODE

ADOPTED APRIL 23, 2024

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CHAPTER 1201 GENERAL PROVISIONS

Article 01.01 Basic Provisions

1201.01 Title

A. **Title.** These regulations shall be known and may be cited as the “City of Monroe Planning and Zoning Code”.

B. **Short Title.** References to "this Code" or “this PZC” are interpreted as references to this Planning and Zoning Code.

1201.02 Purposes

This PZC is adopted to protect the public health, safety, and general welfare of the current and future residents of the City of Monroe in accordance with the goals of the Comprehensive Plan. The provisions of this PZC are specifically intended to:

A. **Public Health and Safety.** Protect public health and safety by:

1. Ensuring adequate provision of open space for light, air, and fire safety;
2. Promoting public safety from fire, flooding, and other natural and man-made disasters through appropriate subdivision and site design;
3. Providing for the proper arrangement of streets or highways to manage traffic and promote improved connectivity to better serve residents and businesses;
4. Preventing the overcrowding of land and promoting a healthful and convenient distribution of population by regulating the density and intensity of development; and
5. Facilitating the adequate and safe provision of transportation, water, sewage, drainage, and other public requirements in the City.

B. **Scenic and Environmental Significance.** Preserving and protecting existing trees and vegetation, flood plains, stream corridors, and other areas of scenic and environmental significance from adverse impacts of land development.

C. **Quality of Life.** Protect the quality of life of City residents, business owners, employees, and visitors by:

1. Improving the City's appearance through the regulation of design, materials, layout, landscaping, etc., where such regulations are appropriate;
2. Maintaining and enhancing the community’s distinct character;
3. Preserving the character and quality of residential neighborhoods;
4. Promoting a range of housing choices; and
5. Creating residential areas with strong neighborhood qualities including pedestrian-friendly streets, community gathering spaces, and basic commercial needs in close proximity.

D. **Economic Development.**

1. Providing for the expansion and diversification of the economic base to assure a strong economy; and

2. Encourage economic opportunities, particularly those that have meaningful multiplier effects on the local economy, by promoting the highest and best use of land and vitality and development of resilient commercial, mixed-use, and industrial districts.

E. **Fiscal and Functional Health.** Protect the fiscal and functional health of the City by:

1. Establishing and maintaining zoning districts in order to protect the property rights of all individuals by assuring the compatibility and efficient relationships of uses and practices within districts;
2. Promoting orderly, efficient, and appropriate development of land;
3. Encouraging infill development to make efficient use of existing public infrastructure;
4. Facilitating greenfield development to capitalize on valued natural features; Promoting a balanced supply of residential, commercial, and industrial land uses that are compatible with adjacent land uses and have good transportation access; and
5. Securing economy in government and private sector expenditures by promoting efficiency in development review;
6. To allow freedom of speech and expression in accordance with the laws of the state and nation;

F. **Clear Regulations and Processes.** Provide transparent regulations and review procedures for development and outline the duties and powers of responsible administrative, elected, and appointed review bodies to maintain public trust.

1201.03 Authority, Jurisdiction, and Severability

A. **General Authority.** The authority for the preparation, adoption, and implementation of this PZC is derived from Ohio Revised Code (ORC) Chapter 711 and Chapter 713, which permits the adoption of uniform rules and regulations governing the zoning and subdivision of land, and by the Charter of the City of Monroe.

B. **Jurisdiction**. The provisions of this PZC shall apply to the entire incorporated land areas of the City of Monroe of Butler and Warren Counties, in the State of Ohio.

C. **Severability.**

1. If any court of competent jurisdiction invalidates any provision of this PZC, then such judgment shall not affect the validity and continued enforcement of any other provision of this PZC.
2. If any court of competent jurisdiction invalidates the application of any provision of this PZC to a particular property, structure, or situation, then such judgment shall not affect the application of that provision to any other property, structure, or situation not specifically included in that judgment.
3. If any court of competent jurisdiction judges invalid any condition attached to the approval of a development review application, then such judgment shall not affect any other conditions or requirements attached to the same approval that are not specifically included in that judgment.
4. Whenever a condition or limitation is included in an administrative action authorizing regulatory activity, then it shall be conclusively presumed that the authorizing officer, Commission, or Board considered such condition or limitation necessary to carry out the spirit and intent of this PZC, and that the officer, Commission, or Board would not have granted the authorization to which the condition or limitation pertained except in belief that the condition or limitation was lawful.

1201.04 Enactment, Repeal, and Effective Date

A. **Enactment and Repeal.** The enactment of this PZC and the referenced Official Zoning Map shall replace Part Twelve, Planning and Zoning Code, of the Codified Ordinances of Monroe, in place prior to the effective date of this Code.

B. **Effective Date.** This PZC was adopted by City Council on April 23, 2024. This PZC shall become effective 30 days after the approval by City Council.

Article 01.02 Effect of PZC

1201.05 Abrogation, Conflicting Provisions, and Other Regulations

A. **Abrogation**. Except for those provisions of the Code of Ordinances explicitly repealed upon the adoption of this PZC, it is not intended for this PZC to repeal, abrogate, or impair any existing public or private laws, easements, covenants, or deed restrictions.

B. **Conflict.**

1. *Public Restrictions.* The following provisions apply to laws adopted by a federal, state, or local legislative body:
   a. Where this PZC conflicts with another local, state, or federal law, whichever the Director of Development finds imposes the more stringent restrictions and controls. Where the Director finds conflicting provisions to be equally stringent, then the provision more recently adopted controls.
   b. Where the text of this PZC conflicts with its tables or illustrative material, the text controls. Where a table of this PZC conflicts with an illustration, the table controls.
2. *Private Restrictions.*
   a. The City does not interpret or enforce private restrictions, including, but not limited to, deed restrictions, covenants, or private easements unless the City is a party to the agreement. However, where this PZC proposes a greater restriction or imposes higher standards or requirements than such easement, covenant, or other private third-party agreement, then the provisions of this Code shall govern unless specifically approved by the City.
   b. Nothing in this PZC shall modify or repeal any private covenant or deed restriction, but such covenant or restriction shall not excuse any failure to comply with this Code.
3. *Text and Graphics*. Graphics are included in the PZC to illustrate the intent and requirements of the text. In the case of a conflict between the text and any graphics, the text governs.

C. **Interpretation.** In the interpretation and application of this PZC, all provisions shall be:

1. *Minimum Requirements*. Considered as minimum requirements;
2. *In Favor of City.* Liberally construed in favor of the governing body; and,
3. *State Statutes.* Deemed neither to limit nor repeal any other powers granted under state statutes.

1201.06 Transitional Provisions and Vested Rights

A. **Generally.** These transitional rules are to resolve the status of properties with pending applications or recent approvals, and properties with outstanding violations, on the effective date of this PZC.

B. **Vested Rights.** The transitional rules in this Section are subject to Ohio's laws related to vested rights.

C. **Violations.**

1. *Violations Continue*. Any violation that existed at the time this PZC became effective shall continue to be a violation under this PZC and is subject to penalties and enforcement under Article 08.02, *Enforcement of Code,* unless the use, development, construction, or other activity complies with the provisions of this PZC.
2. *Fees for Civil Penalties.* Payment of fees for any civil penalty assessed under the previous regulations is still required, even if the original violation is no longer considered to be a violation under this PZC.

D. **Nonconformities.**

1. *Legal Nonconformities Continue.* Any legal nonconformity that existed at the time this PZC became effective shall continue to be a legal nonconformity under this PZC as long as the situation that resulted in the nonconforming status under the previous code continues to exist, and shall be controlled by Article 08.01, *Nonconformities*.
2. *Conversion of Nonconformity*. If a legal nonconformity that existed at the time this PZC became effective becomes conforming because of the adoption of this PZC, then the situation will be considered conforming and shall no longer be subject to the regulations pertaining to nonconformities.

E. **Pending Applications.**

1. *Complete Applications*. Any complete application that has been submitted or accepted for approval, but upon which no final action has been taken by the appropriate decision-making body prior to the effective date of this PZC, shall be reviewed in accordance with the provisions of the regulations in effect on the date the application was deemed complete by the City.
2. *Incomplete Applications.* If a complete application is not filed within the required application filing deadlines in effect prior to the adoption of this PZC, the application shall expire immediately upon the effective date of this Code. Subsequent resubmittals of the application(s) shall be subject to the requirements of this code.
3. *Request for Review Under New* Code. An applicant with a pending application may waive review available under prior regulations through a written letter to the City and request for review under the provisions of this PZC.

F. **Approved Applications.**

1. *Approved Applications.* Approved applications that are valid on the effective date of this PZC are valid until their expiration date, even if it does not conform to the provisions of this Code. If no expiration date is specified in the approval documents or prior regulations, they shall expire pursuant to Table 1207.10-1, *Development Review Summary Table*. Any resubmittals of applications for an expired project approval shall meet the standards of this PZC.
2. *Approved Final Plats.* Any subdivision that has received final approval by the City Council prior to the adoption of this PZC shall be considered an approved final subdivision. If the approved final plat is not recorded within 90 days after the date of the City Council's approval, such approval shall be termed null and void. In the event a plat is considered invalid, the plat shall then be resubmitted as a preliminary plat and shall meet all requirements of this code.
3. *Approved Planned Unit Developments (PUDs)*. Planned Unit Development ~~site plans~~ agreements approved prior to the effective date of this PZC are governed according to the express terms and conditions of each agreement, unless expressly repealed, revoked, or modified as provided in the PZC. ~~Section 1207.20.~~

~~4.~~

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1201.07 Applicability

A. **Applicability of Code.** No person may use, occupy, subdivide, or develop land, or use, occupy, erect, or modify buildings, signs, or other structures, except in accordance with all applicable provisions of this PZC. For purposes of this PZC, the "use" or "occupancy" of a building or land relates to anything and everything that is done to, on, or in that building, structure, or land.

B. **Compliance Required.** There shall be no land used or subdivided nor structure constructed, occupied, enlarged, altered, or moved until:

   1. *Review.* The designated administrative, elected, or appointed body vested with the authority to make a final decision on a development review application under this PZC finds no conflict with any provision of this PZC; and

   2. *Approvals.* The applicant obtains all pertinent approvals in accordance with Chapter 1207, *Development Review Procedures*, from the administrative, elected, or appointed body with the designated authority to issue such required permits or authorizations.

C. **Consistency with the Comprehensive Plan.** The administration, enforcement, and amendment of this PZC should be consistent with the City of Monroe Comprehensive Plan, as amended and herein referred to as the "Comprehensive Plan". Amendments to this PZC should maintain and enhance the consistency between this PZC and the Comprehensive Plan.

D. **Permits Required.** Permits or certificates issued on the basis of plans and applications approved by the agency having jurisdiction authorize only the use and arrangement set forth in such approved plans and applications and no other use, arrangement, or construction. Any other use, arrangement, or construction, or failure to obtain an appropriate permit, certificate, or inspection, shall be deemed to be a violation of this PZC, punishable under Article 08.02, *Enforcement of Code*.

E. **Sale of Land in a Subdivision.** No lot, tract, or parcel of land within any subdivision or any development constituting a subdivision under ORC Chapter 711 shall be offered for sale, nor shall any sale or contract for sale which is intended to be recorded with the applicable county have any validity, until such subdivision, together with the plans for the improvements thereto, has been properly reviewed and officially approved by the City. This regulation is not intended to prohibit the sale of unplatted land for purposes of ownership changes or new developer acquisition.

F. **Restoration of Unsafe Buildings.** Except as provided in Article 08.01, *Nonconformities*, nothing contained in this Code shall prevent the strengthening or restoring to a safe condition any part of any building or structure declared unsafe by the proper authority.

G. **Burden of Proof.** The burden of demonstrating that an application or any development subject to this PZC complies with applicable review and approval standards is on the applicant. The burden is not on the City or other parties to show that the standards have been met by the applicant or person responsible for the development.

CHAPTER 1202 ZONING DISTRICTS AND DIMENSIONAL STANDARDS

Article 02.01 Zoning District Established and Official Zoning Map

1202.01 Zoning Districts Established

The zoning districts set forth in Table 1202.01-1, *Zoning Districts,* shows the future land use designation from the Comprehensive Plan that each zoning district implements, list the available development types that are further articulated in Section 1202.04, *Development Types*, and identifies the former zoning district from the predecessor Planning and Zoning Code.

Table 1202.01-1, Zoning Districts

Future Land Use Designation	Zoning District (Abbreviation)	Development Type[1]	Former Zoning District[2]
Residential Districts			
Rural Residential	RR, Rural Residential	Conventional	A-1, A-2
		Conservation	
Large Lot Residential	SR, Suburban Residential	Conventional	R-2
		Conservation	
Mixed Residential	GR, General Residential	Conventional	R-3
		Conservation	
	NC, Neighborhood Conservation	Infill	R-1
Multi-Unit Residential	UR, Urban Residential	Conventional	R-4
		Cottage Court	
Mixed-Use Districts			
Mixed-Use	MU, Mixed-Use	Mixed-Use	C-4
	DT, Downtown		C-3
Nonresidential Districts			
Commercial	HC, Highway Commercial	Nonresidential	C-1
	GC, General Commercial		C-2
Employment	EC, Employment Center		B-P
Light Industrial	LI, Light Industrial		L-I
Heavy Industrial	HI, Heavy Industrial		H-I
Special Purpose			
N/A	PUD, Planned Unit Development	Planned	PUD

Table 1202.01-1, Zoning Districts			
Future Land Use Designation	**Zoning District (Abbreviation)**	**Development Type[1]**	**Former Zoning District[2]**
N/A	DWP-O, Delineated Wellhead Protection Overlay District	Special Purpose Overlay	DWP-O
N/A	WPB-O, Wellhead Protection Buffer Overlay District	Special Purpose Overlay	WPB-O
N/A	FPOD, Floodplain Protection Overlay District	Special Purpose Overlay	--

Table Notes:
1. Refer to 1202.04, *Development Types*, for more details.
2. The former zoning districts are from the City of Monroe Planning and Zoning Code, adopted on October 22nd, 2013, which is repealed on the effective date of this Planning and Zoning Code.

1202.02 Official Zoning Map

A. **Generally**. Zoning districts are shown on the map entitled "Official Zoning Map" of the City of Monroe. The Director of Development and Office of the City Clerk shall each keep an Official Zoning Map in a convenient format, either electronically or in hard copy, available for inspection during regular business hours.

B. **Force and Effect**. The Official Zoning Map and all notations, references, and other information shown on the map are a part of this Code and have the same force and effect as this Code.

C. **Interpretation of Zoning Map.** Where uncertainty exists with respect to the boundaries of any of the zoning districts, as shown on the zoning map, the following rules shall apply:

1. *Streets and Rights-of-Ways*. Where district boundaries are indicated as approximately following the center lines of streets or highways, street lines or highway right-of-way lines, these center lines, street lines, or highway right-of-way lines shall be construed to be such boundaries.
2. *Boundaries Following Property Lines*. Where district boundaries are so indicated that they approximately follow the lot lines, township lines, section lines, one-half section lines, one-quarter section lines and one-eighth section lines, such lines shall be construed to be said boundaries.
3. *Boundaries Parallel to Streets and Rights-of-Ways*. Where district boundaries are so indicated that they are approximately parallel to the center lines or street lines of streets, or the center lines of right-of-way lines of highways, such district boundaries shall be construed as being parallel thereto and at such distance therefrom as indicated on the zoning map. If no distance is given, such dimension shall be determined by the use of the scale shown on the zoning map.
4. *Boundaries Following Railroad Line*. Where the boundary of a district follows a railroad line, such boundary shall be deemed to be located in the middle of the main tracks of the railroad line.
5. *Uncertainties*. If the above rules do not clarify the subject zoning district boundary, the Board of Zoning Appeals shall have the authority to review and interpret the disputed boundary. The person contesting the location of the district boundary shall be given a reasonable opportunity to present their case to the

City and to submit technical evidence if so desired pursuant to the appeals process as established in Section 1207.28, *Appeals*.

D. **Classification of Vacated or Annexed Areas**.

1. *Default Zoning District*. Unzoned lands that may hereafter become incorporated areas of the City shall be included in the RR, Rural Residential District until such property shall be assigned a district-zoned classification in accordance with Section 1207.23, *Zoning Map Amendment*.
2. *Similar Zoning District*. All territory that may hereafter become incorporated areas of the City by virtue of annexation shall be rezoned to the zoning district most similar to the previous zoning of the territory.

Article 02.02 Residential Zoning Districts

1202.03 Residential Districts Standards

2.03(A) Rural Residential (RR)

A. **Purpose**. The Rural Residential (RR) district provides for areas designed as large lots that are typically not located within subdivisions. Development in this district is primarily reserved for agriculture and very low-density detached residential developments that accommodate compatible personal agricultural uses. The district is intended to preserve a rural character in the City and to manage growth on the periphery of the City limits.

B. **Applicability**. The RR district is appropriate for the areas shown on the Future Land Use Map as Rural Residential (maximum one dwelling unit per two acres). Figures 2.03(A)-1 and 2.03(A)-2 depict examples of development patterns and the range of land uses, building types, heights, and scales that are characteristic of the RR district. The standards in Table 2.03(A)-1, *RR Lot and Building Standards*, reflect a minimum two-acre lot, plus an option for a conservation development pattern:

1. *Conventional*. The option provides for a conventional development type that permits single-unit estate-sized lots of a maximum of one unit per two acres.
2. *Conservation*. The conservation development type provides for smaller lots of a maximum of one unit per half-acre that are clustered around common open space to protect environmental resources, such as woodlands, wetlands, floodplains, and riparian areas, and as a buffer or recreational set-aside.

C. **Land Uses.** The permitted by-right (P), limited (L), conditional (C), and prohibited uses are set out in Section 1203.02, *Primary Use Table*.

Figure 2.03(A)-1, RR District Example Development Pattern

Conventional Residential

Conservation Residential

Figure 2.03(A)-2, RR District Example Imagery	
Conventional Residential	**Conservation Residential**

D. **Dimensional Standards and Illustrations.** The applicable dimensional standards for the RR district are outlined in Table 2.03(A)-1.

Table 2.03(A)-1, RR Lot and Building Standards

ac = acre u = dwelling unit u/a = unit per acre st = story ' = feet SF = Square Feet

Key			
	Development Type	**Conventional**	**Conservation**
	Open Space (min)	0%	50%
	Maximum Density (du/ac)	0.5 du/ac	1
	Minimum Floor Area **[1]**	1,800 sf.	1,800 sf.
	Lot Standards		
A	Lot Area (min ac)	2.0	0.5
B	Lot Width (min)	100'	80'
	Building Standards		
	Primary Building Placement		
C	Front Setback (min) - Street - Cul-de-sac	40' 40'	25' 25'

Table 2.03(A)-1, RR Lot and Building Standards			
	ac = acre u = dwelling unit u/a = unit per acre st = story ' = feet SF = Square Feet		
Key			
	Development Type	**Conventional**	**Conservation**
D	Side Setback (min)	25'	15'
E	Street Side Setback (min)	40'	25'
F	Rear Setback (min)	40'	30'
	Accessory Building Placement		
	Front Setback (min)	--	--
G	Side Setback (min) **[2]**	5'/10'	5'/10'
H	Street Side Setback (min)	--	--
I	Rear Setback (min) **[2]**	5'/10'	5'/10'
	Building Height and Coverage		
J	Height (max) - Stories - Feet	2.5 35'	2.5 35'
K	Lot Coverage (max)	20%	30%
	Other Site and Building Components		
	Primary Entrance Orientation	Towards primary street on front facade	Towards primary street on front facade
	Building Type Permitted	Single-Unit Detached	Single-Unit Detached
	Fence or Freestanding Walls Height (max.)		
	- Front Yard **[3]**	4'	4'
	- Side Yard	6'	6'
	- Street Side Yard	4'	4'
	- Rear Yard	6'	6'

Table 2.03(A)-1, RR Lot and Building Standards

ac = acre **u = dwelling unit** **u/a = unit per acre** **st = story** **' = feet** **SF = Square Feet**

Key			
	Development Type	**Conventional**	**Conservation**

Notes:

1. For the purposes of calculating the minimum floor area, all areas within basements, garages, stairs, and any attached or detached accessory building or structure shall not be included.
2. The first number represents accessory structures and uses under 12 feet in height and the second number is for accessory structures and uses 12 feet in height or taller. All accessory structures and uses 12 feet in height or taller shall be set back a minimum of 10 feet from the side and rear lot lines.
3. See Section 1204.22, *Screening and Fencing*.

Figure 2.03(A)-3, RR Illustrated Standards

Single-Unit Detached

Figure 2.03(A)-3, RR Illustrated Standards

Single-Unit Detached

E. **References to Related Standards.** Table 2.03(A)-2 provides the locations in the PZC for related provisions but is not meant to be an exhaustive list of all applicable requirements of this PZC.

Table 2.03(A)-2, RR References to Related Standards

Standard Topic	Location in PZC
Accessory Uses and Structures	1203.07
Open Space	Article 04.02
Building Design	1204.06
Screening and Fencing	1204.22
Floodplain and Floodway Development	City of Monroe Code of Ordinances, Chapter 1446
Parking, Loading, and Circulation	Article 04.04
Landscaping, Screening, and Buffering	Article 04.05
Signage	Article 04.06
Outdoor Lighting	Article 04.07
Subdivision Design	Chapter 1205

2.03(B) Suburban Residential (SR)

A. **Purpose**. The Suburban Residential (SR) district provides for areas for large, estate-sized residential development or lots clustered around common open space in a conservation-style designed subdivision. Lots

are designed to be located within traditional subdivisions that have improvements such as curbs and sidewalks and limited use of cul-de-sacs to form more connected street networks. Developments within this district may include parks, schools religious institutions, and facilities that provide nearby community amenities for the residents in appropriate locations.

B. **Applicability**. The SR district is appropriate for the areas shown on the Future Land Use Map as Large Lot Residential (maximum two dwelling units per acre). Figures 2.03(B)-1 and 2.03(B)-2 depict examples of development patterns and the range of land uses, building types, heights, and scales that are characteristic of the SR district. The standards in Table 2.03(B)-1, *SR Lot and Building Standards*, reflect a minimum lot size, plus an option for conservation development patterns:

1. *Conventional*. The conventional pattern provides for a development type that provides for single-unit large-lot residential parcels of at least one-half acre.
2. *Conservation*. The conservation development type provides for smaller lots of at least 7,500 square feet that are clustered around common open space to protect environmental resources, such as woodlands, wetlands, floodplains, and riparian areas, and as a buffer or recreational set-aside.

C. **Land Uses.** The permitted by-right (P), limited (L), conditional (C), and prohibited uses are set out in Section 1203.02, *Primary Use Table*.

Figure 2.03(B)-1, SR District Example Development Pattern

SR Conventional Development Type

SR Conservation Development Type

Figure 2.03(B)-2, SR District Example Imagery	
SR Single-Unit Detached Home	**SR Single-Unit Detached Home**

D. **Dimensional Standards and Illustrations.** The applicable dimensional standards for various housing/building and development types for the SR district are outlined in Table 2.03(B)-1, *SR Lot and Building Standards*. Except as provided in Article 02.05, *Measurements and Specific Allowances*, and Section 1202.04, *Development Types*, no lot shall be reduced in size so that its area, width, setback requirements, gross density, or other requirements of Table 2.03(B)-1 are not maintained.

Table 2.03(B)-1, SR Lot and Building Standards

ac = acre du = dwelling unit du/ac = dwelling unit per acre st = story sf. = square feet ' = feet

Key			
	Development Type	**Conventional**	**Conservation**
	Open Space (min)	15%	50%
	Maximum Density (du/ac)	1.90	2.57
	Minimum Floor Area **[1]**	1,800 sf.	1,800 sf.
	Lot Standards		
A	Lot Area (min ac)	0.5 ac. (21,780 sf.)	7,500 sf.
B	Lot Width (min)	100'	75'
	Building Standards		
	Primary Building Placement		

Table 2.03(B)-1, SR Lot and Building Standards

ac = acre du = dwelling unit du/ac = dwelling unit per acre st = story sf. = square feet ' = feet

Key	Development Type	Conventional	Conservation
C	Front Setback (min) - Street - Cul-de-sac	40' 40'	25' 25'
D	Side Setback (min)**[2]**	0'/10'	0'/10'
E	Street Side Setback (min)	40'	25'
F	Rear Setback (min)	30'	20'
	Accessory Building Placement		
	Front Setback (min)	--	--
G	Side Setback (min) **[3]**	5'/10'	5'/10'
H	Street Side Setback (min)	--	--
I	Rear Setback (min) **[3]**	5'/10'	5'/10'
	Building Height and Coverage		
J	Height (max) - Stories - Feet	2.5 35'	2.5 35'
K	Lot Coverage (max)	30%	40%
	Other Site and Building Components		
	Primary Entrance Orientation	Towards primary street on front facade	Towards primary street on front facade
	Building Type Permitted	Single-Unit Detached, Zero Lot Line	Single-Unit Detached, Zero Lot Line
	Fence or Freestanding Walls Height (max.)		
	- Front Yard	3'	3'

Table 2.03(B)-1, SR Lot and Building Standards

ac = acre du = dwelling unit du/ac = dwelling unit per acre st = story sf. = square feet ' = feet

Key	Development Type	Conventional	Conservation
	- Side Yard	6'	6'
	- Street Side Yard	3'	3'
	- Rear Yard	6'	6'

Notes:

1. For the purposes of calculating the minimum floor area, all areas within basements, garages, stairs, and any attached or detached accessory building or structure shall not be included.
2. The first number represents only one side yard setback as permitted for the zero-lot line dwelling unit as allowed in the SR zoning district. The second number represents the minimum for the non-zero setback side. See the definition in Section 1209.03, *Definitions*.
3. The first number represents accessory structures and uses under 12 feet in height and the second number is for accessory structures and uses 12 feet in height or taller. All accessory structures and uses 12 feet in height or taller shall be set back a minimum of 10 feet from the side and rear lot lines.

Figure 2.03(B)-3, SR Illustrated Standards

Single-Unit Detached

Figure 2.03(B)-3, SR Illustrated Standards

Zero Lot Line

E. **References to Related Standards.** Table 2.03(B)-2 provides the locations in the PZC for related provisions but is not meant to be an exhaustive list of all applicable requirements of this PZC.

Table 2.03(B)-2, SR References to Related Standards

Standard Topic	Location in PZC
Accessory Uses and Structures	1203.07
Open Space	Article 04.02
Building Design	1204.06
Screening and Fencing	1204.22
Floodplain and Floodway Development	City of Monroe Code of Ordinances, Chapter 1446
Parking, Loading, and Circulation	Article 04.04
Landscaping, Screening, and Buffering	Article 04.05
Signage	Article 04.06
Outdoor Lighting	Article 04.07
Subdivision Design	Chapter 1205

2.03(C) General Residential (GR)

A. **Purpose**. The General Residential (GR) district provides areas for a range of housing types and lot sizes in a residential subdivision. Developments within this district shall also include parks, schools, public assembly facilities, certain commercial uses, or similar facilities that provide nearby community amenities for the residents in appropriate locations. The GR district provides a development option of smaller lots that provide for a variety of single-unit detached and attached housing types clustered around common open spaces used as buffers between districts or housing types. The site design should provide for resource protection and preservation of sensitive lands.

B. **Applicability**. The GR district is appropriate for the areas shown on the Future Land Use Map as Mixed Residential. Figures 2.03(C)-1 and 2.03(C)-2 depict examples of development patterns and the range of land uses, building types, heights, and scales that are characteristic of the GR district. The standards in Table 2.03(C)-1, *GR Lot and Building Standards*, reflect minimum square footage for the housing types permitted in the conventional option, plus an option for conservation development patterns:

1. *Conventional*. The conventional pattern provides for a conventional development type that provides for a variety of housing types, including single-unit detached, zero lot line, and single-unit attached residential lots. The conventional pattern includes community space and amenities.
2. *Conservation*. The conservation development type provides for smaller lots of at least 3,500 square feet that are clustered around common open space to protect environmental resources, such as woodlands, wetlands, floodplains, and riparian areas, and as a buffer or recreational set-aside. The conservation pattern includes community space and amenities.

C. **Land Uses.** The permitted by-right (P), limited (L), conditional (C), and prohibited uses are set out in Section 1203.02, *Primary Use Table*.

Figure 2.03(C)-1, GR District Example Development Pattern

Conventional Development Type

Conservation Development Type

Figure 2.03(C)-2, GR District Example Imagery	
Single-Unit Detached	**Townhouse - Conservation**
Duplex - Conventional	**Duplex - Conservation**

D. **Dimensional Standards and Illustrations.** The applicable dimensional standards for various building and development types for the GR district are outlined in Table 2.03(C)-1, *GR Lot and Building Standards*. Except as provided in Article 02.05, *Measurements and Specific Allowances*, and Section 1202.04, *Development Types*, no lot shall be reduced in size so that its area, width, setback requirements, gross density, or other requirements of Table 2.03(C)-1 are not maintained.

Table 2.03(C)-1, GR Lot and Building Standards

ac = acre du = dwelling unit du/a = unit per acre st = story sf. = square feet ' = feet

Key	Development Type	Conventional	Conservation
	Open Space (min.)	15%	30%
	Maximum Density (du/ac)	6	8
	Minimum Floor Area **[1]** Single-Unit Detached Single-Unit Attached/Duplex Zero Lot Line Townhouse	 1,800 sf. 1,600 sf. 1,800 sf. 1,600 sf.	 1,800 sf. 1,600 sf. 1,800 sf. 1,600 sf.
	Lot Standards		
A	Lot Area (min.) Single-Unit Detached Single-Unit Attached/Duplex Zero Lot Line Townhouse	 6,000 sf. 2,500 sf. 6,000 sf. 2,000 sf.	 3,500 sf. 1,500 sf. 3,500 sf. 1,500 sf.
B	Lot Width (min.)	40'	30'
	Building Standards		
	Primary Building Placement		
C	Front Setback (min.)	30'	20'
D	Side Setback (min.) **[2]**	0/5'	0/5'
E	Street Side Setback (min.)	20'	15'
F	Rear Setback (min.)	30'	20'
	Accessory Building Placement		
	Front Setback (min.)	--	--
G	Side Setback (min.) **[3]**	5'/10'	5'/10'

Table 2.03(C)-1, GR Lot and Building Standards

ac = acre du = dwelling unit du/a = unit per acre st = story sf. = square feet ' = feet

Key	Development Type	Conventional	Conservation
H	Street Side Setback (min.)	--	--
I	Rear Setback (min.) **[3]**	5'/10'	5'/10'
	Building Height and Coverage		
J	Height (max.) - Stories - Feet	2.5 30'	2.5 / 3.0 30' / 40'
K	Lot Coverage (max.)	55%	55%
	Other Site and Building Components		
	Primary Entrance Orientation	Towards primary street on front facade	Towards primary street on front facade
	Building Type Permitted	Single-Unit Detached, Zero Lot Line, Single-Unit Attached, Duplex, Townhouse	Single-Unit Detached, Zero Lot Line, Single-Unit Attached, Duplex, Townhouse
	Fence or Freestanding Walls Height (max.)		
	- Front Yard	3'	3'
	- Side Yard	6'	6'
	- Corner Yard	3'	3'
	- Rear Yard	6'	6'

Notes:

1. To calculate the floor area, all areas within basements, garages, stairs, and any attached or detached accessory building or structure shall not be included.
2. The first number represents only one side yard setback as permitted for the zero-lot line dwelling unit as allowed in the SR zoning district. The second number represents the minimum for the non-zero setback side. See the definition in Section 1209.03, *Definitions*.
3. The first number represents accessory structures and uses under 12 feet in height and the second number is for accessory structures and uses 12 feet in height or taller. All accessory structures and uses 12 feet in height or taller shall be set back a minimum of 10 feet from the side and rear lot lines.

Figure 2.03(C)-3, GR Illustrated Standards

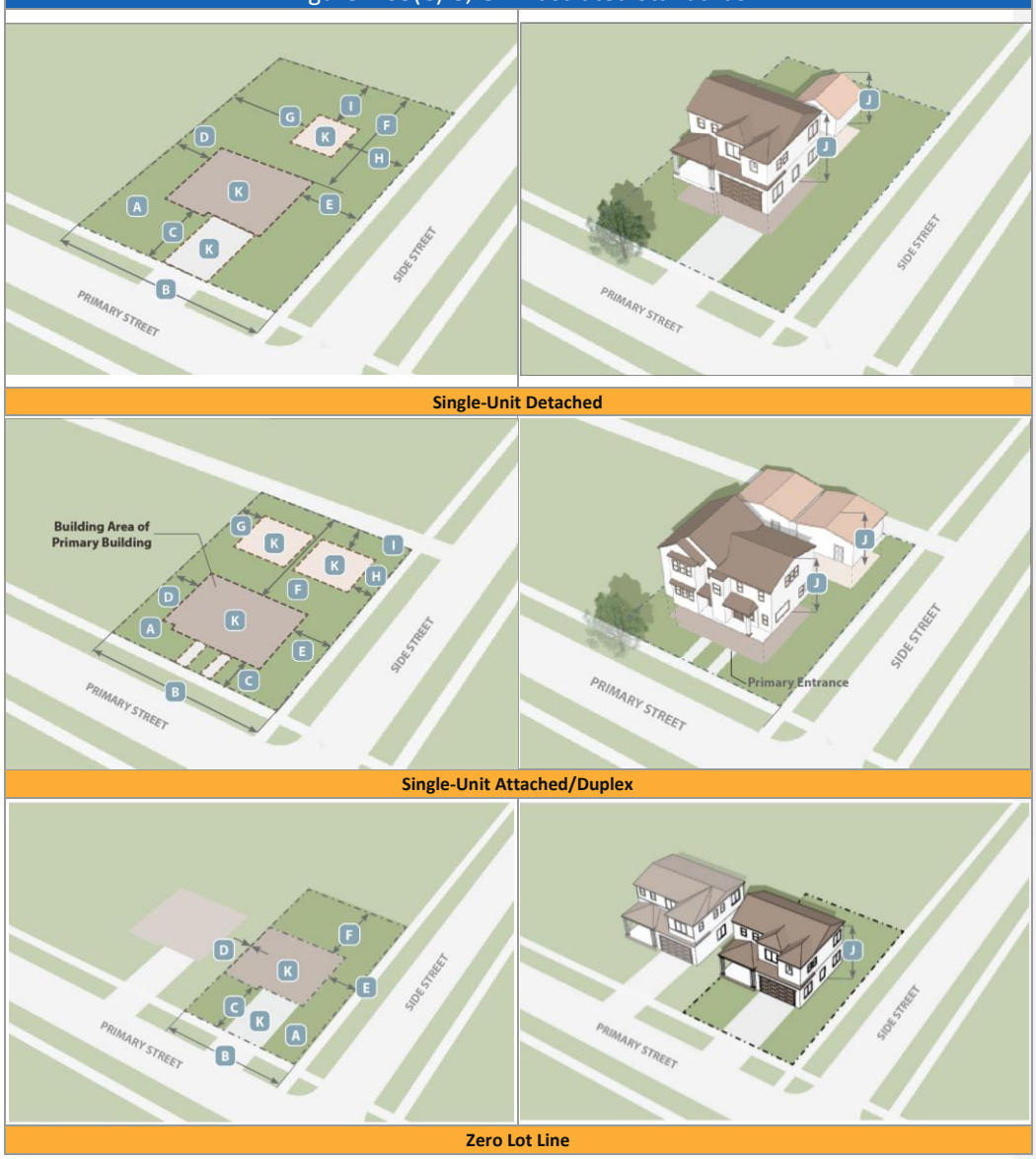
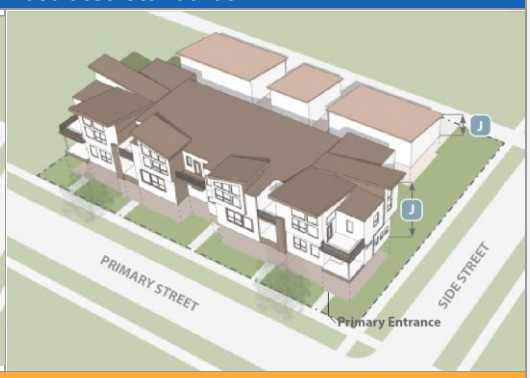


Figure 2.03(C)-3, GR Illustrated Standards	
	
Townhouse	

E. **References to Related Standards.** Table 2.03(C)-2 provides the locations in the PZC for related provisions but is not meant to be an exhaustive list of all applicable requirements of this PZC.

Table 2.03(C)-2, GR References to Related Standards	
Standard Topic	Location in PZC
Accessory Uses and Structures	1203.07
Open Space	Article 04.02
Building Design	1204.06
Screening and Fencing	1204.22
Floodplain and Floodway Development	City of Monroe Code of Ordinances, Chapter 1446
Parking, Loading, and Circulation ~~Required Parking~~	Article ~~12~~04.0~~1~~4
Landscaping, Screening, and Buffering	Article 04.05
Signage	Article 04.06
Outdoor Lighting	Article 04.07
Subdivision Design	Chapter 1205

2.03(D) Neighborhood Conservation (NC)

A. **Purpose**. The Neighborhood Conservation (NC) district provides for preserving the character of the designated existing residential neighborhoods that were developed under previous zoning categories that are no longer used in this Code, or of record platted areas that may now be nonconforming.

B. **Applicability**. The NC district is appropriate for the areas shown on the Future Land Use Map as Mixed Residential (maximum four dwelling units per acre) in established residential subdivisions. Figures 2.03(D)-1 and 2.03(D)-2 depict examples of development patterns and the range of land uses, building

types, heights, and scales that are characteristic of the NC district. The standards in Table 2.03(D)-1, *NC Lot and Building Standards*, reflect a minimum 9,000 sf. lots.

C. **Land Uses.** The permitted by-right (P), limited (L), conditional (C), and prohibited uses are set out in Section 1203.02, *Primary Use Table*.

Figure 2.03(D)-1, NC District Example Development Pattern

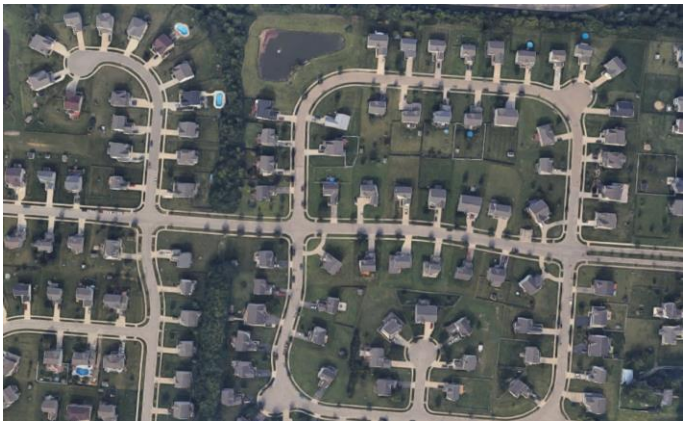


Figure2.03(D)-2, NC District Example Imagery

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D. **Dimensional Standards and Illustrations.** The applicable dimensional standards for the NC district are outlined in Tables 2.03(D)-1, *NC Lot and Building Standards*.

Table 2.03(D)-1, NC Lot and Building Standards

ac = acre du = dwelling unit d u/a = unit per acre sf. = square feet ' = feet

Key			
	Development Type	**Infill**	**Permitted Nonresidential Uses**
	Open Space (min)	0%	0%
	Maximum Density (du/ac)	4	--
	Minimum Floor Area **[1]**	1,800 sf.	--
	Lot Standards		
A	Lot Area (min ac)	9,000 sf.	20,000 sf.
B	Lot Width (min)	75'	100'
	Building Standards		
	Primary Building Placement		
C	Front Setback (min) - Street - Cul-de-sac	40' 40'	40' 40'
D	Side Setback (min)	10'	20'
E	Street Side Setback (min)	40'	40'
F	Rear Setback (min)	30'	30'
	Accessory Building Placement		
	Front Setback (min)	--	--
G	Side Setback (min)**[2]**	5'/10'	5'/10'
H	Street Side Setback (min)	10'	10'
I	Rear Setback (min) **[2]**	5'/10'	5'/10'

Table 2.03(D)-1, NC Lot and Building Standards

ac = acre du = dwelling unit d u/a = unit per acre sf. = square feet ' = feet

Key	Development Type	Infill	Permitted Nonresidential Uses
	Building Height and Coverage		
J	Height (max) - Stories - Feet	2.5 35'	2.5 35'
K	Lot Coverage (max)	35%	35%
	Other Site and Building Components		
	Primary Entrance Orientation	Towards primary street on front facade	Towards primary street on front facade
	Building Type Permitted	Single-Unit Detached	--
	Fence or Freestanding Walls Height (max.)		
	- Front Yard	3'	3'
	- Side Yard	6'	6'
	- Corner Yard	3'	3'
	- Rear Yard	6'	6'

Notes:

1. For the purposes of calculating the floor area, all areas within basements, garages, stairs, and any attached or detached accessory building or structure shall not be included.
2. The first number represents accessory structures and uses under 12 feet in height and the second number is for accessory structures and uses 12 feet in height or taller. All accessory structures and uses 12 feet in height or taller shall be set back a minimum of 10 feet from the side and rear lot lines.

Figure 2.03(D)-3, NC Illustrated Standards

Single-Unit Detached

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E. **References to Related Standards.** Table 2.03(D)-2 provides the locations in the PZC for related provisions but is not meant to be an exhaustive list of all applicable requirements of this PZC.

Table 2.03(D)-2, NC References to Related Standards

Standard Topic	Location in PZC
Accessory Uses and Structures	1203.07
Open Space	Article 04.02
Building Design	1204.06
Screening and Fencing	1204.22
Floodplain and Floodway Development	City of Monroe Code of Ordinances, Chapter 1446
~~Required Parking~~Parking, Loading, and Circulation	~~1204.14~~Article 04.04
Landscaping, Screening, and Buffering	Article 04.05
Signage	Article 04.06
Outdoor Lighting	Article 04.07
Subdivision Design	Chapter 1205

2.03(E) Urban Residential (UR)

A. **Purpose**. The Urban Residential (UR) district provides for areas of higher gross density designed to accommodate a diverse range of housing types including single-unit attached and multi-unit dwellings. The district is intended for areas within or adjacent to mixed-use centers to serve as a higher-density residential transition from suburban ~~and semi-urban~~ neighborhoods. Given its urban transition character, there are higher densities and greater amenity spaces set aside for streetscapes, greens, common landscaping, plazas, and resident gathering areas, as well as common landscaping and screening. Amenities

are linked together with abutting developments to create a system of interconnected public spaces. The role of the UR District is to provide a variety of living types and spaces near and in support of commercial businesses and work spaces within mixed-use centers.

B. **Applicability**. The UR district is appropriate for the areas shown on the Future Land Use Map as Multi-Family Residential. Figures 2.03(E)-1 and 2.03(E)-2 depict examples of development patterns and the range of land uses, housing types, heights, and scales that are characteristic of the UR district. The standards in Table 2.03(E)-1, *UR Lot and Building Standards*, reflect a minimum 2,800 square foot lot for a duplex/single-unit attached housing type, plus options for townhouse, multiplex, multi-unit (apartment), and permitted nonresidential uses.

C. **Land Uses.** The permitted by-right (P), limited (L), conditional (C), and prohibited uses are set out in Section 1203.02, *Primary Use Table*.

Figure 2.03(E)-1, UR District Example Development Pattern

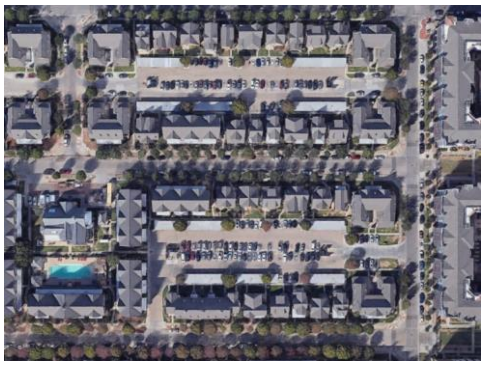


Figure 2.03(E)-2, UR District Example Imagery	
Cottage Court	**Townhouse**
Multiplex	**Multi-Unit**

D. **Dimensional Standards and Illustrations.** The applicable dimensional standards for the UR district are outlined in Table 2.03(E)-1.

Table 2.03(E)-1, UR Lot and Building Standards

ac. = acre du/a = unit per acre st = story ' = feet sf. = square feet -- = not applicable

Key	Building Type	Duplex/ Single-Unit Attached[2]	Cottage[4,5]	Townhouse[2]	Multiplex	Multi-Unit (Apartment)	Permitted Nonresidential Uses
	Open Space (min)	15%	15%	15%	15%	15%	15%
	Maximum Density (du/ac)	20					--
	Minimum Floor Area **[1]**	1,600 sf.	1,100 sf.	1,600 sf.	--	--	--
	Lot Standards						
A	Lot Area (min.)	2,800 sf.	1,000 sf.	2,000 sf.	5,000 sf.	5,000 sf.	40,000 sf.
B	Lot Width (min)	20'	20'	20'	50'	50'	100'
	Building Standards						
	Primary Building Placement						
C	Front Setback (min)	25'	25'	25'	25'	25'	40'
D	Side Setback (min)	10'	10'	10'	10'	10'	20'
E	Street Side Setback (min)	10'	10'	10'	10'	10'	20'
F	Rear Setback (min)	30'	15'	30'	30'	30'	40'
	Accessory Building Placement						
	Front Setback (min)	--	--	--	--	--	--
G	Side Setback (min) **[3]**	5'/10'	5'/10'	5'/10'	5'/10'	--	5'/10'
H	Street Side Setback (min)	--	--	--	--	--	--
I	Rear Setback (min) **[3]**	5'/10'	5'/10'	5'/10'	5'/10'	--	5'/10'
	Building Height and Coverage						
J	Height (max) - Stories - Feet	3.0 st. 35'	3.0 st. 35'	3.0 st. 35'	3.0 st. 35'	3.0 st. 35'	3.0 st. 35'

Table 2.03(E)-1, UR Lot and Building Standards

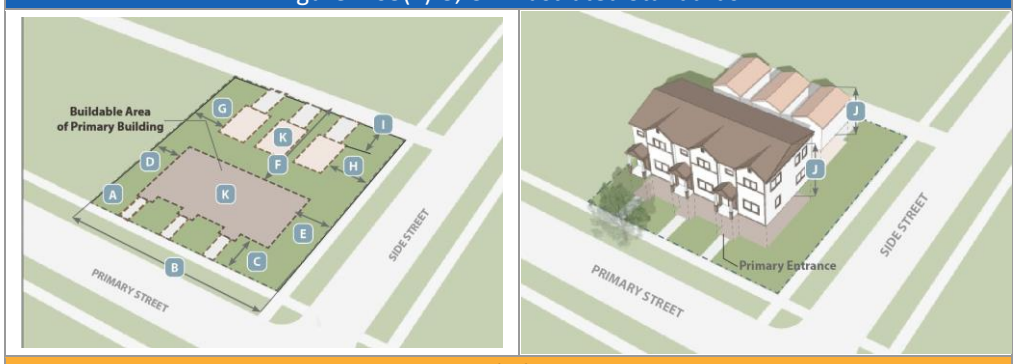
ac. = acre du/a = unit per acre st = story ' = feet sf. = square feet -- = not applicable

Key	Building Type	Duplex/ Single-Unit Attached[2]	Cottage[4,5]	Townhouse[2]	Multiplex	Multi-Unit (Apartment)	Permitted Nonresidential Uses
K	Lot Coverage (max)	60%	60%	60%	60%	60%	60%
	Other Site and Building Components						
	Primary Entrance Orientation	Towards primary street on front facade or on corner. Homes within Cottage Court development sites may front upon common open space or common court.					
	Fence or Freestanding Walls Height (max.)						
	- Front Yard	4'	4'	4'	4'	4'	4'
	- Side Yard	6'	6'	6'	6'	6'	6'
	- Street Side Yard	6'	6'	6'	6'	6'	6'
	- Rear Yard	6'	6'	6'	6'	6'	6'

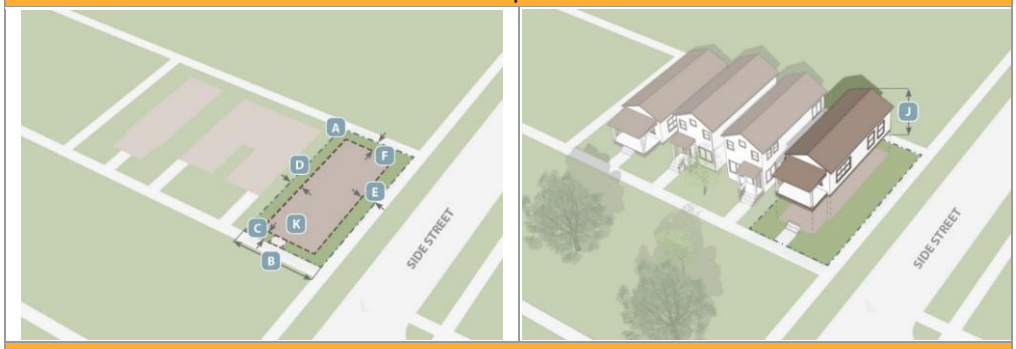
Notes:

1. For the purposes of calculating the floor area, this shall include all areas "per dwelling unit." Areas within basements, garages, stairs, and any attached or detached accessory building or structure shall not be included. There shall be a minimum total floor area of 900 square feet plus an additional 150 square feet for each additional sleeping room over one.
2. Minimum lot area is calculated on a "per dwelling unit" basis. Minimum lot width is calculated for the entire lot.
3. The first number represents accessory structures and uses under 12 feet in height and the second number is for structures and uses 12 feet in height or taller. All accessory structures and uses 12 feet in height or taller shall be set back a minimum of 10 feet from the side and rear lot lines.
4. A cottage court development shall contain a minimum of three cottages.
5. For standards related to cottage court development, see Section 1202.04, *Development Types*.

Figure 2.03(E)-3, UR Illustrated Standards



Multiplex



Cottage Court

Townhouse

Figure 2.03(E)-3, UR Illustrated Standards	
Multi-Unit	

E. **References to Related Standards.** Table 2.03(E)-2 provides the locations in the PZC for related provisions but is not meant to be an exhaustive list of all applicable requirements of this PZC.

Table2.03(E)-2, UR References to Related Standards	
Standard Topic	Location in PZC
Accessory Uses and Structures	1203.07
Open Space	Article 04.02
Building Design	1204.~~05~~06
Screening and Fencing	1204.~~21~~22
Floodplain and Floodway Development	City of Monroe Code of Ordinances, Chapter 1446
Parking, Loading, and Circulation	Article 04.04
Landscaping, Screening, and Buffering	Article 04.05
Signage	Article 04.06
Outdoor Lighting	Article 04.07
Subdivision Design	Chapter 1205

1202.04 Development Types

A. **Purpose.** The standards set forth in this section establish unique and additional design and development standards for certain types of residential development not typically applicable to other forms of development in terms of use, configuration, or both. More specifically, these standards are intended to:

1. Promote a strong sense of place and pedestrian-friendly development through visual design interest and human-scale site design; and
2. Accommodate greater housing choices and options within sites of new development, infill development, and redevelopment contexts.

B. **Generally.** Development of any development type permitted in the zoning district is at the option of the applicant. Where more than one development type is permitted in a zoning district, no singular development type is mandatory. Refer to Section 1202.03, *Residential Districts Standards*, for lot density and dimension standards related to each permitted development and housing type combination.

C. **Time of Review.** The review of proposed development types to ensure compliance with the standards of this section shall occur during procedural review of a Site Plan (see Section 1207.15), Master Development Plan (see Section 1207.16), or Preliminary Plan (Section 1207.31), as appropriate.

D. **Permitted Residential Districts**. Table 1202.04-1, *Permitted Development Types by Residential District*, establishes the development types that are permitted in each residential zoning district.

Table 1202.04-1 Permitted Development Types by Residential District					
Development Types	RR	SR	GR	NC	UR
	"P" = Permitted | "--" = Not Permitted				
Conventional	P	P	P	P	P
Conservation	P	P	P	--	--
Infill	P	P	P	P	P
Cottage Court	--	--	--	--	P

E. **Applicability**. This Section established standards that are specific or unique to the various permitted development types.

F. **Development Types.**

1. *Conventional*.

   a. *Description*. The conventional development type, as depicted in Figure 1202.04-1, is a pattern that allows primarily residential uses. A conventional development type consists of varying housing types depending on the zoning district and minimum lot size is a primary factor in the character built environment of the development.

   b. *Standards*. All the requirements of this Article shall apply to conventional development types unless otherwise specified.

Figure 1202.04-1 Conventional Development Type

.

2. *Conservation*.
   a. *Description*. A conservation development type, as depicted in Figure 1202.04-2, consists of smaller lots than conventional development that are clustered together in order to provide for more common civic and open spaces. The common open space may be set-aside for resource features such as private parks, recreation areas, woodlands, creeks, streams, and similar features.
   b. *Housing Types in the GR and UR Zoning Districts*. A conservation development type in the GR and UR zoning districts may develop multiple housing types as permitted in Table 1203.02-1, *Primary Use Table.* No one lot size or configuration or building type may exceed a total of 70 percent of all the residential units in the development.
   c. *Minimum Site Area*. The minimum site area required for a conservation development is 5 acres.
   d. *Common Civic and Open Space Requirements.*
      i. Regardless of whether common open space is on privately or publicly owned property, the space shall be open to the public at the same hours as a comparable City park.

ii. A minimum of 75 percent of the required civic and open space shall consist of the natural area open space type per Article 04.02, *Open Space*. Open space shall be integrated into the development design so as to bring access to significant open space to the maximum number of properties; provided, however, that physical access may be limited if such limitation would materially enhance natural resource management.

iii. Land area within the conservation development dedicated to nonresidential uses permitted within the base zoning district shall not exceed 10 percent of the total land area of the development. In addition, such uses may be counted toward 10 percent of the common open space requirement established in Section 1202.03, *Residential District Development Standards*. For example, a 20-acre conservation development with single-unit attached and detached dwellings requires three acres (15% of the development) of civic and common open space. The development may have up to two acres of nonresidential uses and 13,068 square feet of nonresidential development counts toward the civic and open space requirement.

e. *Minimum Lot Area Adjacent to Other Development*. Conservation development lots directly abutting existing conventional single-unit development shall be:

i. Equal to or greater than the lot area and width of the existing adjacent lots;

ii. Separated from adjacent lots by a Type A bufferyard; or

iii. The dwelling units on the perimeter cluster shall be set back from the boundary of the conservation development a minimum of the following distances based on the number of conservation lots being developed:

(A) One to 10 lots: 30 feet;

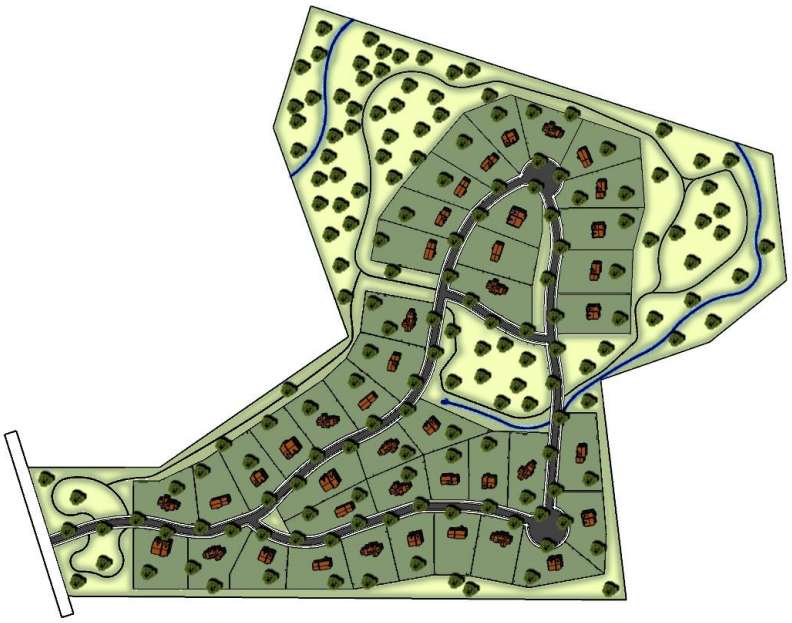
(B) 11 to 30 lots: 40 feet; and

(C) 31 or more lots: 50 feet.

f. *Distance from Residential Lots*. All required common open space shall be accessible and located no further than 1,200 feet from any residential lot within the conservation development, measured along a sidewalk or trail from the nearest property line of the lot to the nearest property line of the open space. Widths of public rights-of-way and pedestrian easements shall be excluded from the 1,200 feet calculation.

g. *Buffering Requirements*. A bufferyard along the perimeter of the conservation development may count toward the required common open space. However, no more than 25% of the total required open space may be within the perimeter buffer yard.

Figure 1202.04-2
Conservation Development Type



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3. *Infill*.
   a. Description. An infill development type may consist of different lot sizes and configurations than conventional or conservation developments that make efficient use of land and infrastructure on vacant or underutilized lots in already developed areas.
   b. *Eligibility for Infill*. An infill development type may be located on any parcel:
      i. *Vacant or Unoccupied.* That is surrounded by existing developed properties and has been vacant or unoccupied for more than five years;
      ii. *Utility Easements*. Where adjacent properties abutting at least 50 percent of the non-street perimeter of the subject property are utility easements that create a substantial break in development or redevelopment potential;
      iii. *Existing Development.* Where adjacent properties abutting at least 50 percent of the non-street perimeter of the subject property are developed.
   c. *Appearance*. Infill development shall be constructed to be compatible in appearance with other existing structures in the context, as established in Paragraph d.vii., *Context*, below, that comply with

this Code. This provision shall be satisfied by constructing the proposed building(s) so that at least four of the following features are substantially similar to the majority of other buildings in the context:

i. Roof pitch and overhang;

ii. Shape, size, and alignment of windows and doors;

iii. Front porches or porticos;

iv. Exterior building materials;

v. Exterior building color; or

vi. Location and style of garage.

d. *Alternative Standards*. In place of the standards in Section 1202.03, *Residential District Standards*, and other standards of this Code, the applicant may utilize the following alternative standards.

i. *Lot Area and Width*. The minimum lot area may be that of the smallest lot in the context of the development, as defined in Paragraph ~~e~~vii, Context, below. The minimum lot width may be that of the narrowest lot in the context of the development. Refer to Section 1207.33, *Replat*, for requirements related to replatting existing lots.

ii. *Minimum Floor Area.* The minimum floor area may be that of the average floor area in the context of the development.

iii. *Maximum Building Height*. The maximum building height may be that of the tallest building in the context, plus 15 percent of the height.

iv. *Minimum / Maximum Setbacks.*

(A) The minimum front or street side setback may be that of 80 percent of the average front or street side setbacks in the context of the development.

(B) The maximum front and street side setback, where applicable, may be that of the average of the front and street side setbacks of the context of the development, plus 10 percent.

(C) The minimum side and rear setbacks may be that of 80 percent of the average side or rear setbacks in the context of the development.

v. *Buffering*. Except as required for specific uses in Article 03.01, *Use Standards*, where a buffer is required along a street or parking area, or between zoning districts, the buffer width and planting materials per 100 feet may be reduced by 50%.

vi. *Parking*. The development may take advantage of the parking credits and reductions in Section 1204.13, *Parking Credits and Reductions*.

vii. *Context*. This Subsection identifies various contexts that inform the allowances provided in Subsection d., Alternative Standards, above, and as depicted in Figure 1202.04-4, *Context Illustrations*.

(A) Alley Lot. If the infill site is an alley lot ~~(shown in blue)~~, then the context consists of other adjacent alley lots and the surrounding lots within the block that includes the infill site (shown in green).

(B) Corner Lot. If the infill site is a corner lot ~~(shown in blue)~~, then the context consists of both block faces that include the infill site and the lots directly across the street from the infill site.

(C) Interior Lot. If the infill site is an interior lot ~~(shown in blue)~~, then the context consists of the block face that includes the infill site and the lots directly across the street from the infill site.

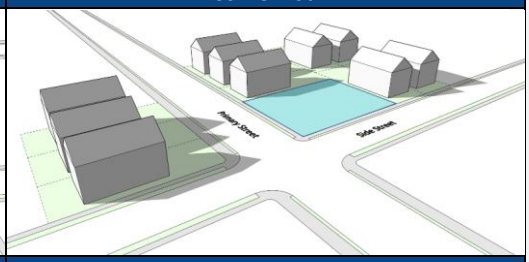
(D) Lots in Unimproved Block Face. If the infill site is within a block face that does not include other lots improved with buildings ~~(shown in blue)~~, then the context consists of the opposing block faces (being immediately opposite the same street as the project site) and the remaining lots on the block of the infill site.

(E) Lots in Unimproved Block. If the infill site is within a block that does not include other lots improved with buildings ~~(shown in blue)~~, and the block face opposite the given project site does not include other lots improved with buildings, then the context consists of the block faces surrounding the block that includes the infill site.

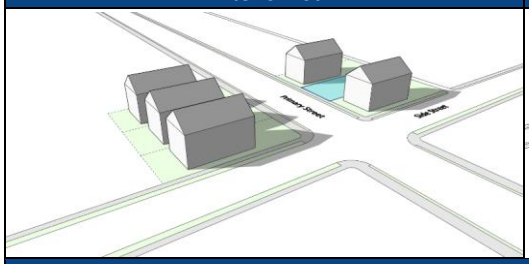
Figure 1202.04-4 Context Illustrations

Alley Lot

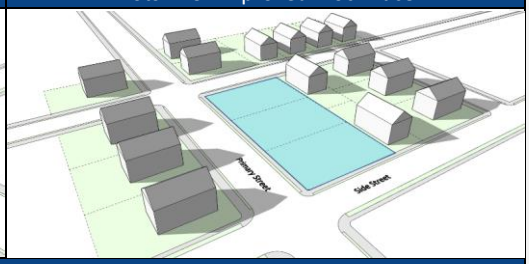
Corner Lot



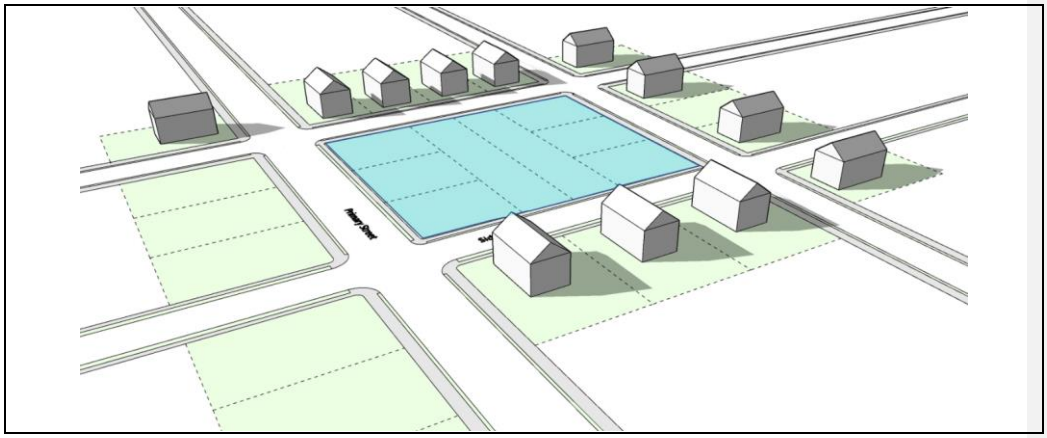
Interior Lot



Lots in Unimproved Block Face



Lots in Unimproved Block



3. *Cottage Court.*
   a. Description. A cottage court development type, as depicted in Figure 1202.04-5, broadens the diversity of housing options available in the community to provide accessible, adequate, and affordable housing. This development type contains single-unit detached housing units typically arranged in a cluster of four to 12 dwelling units around a common open space, and may include a common building as an amenity (e.g., a common kitchen or meeting area). Vehicular access may be provided by a shared parking lot.
   b. Building Requirements.
      i. Minimum Site Area. The minimum site area for the development of a cottage court development type shall be one-half acre. The maximum site area shall be no greater than five acres.
      ii. Common Areas. The following shall apply to a cottage court development type:
         (A) Common open space shall be a minimum of 30 percent of the overall site and shall include a central green, lawn or garden area, playground, or plaza as a central focal point of all dwellings.
         (B) Common area improvements shall include pedestrian walkways connecting each dwelling unit to a community-wide sidewalk network, shared parking areas or garages, and a Type A bufferyard around the perimeter of the site that incorporates landscape materials and earthen berm and/or a wall or fence to provide a visual buffer from adjacent development. See Section 1204.21, *Bufferyard Landscaping*.
         (C) If a common building is permitted as accessory to a cottage court neighborhood and may serve all residents, its gross floor area shall be no greater than 10 percent of the site area. A common building may not include bedrooms.
   c. Required Vehicular Access to Cottage Court Development Types. A cottage court development types require direct access from a local, minor, or collector street type.

d. Garages. The following garage structure requirements shall apply to a cottage court development type:

i. If provided, detached garages serving more than one dwelling unit shall be accessed via a private drive or alley.

ii. Garage doors are prohibited from facing public streets rights-of-way unless screened by a Type B bufferyard.

iii. A garage shall not exceed four car bays.

iv. Garage buildings shall match the principal dwellings in terms of roof pitch, roof materials, materials, material patterns, and color.

Figure 1202.04-5,
Cottage Court Development Type

Article 02.03 Mixed Use and Nonresidential Zoning Districts

1202.05 Mixed Use and Nonresidential Districts Standards

2.05(A) Mixed-Use (MU)

A. **Purpose**. The Mixed-Use (MU) District provides for areas that foster the development of high-activity uses within a connected and walkable environment outside of the downtown area. The district ~~concentrates~~ requires a compatible mix of residential, commercial, retail, service, live-work uses, and open spaces, together with certain governmental, educational, religious, recreational, and support uses. Urban design standards maintain a neighborhood commercial scale, promote pedestrian activity, and maintain the unique character of innovative design. Development within this district is denser than other parts of the City and generally consists of multi-story buildings that are built to the street; parking that is located on-street, to the rear of the property, built under or on top of a building, or in standalone parking structures.

B. **Applicability**. The MU district is appropriate for the areas shown on the Future Land Use Plan Map as Mixed-Use. Figures 2.05(A)-1 and 2.05(A)-2 depict examples of development patterns and the range of land uses, building types, heights, and scales that are characteristic of the MU district.

C. **Land Uses.** The permitted by-right (P), limited (L), conditional (C), and prohibited uses are set out in Section 1203.02, *Primary Use Table*.

Figure 2.05(A)-1, MU District Example Development Pattern

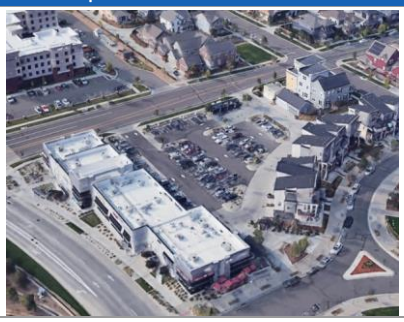


Figure 2.05(A)-2, MU District Example Imagery	
Mixed-Use Building	**Live-Work Building**

D. **Dimensional Standards and Illustrations.** Table 2.05(A)-1, MU Lot and Building Standards, below, establishes the standards for mixed-use and nonresidential in the MU district. Permitted residential uses shall be developed by the standards in Section 2.03(E), *Urban Residential*. Unless the use is a Live-Work building type, the lot and building standards for the Mixed-Use building type shall apply.

Table 2.05(A)-1, MU Lot and Building Standards

ac. = acre du = dwelling unit sf. = square feet st. = story ' = feet N/A = Not Applicable

Key	Category	Live-Work	Mixed-Use
	Lot Area (min.)	N/A	N/A
A	Lot Width (min.)	20'	20'
	Open Space (min.)	15%	15%
	Maximum Density	For residential densities in the MU district, see Section 2.03(E), *Urban Residential (UR)*	
	Building Standards		
	Building Placement and Lot Coverage		
B	Frontage Buildout (front/side)(min.)	80%/60%	80%/60%
C	Front Setback (min./max.) **[1]**	0'/10'	0'/10'
D	Interior Side Setback (min./max.)	0'	0'
E	Street Side Setback (min./max.)	0'/10'	0'/10'
F	Rear Setback (min)	10'	0'

Table 2.05(A)-1, MU Lot and Building Standards			
ac. = acre du = dwelling unit sf. = square feet st. = story ' = feet N/A = Not Applicable			
Key	Category	Live-Work	Mixed-Use
	Building Height and Coverage		
G	Height (max.)	45'/3 stories	60'/5 stories
H	Lot Coverage (max.)	90%	90%
	Access and Parking		
--	Parking Type(s)	On-Street/On-Site	On-Street/On-Site
--	Parking Location	Side/Rear	Side/Rear
	Parking Lot Setback	10'	10'
	Required Parking Spaces	See Section 1204.13, *Off-Street Loading and Stacking* for number of spaces required.	See Section 1204.13, *Off-Street Loading and Stacking* for number of spaces required.
	Other Site and Building Components		
	Frontage Type	Porch, Stoop, Gallery, Forecourt, Storefront, or Terrace. See Section 1204.08, *Frontage Types*	Porch, Stoop, Gallery, Forecourt, Storefront, or Terrace. See Section 1204.08, *Frontage Types*
	Primary Entrance Orientation	Towards primary street on front facade or on corner	Towards primary street on front facade or on corner
	Allowed Setback Encroachments (max.) [2]		
	- Architectural Features	2'	2'
	- Building Frontage	3'	3'
	Accessory Building Setbacks (min.)		
	- Front, Street Side	Accessory buildings shall not be located in the front or street-facing side yard on a corner lot.	Accessory buildings shall not be located in the front or street-facing side yard on a corner lot.
	- Alley	5'	5'
	- Any Other Property Line	5'	5'
	Accessory Building Height	35'	35'
	Fence or Freestanding Walls Height (max.)		
	- Front Yard	3'	3'
	- Side Yard	6'	6'
	- Corner Yard	3'	3'
	- Rear Yard	6'	6'

Table 2.05(A)-1, MU Lot and Building Standards

ac. = acre **du = dwelling unit** **sf. = square feet** **st. = story** **' = feet** **N/A = Not Applicable**

Key	Category	Live-Work	Mixed-Use

Notes:

1. A setback that adjoins and shares a common property line with another district shall be the greater width of the setback or the minimum required district buffer as outlined in Article 04.05, *Landscaping, Screening, and Buffering*. All surface parking along public roads must be screened with landscaping or 3-foot masonry wall.
2. Setback encroachments shall only apply to architectural features such as defined in Section 1204.08, *Frontage Types*, and as specified in Section 1202.12, *Specific Allowances*.

Figure 2.05(A)-3, MU Illustrated Standards

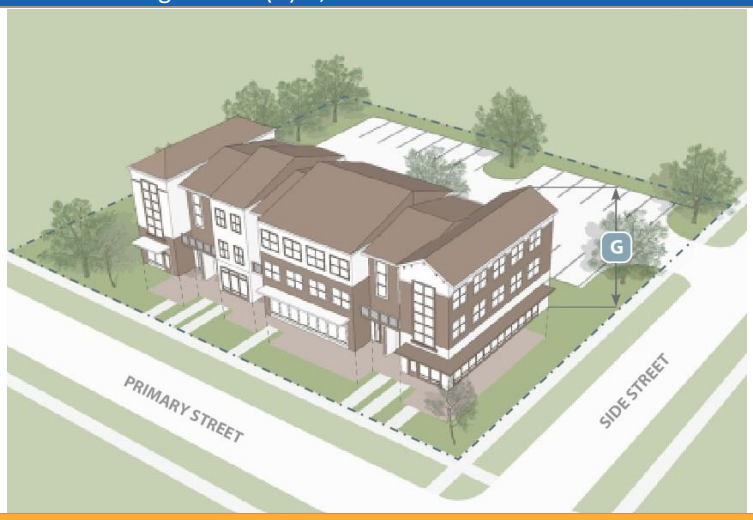
Mixed Use - Building Placement

Figure 2.05(A)-3, MU Illustrated Standards

Mixed-Use - Building Height

Live-Work - Building Placement

Figure 2.05(A)-3, MU Illustrated Standards



Live-Work - Building Height

E. **References to Related Standards.** Table 2.05(A)-2 provides the locations in the PZC for related provisions but is not meant to be an exhaustive list of all applicable requirements of this PZC.

Table 2.05(A)-2, MU References to Related Standards

Standard Topic	Location in PZC
Accessory Uses and Structures	1203.07
Open Space	Article 04.02
Building Design	1204.07
Screening and Fencing	1204.21
Floodplain and Floodway Development	City of Monroe Code of Ordinances, Chapter 1446
Parking, Loading, and Circulation	Article 04.04
Landscaping, Screening, and Buffering	Article 04.05
Signage	Article 04.06
Outdoor Lighting	Article 04.07
Subdivision Design	Chapter 1205
Site Plan Review	1207.15

2.05(B) Downtown (DT)

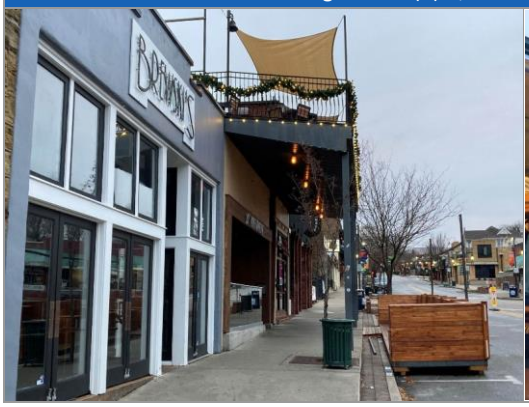
A. **Purpose**. The Downtown (DT) District provides for areas that foster the development of highly compatible and mutually supportive land uses in the downtown area. The district concentrates retail, service, office, and mixed-uses in the developed parts of the City. Urban design standards maintain a neighborhood commercial scale, promote pedestrian activity, and maintain the unique character of the center. While vehicular traffic and parking will continue to be accommodated, it must be subordinate to safe pedestrian movement to aid the friendliness and economic health and vibrancy of these areas.

B. **Applicability**. The DT district is appropriate for the areas shown on the Future Land Use Plan Map as Mixed-Use. Figures 2.05(B)-1 and 2.05(B)-2 depict examples of development patterns and the range of land uses, building types, heights, and scales that are characteristic of the DT district.

C. **Land Uses.** The permitted by-right (P), limited (L), conditional (C), and prohibited uses are set out in Section 1203.02, *Primary Use Table*.

Figure 2.05(B)-1, DT District Example Development Pattern

Figure 2.05(B)-2, DT District Example Imagery



D. **Dimensional Standards and Illustrations.** The applicable dimensional standards for the DT district are outlined in Table 2.05(B)-1. Permitted residential uses shall be developed in accordance with the standards in Section 2.05(B), *Urban Residential*.

Table 2.05(B)-1, DT Lot and Building Standards

ac. = acre du = dwelling unit sf. = square feet st. = story ' = feet

	Development	**Standard**
Key	Category	Mixed-Use
	Lot Area (min.)	None
A	Lot Width (min.)	15'
	Open Space (min.)	15%
	Maximum Density	For residential densities in the MU district, see Section 2.03(E), *Urban Residential (UR)*
	Building Standards	
	Building Placement and Lot Coverage	
B	Frontage Buildout (front/side) (min.)	80%/60%
C	Front Setback (min./max.) **[1]**	0'/10'
D	Side Setback (min./max.)	0'/5'
E	Street Side Setback (max)	0'
F	Rear Setback (min)	0'
	Building Height and Coverage	
G	Height (feet/stories) (max.) **[2]**	60'/4
H	Lot Coverage	100%

Table 2.05(B)-1, DT Lot and Building Standards		
ac. = acre du = dwelling unit sf. = square feet st. = story ' = feet		
	Development	**Standard**
Key	Category	Mixed-Use
	Access and Parking	
--	Parking Type(s)	On-Street/On-Site
--	Parking Location	Side/Rear
I	Parking Lot Setback **[3]**	10'
	Required Parking Spaces	See Section 1204.12, *Off-Street Loading and Stacking* for number of spaces required.
	Other Site and Building Components	
	Frontage Type	Porch, Stoop, Gallery, Forecourt, Storefront, or Terrace. See Section 1204.08, *Frontage Types*
	Primary Entrance Orientation	Towards primary street on front facade or on corner
	Building Elements and Architectural Design	See 1204.06, *Mixed-Use and Nonresidential Building Elements and Architectural Design*
	Allowed Setback Encroachments (max.)[4]	
	- Architectural Features	2'
	- Building Frontage	3'
	Accessory Building Setbacks (min.)	
	- Front, Corner	Accessory buildings shall not be located in the front or street-facing side yard on a corner lot.
	- Alley	0'
	- Any Other Property Line	0'
	Accessory Building Height	35'
	Fence or Freestanding Walls Height (max.)	
	- Front Yard	3'
	- Side Yard	8'
	- Corner Yard	3'
	- Rear Yard	8'

Notes:

1. The setback is exclusive of easements.
2. Within 200 feet of land zoned as single-unit detached, height must not exceed 45 feet.
3. A setback that adjoins and shares a common property line with another district shall be the greater width of the setback or the minimum required district buffer as outlined in Article 04.05, *Landscaping, Screening, and Buffering*. All surface parking along public roads must be screened with landscaping or 3-foot masonry wall.
4. Setback encroachments shall only apply to architectural features such as defined in Section 1204.08, Frontage Types, and as specified in Section 1202.12, *Specific Allowances*.

Figure 2.05(B)-3, DT Illustrated Standards

Downtown Mixed-Use - Building Placement

Downtown Mixed-Use - Building Height

E. **References to Related Standards.** Table 2.05(B)-2 provides the locations in the PZC for related provisions but is not meant to be an exhaustive list of all applicable requirements of this PZC.

Table 2.05(B)-2, DT References to Related Standards	
Standard Topic	Location in PZC
Accessory Uses and Structures	1203.07
Open Space	Article 04.02
Building Design	1204.06
Screening and Fencing	1204.20
Floodplain and Floodway Development	City of Monroe Code of Ordinances, Chapter 1446
Parking, Loading, and Circulation	Article 04.04
Landscaping, Screening, and Buffering	Article 04.05
Signage	Article 04.06
Outdoor Lighting	Article 04.07
Subdivision Design	Chapter 1205
Site Plan Review	1207.15

2.05(C) Highway Commercial (HC)

A. **Purpose**. The Highway Commercial (HC) district provides for a variety of ~~high-intensity~~ commercial retail and service uses in freestanding or multi-tenant buildings and centers located around the State Route 63 and Interstate 75 interchange. The character of development within the HC district consists of sites varying in size and scale catering to regional destinations and interstate traffic.

B. **Applicability**. The HC district is appropriate for the areas shown on the Future Land Use Map as Commercial. Figures 2.05(C)-1 and 2.05(C)-2 depict examples of development patterns and the range of land uses, building types, heights, and scales that are characteristic of the HC district.

C. **Land Uses.** The permitted by-right (P), limited (L), conditional (C), and prohibited uses are set out in Section 1203.02, *Primary Use Table.*

Figure 2.05(C)-1,HC District Example Development Pattern

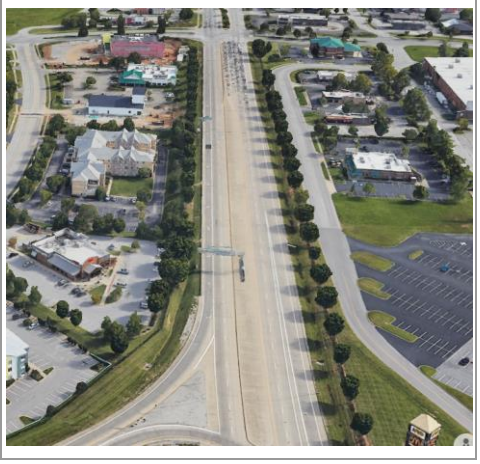


Figure 2.05(C)-2, HC District Example Imagery

Formatted Table

D. **Dimensional Standards and Illustrations.** The applicable dimensional standards for the HC district are outlined in Table 2.05(C)-1.

Table 2.05(C)-1, HC Lot and Building Standards		
ac. = acre du = dwelling unit sf. = square feet st. = story ' = feet N/A = Not Applicable		
Development		**Standard**
Key	Category	Commercial
	Lot Area (min.)	N/A
	Lot Width (min.)	N/A
--	Open Space (min)	20%
Building Standards		
	Building Placement and Lot Coverage	
A	Front/Road Setback (min) **[1]** -Arterial -Collector	50' 25'
B	Side Setback (min) **[1][2]**	5'/50'
C	Rear Setback (min) **[1][2]**	5'/50'
	Building Height and Coverage	
D	Height (min./max.)	20'/70'
E	Lot Coverage	80%
	Access and Parking	
--	Parking Type(s)	On-Site
--	Parking Location	Front/Side/Rear
F	Parking Lot Setback	6'
	Required Parking Spaces	See Section 1204.14, *Off-Street Loading and Stacking* for number of spaces required.
	Other Site and Building Components	
	Frontage Type	--
	Primary Entrance Orientation	Toward primary street
	Allowed Setback Encroachments (max.)	
	- Architectural Features	3'
	- Building Frontage	3'
	Accessory Building Setbacks (min.)	
	- Front, Corner	Accessory buildings shall not be located in the front or street-facing side yard on a corner lot.
	- Alley	5'
	- Any Other Property Line	5'
	Accessory Building Height	35'
	Fence or Freestanding Walls Height (max.)	
	- Front Yard	3'

Table 2.05(C)-1, HC Lot and Building Standards

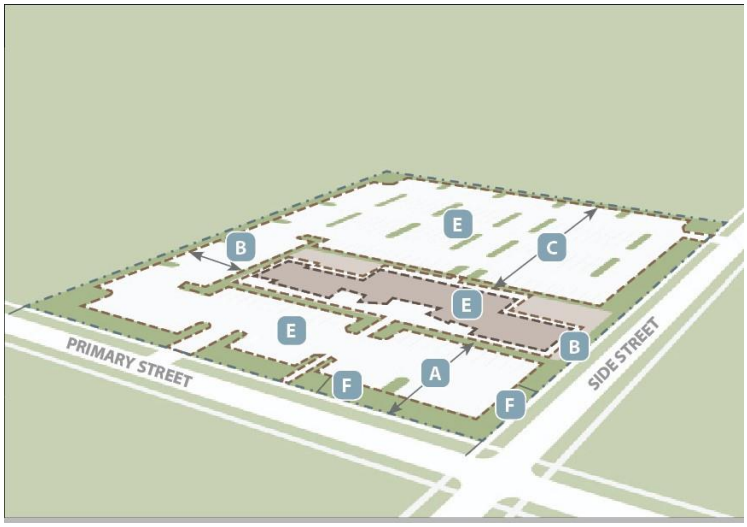
ac. = acre **du = dwelling unit** **sf. = square feet** **st. = story** **' = feet** **N/A = Not Applicable**

Development		Standard
Key	Category	Commercial
	- Side Yard	6'
	- Corner Yard	3'
	- Rear Yard	8'

Notes:

1. A setback that adjoins and shares a common property line with another district shall be the greater width of the setback or the minimum required district buffer as outlined in Article 04.05, *Landscaping, Screening, and Buffering*. All surface parking along public roads must be screened with landscaping or 3-foot masonry wall.
2. The second number on the side and rear setbacks apply to properties when a parcel is directly adjacent to a residential use or zoning district.

Figure 2.05(C)-3, HC Illustrated Standards



Commercial - Building Placement

Figure 2.05(C)-3, HC Illustrated Standards

Commercial - Building Height

E. **References to Related Standards.** Table 2.05(C)-2 provides the locations in the PZC for related provisions but is not meant to be an exhaustive list of all applicable requirements of this PZC.

Table 2.05(C)-2, HC References to Related Standards

Standard Topic	Location in PZC
Accessory Uses and Structures	1203.07
Open Space	Article 04.02
Building Design	1204.07
Screening and Fencing	1204.22
Floodplain and Floodway Development	City of Monroe Code of Ordinances, Chapter 1446
Parking, Loading, and Circulation	Article 04.04
Landscaping, Screening, and Buffering	Article 04.05
Signage	Article 04.06
Outdoor Lighting	Article 04.07
Subdivision Design	Chapter 1205
Site Plan Review	1207.15

2.05(D) General Commercial (GC)

A. **Purpose**. The General Commercial (GC) district provides for a variety of commercial retail and service uses in freestanding or multi-tenant buildings and centers. The character of development within the GC district typically consists of sites varying in size and scale depending upon the types and characteristics of land use and their locations along corridor frontages, near intersections, or when combined with other uses.

B. **Applicability**. The GC district is appropriate for the areas shown on the Land Use Plan Map as Commercial. Figures 2.05(D)-1 and 2.05(D)-2 depict examples of development patterns and the range of land uses, building types, heights, and scales that are characteristic of the GC district.

C. **Land Uses.** The permitted by-right (P), limited (L), conditional (C), and prohibited uses are set out in Section 1203.02, *Primary Use Table.*

Figure 2.05(D)-1, GC District Example Development Pattern

Figure 2.05(D)-2, GC District Example Imagery	

D. **Dimensional Standards and Illustrations.** The applicable dimensional standards for the GC district are outlined in Table 2.05(D)-1.

Table 2.05(D)-1, GC Lot and Building Standards

ac. = acre du = dwelling unit sf. = square feet st. = story ' = feet

	Development	**Standard**
Key	Category	Commercial
	Lot Area	N/A
	Lot Width	N/A
	Open Space (min)	20%
	Building Standards	
	Building Placement and Lot Coverage	
A	Front/Road Setback (min) **[1]** -Arterial -Collector	 50' 25'
B	Side Setback (min)**[1] [2]**	5'
C	Rear Setback (min)**[1] [2]**	5'
	Building Height and Coverage	
D	Height (min./max.)	20'/60'

Table 2.05(D)-1, GC Lot and Building Standards

ac. = acre du = dwelling unit sf. = square feet st. = story ' = feet

	Development	**Standard**
Key	Category	Commercial
E	Lot Coverage	80%
	Access and Parking	
--	Parking Type(s)	On-Site
--	Parking Location	Front/Side/Rear
F	Parking Lot Setback	6'
	Required Parking Spaces	See Section 1204.14, *Off-Street Loading and Stacking* for number of spaces required.
	Other Site and Building Components	
	Frontage Type	--
	Primary Entrance Orientation	Toward primary street
	Allowed Setback Encroachments (max.)	
	- Architectural Features	2'
	- Building Frontage	3'
	Accessory Building Setbacks (min.)	
	- Front, Corner	Accessory buildings shall not be located in the front or street-facing side yard on a corner lot.
	- Alley	5'
	- Any Other Property Line	5'
	Accessory Building Height	16'
	Fence or Freestanding Walls Height (max.)	
	- Front Yard	3'
	- Side Yard	8'
	- Corner Yard	3'
	- Rear Yard	8'

Notes:

1. A setback that adjoins and shares a common property line with another district shall be the greater width of the setback or the minimum required district buffer as outlined in Article 04.05, *Landscaping, Screening, and Buffering*. All surface parking along public roads must be screened with landscaping.
2. The setback shall be 50 feet when adjacent to a residential district.

Figure 2.05(D)-3, GC Illustrated Standards

Building Placement

Building Height

E. **References to Related Standards.** Table 2.05(D)-2 provides the locations in the PZC for related provisions but is not meant to be an exhaustive list of all applicable requirements of this PZC.

Table 2.05(D)-2, GC References to Related Standards	
Standard Topic	Location in PZC
Accessory Uses and Structures	1203.07
Open Space	Article 04.02
Building Design	1204.07
Screening and Fencing	1204.22
Floodplain and Floodway Development	City of Monroe Code of Ordinances, Chapter 1446
Parking, Loading, and Circulation	Article 04.04
Landscaping, Screening, and Buffering	Article 04.05
Signage	Article 04.06
Outdoor Lighting	Article 04.07
Subdivision Design	Chapter 1205
Site Plan Review	1207.15

2.05(E) Employment Center (EC)

A. **Purpose**. The Employment Center (EC) district provides for business park or a larger-scale corporate or medical campus development. This district is appropriate for office, commercial uses and services, overnight accommodations, professional services, medical uses, some limited small-scale light industrial uses, and research and development facilities. The EC is intended ~~to allow for more~~ for diversity in building types and uses but also to minimize impact on adjacent properties. The character of development within the EC consists of a suburban, campus-style setting and may include an internal street system serving individual lots that contain single-business or multi-tenant buildings.

B. **Applicability**. The EC district is appropriate for the areas shown on the Future Land Use Plan Map as Employment. Figures 2.05(E)-1 and 2.05(E)-2 depict examples of development patterns and the range of land uses, building types, heights, and scales that are characteristic of the EC district.

C. **Land Uses.** The permitted by-right (P), limited (L), conditional (C), and prohibited uses are set out in Section 1203.02, *Primary Use Table*.

Figure 2.05(E)-1, EC District Example Development Pattern

Figure 2.05(E)-2, EC District Example Imagery

D. **Dimensional Standards and Illustrations.** The applicable dimensional standards for the EC district are outlined in Table 2.05(E)-1.

Table 2.05(E))-1, EC Lot and Building Standards

ac. = acre du = dwelling unit sf. = square feet st. = story ' = feet N/A = Not Applicable

Development Standards		
Key	Category	Commercial
	Lot Area	N/A
	Lot Width	N/A
	Open Space (min)	15%
Building Standards		

Table 2.05(E))-1, EC Lot and Building Standards		
ac. = acre du = dwelling unit sf. = square feet st. = story ' = feet N/A = Not Applicable		
Development Standards		
Key	Category	Commercial
	Building Placement and Lot Coverage	
A	Front/Road Setback (min) **[1]** -Arterial -Collector	50' 25'
B	Side Setback (min) **[1][2]**	10'/50'
C	Rear Setback (min) **[1][2]**	10'/50'
	Building Height and Coverage	
D	Height (min./max.)	20'/55'
E	Lot Coverage	70%
	Access and Parking	
--	Parking Type(s)	On-Site
--	Parking Location	Front/Side/Rear
F	Parking Lot Setback **[3]**	15'
	Required Parking Spaces	See Section 1204.14, *Off-Street Loading and Stacking* for number of spaces required.
	Other Site and Building Components	
	Frontage Type	--
	Primary Entrance Orientation	Toward primary street, open space, or parking area
	Allowed Setback Encroachments (max.)	
	- Architectural Features	3'
	- Building Frontage	3'
	Accessory Building Setbacks (min.)	
	- Front, Corner	Accessory buildings shall not be located in the front or street-facing side yard on a corner lot.
	- Alley	10'
	- Any Other Property Line	10'
	Accessory Building Height	35'
	Fence or Freestanding Walls Height (max.)	
	- Front Yard	6'
	- Side Yard	8'
	- Corner Yard	6'
	- Rear Yard	8'

Table 2.05(E))-1, EC Lot and Building Standards

ac. = acre **du = dwelling unit** **sf. = square feet** **st. = story** **' = feet** **N/A = Not Applicable**

Development Standards	
Key Category	Commercial

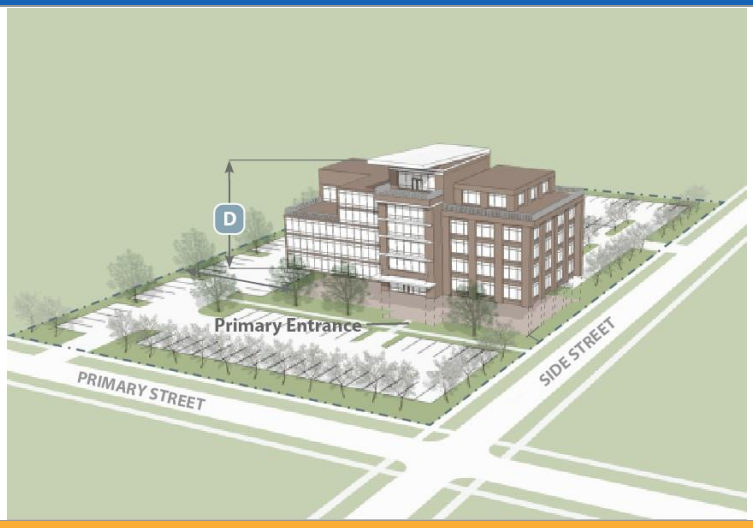
Notes:

1. A setback that adjoins and shares a common property line with another district shall be the greater width of the setback or the minimum required district buffer as outlined in Article 04.05, *Landscaping, Screening, and Buffering*. All surface parking along public roads must be screened with landscaping.
2. The second number on the side and rear setbacks apply to properties when a parcel is adjacent to a residential use or zoning district.
3. The setback for access drives and employee parking shall be a minimum of 100 feet when adjacent to a residential zone or use. The only exception for access drive location is for emergency vehicle access as determined by the City.

Figure 2.05(E)-3, EC Illustrated Standards

Employment Center - Building Placement

Figure 2.05(E)-3, EC Illustrated Standards



Employment Center - Building Height

E. **References to Related Standards.** Table 2.05(E)-2 provides the locations in the PZC for related provisions but is not meant to be an exhaustive list of all applicable requirements of this PZC.

Table 2.05(E)-2, EC References to Related Standards

Standard Topic	Location in PZC
Accessory Uses and Structures	1203.07
Open Space	Article 04.02
Building Design	1204.07
Screening and Fencing	1204.22
Floodplain and Floodway Development	City of Monroe Code of Ordinances, Chapter 1446
Parking, Loading, and Circulation	Article 04.04
Landscaping, Screening, and Buffering	Article 04.05
Signage	Article 04.06
Outdoor Lighting	Article 04.07
Subdivision Design	Chapter 1205
Site Plan Review	1207.15

2.05(F) Light Industrial (LI)

A. **Purpose**. The Light Industrial (LI) district provides areas for industry, wholesaling, manufacturing, processing and related operations that have a non-objectionable effect on the surrounding area and the community as a whole. The character of development within the LI typically consists of large areas of land and large buildings with heavy equipment and facilities.

B. **Applicability**. The LI district is appropriate for the areas shown on the Future Land Use Map as Light Industrial. Figures 2.05(F)-1 and 2.05(F)-2 depict examples of development patterns and the range of land uses, building types, heights, and scales that are characteristic of the LI district.

C. **Land Uses.** The permitted by-right (P), limited (L), conditional (C), and prohibited uses are set out in Section 1203.02, *Primary Use Table*.

Figure 2.05(F)-1, LI District Example Development Pattern

Figure 2.05(F)-2, LI District Example Imagery

D. **Dimensional Standards and Illustrations.** The applicable dimensional standards for the LI district are outlined in Table 2.05(F)-1.

Table 2.05(F)-1, LI Lot and Building Standards

ac. = acre du = dwelling unit sf. = square feet st. = story ' = feet

Development		Standard
Key	Category	Commercial
	Lot Area	N/A
	Lot Width	N/A
	Open Space (min)	15%
Building Standards		
	Building Placement and Lot Coverage	
A	Front Setback (min) **[1][2]** -Arterial -Collector	 20'/150' 20'/150'
B	Side Setback (min) **[1][2]**	10'/200'
C	Rear Setback (min) **[1][2]**	10'/200'
	Building Height and Coverage	
D	Height (min./max.)	0'/55'

Table 2.05(F)-1, LI Lot and Building Standards

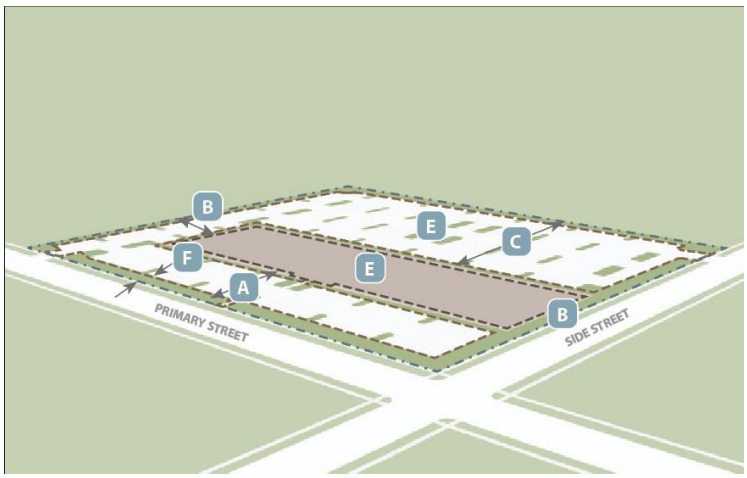
ac. = acre du = dwelling unit sf. = square feet st. = story ' = feet

	Development	**Standard**
Key	Category	Commercial
E	Lot Coverage	85%
	Access and Parking	
--	Parking Type(s)	On-Site
--	Parking Location	Front/Side/Rear
F	Parking Lot Setback **[2][3]**	10'/200'
	Required Parking Spaces	See Section 1204.14, *Off-Street Loading and Stacking* for number of spaces required.
	Other Site and Building Components	
	Frontage Type	--
	Primary Entrance Orientation	Toward primary street, open space, or parking area
	Allowed Setback Encroachments (max.)	
	- Architectural Features	3'
	- Building Frontage	3'
	Accessory Building Setbacks (min.)	
	- Front, Corner	Accessory buildings shall not be located in the front or street-facing side yard on a corner lot.
	- Alley	10'
	- Any Other Property Line	10'
	Accessory Building Height	35'
	Fence or Freestanding Walls Height (max.)	
	- Front Yard	6'
	- Side Yard	8'
	- Corner Yard	6'
	- Rear Yard	8'

Notes:

1. A setback that adjoins and shares a common property line with another district shall be the greater width of the setback or the minimum required district buffer as outlined in Article 04.05, *Landscaping, Screening, and Buffering*. All surface parking along public roads must be screened with landscaping.
2. The second number on the setbacks apply to properties when a parcel is directly adjacent to a residential use or zoning district.
3. Access drives used for semi trucks and/or parking of semi trucks or trailers shall be no closer than 200 feet to the property line when adjacent to a residential zone or use. Access drives and parking for employee automotive vehicles shall be no closer than 100 feet to the property line when adjacent to a residential zone or use. The only exception for access drive location is for emergency vehicle access as determined by the City.

Figure 2.05(F)-3, LI Illustrated Standards



Building Placement

Building Height

E. **References to Related Standards.** Table 2.05(F)-2 provides the locations in the PZC for related provisions but is not meant to be an exhaustive list of all applicable requirements of this PZC.

Table 2.05(F)-2, LI References to Related Standards	
Standard Topic	Location in PZC
Accessory Uses and Structures	1203.07
Open Space	Article 04.02
Building Design	1204.07
Screening and Fencing	1204.22
Floodplain and Floodway Development	City of Monroe Code of Ordinances, Chapter 1446
Parking, Loading, and Circulation	Article 04.04
Landscaping, Screening, and Buffering	Article 04.05
Signage	Article 04.06
Outdoor Lighting	Article 04.07
Subdivision Design	Chapter 1205
Site Plan Review	1207.15

2.05(G) Heavy Industrial (HI)

A. **Purpose**. The Heavy Industrial (HI) district provides areas for industrial and manufacturing uses that may generate noise, odor, or other nuisances incompatible with other types of uses. The character of development within the HI typically consists of large areas of land and large buildings with heavy equipment and facilities. Uses within HI developments may involve significant truck traffic or rail service requiring access to major roadways and rail spurs.

B. **Applicability**. The HI district is appropriate for the areas shown on the Future Land Use Map as Heavy Industrial. Figures 2.05(G)-1 and 2.05(G)-2 depict examples of development patterns and the range of land uses, building types, heights, and scales that are characteristic of the HI district.

C. **Land Uses.** The permitted by-right (P), limited (L), conditional (C), and prohibited uses are set out in Section 1203.02, *Primary Use Table*.

Figure 2.05(G)-1, HI District Example Development Pattern

Figure 2.05(G)-2, HI District Example Imagery

D. **Dimensional Standards and Illustrations.** The applicable dimensional standards for the HI district are outlined in Table 2.05(G)-1.

Table 2.05(G)-1, HI Lot and Building Standards

ac. = acre du = dwelling unit sf. = square feet st. = story ' = feet N/A= not applicable

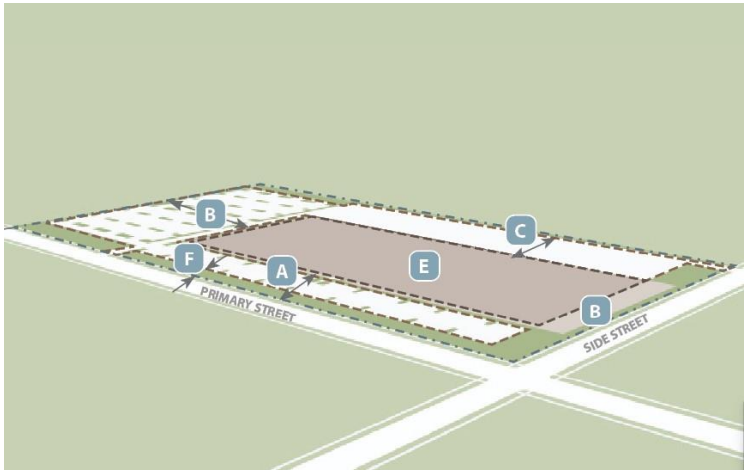
	Development	**Standard**
Key	Category	Commercial
	Lot Area (min.)	N/A
	Lot Width (min.)	N/A
--	Open Space (min)	15%
	Lot Coverage (max.)	85%
	Building Standards	
	Building Placement and Lot Coverage	
A	Front Setback (min.) **[1][2]** -Arterial -Collector	 20'/150' 20'/150'
B	Side Setback (min.) **[1][2]**	10'/200'
C	Rear Setback (min.) **[1][2]**	10'/200'
	Building Height and Coverage	
D	Height (min./max.)	0'/70'
	Access and Parking	
--	Parking Type(s)	On-Site
--	Parking Location	Front/Side/Rear
E	Parking Lot Setback **[2][3]**	10'/200'

Table 2.05(G)-1, HI Lot and Building Standards		
	ac. = acre du = dwelling unit sf. = square feet st. = story ' = feet N/A= not applicable	
	Development	**Standard**
Key	Category	Commercial
	Required Parking Spaces	See Section 1204.14, *Off-Street Loading and Stacking* for number of spaces required.
	Other Site and Building Components	
	Frontage Type	--
	Primary Entrance Orientation	Toward primary street, open space, or parking area
	Allowed Setback Encroachments (max.)	
	- Architectural Features	3'
	- Building Frontage	3'
	Accessory Building Setbacks (min.)	
	- Front, Corner	Accessory buildings shall not be located in the front or street-facing side yard on a corner lot.
	- Alley	10'
	- Any Other Property Line	10'
	Accessory Building Height	35'
	Fence or Freestanding Walls Height (max.)	
	- Front Yard	6'
	- Side Yard	8'
	- Corner Yard	6'
	- Rear Yard	8'

Notes:

1. A setback that adjoins and shares a common property line with another district shall be the greater width of the setback or the minimum required district buffer as outlined in Article 04.05, *Landscaping, Screening, and Buffering*. All surface parking along public roads must be screened with landscaping.
2. The second number on the setbacks apply to properties when a parcel is directly adjacent to a residential use or zoning district.
3. Access drives used for semi trucks and/or parking of semi trucks or trailers shall be no closer than 200 feet to the property line when adjacent to a residential zone or use. Access drives and parking for employee automotive vehicles shall be no closer than 100 feet to the property line when adjacent to a residential zone or use. The only exception for access drive location is for emergency vehicle access as determined by the City.

Figure 2.05(G)-2, HI Illustrated Standards



Heavy Industrial - Building Placement

Heavy Industrial - Building Height

E. **References to Related Standards.** Table 2.05(G)-2 provides the locations in the PZC for related provisions but is not meant to be an exhaustive list of all applicable requirements of this PZC.

Table 2.05(G)-2, HI References to Related Standards	
Standard Topic	Location in PZC
Accessory Uses and Structures	1203.07
Open Space	Article 04.02
Building Design	1204.07
Screening and Fencing	1204.22
Floodplain and Floodway Development	City of Monroe Code of Ordinances, Chapter 1446
Parking, Loading, and Circulation	Article 04.04
Landscaping, Screening, and Buffering	Article 04.05
Signage	Article 04.06
Outdoor Lighting	Article 04.07
Subdivision Design	Chapter 1205
Site Plan Review	1207.15

Article 02.04 Overlay and Special Purpose Districts

1202.06 General Provisions

A. **Generally.** Where land is classified into an overlay zoning district as well as an underlying base zoning district, the regulations governing development in the overlay zoning district shall apply in addition to the regulations governing the underlying base district.

B. **Conflict with Base Zoning District.** In the event of an express conflict between the standards of the overlay zoning district and the underlying base zoning district, the standards governing the overlay district shall control.

C. **Multiple Overlay Districts.** In some instances, land may be classified into multiple overlay districts. In the event of an express conflict between the standards of the multiple overlay districts, the most restrictive standards shall apply.

1202.07 Planned Unit Developments (PUD)

A. **Purpose**. The purposes of the Planned Unit Development ("PUD") district are:

1. *Ensure Against Misuse*. To establish standards to ensure against misuse of the increased flexibility.
2. *Redevelopment*. To generate the reuse or redevelopment of sites where an orderly change of use is determined to be desirable, especially where reuse is restricted because of existing nonconformities, physical development, or the constraints of conventional zoning standards.
3. *Land Use Compatibility*. It is further intended that development permitted pursuant to this Section be laid out so that proposed uses, buildings, and site improvements relate to each other and to adjoining existing uses and to the public realm in such a way that they will be compatible, with no material adverse impact of one use on another.
4. *Flexibility and Innovation*. To allow regulatory flexibility to clearly achieve:
   a. Development that is in accordance with the City's Comprehensive Plan;

b. Economy and efficiency in the use of land, natural resources, energy, and in the provision of public services and utilities;

c. Protection and preservation of natural resources and natural features;

d. Creation of useful open space particularly suited to the proposed development and the parcel on which it is located; and

e. Appropriate development to satisfy the needs of residents of the City of Monroe.

B. **Eligibility.** A PUD district is only permitted where the proposed design could not be largely or substantially achieved using conventional zone districts or PZC standards, including available tools allowing flexibility within those districts.

C. **Purposes Not Intended**. The PUD district shall not be used for the sole purpose of circumventing the requirements of this Code, securing an agreement between an applicant and nearby property owners to receive zoning approval, or assigning responsibility to the City for private deed covenants or restrictions.

D. **Permitted Uses**. The permitted uses within the PUD shall be based on the underlying base zoning district. If an applicant wishes to incorporate uses other than those permitted in the underlying base district, the applicant may request a change of the underlying base zoning district in concurrence with the procedure during the zoning map amendment process for the PUD as established in Section 1207.23, *Zoning Map Amendment*. No such change in the underlying base zoning district shall be approved without concurrent approval of a Master Development Plan. Written notice of such decision shall be provided to the Director, and any such development shall be subject to the requirements of Section 1207.16, *Master Development Plans*, and paragraph F below.

E. **Areas of Flexibility Permitted**. Each PUD application may request only the following types of adjustments from the underlying base zoning district standards as regulated in Article 02.02, *Residential Zoning Districts* or Article 02.03, *Mixed Use and Nonresidential Zoning Districts*:

1. Adjustment of minimum lot sizes;
2. Adjustment in residential development density;
3. Adjustment of building setbacks;
4. Additional types of bufferyards not specified in Section 1204.21, *Bufferyard Landscaping*; and
5. Additional types of housing not specified in this PZC.

F. **Development Standards.**

1. *Generally*. Development requirements for each separate PUD district shall be set forth in the ordinance granting the PUD district or the concept plan attached to the ordinance and may include, but not be limited to, uses, density, lot area, lot width, lot depth, yard depths and widths, building size, building height, building elevations, coverage, floor area ratio, parking, access, screening, landscaping, accessory buildings, signs, lighting, management associations, and other requirements as the Planning Commission and City Council may deem appropriate.
2. *Conformance with the PZC*. The PUD district shall conform to all other sections of this PZC unless specifically excluded in the granting ordinance.
3. *Size*.
   a. Minimum Acreage. The minimum acreage for a PUD district request shall be three acres for non-residential development and ten acres for residential development.

b. Exceptions. The Planning Commission may allow an application for smaller project areas if such land is found to be suitable for a PUD by virtue of its unique historical character, topography, unique use, or other natural features, or by virtue of its qualifying as an isolated problem area.

4. *High-Density Residential Uses*. For high-density residential developments, a common civic and open space shall be designated for the leisure and recreational use enjoyment of the occupants and general public. Except as provided below, the open amenity space shall be no less than required for a similar development as set forth in Article 02.02, *Residential Zoning Districts*. This requirement may only be varied downward by the City Council when the installation of private recreational open space or where the availability and nature of adjacent and accessible public open space is such that a lesser amount would adequately accommodate the development.
5. *Mixed and Nonresidential Uses*. For mixed-use and nonresidential developments, common civic and open spaces shall be designated for the enjoyment of the general public or, in the case of industrial developments, the employees. Except as provided below, the civic and open space shall be no less than required for a similar development as set forth in Article 02.03, *Mixed Use and Nonresidential Zoning Districts*. This requirement may only be varied downward by the City Council when installation of private recreational open space or where the availability and nature of adjacent and accessible public open amenity space is such that a lesser amount would adequately accommodate the development.
6. *Site Layout.* The subject property is laid out in an efficient manner relative to the natural and built environments and designed to achieve the aims of a compact, highly walkable environment;
7. *Building Form and Massing.* The placement, arrangement, size, and relationships of buildings relative to streets, pedestrian and civic spaces, and one another create an urban environment;
8. *Walkability*. There are trail and sidewalk connections within and between buildings, civic spaces, parking areas, transit areas, and to adjacent development; there are amenities and other pedestrian improvements; and the proximity of origins and destinations both internal and external to the development must be such that walking and bicycling are safe and viable modes of transportation;
9. *Undeveloped Space*. Together with the developed areas, the undeveloped spaces devoted to natural resource preservation, buffering of uses, and for passive and active use must be connected and continuous throughout the development;
10. *Complete Streets and Parking*. All private and public streets must be designed for multi-modal use, including vehicular movement, on-street parking, and safe use for pedestrians and bicyclists. Parking is required to be well-distributed and designed to create an urban streetscape;
11. *Phasing*. The development must be phased in a manner that assures an adequate mixture of residential and nonresidential land uses and allows for transition from the early phases to completion, relating to the intensity of uses and parking; and
12. *Quality Design*. The design of buildings and hardscape and landscape areas help to establish visual interest, aesthetic appeal, and a unique identity for the development, including as key considerations human-scale amenities, integration of civic spaces for public interaction, and protection from the environmental elements.

1202.08 Delineated Wellhead Protection Overlay District (DWP-O)

A. **Purpose.** The purpose of the Delineated Wellhead Protection Overlay District (DWP-O) is to safeguard the health, safety, and welfare of persons and property in the City of Monroe by protecting the groundwater supply of Monroe from degradation resulting from the improper storage, handling, or discharge of regulated

substances in and around existing and future wellfields and their applicable recharge areas. The DWP-O is intended to monitor such storage, handling, and discharge of regulated substances in and around existing and future wellheads.

B. **General Applicability.** The DWP-O regulations apply to any structure, storage, use, practice, or operation within the DWP-O as defined on the Official Zoning Map or other supplemental supporting documentation adopted by Monroe. Whenever any property is proposed to be used or occupied or a building is to be erected, moved, or altered, it must be in conformity with the regulations of this Section. The DWP-O sets forth a process of review of proposed development within the DWP-O to determine whether adequate protective measures are installed to prevent potential impacts to Monroe's water supply. Property owners and facility operators subject to regulation in the DWP-O district must comply fully with all existing applicable federal, state, and local regulations in addition to any of the requirements established in this PZC. Where federal, state, or local rules differ from the provisions of the DWP-O district, the more restrictive provision shall apply.

C. **Permitted Uses.**

1. *Director Approval Required.* All uses in the DWP-O shall be prohibited unless approved by the Director, who shall review the proposed use in accordance with the standards of this overlay district and other applicable standards of this PZC. Appeals of the Director's decision related to permitted uses in the DWP-O shall be heard by the Planning Commission through the Conditional Use Permit process established in 1207.20, *Conditional Use Permit*.
2. *Other Required Approvals*. All uses shall be subject to the procedure and requirements of 1207.15, S*ite Plan Review*, and if applicable, 1207.20, *Conditional Use Permit*. The applicant may be required to submit additional inventory information required by the City in accordance with this section on the DWP-O.

D. **Prohibited Uses**. Some uses and activities are specifically prohibited at all existing or new facilities in the DWP-O, regardless if permitted in the underlying base zoning district, due the potential impact on Monroe's water supply. Such prohibited uses and activities shall include:

1. *Prohibited in Underlying Base Zoning District.* Uses that are prohibited in the underlying base zoning district are also prohibited in the DWP-O.
2. *Prohibited in City*. Uses on the established list of prohibited uses in 1203.01, *General Provisions*;
3. *Violating Other Regulations.* The storage, handling, or other use of regulated substances in violation of any federal, state, or local regulations or any part of this PZC;
4. *Other Prohibited Uses.*
   a. On-site disposal and/or unauthorized discharge of regulated substances or process wastes other than sanitary wastes;
   b. Commercial motor vehicle repair/service shops and body shops;
   c. Animal feedlots;
   d. Metal manufacturing, plating, and/or polishing;
   e. Lawn, garden, pesticide, and agricultural services with on-site bulk mixing or blending of fertilizers, pesticides, rodenticides, and other industry-related chemicals for commercial application;
   f. Permanent or temporary storage of regulated substances in tankers not meeting current U.S. Department of Transportation standards for the transportation of regulated substances;
   g. Permanent aggregate aboveground storage of more than 2,000 gallons or 12,000 pounds, whichever is less, of regulated substances;

h. Temporary aggregate storage of more than 1,000 gallons or 6,000 pounds of regulated substances, or any prescribed limit established by the Ohio State Fire Marshal, Ohio EPA, Occupational Safety and Health Administration (OSHA), or local fire department, whichever is lower; and

i. Use of petroleum products for dust suppression.

E. **Other PZC Standards.** In addition to the standards established for the DWP-O district in this section, all development shall be subject to all other applicable standards of this PZC.

F. **Aboveground Storage Tanks (ASTs).**

1. *Generally.* All containers and aboveground storage tanks used for the storage of regulated substances at new and existing facilities subject to regulation under this Section shall be:

a. Product-tight and free of any defects which may result in a release of the contained substance;

b. Made of or lined with materials that will not react with and are otherwise compatible with the regulated substance stored;

c. Individually labeled with the contents in accordance with federal, state, and local labeling requirements;

d. Stored on or above an impervious surface at all times. All ASTs should have a secondary containment system. Such system could include a double-walled tank or the berming of an impervious surface around the tank that could hold 110 percent of the AST volume; and

e. Visually inspected monthly for any evidence of leaks, improper storage, or potential hazards that may result in a release of materials being stored in or transferred into the storage unit. Aisle space between containers must be adequate to allow for inspections. Leak detection systems, cathodic protection, monitoring equipment, and other monitoring and warning systems associated with an AST also must be inspected on a weekly basis. A weekly record of inspections and the findings of those inspections must be maintained and made available on request by the Director or other representative from the City of Monroe.

2. *Defective Containers.* Defective storage containers shall be removed from service immediately and repaired, replaced, or decontaminated and disposed of in accordance with federal, state, and local waste management standards. Any person handling or otherwise using regulated substances at a facility in the DWP-O must handle such substances in accordance with all applicable safe handling practices so as to minimize the potential for a release due to mishandling.

G. **Underground Storage Tank (UST) Regulations.** The following regulations shall apply to underground storage tanks (USTs) proposed to be located, installed, or constructed within the DWP-O:

1. *New USTs*. No new UST system may be installed within the DWP-O.

2. *Existing USTs*. No existing UST system located in the DWP-O used for the storage of vehicle fuel, vehicle lubricants, and building and/or process heating fuel can be converted either temporarily or permanently to the storage of hazardous materials or hazardous wastes.

H. **Review of Development.**

1. *Site Plan Review Required.* Application for construction or reconstruction of any property within the DWP-O shall follow the procedures of 1207.15, *Site Plan Review*.

2. *Inventory of Regulated Substances.*

a. In addition to the information required by the Site Plan Review application, the applicant shall provide an inventory of regulated substances to be stored, processed, manufactured, or handled on the site. This list shall be provided to allow Monroe to evaluate the need for on-site regulatory

measures for such substances. The Director, or other designated official, shall keep a record of the substances as submitted by the applicant. The applicant shall provide any other information as requested by the Director or Planning Commission that will be necessary for the evaluation of the proposed use within the protection area.

b. The list of regulated substances shall be transmitted to all applicable City departments (including the Fire Department and Public Works Department) for review and report on the proposed materials to be located within the proposed development. Upon receipt of the report by each department, the Director shall consider their recommendations in accordance with this section.

3. *Denial and Appeal.* If the application is found to be in nonconformance with this Section, the Director shall notify the applicant of the nonconforming aspects of the application in writing or digitally, and no site plan shall be accepted. The application for site plan review shall be denied unless the applicant appeals the decision in accordance with 1207.31, *Appeals*.

I. **Development Standards**. The site development standards as established in the underlying base zoning district in other applicable sections of this PZC, shall be the minimum requirements for uses, buildings and structures within the DWP-O. The Planning Commission may increase the regulations by up to 25 percent over the underlying base zoning district regulation if a finding is made that such an increase is needed to achieve the purpose and intent of this section.

1202.09 Wellhead Protection Buffer Overlay District (WPB-O)

A. **Purpose.** The purpose of the Wellhead Protection Buffer Overlay District (WPB-O) is to safeguard the health, safety, and welfare of persons and property in the City of Monroe by protecting the groundwater supply of Monroe from degradation resulting from the improper storage, handling, or discharge of regulated substances in and around existing and future wellfields. The WPB-O is intended to monitor the storage, handling, and discharge of regulated substances in and around existing and future wellheads.

B. **General Applicability.** The WPB-O regulations apply to any person owning or operating any real property or business within the WPB-O as defined by the Official Zoning Map or other supplemental supporting documentation. The buffer zone is established as any property as delineated on the Official Zoning map surrounding the boundary of the DWP-O district and includes all of the property if any part of the parcel falls within the buffer area. Whenever any property is proposed to be used or occupied or a building to be erected, moved, or altered, it must be in conformity with the regulations of this section. The overlay district sets forth a process of review of proposed development within the WPB-O to determine whether adequate protective measures are installed to prevent potential impacts to the water supply of Monroe.

C. **Compliance with Other Regulations.** Property owners and facility operators subject to regulation under this section must comply fully with all existing applicable federal, state, and local regulations in addition to any of the requirements established in this PZC. Where federal, state, or local rules differ from the provisions of this section, the more strict provision shall apply.

D. **Permitted Uses.**

1. *Director Approval Required.* All uses in the WPB-O shall be prohibited unless the use is approved by the Director who shall review the proposed use in accordance with the standards of this overlay district and other applicable standards of this PZC. Appeals of the Director's decision related to permitted uses in the DWP-O shall be heard by the Planning Commission through the conditional use permit process established in 1207.20, *Conditional Use Permit*.

2. *Other Required Approvals.* All uses shall be subject to the procedure and requirements of 1207.15, *Site Plan Review*, and if applicable, 1207.20, *Conditional Use Permit*. The applicant may be required to submit additional inventory information required by the City in accordance with this section on the WPB-

E. **Aboveground Storage Tanks (ASTs).**

1. *Generally*. All containers and aboveground storage tanks used for the storage of regulated substances at new and existing facilities subject to regulation under this Section shall be:
   a. Product-tight and free of any defects which may result in a release of the contained substance;
   b. Made of or lined with materials that will not react with and are otherwise compatible with the regulated substance stored;
   c. Individually labeled with the contents in accordance with federal, state, and local labeling requirements;
   d. Stored on or above an impervious surface at all times. All ASTs should have a secondary containment system. Such system could include a double-walled tank or the berming of an impervious surface around the tank that could hold 110 percent of the AST volume; and
   e. Visually inspected monthly for any evidence of leaks, improper storage, or potential hazards that may result in a release of materials being stored in or transferred into the storage unit. Aisle space between containers must be adequate to allow for inspections. Leak detection systems, cathodic protection, monitoring equipment, and other monitoring and warning systems associated with an AST also must be inspected on a weekly basis. A weekly record of inspections and the findings of those inspections must be maintained and made available on request by the Director or other representative from the City of Monroe.
2. *Defective Containers*. Defective storage containers shall be removed from service immediately and repaired, replaced, or decontaminated and disposed of in accordance with federal, state, and local waste management standards. Any person handling or otherwise using regulated substances at a facility in the DWP-O must handle such substances in accordance with all applicable safe handling practices so as to minimize the potential for a release due to mishandling.

F. **Underground Storage Tank (UST) Regulations.** The following regulations shall apply to underground storage tanks (USTs) proposed to be located, installed, or constructed within the DWP-O:

1. *New USTs.* No new UST system may be installed within the DWP-O.
2. *Existing USTs*. No existing UST system located in the DWP-O used for the storage of vehicle fuel, vehicle lubricants, and building and/or process heating fuel can be converted either temporarily or permanently to the storage of hazardous materials or hazardous wastes.

G. **Development Standards**. The site development standards as established in the underlying base zoning district in other applicable sections of this PZC, shall be the minimum requirements for uses, buildings and structures within the WPB-O. The Planning Commission may increase the regulations by up to 25 percent over the underlying base zoning district regulation if a finding is made that such increase is needed to achieve the purpose and intent of this section.

1202.10 Floodplain Protection Overlay District (FPOD)

A. **Establishment and Reference to Standards**. The Floodplain Overlay District (FPOD) is established to implement the standards in Chapter 1446, *Flood Damage Reduction* of the City's Code of Ordinances.

B. **Corrective Procedures.**

1. *Generally*. In addition to the provisions of Chapter 1208, *Nonconformities and Enforcement of Code*, the provisions of this Section shall apply in the FPOD.
2. *Violations to be Corrected*. When the Floodplain Administrator finds violations of applicable State and local laws, it shall be their duty to notify the owner or occupant of the building of the violation. The owner or occupant shall immediately remedy each of the violations of law cited in such notification.
3. *Actions in Event of Failure to Take Corrective Action*. If the owner of a building or property fails to take prompt corrective action, the Floodplain Administrator shall give the owner written notice, by certified or registered mail, to the owner's last known address or by personal service, stating:
    a. That the building or property violates the floodplain management regulations;
    b. That a hearing will be held before the Floodplain Administrator at a designated place and time, not later than 10 days after the date of the notice, at which time the owner shall be entitled to be heard in person or by counsel and to present arguments and evidence about the matter; and
    c. That following the hearing, the Floodplain Administrator may issue an order to alter, vacate, or demolish the building; or to remove fill as applicable.
4. *Order to Take Corrective Action*. If, upon a hearing held according to the notice prescribed above, the Floodplain Administrator shall find that the building or development violates this Section, they shall issue an order in writing to the owner, requiring the owner to remedy the violation within a specified time, not less than 60 calendar days, nor more than 180 calendar days. Where the Floodplain Administrator finds that there is imminent danger to life or other property, they may order that corrective action be taken in such lesser period as may be feasible.
5. *Appeal*. Any owner who has received an order to take corrective action may appeal the order to the local elected governing body by giving notice of appeal in writing to the Floodplain Administrator and the Clerk within 30 days following issuance of the final order. In the absence of an appeal, the order of the Floodplain Administrator shall be final. The local governing body shall hear an appeal within a reasonable time and may affirm, modify and affirm, or revoke the order.
6. *Failure to Comply with Order*. If the owner of a building or property fails to comply with an order to take corrective action for which no appeal has been made or fails to comply with an order of the governing body following an appeal, the owner shall be guilty of a misdemeanor and shall be punished at the discretion of the court.

Article 02.05 Measurements and Specific Allowances

1202.11 Measurements

This Section provides uniform measures for the interpretation and enforcement of this PZC, the method of measurement and illustrations for the developmental standards in this PZC are detailed in Table 1202.11-1, *Measurements*, below. Standards related to each type of measurement in this Section are established in:

A. Chapter 1202, *Zoning Districts and Dimensional Standards;*
B. Chapter 1203, *Land Uses;* and
C. Chapter 1204, *Development and Design Standards*.

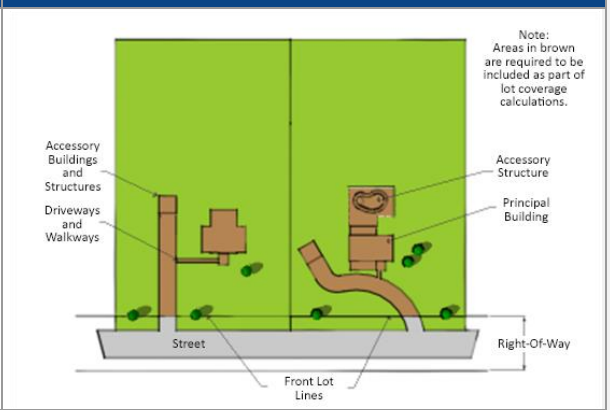
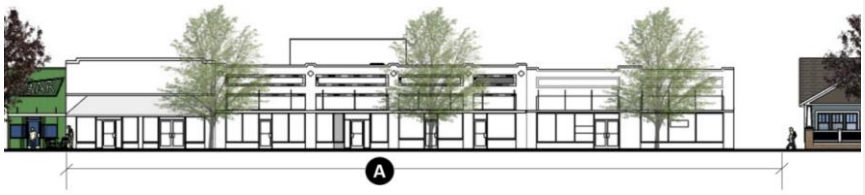
Table 1202.11-1, Measurements		
Measurement	Methodology	Illustration
Lot Coverage	The area of a parcel occupied by impervious surfaces, permanently anchored primary and/or accessory buildings, including pools, walkways, driveways, decks, and patios.	
Distance Between Uses and Buildings	For a use that is the only use or the principal use on a lot or parcel, the measurement shall be made from property line to property line from a point nearest to the use for which the measurement is being made. If the use is located in a multi-tenant building, then the distance shall be measured from the tenant space or portion of the building of the leasehold that is nearest to the use for which the measurement is being made. Measurements between properties or spaces under this PZC shall be made by the shortest distance between the two properties and/or spaces.	
		

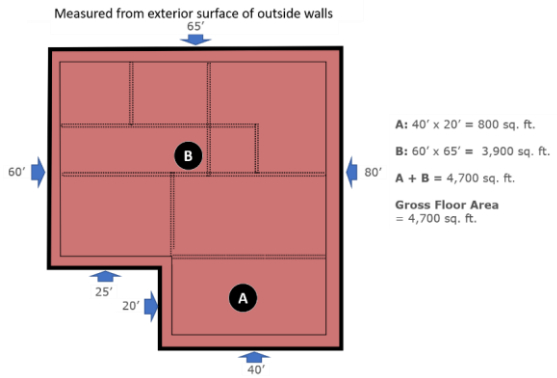
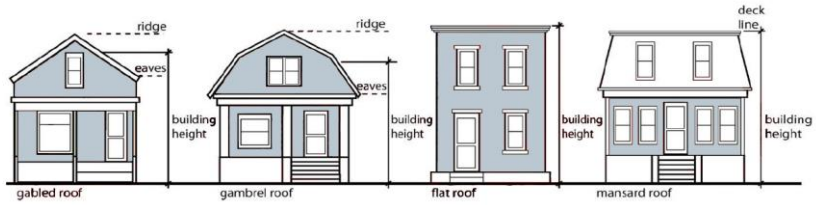
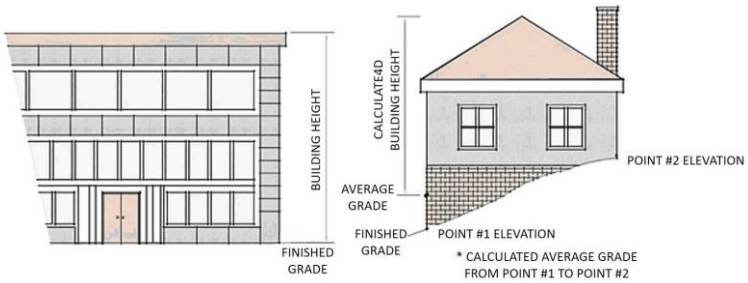
Table 1202.11-1, Measurements		
Measurement	Methodology	Illustration
Gross Floor Area	The total area of all the floors of a building, including basements, intermediately floored tiers, mezzanines, etc., as measured from the exterior surfaces of the outside walls of the building. Garage spaces in residential uses do not count toward gross floor area calculations.	
Height	*Buildings:* The vertical distance from the grade level of that portion of a parcel covered by the building to the highest point of the coping of a flat roof, the deck line of a mansard roof, or halfway to the ridge of a gabled, hip, or gambrel roof. Asymmetrical or dynamic roof forms shall be measured from the grade level to the highest point of the building, as measured with a flat roof.	
		
	Buildings on Sloped Lots: The height shall be measured as the vertical distance from the average ground level to the topmost point of the roof. The average ground level shall be determined by adding the lowest and highest points at the building wall and dividing by two.	
		

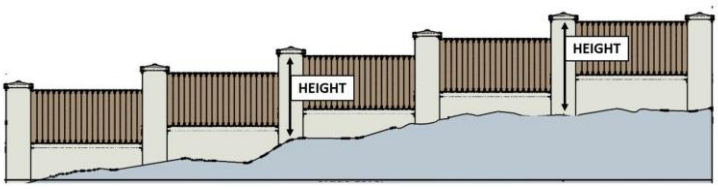
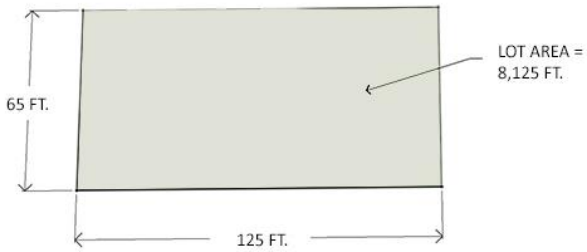
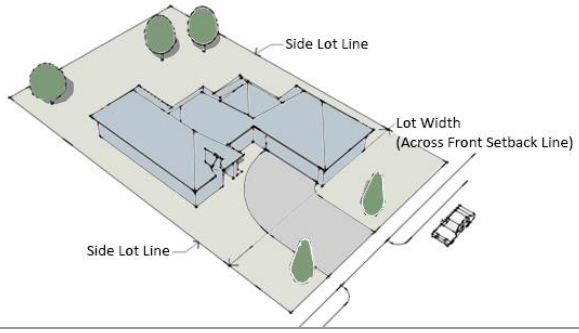
Table 1202.11-1, Measurements		
Measurement	Methodology	Illustration
	Walls or Fences: The vertical distance between the ground immediately adjacent to the fence and the highest point of the fence.	
		
Lot Area	The total horizontal area included within lot lines.	
Lot Width	*Interior Parcels:* For an interior parcel, the horizontal distance between the side lot lines, measured at the required front setback line.	

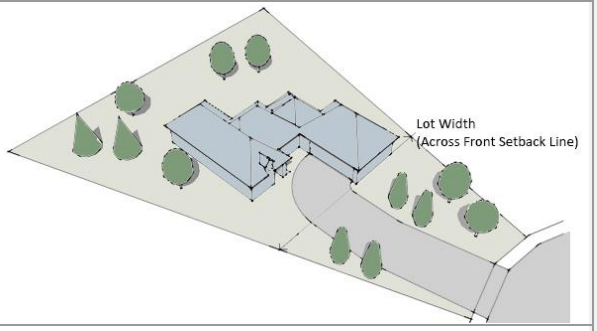
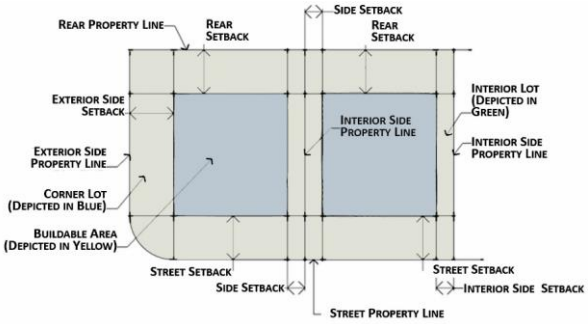
Table 1202.11-1, Measurements		
Measurement	Methodology	Illustration
	Cul-De-Sac Parcels: For a cul-de-sac parcel, the horizontal distance between the side lot lines measured at the front setback line.	
Setback	The horizontal distance of a required private open area at grade between the outer wall of a building or structure and the adjoining property lines, or, in the case of an abutting private street, the back-of-curb, unoccupied and unobstructed by any portion of a structure from the ground upward. The front and side setback lines span the entire width of the property. The interior side and side street setback lines extend from the required front setback line to the required rear setback line.	

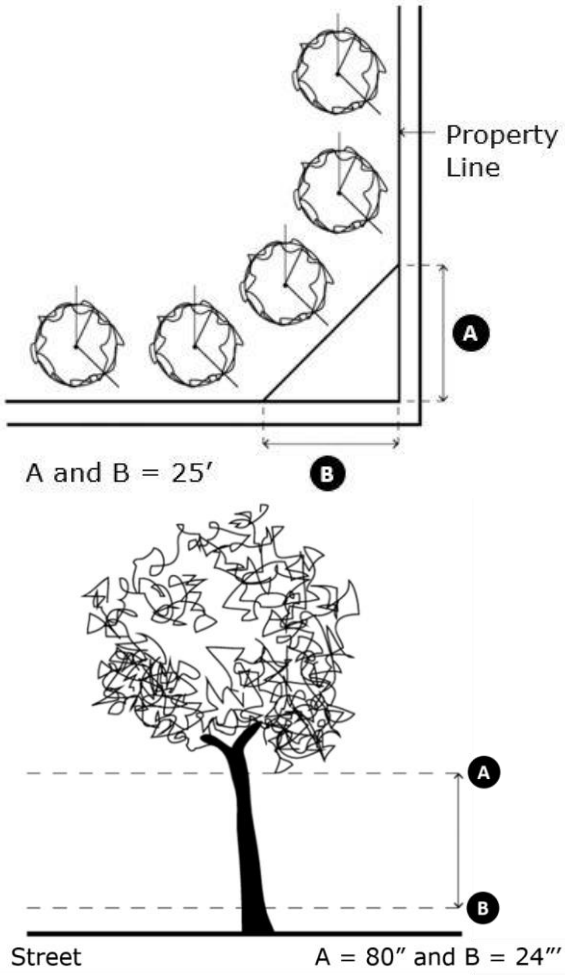
Table 1202.11-1, Measurements		
Measurement	Methodology	Illustration
Sight Triangle	A triangular area that includes that portion of public right-of-way and any private property within a triangle formed by a diagonal line extending through points on the two lot lines 25 feet from the street corner intersection of the lot lines. The vertical dimensions of this triangle are two feet to six and one-half feet above finished grade.	

Table 1202.11-1, Measurements		
Measurement	Methodology	Illustration
Sign Area	*Cabinet Signs:* Where a sign is enclosed in a frame or cabinet, the area of the entire surface of the sign face within a single continuous perimeter enclosing the extreme limits of the sign and not passing through or between any adjacent elements of the sign. That perimeter does not include any structural or framing elements lying outside the limits of the sign face unless such elements consist of a corporate logo that is part of the face, frame, or cabinet of the sign.	
	Channel Letters: Where a sign consists of individual letters, words, or symbols attached to a surface, the area of the smallest rectangle that completely encompasses all such letters, words, or symbols and any accompanying background of a color different than the color of the wall or sign face.	

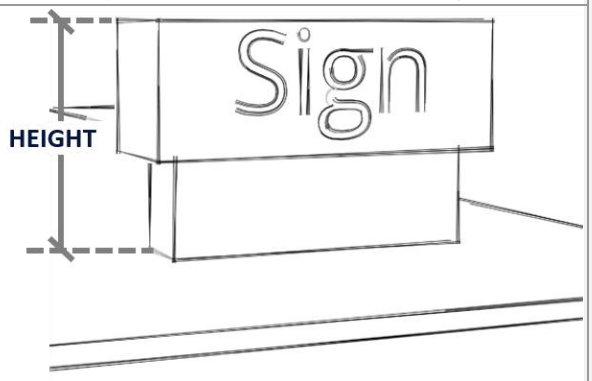
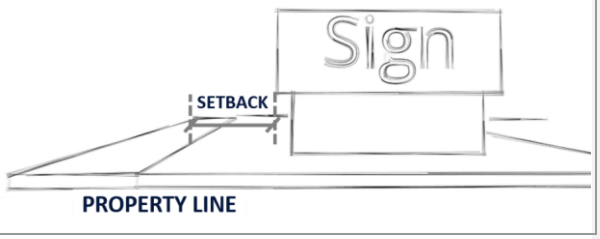
Table 1202.11-1, Measurements		
Measurement	Methodology	Illustration
Sign Clearance	Clearance is the distance between the bottom of a sign and the nearest point on the surface under it.	
Sign Height	*Freestanding Signs:* The vertical distance from the base of the sign's supportive structure at its point of attachment to the ground, to the highest point of the sign structure.	
	Attached Signs: The vertical distance from the point where the supporting wall meets the ground to the top of the highest point of the wall sign, including any framework or other embellishments.	

Table 1202.11-1, Measurements		
Measurement	Methodology	Illustration
Sign Setback	The shortest distance from each property line to the leading edge of the sign.	

1202.12 Specific Allowances

A. **Purpose**. The purpose of this Section is to set forth special cases that warrant flexibility in the developmental standards in this PZC.

B. **Height.** Height limitations stipulated in this PZC shall not apply to:

1. Barns, silos, or other agricultural buildings or structures on farms (not located in an improved platted subdivision);
2. Parapet walls extending not more than four feet above the limiting height of the building; and
3. Spires, belfries, cupolas and domes, public monuments, chimneys, smokestacks, flag poles, or water towers.

C. **Front Yard Averaging.** In any residential district, no front yard depth shall be required to exceed the average minimum depths of the existing front yards on the lots adjacent to each side, if each of such lots is within the same block and within 100 feet of the principal building. Modification of the front yard in accordance with this section will not create a nonconforming lot unless the lot or structure does not meet other applicable provisions of this code.

D. **Lot Averaging**. Lot averaging is a design technique that replaces minimum lot dimensions with an average lot width and size for a subdivision. The lot area and width dimensions in Chapter 1202, *Zoning Districts and Dimensional Standards*, may be averaged for each zoning district. To utilize lot averaging, all lots in the proposed subdivision shall meet the following criteria:

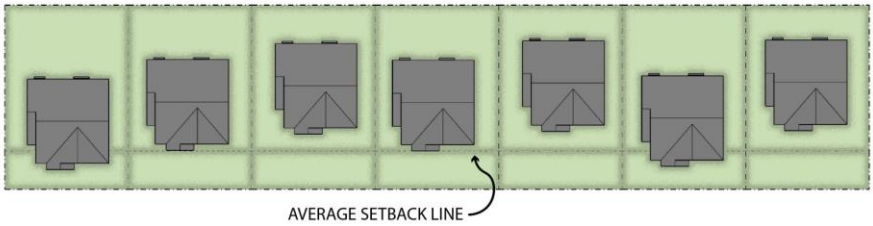
1. *Equal to or Greater*. The average lot area and average lot width of the proposed subdivision shall be equal to or greater than the individual lot area and lot width of the subdivision's proposed underlying zoning district as specified in Chapter 1202, *Zoning Districts and Dimensional Standards*.
2. *Greater than 90 Percent*. No lot shall have a lot area or lot width that is less than 90 percent of the lot area or lot width specified in Chapter 1202, *Zoning Districts and Dimensional Standards* (see Figure 1202.12-1, *Lot Averaging*).

Figure 1202.12-1, Lot Averaging

E. **Alternative Setback Compliance.** The provisions of this Subsection provide for flexibility from specifically referenced portions of the PZC that might in limited circumstances provide for requirements that are too rigid. The front setback required for all districts in Chapter 1202, *Zoning Districts and Dimensional Standards*, may be reduced subject to the following standards.

1. If 50 percent or more of the lots on the same side of the block (not counting the applicant's lot) are developed with buildings that are set back at distances that are less than the required front yard setback, the front setback of the applicant's lot may be reduced to the average front setback of all of the developed lots on the same side of the block (See Figure 1202.12-2, *Contextual Front Setback Reduction*).
2. If the applicant's lot takes vehicular access from the front, the driveway shall be a minimum of 20 feet long, measured from the property line to a building wall or garage door.

Figure 1202.12-2, Contextual Front Setback Reduction



F. **Permitted Encroachments.** Certain features may project into required yards as follows:

1. *Architectural Features.*

a. Cornices, canopies, eaves, or other architectural features may project a distance not exceeding two feet, six inches or one-fifth of the width of the required yard, whichever is greater. This dimension is measured horizontally from the adjacent exterior wall and shall include allowance for the eave, gutter, and other attachments.

b. 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.

2. *Ingress and Egress Features.*

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

b. 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.

CHAPTER 1203 LAND USES

Article 03.01 Use Standards

1203.01 General Provisions

A. **New and Unlisted Uses.**

1. *Authorization of Unlisted Uses.* Each of the use categories in 1203.03, *Use Categories,* and uses listed in Table 1203.02-1, *Primary Use Table*, are defined in 1209.03, *Definitions*. If a proposed use is not listed as part of a use category definition, the Director may interpret the proposed use as functionally similar to a use that is listed. The proposed use is then permitted, permitted with a limited use permit, permitted with a conditional use permit, or prohibited in the same districts as its functionally similar use.
2. *Decision Criteria.* In making such determinations, the Director may consider but is not limited to the following criteria:
   a. Actual or projected characteristics of the activity in relation to those of the use type;
   b. Amount of site area or floor space and equipment devoted to the activity;
   c. Vehicle parking demand;
   d. Average daily and peak hour trip generation (people, personal vehicles, and delivery vehicles);
   e. Types of vehicles used and their parking requirements;
   f. Building impervious surface coverage;
   g. Regulated air or water emissions;
   h. Noise, lighting, dust, and odors;
   i. Solid waste generation;
   j. Number of employees on a typical shift;
   k. Use and storage of hazardous materials;
   l. Character of associated buildings and structures;
   m. How the use is advertised;
   n. Nature and impacts of operation;
   o. Hours of operation;
   p. History of nuisance, code violations, or related issues in other jurisdictions, and
   q. Any other pertinent considerations necessary.

B. **Prohibited Uses.**

1. *Prohibited Use List.* In an effort to minimize the risk of creating new Brownfield areas or are of an intensity not permitted within Monroe, the following uses shall be prohibited and shall not be deemed similar to another use that is permitted under this Chapter:
   a. Automotive Salvage, Impound, Junk, Scrap Metal, or Recycling Yard;
   b. Battery Reclamation or Manufacturing;
   c. Drive-Through Facility, Freestanding;

d. Landfill, Construction and Demolition Debris;
e. Landfill, Sanitary/Solid Waste;
f. Manufacturing of Paints, Varnishes, lacquers, and Enamels;
g. Manufacturing or Processing of Regulated Substances;
h. Raising of Exotic Animals;
i. Shooting Range, Outdoor;
j. Short-Term Loan Establishment
k. Storage of Vehicles (primary use);
l. Transfer, Storage, Treatment, or Disposal Facility for Hazardous Waste;
m. Truck Stop;
n. Truck Terminal; and
o. Vape Shop.

2. *If not Authorized then Prohibited*. If the Director determines that a proposed use does not fit within a given use category and is not functionally the same as a permitted, limited, or restricted conditional use, then the use is prohibited.

C. **Disagreement with Determination.** If the applicant disagrees with the Director's determination regarding the proposed use, the applicant may choose to take one of the following actions:

1. *Appeal.* The applicant may appeal the determination of the Director to the Board of Zoning Appeals pursuant to 1207.28, *Appeals*;
2. *Text Amendment.*
   a. The applicant may submit an application for a Zoning Text Amendment to include the proposed use and applicable standards pursuant to 1207.22, *Zoning Text and Map Amendments*; or
   b. The applicant may present their case to the Planning Commission and/or City Council to request that the City initiate a Zoning Text Amendment to address the proposed use and applicable standards.

1203.02 Primary Use Table

A. **Generally.** Table 1203.02-1, Primary *Use Table*, lists the applicable primary land uses in rows, organized by use category. The districts are arranged in columns. Where rows and columns intersect, a letter indicates if the use is a permitted use, limited use, conditional use, or prohibited use in the district.

B. **Legend.** The land uses in Table 1203.02-1, *Primary Use Table*, below, are classified and symbolized by the following:

1. "P" = The use is permitted by right and is not subject to additional use-specific standards;
2. "L" = The use is permitted subject to limited use standards and approval of a Zoning Permit by the Director (See 1203.04, *Limited Use Standards* and Section 1207.14, *Zoning Permit*);
3. "C" = The use is permitted subject to use standards and approval of a Conditional Use Permit by the City Council (See 1203.05, *Conditional Use Standards* and Section 1207.20, *Conditional Use Permit*); and
4. '--" = The use is prohibited.

C. **Use Standards.**

1. The "Use Standards Reference" column provides a reference to associated standards for limited and conditional uses. Where "P" is in the column, there is no associated standard because the use is

permitted by right. Other standards, such as design standards in Chapter 1204, *Development and Design Standards*, apply to all uses including permitted uses.

2. If a land use is a limited use in one district and a conditional use in another district, then the standards for such use shall be located in both 1203.04, *Limited Use Standards*, and 1203.05, *Conditional Use Standards*.

D. **Unlisted Use Categories and Uses**. A use category or specific use is prohibited if it is not listed in Table 1203.02-1 and if the Director cannot interpret an unlisted specific use as functionally similar to a use that is allowed, based on the criteria in Section 1203.09, *New and Unlisted Uses.*

Table 1203.02-1, Primary Use Table

Key: P = Permitted Use | C = Conditional Use | L = Limited Use | -- = Prohibited

Use Category (1203.03)	Use Type	RR	SR	GR	NC	UR	MU	DT	HC	GC	EC	LI	HI	Use Standard
Residential Use Categories														
Household Living	Single-Unit Detached Home	P	P	P	P	--	--	--	--	--	--	--	--	
	Zero Lot Line Home	--	P	P	P	--	--	--	--	--	--	--	--	
	Single-Unit Attached Home	--	--	P	--	P	--	--	--	--	--	--	--	
	Duplex	--	--	P	--	P	P	--	--	--	--	--	--	
	Live-Work Unit	--	--	--	--	C	P	P	--	--	--	--	--	1203.05
	Multiplex	--	--	--	--	L	P	P	--	--	--	--	--	1203.04
	Townhouse	--	--	P	--	P	P	P	--	--	--	--	--	
	Multi-Unit	--	--	--	--	P	P	P	--	--	--	--	--	
	Upper Floor Residential	--	--	--	--	--	L	L	L	--	--	--	--	1203.04
	Other Household Living uses not listed above	C	C	C	C	C	C	C	--	--	--	--	--	1203.05
Group Living	Adult Family Home or Small Residential Facility	P	P	P	P	--	--	--	--	--	--	--	--	
	Adult Group Home or Large Residential Facility	--	--	--	--	C	--	--	--	--	--	--	--	1203.05
	Institutional Care Facility	--	--	C	--	C	--	--	--	--	--	--	--	1203.05
	Other Group Living uses not listed above	C	C	C	C	C	C	C	--	--	--	--	--	1203.05
Agricultural and Animal-Related Use Categories														
Agricultural-Related	Greenhouse or Nursery	L	--	--	--	--	--	--	--	P	--	P	--	1203.04
	Raising of Crops	P	--	--	--	--	--	--	L	L	P	P	P	1203.04
	Other Agriculture-Related uses not listed above	C	--	--	--	--	--	--	--	--	P	P	P	1203.05
Animal-Related	Kennel	L	--	--	--	--	C	--	--	C	--	--	--	1203.04 and 1203.05
	Stables, Private	P	--	--	--	--	--	--	--	--	--	--	--	
	Raising of Livestock	L	--	--	--	--	--	--	--	--	--	--	--	1203.04

Table 1203.02-1, Primary Use Table														
Key: P = Permitted Use | C = Conditional Use | L = Limited Use | -- = Prohibited														
Use Category (1203.03)	Use Type	RR	SR	GR	NC	UR	MU	DT	HC	GC	EC	LI	HI	Use Standard
	Veterinary Office (Without Boarding)	--	--	--	--	--	P	P	P	P	P	P	P	
	Other Animal-Related uses not listed above	C	--	--	--	--	--	--	C	C	--	C	C	1203.05
Public and Civic Use Categories														
	~~24-Hour Operation Adjacent to a Residential District or Use~~								~~C~~	~~C~~	~~C~~	~~C~~	~~C~~	~~1203.05~~
Community Facilities	Public Community Centers	C	C	C	C	C	P	P	P	P	P	--	--	1203.05
	Place of Public Assembly	C	C	C	C	C	P	P	P	P	--	--	--	1203.05
	Residential Recreational Facility	P	P	P	P	P	P	P	--	--	--	--	--	
	Other Community Facilities uses not listed above	--	--	--	--	--	P	P	P	P	--	--	--	
Daycare Facilities	All Daycare Facilities uses not listed above	--	--	--	--	C	L	L	--	L	L	L	--	1203.04 and 1203.05
Educational Facilities	College, University, or Other Higher Educational Institution	--	--	--	--	--	--	--	P	P	P	P	--	
	Primary or Secondary Educational Institution	C	C	C	C	C	C	C	--	--	--	--	--	1203.05
	Other Educational Facilities uses not listed above	--	--	--	--	--	P	P	P	P	P	P	--	
Government Facilities	All Government Facilities uses	C	C	C	C	C	P	P	P	P	P	P	P	1203.05
Medical Facilities	Hospital or Outpatient Center	--	--	--	--	--	C	C	C	C	C	--	--	1203.05
	Other Medical Facilities uses not listed above	--	--	--	--	--	P	P	P	P	P	--	--	
Parks and Open Areas	Active Park, Playground, or Ball Field	C	C	C	C	C	L	L	L	L	L	L	L	1203.04 and 1203.05
	Cemetery, Columbarium, Mausoleum, or Memorial Park	C	C	C	C	C	--	--	--	--	--	--	--	1203.05
	Community Garden	L	L	L	L	L	L	L	--	--	--	--	--	1203.04

Table 1203.02-1, Primary Use Table														
Key: P = Permitted Use | C = Conditional Use | L = Limited Use | -- = Prohibited														
Use Category (1203.03)	Use Type	RR	SR	GR	NC	UR	MU	DT	HC	GC	EC	LI	HI	Use Standard
	Other Parks and Open Areas uses not listed above	P	P	P	P	P	P	P	P	P	P	P	P	
Passenger Terminal Facilities	All Passenger Terminal Facilities	--	--	--	--	--	--	--	--	--	--	--	--	
Social Services	All Social Service uses	--	--	--	--	--	--	--	--	--	--	--	--	
Utilities	Wireless Telecommunication Facilities (co-location on existing facility)	L	L	L	L	L	L	L	L	L	L	L	L	1203.04
	All Minor Utilities not listed above	P	P	P	P	P	P	P	P	P	P	P	P	
	Solar Farms	L	--	--	--	--	--	--	--	--	--	--	--	1203.04
	All Major Utilities uses not listed above	C	C	C	C	C	C	C	C	C	C	C	C	1203.05
Commercial Use Categories														
	24- Hour Operation Adjacent to a Residential District or Use								C	C	C	C	C	1203.05
Automotive Sales and Services	Automotive Body and Major Repair	--	--	--	--	--	--	--	--	--	--	L	L	1203.04
	Automotive Sales, Leasing, or Rental	--	--	--	--	--	--	--	L	L	--	--	--	1203.04
	Automotive Servicing	--	--	--	--	--	L	--	--	L	--	P	P	1203.04
	Retail Fuel Sales	--	--	--	--	--	--	--	~~L~~ --	L	--	--	--	1203.04
	Vehicle Washing Establishment	--	--	--	--	--	--	--	L	L	--	--	--	1203.04
Entertainment and Recreation, Indoor	Entertainment Device Arcades	--	--	--	--	--	--	--	--	C	--	--	--	1203.05
	Event Hall or Conference Center	C	--	--	--	--	L	L	L	L	L	--	--	1203.04
	Microbrewery, Microdistillery, or Microwinery	--	--	--	--	--	L	L	L	L	L	P	P	1203.04
	Sexually Oriented Business	--	--	--	--	--	--	--	--	L	--	--	--	1203.04
	Shooting Range, Indoor	--	--	--	--	--	--	--	--	--	--	P	P	
	Video Lottery Terminals (VLT)	--	--	--	--	--	--	--	P	P	--	P	P	1203.04
	Other Indoor Entertainment and Recreation uses not listed above	C	--	--	--	--	P	P	P	P	P	P	--	1203.05

Table 1203.02-1, Primary Use Table														
Key: P = Permitted Use | C = Conditional Use | L = Limited Use | -- = Prohibited														
Use Category (1203.03)	Use Type	RR	SR	GR	NC	UR	MU	DT	HC	GC	EC	LI	HI	Use Standard
Entertainment and Recreation, Outdoor	All Outdoor Entertainment and Recreation uses	C	--	--	--	--	L	L	L	L	L	--	--	1203.04 and 1203.05
Office	All Office uses	--	--	--	--	--	P	P	P	P	P	P	P	
Overnight Accommodations	Bed and Breakfast Establishments	C	C	C	C	C	--	--	--	--	--	--	--	1203.05
	Short-Term Rental	--	C	C	C	C	C	C	C	--	--	--	--	1203.05
	Other Overnight Accommodation uses not listed above	--	--	--	--	--	P	P	P	P	P	--	--	
Parking, Commercial	Parking Garages	--	--	--	--	--	L	L	L	L	L	L	L	1203.04
	Parking Lots	--	--	--	--	--	--	--	--	--	L	L	L	1203.04
	Park-and-Ride Facility	--	--	--	--	--	P	P	P	P	P	P	P	
	Other Commercial Parking uses not listed above	--	--	--	--	--	--	--	--	--	--	--	--	
Restaurants	Brewpub	--	--	--	--	--	L	L	L	L	L	--	--	1203.04
	Restaurant, ~~Drive-Through or~~ Drive-In	--	--	--	--	--	L	L	L	L	L	L	L	1203.04
	Other Restaurant uses not listed above	--	--	--	--	C	P	P	P	P	P	P	P	1203.05
Retail Repair, Sales, and Services	All Retail Repair-Oriented uses	--	--	--	--	--	P	P	P	P	P	P	P	
	Antique Mall	--	--	--	--	--	--	L	--	L	--	--	--	1203.04
	Flea Market	--	--	--	--	--	--	--	C	--	--	--	--	1203.05
	Small Box Discount Retail Store	--	--	--	--	--	--	--	L	L	--	--	--	1203.04
	Other Retail Sales-Oriented uses not listed above	--	--	--	--	--	L	L	L	L	L	L	--	1203.04
	Other Retail Service-Oriented uses not listed above	--	--	--	--	--	L	L	L	L	L	L	--	1203.04
Industrial Use Categories														
	24- Hour Operation Adjacent to a Residential District or Use											C	C	1203.05
Heavy Industrial	All Heavy Industrial Uses	--	--	--	--	--	--	--	--	--	--	--	P	
Light Industrial	Artisan/Micro-Manufacturing	--	--	--	--	--	--	--	--	--	L	L	L	1203.04
	Contractor Service, Equipment, and Storage Yard	--	--	--	--	--	--	--	--	--	--	C	L	1203.~~03~~04 & 1203.~~04~~05
	Building or Lumber Yard	--	--	--	--	--	--	--	--	C	--	P	P	1203.05

Table 1203.02-1, Primary Use Table														
Key: P = Permitted Use | C = Conditional Use | L = Limited Use | -- = Prohibited														
Use Category (1203.03)	Use Type	RR	SR	GR	NC	UR	MU	DT	HC	GC	EC	LI	HI	Use Standard
	Research and Development Facility	--	--	--	--	--	--	--	--	--	P	P	P	
	Truck, Trailer, or Equipment Sales, Leasing, or Rental	--	--	--	--	--	--	--	--	--	--	P	P	
	All other Light Industrial uses not listed above	--	--	--	--	--	--	--	--	--	--	P	P	
Resource Extraction	All Resource Extraction uses	--	--	--	--	--	--	--	--	--	--	--	--	
Self-Service Storage	All Self-Storage Facilities uses	--	--	--	--	--	--	--	--	--	--	C	C	1203.05
Warehousing and Freight Movement	All Warehousing and Freight Movement uses	--	--	--	--	--	--	--	--	--	L	P	P	1203.04
Waste-Related	All Waste-Related uses	--	--	--	--	--	--	--	--	--	--	--	--	
Wholesale Trade	All Wholesale Trade uses	--	--	--	--	--	--	--	--	--	--	P	P	

1203.03 Use Categories

3.03(A) Generally

A. **Approach to Categorizing Uses.** The Use Categories found in the use table in Section 1203.02, *Primary Use Table*, are described in this Section. Specific uses may be further defined in 1209.03, *Definitions*. Any proposed use is prohibited unless the Director determines, based on the criteria in 1203.01, *General Provisions,* that the proposed use is categorized as or substantially similar to a permitted, limited, or conditional use.

B. **Basis for Classifications.** Use Categories classify land uses based on common functional or physical characteristics. Characteristics include the type and amount of activity, how goods or services are sold or delivered, and likely impact on surrounding properties and site conditions. The Use Categories provide a systemic basis for assigning land uses to appropriate zoning districts and for consistently regulating similar uses regarding the requirements in this PZC.

C. **Developments with Multiple Primary Uses.** Developments with multiple primary uses shall conform to the following provisions:

1. When all primary uses of a development fall within the same Use Category, such as a furniture store, a pet supply store, and a hair salon, the entire development is assigned to that Use Category; and
2. When the primary uses of a development fall within different Use Categories, each primary use is classified in the applicable Use Category and each use is subject to all applicable regulations for that Use Category. For example, where a use has a limited use standard applied in the use table (such as a minimum site acreage), the standard applies even when that use is part of a development with multiple primary uses that may not be subject to those limitations.
3. There may be permitted more than one principal building/use on an individual lot only when such buildings or uses are related for a common production process, a shopping center, or office use (i.e. a research facility with multiple buildings but not multiple restaurant structures on one parcel or a car lot and a medical office on one parcel). 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.

D. **Characteristics.** The "Characteristics" subsection of each Use Category table below describes the common characteristics of each primary use.

E. **Primary Uses.** The "Primary Uses" portion of each Use Category table lists primary uses common to that Use Category. The names of these sample uses are generic and are based on common meanings, not on what a specific use may call itself. For example, a use that calls itself a "Wholesale Warehouse," but sells mostly to retail consumers, is included in the Retail Repair, Sales, and Service category rather than the Wholesale Trade category.

F. **Accessory Uses.** Accessory uses are generally allowed by right in conjunction with a primary use. However, specific accessory uses with parenthetical cross-references in the Use Category tables are permitted subject to additional standards in 1203.08, *Accessory Uses and Structures*.

3.03(B) Residential Use Categories

The following tables set forth the primary uses and accessory uses included in each residential use category:

A. **Household Living Use Category.**

Table 3.03(B)-1, Household Living Use Category	
Characteristics: Residential occupancy of a dwelling unit by a household on a month-to-month or longer basis in structures with self-contained dwelling units, including kitchens.	
Primary Uses	**Accessory Uses**
▪ Single-Unit Detached Home ▪ Patio Home ▪ Single-Unit Attached Home ▪ Duplex ▪ Live-Work Unit ▪ Multiplex ▪ Townhouse ▪ Multi-Unit ▪ Upper Floor Residential ▪ Other uses meeting the characteristics of the Household Living Use Category as determined by the Director	▪ Accessory Dwelling Unit ▪ Day Care Home, Type B ▪ Garage (private) or Shed ▪ Greenhouse or Nursery (noncommercial) ▪ Guest House ▪ Home Occupation ▪ Leasing Office for multi-unit buildings ▪ Minor Utilities ▪ Pool House ▪ Private Community Center ▪ Refuse Containers for multi-unit buildings ▪ Solar Panel Array ▪ Stable (private) ▪ Swimming Pool ▪ Other Miscellaneous Household Amenities

B. **Group Living Use Category.**

Table 3.03(B)-2, Group Living Use Category	
Characteristics: Residential occupancy of a structure by a group of people that does not meet the definition of Household Living. Tenancy is usually arranged on a monthly or longer basis. Generally, Group Living structures have a common eating area for residents, and the residents may receive care or training. Caregivers may or may not reside on site.	
Primary Uses	**Accessory Uses**
▪ Adult Family Home or Small Residential Facility ▪ Adult Group Homes or Large Residential Facilities ▪ Institutional Care Facility ▪ Other uses meeting the characteristics of the Group Living Use Category as determined by the Director	▪ Associated Office ~~▪ Facilities for Treatment of Sickness, Injuries, or Surgical Care~~ ▪ Food Preparation and Dining Facility ▪ Garden ▪ Greenhouse or Nursery (noncommercial) ▪ Minor Utilities

3.03(C) Agricultural and Animal-Related Use Categories

The following tables set forth the primary uses and accessory uses included in each agricultural and animal-related use category:

A. **Agricultural Use Category.**

Table 3.03(C)-1, Agricultural Use Category	
Characteristics: Uses primarily related to the raising of plants and associated enterprises including, but not limited to floriculture, horticulture, row and field crops, viticulture, and orchards.	
Primary Uses	**Accessory Uses**
▪ Community Gardens ▪ Firewood, Commercial Storage and Sales ▪ Grain and Oilseed Milling, Exclusively Grown ~~On~~on Premises ▪ Greenhouse or Nursery ▪ Raising of Crops ▪ Wineries, Processing Fruits Exclusively Grown on premises ▪ Other uses meeting the characteristics of the Agricultural Use Category as determined by the Director	▪ Agricultural Buildings ~~(1203.07.F.2)~~ ▪ Associated Office ▪ Minor Utilities ▪ Outdoor Display of Merchandise ▪ Parking And Storage of Operable Farm Vehicles and Farm Machinery ▪ Solid Waste Collection and Trash Enclosures ~~(1203.07.F.18)~~ ▪ Roadside Stand

B. **Animal-Related Use Category.**

Table 3.03(C)-2, Animal-Related Use Category	
Characteristics: Use primarily related to the raising of animals and associated enterprises.	
Primary Uses	**Accessory Uses**
▪ Kennel ▪ Raising of Livestock ▪ Stables, Private ▪ Stables, Public ▪ Veterinary Office (With Boarding) ▪ Veterinary Office (Without Boarding) ▪ Other uses meeting the characteristics of the Animal-Related Use Category as determined by the Director	▪ Agricultural Buildings ~~(1203.07.F.2)~~ ▪ Associated Office ▪ Barn or Stable ▪ Minor Utilities ▪ Outdoor Display of Merchandise ▪ Parking And Storage of Operable Farm Vehicles and Farm Machinery ▪ Solid Waste Collection and Trash Enclosures ~~(1203.07.F.18)~~ ▪ Roadside Stand

3.03(D) Public and Civic Use Categories

The following tables set forth the primary uses and accessory uses included in each public and civic use category:

A. **Community Facilities Use Category.**

Table 3.03(D)-1, Community Facilities Use Category	
Characteristics: Uses of a public, nonprofit, or charitable nature providing social activities, worship, training, or counseling to the general public on a regular basis, without a residential component.	
Primary Uses	**Accessory Uses**
▪ Cultural Institution ▪ Public Community Center ▪ Place of Public Assembly ▪ Residential Recreational Facility ▪ Other uses meeting the characteristics of the Community Facilities Use Category as determined by the Director	▪ Assembly Hall ▪ Associated Office and Storage ▪ Associated Retail Sales Related to the Primary Use ▪ Classrooms ▪ Day Care ▪ Food Preparation and Dining Facility ▪ Library ▪ Limited Retail Sales Area ▪ Minor Utilities ▪ Nursery School or Pre-School ▪ Recreation Facility ▪ Residences for Clergy

B. **Daycare Facilities Use Category.**

Table 3.03(D)-2, Daycare Facilities Use Category	
Characteristics: Uses providing care, protection, and supervision for children or adults on a regular basis away from their primary residence. Care is typically provided to a given individual for fewer than 18 hours each day, although the facility may be open 24 hours each day.	
Primary Uses	**Accessory Uses**
▪ Adult Day Center ▪ Child Day Care Center ▪ Nursery School or Pre-School ▪ Other uses meeting the characteristics of the Daycare Facilities Use Category as determined by the Director	▪ Associated Office and Storage ▪ Food Preparation and Dining Facility ▪ Garden ▪ Minor Utilities ▪ Recreational Facility

C. **Educational Facilities Use Category.**

Table 3.03(D)-3, Educational Facilities Use Category	
Characteristics: Public and private schools at the elementary, middle, or high school level that provide basic academic education. Also includes colleges and other institutions of higher learning that offer courses of general or specialized study leading to a degree usually in a campus ~~sellingsetting~~.	
Primary Uses	**Accessory Uses**
▪ College, University, or Other Higher Educational Institution ▪ Primary or Secondary Educational Institution ▪ Vocational or Trade School ▪ Other uses meeting the characteristics of the Educational Facilities Use Category as determined by the Director	▪ Assembly Hall ▪ Associated Office and Storage ▪ Auditorium or Theater ▪ Before- and After-School Day Care ▪ Concession ▪ Dormitory ▪ Food Preparation and Dining Facility ▪ Garden ▪ Laboratory ▪ Library ▪ Medical Clinic ▪ Minor Utilities ▪ Recreation Facility

D. **Government Facilities Use Category.**

Table 3.03(D)-4, Government Facilities Use Category	
Characteristics: Offices, storage, maintenance, and other facilities for the operation of local, state, or federal government.	
Primary Uses	**Accessory Uses**
▪ Emergency Services (e.g. Police or Fire Station) ▪ Government Administration Office ▪ Post Office ▪ Other uses meeting the characteristics of the Government Facilities Use Category as determined by the Director	▪ Associated Helicopter Landing Facility ▪ Associated Storage ▪ Day Care for Children of Employees ▪ Medical Clinic for Employees ▪ Meeting Space ▪ Minor Utilities ▪ Fleet Maintenance ▪ Food Preparation and Dining Facility ▪ Fueling Facility ▪ Recreation Facility

E. **Medical Facilities Use Category.**

Table 3.03(D)-5, Medical Facilities Use Category	
Characteristics: Uses providing medical or surgical care to patients. Some uses may offer overnight care.	
Primary Uses	**Accessory Uses**
▪ Emergency Room, Freestanding ▪ Hospital or Outpatient Center ▪ Medical or Dental Clinics or Offices ▪ Medical or Dental Laboratory ▪ Urgent Care Center ▪ Other uses meeting the characteristics of the Medical Facilities Use Category as determined by the Director	▪ Associated Helicopter Landing Facility ▪ Associated Office and Storage ▪ Associated Retail Sales Related to the Primary Use ▪ Classrooms ▪ Day Care for Children of Employees or Patients ▪ Dormitory ▪ Fleet Maintenance ▪ Food Preparation and Dining Facility ▪ Garden ▪ Minor Utilities ▪ Place of Worship ▪ Pharmacy ▪ Recreation Facility

F. **Parks and Open Areas Use Category.**

Table 3.03(D)-6, Parks and Open Areas Use Category	
Characteristics: Uses focusing on natural areas consisting mostly of vegetation, passive or active outdoor recreation areas, or community gardens, and having few structures.	
Primary Uses	**Accessory Uses**
▪ Arboretum or Botanical Garden ▪ Active Park, Playground, or Ball Field ▪ Cemetery, Columbarium, Mausoleum, or Memorial Park ▪ Community Garden ▪ Dog Park ▪ Passive Park, Open Space, or Natural Area ▪ Recreation Trail ▪ Other uses meeting the characteristics of the Parks and Open Areas Use Category as determined by the Director	▪ Associated Office and Storage ▪ Associated Retail Sales Related to the Primary Use ▪ Boat Launch ▪ Concession ▪ Dining Area ▪ Dock or Pier (noncommercial) ▪ Garden ▪ Minor Utilities ▪ Recreation Facility ▪ Single Residential Unit for Caretaker

D. **Passenger Terminal Facilities Use Category.**

Table 3.03(D)-7, Passenger Terminal Facilities Use Category	
Characteristics: Uses providing facilities for the takeoff and landing of airplanes and helicopters, and terminals for taxi, rail, or bus service carrying passengers.	
Primary Uses	**Accessory Uses**
▪ Airport, Landing Strip, Helipad, or Other Aircraft Facility ▪ Bus, Taxi, or Rail Terminal ▪ Other uses meeting the characteristics of the Passenger Terminal Facilities Use Category as determined by the Director	▪ Associated Office and Storage ▪ Associated Retail Sales Area Related to the Primary Use ▪ Concession ▪ Fleet Maintenance ▪ Freight Handling Area ▪ Fueling Facility ▪ Minor Utilities

E. **Social Service Facilities Use Category.**

Table 3.03(D)-8, Social Service Facilities Use Category	
Characteristics: Uses that primarily provide treatment of those with psychiatric, alcohol, or drug problems; transient housing related to social service programs; and housing for individuals legally confined	
Primary Uses	**Accessory Uses**
▪ Correctional Facility ▪ Domestic Abuse or Transient Shelter ▪ Homeless Meal Provider ▪ Substance Abuse Treatment Center ▪ Recovery Housing ▪ Other uses meeting the characteristics of the Social Service Facilities Use Category as determined by the Director	▪ Associated Office and Storage ▪ Classrooms ▪ Day Care for Children of Employees or Clients ▪ Medical Clinic for Employees, Clients, or Inmates ▪ Dormitory ▪ Food Preparation and Dining Facility ▪ Garden ▪ Library ▪ Meeting Space ▪ Minor Utilities ▪ Recreation Facility ▪ Other Miscellaneous Household Amenities

F. **Utilities Use Category.**

Table 3.03(D)-9, Utilities Use Category	
Characteristics: **Minor Utilities:** Public or private infrastructure serving a limited area with no on-site personnel. **Major Utilities:** Public or private infrastructure serving the general community, that may or may not be maintained or regulated by a public or municipal entity, and possibly having on-site personnel.	
Primary Uses	**Accessory Uses**
Minor Utilities: ▪ Wireless Telecommunication Facilities (co-location of an existing facility) ▪ Public or Municipally-Owned Utilities ▪ Sewage Pressure Control Stations and Lift Stations ▪ Stormwater Retention or Detention Facility ▪ Telephone Exchange ▪ Water or Wastewater Pump Station ▪ Water Pressure Control Station Major Utilities: ▪ Electric Substations ▪ Electric Generation Plants ▪ Gas Generation Plant ▪ Gas/Petroleum Line Regulating or Compression Station ▪ Microwave Communication Facilities ▪ Sewage Treatment Plant ▪ Water Treatment Plants (purification) ▪ Water Storage ▪ Wireless Telecommunication Facilities (new facility) ▪ Other uses meeting the characteristics of the Utilities Use Category as determined by the Director	▪ Associated Office and Storage ▪ Fleet Maintenance ▪ Minor Utilities ▪ Storage Structures

3.03(E) Commercial Use Categories

The following tables set forth the primary uses and accessory uses included in each commercial use category:

A. **Automotive Sales and Services Use Category.**

Table 3.03(E)-1, Automotive Sales and Services Use Category	
Characteristics: Direct sales of and service to automotive passenger vehicles and other consumer motor vehicles such as motorcycles, boats, and recreational vehicles.	
Primary Uses	**Accessory Uses**
▪ Automotive Body and Major Repair (e.g., Autobody or Engine Repair, Painting, Seat Cover and Upholstery Service, etc.) ▪ Automotive Sales, Leasing, or Rental ▪ Automotive Servicing (e.g., Auto Detailing, Minor Scratch and Dent Repair, Quick Lubrication Service, Tire Sales, and Mounting, etc.) ▪ Retail Fuel Sales ▪ Vehicle Washing Establishment ▪ Other uses meeting the characteristics of the Vehicle Sales and Services Use Category	▪ Associated Office and Storage ▪ ~~Car Wash (Incidental)~~ ▪ Concessions ▪ Food Preparation and Dining Facility ▪ Minor Utilities ▪ Outdoor Displays of Merchandise ▪ Outdoor Storage ▪ Sale of Auto Parts ▪ Towing ▪ Vehicle Storage

B. **Entertainment and Recreation, Indoor Use Category.**

Indoor Entertainment and Recreation Use Category	
Characteristics: Generally commercial uses, varying in size, providing daily or regularly scheduled entertainment or recreation-oriented activities in an indoor setting.	
Primary Uses	**Accessory Uses**
▪ Arcade or Skilled-Based Amusement Machine ▪ Axe Throwing Lounge ▪ Bar, Tavern, or Nightclub ▪ Billiard Parlor or Pool Hall ▪ Bingo Hall ▪ Bowling Alley ▪ Entertainment Device Arcade ▪ Event Hall or Conference Center ▪ Microbrewery, Microdistillery, or Microwinery ▪ Rock Climbing Gym ▪ Shooting Range, Indoor ▪ Skating Rink ▪ Tennis, Racquet Ball, or Pickle Ball Facility ▪ Theater ▪ Trampoline Park ▪ Swimming Pool, Indoor ▪ Video Lottery Terminal (VLT) ▪ Other uses meeting the characteristics of the Indoor Entertainment and Recreation Use Category	▪ Associated Office and Storage ▪ Associated Retail Sales Related to the Primary Use ▪ Concessions ▪ Food Preparation and Dining Facility ▪ Minor Utilities ▪ Swimming Pool

C. **Entertainment and Recreation, Outdoor Use Category.**

Outdoor Entertainment and Recreation Use Category	
Characteristics: Generally commercial uses, varying in size, providing daily or regularly scheduled entertainment or recreation-oriented activities in an outdoor setting.	
Primary Uses	**Accessory Uses**
▪ Amphitheater ▪ Amusement or Water Park ▪ Driving Range ▪ Golf Course or Country Club ▪ Stadium ▪ Swimming Pool, Outdoor ▪ Racetrack, Animal Racing ▪ Other uses meeting the characteristics of the Outdoor Entertainment Use Category	▪ Associated Office and Storage ▪ Associated Retail Sales Related to the Primary Use ▪ Boat Launch ▪ Classrooms ▪ Concessions ▪ Dock or Pier ▪ Food Preparation and Dining Area ▪ Minor Utilities ▪ Single Attached Residential Unit for Caretaker

E. **Office Use Category.**

Office Use Category	
Characteristics: Uses conducted in an office setting and generally focusing on administrative, business, clerical, financial, or other professional services.	
Primary Uses	**Accessory Uses**
▪ Appraisal Services ▪ Bank, Credit Union, or Other Financial Institution ▪ Short-Term Loan Establishment ▪ General or Unspecified Office Space ▪ Employment Services ▪ Insurance Office (e.g., Agents, Carriers, Brokers, etc.) ▪ Professional Office (e.g., Legal, Accounting, Engineering, etc.) ▪ Radio or Television Stations or Studios ▪ Real Estate Office (e.g., Agents, Brokers, and Management) ▪ Travel Arranging and Ticket Sales ▪ Other uses meeting the characteristics of the Office Use Category	▪ Associated Storage ▪ Day Care for Children of Employees ▪ Food Preparation and Dining Facility for Employees ▪ Medical Clinic for Employees ▪ Minor Utilities ▪ Recreation Facility for Employees ▪ Private Telecommunication or Transmission Tower

F. **Overnight Accommodations Use Category.**

Overnight Accommodations Use Category	
Characteristics: Uses with bedroom and bathroom units arranged for short-term stays of less than 30 days for rent or lease.	
Primary Uses	**Accessory Uses**
▪ Bed and Breakfast Establishment ▪ Hotels and Motel ▪ Short-Term Rental ▪ Other uses meeting the characteristics of the Overnight Accommodations Use Category	▪ Associated Office and Storage ▪ Meeting Space ▪ Minor Utilities ▪ Recreation Facility ▪ Restaurant ▪ Swimming Pool

G. **Parking, Commercial Use Category.**

Commercial Parking Use Category	
Characteristics: Facilities that provide parking not accessory to a primary use, for which a fee may or may not be charged.	
Primary Uses	**Accessory Uses**
▪ Parking Garage ▪ Parking Lot ▪ Park-and-Ride Facility ▪ Other uses meeting the characteristics of the Commercial Parking Use Category	▪ Associated Office and Storage ▪ Minor Utilities

H. **Restaurant Use Category.**

Restaurant Use Category	
Characteristics: Establishments that prepare and sell food and beverages for on-premises or off-premises consumption.	
Primary Uses	**Accessory Uses**
▪ Bakery ▪ Brewpub ▪ Coffee or Tea Shop ▪ Ice Cream Shop ▪ Restaurant, Delivery Only ▪ Restaurant, ~~Drive-Through or~~ Drive-In ▪ Restaurant, Takeout Only ▪ Restaurant, Standard ▪ Other uses meeting the characteristics of the Restaurant Use Category	▪ Associated Office and Storage ▪ Drive-Through Facility ▪ Minor Utilities ▪ Outdoor Dining Area ▪ Recreation Facility

I. **Retail Repair, Sales, and Services Use Category.**

Retail Repair, Sales, and Services Use Category	
Characteristics: Companies or individuals involved in the sale, lease, or rental of new or used products, or providing personal services or repair services to the general public.	
Primary Uses	**Accessory Uses**

<u>Repair-Oriented Uses:</u>
▪ Stores offering repair of:
  ○ Bicycles
  ○ Clocks
  ○ Electrical Appliances (Small)
  ○ Electronics
  ○ Household Appliances
  ○ Furniture
  ○ Jewelry or Watches
  ○ Locks and Keys
  ○ Office Equipment
  ○ Musical Instruments
  ○ Rugs
  ○ Shoes
  ○ Upholstery
<u>Sales-Oriented Uses:</u>
▪ Antique Mall
▪ Convenience Store
▪ Department Store
▪ Flea Market
▪ Florist
▪ Grocery Store
▪ Pharmacy/Drug Store
▪ Shopping Center
▪ Small Box Discount Retail Store
▪ Stores Selling, Leasing, or Renting Consumer, Home, and Business Goods, including but not limited to:
  ○ Antiques
  ○ Art Supplies
  ○ Automotive Parts and Accessories
  ○ Bicycles
  ○ Books and Stationery
  ○ Cameras and Photographic Supplies
  ○ Clothing and Apparel Accessories
  ○ Collectibles
  ○ Electronics
  ○ Farm and Gardening Supplies (not including heavy equipment)
  ○ Fabric
  ○ Floor Coverings
  ○ Fruits and Vegetables
	▪ Associated Office and Storage
	▪ Concession
	▪ Day Care for Children of Employees
	▪ Food Preparation and Dining Facility
	▪ Minor Utilities
	▪ Outdoor Displays of Merchandise

○ Furniture and Home Furnishings ○ Gifts and Novelties ○ Hardware ○ Hobby and Craft Supplies ○ Home Improvement Supplies ○ Household Appliances ○ Household Products ○ Jewelry and Watches ○ Live Bait ○ Luggage ○ Meats or Fish ○ Medical Supplies ○ Music Instruments, Supplies, or Records ○ Newspapers and Magazines ○ Office Equipment and Business Machines Rental ○ Office Supplies and Equipment ○ Pets and Pet Supplies ○ Plants ○ Shoes ○ Sporting Goods and Athletic Equipment ○ Toys ▪ ~~Vape Shop~~ <u>Service-Oriented Uses:</u> ▪ Art, Dance, Drama, Music, or Photography Instruction or Studio ▪ Barber Shop or Beauty Salon ▪ Blueprinting or Photocopying ▪ Dry Cleaning and Laundry Drop-Off/Pick-Up Only ▪ Funeral Home ▪ Health and Fitness Studio ▪ Informational and Instructional Services ▪ Optician/Optometrist ▪ Pet Groomer ▪ Tanning Salon ▪ Tattoo and Body Art Establishment ▪ Tailoring ▪ Other uses meeting the characteristics of the Retail Repair, Sales, and Services Use Category	

J. **Self-Service Storage Use Category.**

Self- Service Storage Use Category	
Characteristics: Uses providing separate storage areas for personal or business use designed to allow private access by the tenant for storing or removing goods or property.	
Primary Uses	**Accessory Uses**
▪ Self-Storage Facilities ▪ Other uses meeting the characteristics of the Self-Service Use Category	▪ Associated Office and Storage

3.03(F) Industrial Use Categories

The following tables set forth the primary uses and accessory uses included in each industrial use category:

A. **Heavy Industrial Use Category.**

Table 3.03(F)-1, Heavy Industrial Use Category	
Characteristics: Uses engaged in the manufacturing, assembly, or processing of chemicals, animal products, and metals, and/or uses that generate noise, odor, vibration, illumination, or particulate that may be offensive or obnoxious adjacent land uses, or requires a significant amount of on-site hazardous chemical storage. Factory production and industrial yards are located here. Sales to the general public are rare.	
Primary Uses	**Accessory Uses**
▪ Aggregate, Concrete, and Asphalt Plant ▪ Animal Slaughterhouse, Rendering Operations Facility, or Packaging Plant ▪ Arsenal ▪ Foundry, Forge Shop, Open Air Welding, and Other Intensive Metal Fabrication Facility ▪ Large-Scale Food and Beverage Operation ▪ Lumber, Milling, and Planing Facility ▪ Manufacturing, Production, or Processing of: ○ Automotive Vehicles ○ Chemicals and Allied Products ○ Furniture and Fixtures ○ Leather Products ○ Rubber ○ Stone, Clay, or Glass ○ Textiles ○ Tobacco Products	▪ Associated Office and Storage ▪ Associated Retail Sales Related to the Primary Use ▪ Day Care for Children of Employees ▪ Fleet Maintenance ▪ Food Preparation and Dining Facility for Employees ▪ Fueling Facility ▪ Medical Clinic for Employees ▪ Meeting Space ▪ Minor Utilities ▪ Outdoor Storage ▪ Recreation Facility for Employees ▪ Single Residential Unit for Caretaker ▪ Warehouse

B. **Light Industrial Use Category.**

Table 3.03(F)-2, Light Industrial Use Category	
Characteristics: Uses engaged in the manufacturing, assembly, or processing of non-combustible and non-explosive industrial, business, or consumer goods (from basic finished inputs such as metal, stone, glass, plastic, or rubber); Packaging (packing, bottling, canning, or wrapping) of assembled products; and Contractors and building maintenance services and similar uses that perform services off-site. Few customers, especially the general public, come to the site.	
Primary Uses	**Accessory Uses**
▪ Artisan/Micro-Manufacturing ▪ Brewery, Large ▪ Building or Lumber Yard ▪ Catering Establishment, Large Scale ▪ Contractor Service, Equipment, and Storage Yard ~~Contractor Yard~~ ▪ Dry Cleaning or Laundry Plants ▪ Extermination Services ▪ Fabrication and Assembly of: ○ Appliances ○ Bicycles ○ Clothing ○ Communication Equipment ○ Computer Software ○ Electrical or Electronic Components and Accessories ○ Food Products ○ Furniture (where wood is milled off-site) ○ Hardware ○ Mechanical Components ○ Paper and Paper Products ○ Pharmaceuticals ○ Scientific or Professional Instruments ○ Toys ▪ Packaging Facilities including for: ▪ Bottling Beverages ▪ Canning and Wrapping Foods ▪ Boxing Electronic Components ▪ Micro-manufacturing ▪ General Industrial Services ▪ Research and Development Facilities ▪ Truck, Trailer, or Equipment Sales, Leasing, or Rental	▪ Associated Office and Storage ▪ Associated Retail Sales Related to the Primary Use ▪ Associated Showroom ▪ Day Care for Children of Employees ▪ Electric vehicle charging ▪ Fleet Maintenance ▪ Food Preparation and Dining Facility for Employees ▪ Fueling Facility ▪ Medical Clinic for Employees ▪ Meeting Space ▪ Minor Utilities ▪ Outdoor Storage ▪ Recreation Facility ▪ Single Attached Residential Unit for Caretaker ▪ Solid Waste Collection and Trash Enclosures ~~(1203.07.F.18)~~ ▪ Warehouse

C. **Resource Extraction Use Category.**

Table 3.03(F)-3, Resource Extraction Use Category	
Characteristics: Characterized by activities that extract minerals and other solids and liquids from land on which the use is established.	
Primary Uses	**Accessory Uses**
▪ Bulk Gas and Flammable Liquid Production, Storage, or Dispensing ▪ Mine or Quarry	▪ Associated Office and Storage ▪ Minor Utilities ▪ Outdoor Storage Yard ▪ Resource Processing ▪ Stockpiling of Resources Extracted from the Site

D. **Warehousing and Freight Movement Use Category.**

Table 3.03(F)-4, Warehousing and Freight Movement Use Category	
Characteristics: Uses involved in the storage or movement of goods for themselves or other firms. Goods are generally delivered to other firms or the final consumer with little on-site sales activity to customers.	
Primary Uses	**Accessory Uses**
▪ Bulk Storage ▪ Distribution Center ▪ Express Hauling and Freight Hauling Services ▪ General Warehouse	▪ Associated Office and Storage ▪ Day Care for Children of Employees ▪ Fleet Maintenance ▪ Food Preparation and Dining Facility for Employees ▪ Fueling Facility ▪ Medical Clinic for Employees ▪ Meeting Space ▪ Minor Utilities ▪ Outdoor Storage ▪ Recreation Facility ▪ Single Residential Unit for Caretaker

E. **Waste-Related Use Category.**

Table 3.03(F)-5, Waste-Related Use Category	
Characteristics: Uses involving receiving solid or liquid wastes from others for transfer to another location and uses that collect sanitary wastes or that manufacture or produce goods or energy from the composting of organic material.	
Primary Uses	**Accessory Uses**
▪ Composting Facility ▪ Recycling Center	▪ Associated Office and Storage ▪ Fleet Maintenance ▪ Fueling Facility ▪ Minor Utilities ▪ Outdoor Storage ▪ Repackaging and Shipment of By-Products

F. **Wholesale Trade Use Category.**

Table 3.03(F)-6, Wholesale Trade Use Category	
Characteristics: Uses involving the sale, lease, or rental of products to industrial, institutional, or commercial businesses. The uses emphasize on-site sales or order-taking and often include display areas. Businesses may or may not be open to the general public. Products may be picked up on-site or delivered to the customer.	
Primary Uses	**Accessory Uses**
▪ Equipment Sales and Leasing ▪ Wholesale Business	▪ Associated Office and Storage ▪ Associated Showroom ▪ Day Care for Children of Employees ▪ Fleet Maintenance ▪ Food Preparation and Dining Facility for Employees ▪ Medical Clinic for Employees ▪ Meeting Space ▪ Minor Fabrication ▪ Minor Utilities ▪ Product Repair ▪ Recreation Facility ▪ Repackaging of Goods ▪ Single Residential Unit for Caretaker ▪ Warehouse

1203.04 Limited Use Standards

A. **Purpose**. The purpose of this Section is to promote compatibility among land uses in the City by establishing specific standards for the establishment of limited uses which are indicated in Table 1203.04-1, *Primary Use Table*.

B. **Applicability**. Limited uses may be authorized for uses shown as limited in Table 1203.04-1, *Primary Use Table*, only if they meet all of the standards of this Section and other applicable standards and requirements of this PZC.

C. **Timing of Compliance**. The standards of this Section apply at the time a limited use is requested to be:

1. *Inside Structure.* Established in an existing or new structure;
2. *Outdoors*. Established outdoors; or
3. *Expansion*. Expanded by more than 10 percent of the existing indoor or outdoor square footage currently devoted to the use.

D. **Residential Limited Uses.**

1. *Multiplex.*
   a. Bufferyard. If abutting a single-unit detached home that is in the same zoning district, the use shall install a Type A bufferyard.
   b. Conversion of Detached Houses. If the use is a conversion of an existing conventional detached house it shall occur either:
      i. Within the square footage of an existing unit; or
      ii. So that any expansion that increases the square footage of the existing building is no greater than 120 percent of the largest residence within 300 feet in any direction.
   c. Entrance. Only one entrance into the structure shall be directly visible from any public right-of-way.
2. *Upper-Floor Residential*.
   a. Mixed-Use Building Standards. The use shall comply with the development standards of the mixed-use building standards set forth in Section 1204.07, *Mixed-Use and Nonresidential Building Elements and Architectural Design*.
   b. Maximum Density. The maximum density of the zoning district shall not apply.
   c. Floor Area. The minimum floor area of each unit shall be 500 square feet.
   d. Drive-In or Drive-Through Prohibited. The site shall have no drive-in or drive-through facilities.

E. **Agricultural and Animal-Related Limited Uses.**

1. *Greenhouse or Nursery.*
   a. Location. The use shall not be located closer than 200 feet from any lot line of a residential district or use.
   b. Deliveries. Off-site delivery of plant materials and the use and storage of all vehicles and equipment necessary for those activities are permitted.
   c. Display and Storage. Merchandise, landscaping materials, and equipment shall be displayed or stored within an enclosed building or in an area of the property that has been fenced or landscaped to conceal the area from any public right-of-way. Neither storage nor display shall occur within 25 feet of public right-of-way or occupy required off-street parking spaces.
   d. Vehicle Maintenance. Any repair or servicing of vehicles or equipment used in the operation of the business shall occur within an enclosed building. Repair and servicing shall be limited to normal maintenance and shall not include body repair or modification.
   e. Growing Areas. Areas for the growing of plants and nursery stock may be permitted in greenhouses or in open areas as designated by the applicant.

f. Outdoor Storage. Outdoor storage shall meet all requirements for outdoor storage established in Section 1203.07.F.10, *Outdoor Bulk Storage*. The type and location of any materials to be stored on any site shall be determined at the time of development plan approval. Any materials approved for outdoor storage shall not cause a hazard or nuisance to the health, safety, or welfare of humans or animals.

2. *Raising of Crops*.
   a. Lot Size. The use shall be located on a lot that is at least 10 consecutive acres.
3. *Kennel*.
   a. Lot Size. The use shall be located on a lot that is at least two acres.
   b. Setbacks. All structures and activity areas, except off-street parking, shall be set back a minimum of 200 feet from all lot lines abutting any residential district and a minimum of 50 feet from all other lot lines.
   c. Exercise Areas Enclosed.
      i. All exercise areas abutting a residential zoning district shall be enclosed by a solid wood fence or solid wall at least six feet in height and a continuous screen of evergreen plantings.
      ii. All exercise areas abutting a mixed-use or nonresidential zoning districts shall be enclosed by a fence at least five feet in height.
   d. Insulated and Soundproofed. Rooms which contain animals shall be insulated, or otherwise soundproofed and vented so that animal noises are not audible anywhere beyond the lot.
4. *Raising of Livestock*.
   a. Permitted in All Yards. All activity areas, including pasturing areas, may be located in all yards.
   b. Activity Areas Enclosed. All activity areas, including pasturing areas, shall be enclosed by a fence or other barrier that prevents access to the animals.
   c. Setback. If the use is abutting a ~~residential zoning district~~SR, NC, GR, or UR zoning district or residential use, the minimum setback for all activities shall be at least 50 feet.
   d. Contiguous Lots Under Same Ownership. Contiguous lots under the same ownership may be considered as one raising of livestock use area for purposes of minimum lot size, setbacks, and fence requirements as determined by the Director (i.e. each lot will not be required a 200 sq. ft. front yard setback).
   e. City Code. The use shall comply with provisions of Chapter 618, Animals of the City's Code of Ordinances.

F. **Public and Civic Limited Uses.**
1. *Daycare Facilities*.
   a. Lot Size. The use shall be located on a lot that is a minimum of 10,000 square feet.
   b. Play Areas. Outdoor play areas shall be:
      i. Permitted in the side and rear yards only; and
      ii. Enclosed with a fence or wall that is a minimum of five feet in height.
   c. Pick Up and Drop Off Areas.
      i. Unloading and loading of children from vehicles shall only be permitted in the approved vehicular use area of the facilities.

ii. An on-site drop off area sufficient to accommodate four vehicles shall be provided and shall be located in a manner not to obstruct movement in and out of established parking spaces.

2. *Active Park, Playground, or Ball Field.*
   a. Setbacks. All structures and activity areas, except off-street parking, shall be set back a minimum of 75 feet from all lot lines.
   b. Retail Sales. Only retail uses which are customarily accessory or incidental to the main recreational use shall be permitted and shall include such uses as refreshment stands, souvenir stands, and concession stands.
3. *Community Gardens.*
   a. Retail Sales. Sale of items grown or any other items shall not take place on-site.
   b. Lighting. Any lighting shall be shielded so that all directly emitted light stays on the property.
   c. Nuisances. All gardens shall be maintained to be substantially free of odors, pests, rodents, trash, and/or anything else that might cause a nuisance.
   d. Buildings. A shed structure may be utilized on-site for storage of materials and tools used for garden cultivation, provided it shall not exceed 600 square feet.
4. *Wireless Telecommunication Facilities.* All wireless telecommunication facilities shall comply with 1203.06, *Wireless Telecommunication Facilities*.
5. *Solar Farms*.
   a. Lot Size. The use shall be located on a lot that is a minimum of 5 acres.
   b. Height. The height of all structures shall not exceed 30 feet.
   c. Lot Coverage. Due to the nature of the support structures for solar panel arrays, the lot coverage maximum for the zoning district the use is located in shall not apply.
   d. Drainage. Proper drainage for detention or retention shall be approved by the City Engineer.
   e. Setback.
      i. Solar farm structures shall be set back from all property lines and public road rights-of-way at least 30 feet, or one and one-half times the height of the structure, whichever is greater.
      ii. In addition, solar power plant structures must be located at least one hundred feet from all residentially zoned lots and lots with existing residences.
      iii. Additional setbacks may be required to mitigate noise and glare impacts, or to provide for designated road or utility corridors, as identified through the site plan review process.
   f. Screening and Buffering. The use shall have Type B bufferyard and shall be screened from public view in accordance with 1204.22, *Screening and Fencing*.
   g. Fence. An appropriate security fence (height and material to be established through the site plan permit process) shall be placed around the perimeter of the solar farm.
   h. Signage. Appropriate warning signage (height, area, and material to be established through the site plan permit process) shall be placed at the entrance and perimeter of the solar farm project.
   i. Noise. No operating solar power plant shall produce noise that exceeds any of the following limitations. Adequate setbacks shall be provided to comply with these limitations.
      i. Fifty dBA, as measured at the property line of any neighboring residentially zoned lot
      ii. Sixty dBA, as measured at the property lines of the project boundary

j. Abandoned and Decommissioned Solar Facilities.

i. Any solar farm which has reached the end of its useful life or has been abandoned shall be removed by the owner or operator within 150 days after the date of discontinued operations.

ii. The owner or operator shall notify the Director by certified mail of the proposed date of discontinued operations and plans for removal.

iii. Decommissioning shall consist of:

(A) Physical removal of all ground-mounted solar photovoltaic installations, structures, equipment, security barriers and transmission lines from the site.

(B) Disposal of all solid and hazardous waste in accordance with local, state, and federal waste disposal regulations.

(C) Stabilization or re-vegetation of the site as necessary to minimize erosion. The Planning Commission may allow the owner or operator to leave landscaping or designated below-grade foundations in order to minimize erosion and disruption to vegetation.

(D) Absent notice of a proposed date of decommissioning, the solar farm shall be considered abandoned when it fails to operate for two years without the extension approval of the Planning Commission.

G. **Commercial Limited Uses.**

1. *Automotive Body and Major Repair or Automotive Servicing.*

a. Completely Enclosed. Lubrication, washing, incidental servicing of automotive passenger vehicles, and all supply and merchandise storage shall be completely within an enclosed building except as otherwise provided herein.

b. Parking. Employee vehicles and vehicles awaiting servicing or return to customers following servicing shall be parked in areas indicated for such parking on the approved site plan. Such vehicular use areas shall be set back a minimum of 50 feet from any right-of-way.

c. Prohibited Activities. The sale of motor vehicles on premises used for automotive servicing or automotive body and major repair shall be prohibited.

d. Storage of Non-Operational Vehicles.

i. The storage of non-operational vehicles for longer than a 24-hour period shall only be permitted for automotive body and major repair businesses.

ii. Such storage shall be permitted if stored in the rear yard and screened by a solid wall or fence with a minimum height of five feet.

iii. No such vehicle shall be stored on-site for more than two weeks.

2. *Automotive Sales, Leasing, or Rental.* The use shall be located on a lot that is at least 2.5 acres.

3. *Retail Fuel ~~Station~~ Sales.*

a. Frontage Along Certain Corridors. The use shall not be located on a lot with frontage along Ohio State Route 63, Ohio State Route 4, or Cincinnati Dayton Road.

b. Canopies. Canopies shall be set back a minimum of 15 feet from street rights-of-way, and shall not exceed a clearance height of 14 feet.

c. Semi-Trailer Truck Parking.

i. No semi-trailer truck parking stalls are permitted other than temporary stacking for refueling. No site shall install excessive amounts of unmarked and/or unprogrammed pavement in order to effectively provide semi-trailer truck parking.

ii. No more than three single refueling stations for semi-trailer trucks are permitted. The number of semi-trailer truck refueling stations shall not exceed the number of automobile refueling stations.

d. Vacant or Inoperative Retail Fuel ~~Stations~~Sales.

i. If any automotive servicing use is vacant or not operational for a period of at least six consecutive months, such station shall be presumed to be a nuisance affecting or endangering surrounding property values and to be detrimental to the public health, safety, convenience, comfort, property or general welfare of the community and shall be abated.

ii. Vacant or inoperative automotive servicing use shall be maintained in accordance with the requirements of this code and all underground storage tanks shall be secured and maintained to prevent leaking, access by unauthorized individuals, and meet all established state regulations for storage tanks.

iii. Any removal of pumps or tanks shall be undertaken in accordance with safe accepted practices as prescribed by the National Fire Protection Association and filling depressions to the grade level of the lot.

iv. The owner of the station shall be required to consistently maintain the premises.

4. *Vehicle Washing Establishment.*

a. Frontage Along Certain Corridors. The use shall not be located on a lot with frontage along Ohio State Route 63, Ohio State Route 4, or Cincinnati Dayton Road.

b. Lot Size. The use shall be on a lot that is a minimum of 40,000 square feet.

c. Distance from Residential District or Use. All structures shall be located at least 100 feet from any adjacent residential district or use.

d. Enclosed Washing Facility. 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.

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

5. *Entertainment Device Arcades.* No establishment that contains an entertainment device arcade shall be located within 500 feet of another establishment containing an entertainment device arcade. The measure of distance for purposes of this Section shall be from property line to property line along the shortest possible course, regardless of any customary or common route or path of travel.

6. *Event Hall or Conference Center.* All structures and activity areas, except off-street parking, shall be set back a minimum of 200 feet from all lot lines abutting a residential zoning district. All off-street parking shall be set back a minimum of 20 feet from all lot lines abutting a residential zoning district. All structures and activity areas shall be set back a minimum of 20 feet to lot lines.

7. *Microbrewery or Microdistillery or Microwinery.*

a. Gross Floor Area. 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.

b. Outdoor Brewing Equipment or Storage. Brewing equipment or storage is permitted on the exterior of the building subject to outdoor storage standards of 1203.07, *Accessory Uses and Structures*.

8. *Sexually-Oriented Business.*
   a. Other City Regulations. The uses shall comply with the provisions in Chapter 860, Sexually Oriented Businesses, of the Business Regulation and Taxation Code in the City Code of Ordinances.
   b. Distance from Other Uses. A sexually oriented business shall be located more than 1,000 feet from all the following uses:
      i. Any residential district as established by this PZC or established by the zoning regulations of any adjacent political subdivision;
      ii. Any permanently established religious place of worship, school, library, or public playground attended by persons under the age of 18;
      iii. Any other recreational facility or amusement park attended by persons under 18 years of age;
      iv. Any hotel, motel, or bed and breakfast lodging establishment;
      v. Any other sexually oriented business; or
      vi. Any establishment licensed by the State of Ohio for the sale of beer or intoxicating liquor for consumption on the premises.
   c. Measurement.
      i. For the purpose of this Section, measurements shall be made in a straight line in all directions without regard to intervening structures or objects, from the closest part of the structure used in conjunction with the sexually oriented business to the closest point on a property boundary or right-of-way associated with any of the land uses identified in Chapter 860 of the City Code of Ordinances, referenced in paragraph 8.b, above.
      ii. If the sexually oriented business is located in a multi-tenant structure or development, the distance shall be measured from the closest part of the tenant space occupied by the sexually oriented business to the closest point on a boundary of a residential district identified in paragraph 8.b.i, above, and to the closest part of the tenant space occupied by a land use identified in paragraph 8.b.ii. - 8.b.v., above.
9. *Entertainment and Recreation, Outdoor Uses.* All structures and activity areas, except off-street parking, shall be set back a minimum of 200 feet from all lot lines abutting a residential district or use and a minimum of 100 feet from all other lot lines.
10. *Parking Garage.*
    a. Below Grade Parking Garages. Below grade parking garages are encouraged over above grade.
    b. Above Grade Parking Garages. Above grade parking garages shall comply with all standards for parking garages in 1204.11, *Off-Street Parking Design*.
11. *Parking Lot.*
    a. Lot Coverage. No more than 85% of the parcel can be parking lot or impervious area.
    b. Landscaping.
       i. The ingress and egress drives shall be fully landscaped in addition to the perimeter and interior landscaping required in Article 04.05, *Landscaping, Screening, and Buffering*.
       ii. The parking lot landscaping requirements set forth in 1204.20, *Development Landscaping*, shall be increased by 25% in situations where the parking lot is the principal use of the site.

c. Prohibited Activities. No auctions, sales, service, or repair activities shall be conducted on the premises.

12. *Brew Pub.*

a. Gross Floor Area. The production of beverages at a Brew Pub 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. Outdoor Brewing Equipment or Storage. Brewing equipment or storage is permitted on the exterior of the building subject to outdoor storage standards of 1203.07, *Accessory Uses and Structures*.

13. Restaurant, Drive in

a. Setback. All structures and activity areas, except off-street parking, shall be set back a minimum of 50 feet from all lot lines.

~~b.~~

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~~13.~~14. *Antique Mall.*

a. Unified Control and Supervision. 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. Dealer Licenses and Agreements. 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. Hours of Operation. The applicant shall specify the days and hours of operation.

d. Outdoor Display or Merchandise Prohibited. No merchandise shall be stored, displayed, or sold outside of a building.

e. Vehicle Parking or Storage. 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 Vendor Sales. Individual sales transactions are prohibited at individual stalls/partitions.

~~14.~~15. *Small Box Discount Retail Store.*

a. Separation. A small box discount retail store shall not be located within one mile from the nearest property line of an existing small box discount retail store.

b. Concentration. No two small box discount retail stores shall be located in the same building or on the same lot.

~~15.~~16. *Other Retail Sales-Oriented and Service-Oriented Uses Not Listed in Table.* Uses that are 75,000 square feet or larger in total floor area shall submit an adaptive re-use concept as part of a Site Plan Review to be approved by the Planning Commission. It is intended here that the building be designed to allow for possible future users in space that is divided from the original size user space to demonstrate how the structure can be re-used if a single user ceases normal operations at the establishment. Factors to include in the design shall be future window and door openings, multiple loading and service provisions, and future utilities that may be required during site plan review.

H. **Industrial Limited Uses.**

1. *Artisan/Micro-Manufacturing.*

a. Enclosed Structure. All activities shall occur entirely within an enclosed structure.

b. Outdoor Storage. No outdoor storage is permitted.

c. Floor Area. The gross floor area shall not exceed 5,000 square feet.

2. *Contractor Service, Equipment, and Storage Yard*~~*Contractor Yard*~~.

a. Setback. All structures and activity areas, except off-street parking, shall be set back a minimum of 200 feet from all lot lines.

b. Screening. A plan illustrating outdoor storage and how it is to be screened shall be submitted as part of the site plan review process.

3. Warehousing and Freight Movement.

a. A Warehousing and Freight Movement use may be permitted as incidental and accessory to a permitted use if the maximum gross floor area does not exceed 30% of the use.

b. Outdoor storage shall be prohibited.

c. All business, servicing, processing, and storage shall only occur within an enclosed structure.

1203.05 Conditional Use Standards

A. **Purpose**. The purpose of this Section is to ensure that a use generally deemed incompatible with permitted uses in a given zoning district can be considered for approval with certain conditions placed on the use as denoted in this Section.

B. **Applicability.** Conditional uses may be authorized following a recommendation from the reviewing staff and a final decision by Planning Commission for uses shown as conditional in Table 1203.05-1, *Primary Use Table*. Refer to Chapter 1207, *Development Review Procedures*, for more information on the process to apply for, obtain, or appeal a final decision related to a Conditional Use Permit.

C. **Timing of Compliance**. The standards of this Section apply at the time a conditional use is requested to be:

1. *Structure.* Established in an existing or new structure;

2. *Outdoors.* Established outdoors; or

3. *Expansion.* Expanded by more than 10 percent of the existing indoor or outdoor square footage currently devoted to the use.

D. **Review and Approval**.

1. *Standards for All Conditional Uses.* The following standards shall apply to all conditional uses, in addition to the specific standards in this Section. If a use requires a Conditional Use Permit and has no associated specific standards in this Section, then the Director and the Planning Commission shall consider the following standards when making a recommendation or decision on a conditional use:

a. The proposed conditional use will operate or be designed in a manner that does not diminish the use or functionality of surrounding properties;

b. The proposed conditional use will incorporate provisions for hours of operation, parking and loading areas, driveways, lighting, signs, landscaping, buffering, and other site improvements ;

c. The proposed conditional use must have adequate public services (e.g. streets, off-street parking, pedestrian facilities, water, sewer, gas, electricity, and police and fire protection) available without the reduction of services to any existing uses;

d. If, in the opinion of Planning Commission or City Council, the conditional use becomes a nuisance, the Conditional Use Permit may be recalled for further review, which could lead to the need for additional conditions, restrictions, or the revocation of the permit;

e. The proposed conditional use will incorporate design features to sufficiently protect adjacent uses that may include but are not limited to service areas, pedestrian and vehicular circulation, safety provisions, access ways to and from the site, lighting, screening and buffering, fencing, and building placement; and

f. The proposed use is compatible with adjacent existing uses. Compatibility shall be expressed in terms of appearance, architectural scale, use and intensity, and features, site design and scope, landscaping, as well as the control of adverse environmental impacts, including noise and lighting, or other undesirable conditions.

2. *Standards for Specific Use Standards.* In addition to the general standards for all conditional uses in paragraph D.1., above, conditional uses may have use-specific standards. Conditional uses shall comply with all applicable use-specific standards as described in paragraphs E. through I., below.

3. *Conditional Approval.* The Director may recommend, and the Planning Commission may require additional conditions beyond the standards of this Section to reasonably mitigate any adverse impacts upon surrounding properties in the zoning district of the property for which the conditional use is requested.

E. **Residential Conditional Use Standards.**

1. *Live-Work Unit.*

a. Floor Area. The nonresidential floor area of the structure shall not exceed 50 percent of the gross floor area of the Live-Work Unit or 3,500 square feet, whichever is smaller.

b. Nonresidential Uses Allowed. The structure shall consist of a single residential dwelling unit combined in the same structure with one of the following uses:

i. Office;

ii. Artisan Micro-Manufacturing; or

iii. Retail Repair, Sales, and Service.

c. Drive-In or Drive-Through Prohibited. The site shall have no drive-in or drive-through facility.

d. External Impacts. The work activities shall not create adverse noise or operational impacts on adjacent residential properties.

e. Same Tenant. The same tenant shall occupy both the residential and commercial portions of the structure.

2. *Adult Group Home or Large Residential Facility.*

a. Lot Size. The use shall be located on a lot that is a minimum of 30,000 square feet.

b. Permanent Residence. Each individual home shall have a person or persons maintaining permanent residence in the unit to avoid shift changes and to provide the same type of use and activities otherwise typical in residences in the area.

c. Separation from Similar Uses. An adult group home shall not be located within the same block or within a 500-foot radius of another adult group home.

d. Residential Character. The residential character of all structures shall be maintained.

e. Licensing and Certification Requirements. An adult group home shall not be permitted to be constructed or operated until the agency, organization or institute supervising such home satisfies the Planning Commission that the home and its operation will comply with all licensing or certification requirements of the appropriate state or local agency, pursuant to law.

f. Signage. No exterior sign shall be permitted except as specifically allowed by the Planning Commission.

g. Change in Home Type. Approval of a Conditional Use Permit (CUP) is granted for a specific type of group home. The type of home shall be defined as and by the specific nature of the individuals being treated or rehabilitated. Any change in the type of adult group home requires a new CUP approval.

3. *Institutional Care Facility.*

a. Lot Size. The use shall be located on a lot that is a minimum five acres.

b. Setback. All structures and activity areas, except off-street parking, shall be set back a minimum of 100 feet from the front lot line and 40 feet from all other lot lines.

c. Patient Population. The patient population shall not exceed 15 patient rooms per acre.

4. *Short-Term Rental.*

a. Tenure. A short-term rental tenant shall not stay more than 30 consecutive days in duration;

b. Maximum Guests. The maximum number of guests allowed on the premises shall be no more than 2 per
bedroom on the site;

c. Signs. Signage shall be permitted as outlined in Article 04.06, *Signage*, for the base zoning district;

d. Insurance. Each short-term rental host shall obtain and maintain, at the host's sole expense, liability insurance to cover the injury or death of a tenant while the tenant is in, on, or about the short-term rental property; and

e. Additional Review Criteria. The review for Conditional Use Permit approval of a short-term rental shall consider but not be limited to the following factors:

i. The proposed occupancy and the size of the property, and whether a smaller occupancy level is appropriate;

ii. Setbacks and proximity to other dwellings;

iii. Rental regulations (such as no large parties, no extra guests) imposed by the owner and the degree of owner involvement in property management;

iv. Occupant access to waterways and other environmentally sensitive areas;

v. Vehicle access and onsite parking and the number of parking spaces available; and

vi. Compliance with all state, county, and city ordinances, laws, rules, and regulations including the City's building and fire codes.

F. **Agricultural and Animal-Related Uses.**

1. *Kennel.*

a. Lot Size. The use shall be located on a lot that is a minimum of two acres.

b. Setbacks. All structures and activity areas, except off-street parking, shall be set back a minimum of 200 feet from all lot lines abutting any residential district and a minimum of 50 feet from all other lot lines.

c. Exercise Areas Enclosed.

i. All exercise areas abutting a residential zoning district shall be enclosed by a solid wood or composite fence or wall at least six feet in height along with a continuous screen of evergreen plantings.

ii. All exercise areas abutting a mixed-use or nonresidential zoning districts shall be enclosed by a fence at least five feet in height.

d. Insulated and Soundproofed. Rooms which contain animals shall be insulated, or otherwise soundproofed and vented so that animal noises are not audible anywhere beyond the lot.

2. *All Animal-Related Uses Not Listed in Table.*

a. City Code. The use shall comply with provisions of Chapter 618, *Animals,* of the City's Code of Ordinances.

b. Kennels. If the use has kennels, they shall be accessory to the principal use, limited to short-term boarding, and shall comply with the conditional use standards for kennels, above.

G. **Civic and Institutional Conditional Use Standards.**

1. *Place of Public Assembly.* The height of the main structure or any building shall comply with restrictions of the applicable zoning district with the exception of a steeple or tower, which may not exceed 75 feet in height.

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2. *Daycare Facilities.*

a. Lot Size. The use shall be located on a lot that is a minimum of 10,000 square feet.

b. Play Areas. Outdoor play areas shall be:

i. Permitted in the side and rear yards only; and

ii. Enclosed with a fence or wall that is a minimum of five feet in height.

c. Pick Up and Drop Off Areas.

i. Unloading and loading of children from vehicles shall only be permitted in the approved vehicular use area of the facilities.

ii. An on-site drop off area sufficient to accommodate four vehicles shall be provided and shall be located in a manner not to obstruct movement in and out of established parking spaces.

3. *Primary or Secondary Education Institution*.

a. Lot Size.

i. Elementary School. The use shall be located on a lot that is at least five acres.

ii. Junior High School. The use shall be located on a lot that is at least 25 acres

iii. Senior High School. The use shall be located on a lot that is at least 40 acres.

b. Setback. All structures and activity areas, except off-street parking, shall be set back a minimum of 40 feet from the front lot line and a minimum of 100 feet from all other lot lines.

4. *Active Park, Playground, or Ball Field.*

a. Setbacks. All structures and activity areas, except off-street parking, shall be set back a minimum of 75 feet from all lot lines.

b. Retail Sales. Only retail uses which are customarily accessory or incidental to the main recreational use shall be permitted and shall include such uses as refreshment stands, souvenir stands, and concession stands.

5. *Cemetery, Columbarium, Mausoleum, or Memorial Park.*

a. Lot Size. The use shall be located on a lot that is at least 20 acres.

b. *Ingress and Egress.* There shall be no more than two ingress/egress drives onto the property. No drive shall exceed 35 feet in width.

H. **Commercial Conditional Use.**

1. *Bed and Breakfast Establishments*
   a. Lot Size. The use shall be located on a lot is at least 30,000 square feet.
   b. Trash Facilities. Central facilities for the collection and disposal of trash shall be provided.
   c. Employees. The number of employees, other than occupants or owners, shall not exceed two.
   d. Guest Bedrooms. There shall be a maximum of eight guest bedrooms.
   e. Length of Stays. Stays shall be short-term in nature and no guest shall be permitted to stay for a period exceeding two weeks.
2. *Event Hall or Conference Center*.
   a. Minimum Parcel Size. The minimum parcel size shall be five acres.
   b. Access. The site shall have direct access from an arterial or collector street.
   c. Maximum Floor Area. The total maximum floor area utilized for event hall or conference activities shall be no more than 10 percent of the total lot area.
   d. Hours of Operation. The use may only operate between the hours of 7:00 a.m. and 10:00 p.m.
   e. Noise. Noise generated by the use, as measured at any property line, shall not exceed 40 decibels (dB) between the hours of 8:00 PM and 10:00 PM, and shall not exceed fifty (50) decibels (dB) at any other time.
   f. Setbacks. All structures and activity areas, except off-street parking, shall be set back a minimum of 200 feet from all lot lines abutting any residential zoning district. All off-street parking shall be set back a minimum of 20 feet from all lot lines abutting any residential zoning district. All structures and activity areas, shall be set back a minimum of 20 feet from all other lot lines.
   g. Restroom Facilities. Permanent restroom facilities shall be required commensurate with the capacity of the building(s), subject to approval by the appropriate county health department.
   h. Outdoor Lighting. Any exterior lighting shall adhere to all requirements of Article 04.07, *Outdoor Lighting*.
   i. All events that include sound amplification of any kind or that include 50 or more people in attendance between the hours of 7:00 AM and 10:00 PM must take place entirely within a fully enclosed building(s).
   j. Fire and Building Code Requirements. Any building(s) in which events are held shall meet applicable building and fire code requirements for assembly uses.
3. *Flea Market*.
   a. Indoor Square Footage. A majority of the use's square footage must be indoors.
   b. Outdoor Dining or Displays Merchandise. Any outdoor dining, sales, display, or storage shall comply with the applicable requirements in 1203.07, *Accessory Uses and Structures*.
   c. Zoning Permits. All vendors shall be subject to zoning permit requirements.
4. *Other Entertainment and Recreation, Outdoor Uses Not Listed in Table.* All structures and activity areas, except off-street parking, shall be set back a minimum of 200 feet from all lot lines abutting a residential district or use and a minimum of 100 feet from all other lot lines.
5. *Restaurant, ~~Drive-Through or~~ Drive-In.*

a. Freestanding Drive-Through Facility Prohibited. Restaurants with drive-through facilities only are prohibited.

b. Setback. All structures and activity areas, except off-street parking, shall be set back a minimum of 50 feet from all lot lines.

6. *Self-Storage Facilities Uses.*

a. Height. Storage structures shall not exceed 25 feet in height.

b. Setback. All structures and activity areas shall be set back a minimum of 200 feet from all lot lines abutting a residential district or use and a minimum of 20 feet from all other lot lines.

c. Driveways and Travel Lanes. All one-way driveways shall provide for one 10-foot parking lane and one 15-foot travel lane. Traffic direction and parking shall be designated by signage or driveway painting. All two-way driveways shall provide for one 10-foot parking lane and two 12-foot travel lanes. The parking lanes may be eliminated when the driveway does not serve the storage units.

d. Enclosure. The storage area shall be completely enclosed by walls, fences or buildings, or a combination thereof. 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.

e. Interior Landscaping. Interior landscaping shall be based on 15 square feet of landscaping per parking space required and will be distributed reasonably evenly across the lot area.

f. Buffer Landscaping. A 25-foot-wide landscaping buffer, parallel to the street frontage, equal to the property frontage, excluding ingress/egress drives, shall be landscaped with trees in the ratio of at least one tree for every 2,000 square feet or fraction thereof of the landscaped area. Landscaping should consist of a variety of hardy evergreen planted material, including trees and low-medium-high profile shrubs, together with suitable ground cover that is either seeded with grass or mulched and maintained in such a manner as not to impair vehicle visibility.

g. Fueling. No gasoline or other motor vehicle fuel pumps or tanks shall be permitted on the premises.

~~c.~~h. Commercial Business. No auctions, sales, service or repair activities or anything other than dead storage and the rental and supervision of storage units shall be conducted on the premises.

I. **Industrial Conditional Use Standards.**

1. *Contractor Service, Equipment, and Storage Yard ~~Contractor Yard~~ and Building and Lumber Yard.*

a. Setback. All structures and activity areas, except off-street parking, shall be set back a minimum of 200 feet from all lot lines.

1203.06 Wireless Telecommunication Facilities

A. **Applicability**. The provisions of this section shall apply to all wireless telecommunication facilities, unless such facilities are small cell facilities located in the City right-of-way or wireless support structures located in the City right-of-way, in such instance Chapter 1020, *Comprehensive Rights-of-Way Ordinance*, of the City's Codified Ordinances, shall apply. Nothing herein supersedes the applicability of O.R.C. Section 4939 to small cell facilities and wireless support structures in City rights-of-way.

B. **Severability**. Any conditional use permit issued for a wireless telecommunication facility shall be comprehensive and not severable. If part of a permit is deemed or ruled to be invalid or unenforceable in any

material respect by a competent authority, or is overturned by a competent authority, the permit shall be void in total, upon determination by the City.

C. **Overall Policy and Desired Goals**. In order to ensure that the placement, construction, and modification of wireless telecommunications facilities protects the City's health, safety, public welfare, environmental features, the nature and character of the community and neighborhood, and other aspects of the quality of life specifically listed elsewhere in this section, the City hereby adopts an overall policy with respect to a conditional use permit for wireless telecommunications facilities with the exception of small cell facilities and/or wireless support structures in the City rights-of-way, for the express purpose of achieving the following goals:

1. To establish a policy for examining a conditional use permit application for and issuing a conditional use permit for wireless telecommunications facilities that is both fair and consistent;
2. To establish regulations that promote and encourage, to the maximum extent feasible, the sharing and/or co-location of wireless telecommunications facilities among service providers; and
3. To establish regulations that promote and encourage, to the maximum extent feasible, the placement, height and quantity of wireless telecommunications facilities in such a manner, including but not limited to the use of stealth technology, to minimize adverse aesthetic and visual impacts on the land, property, buildings, and other facilities adjacent to, surrounding, and in generally the same area as the requested location of such wireless telecommunications facilities, which shall mean using the least visually and physically intrusive facility that is not technologically or commercially impracticable under the facts and circumstances.

D. **Location of Wireless Telecommunication Facilities**.

1. Applicants for wireless telecommunications facilities subject to this section shall locate, site and erect said wireless telecommunications facilities in accordance with the following priorities, with paragraph (a) being the highest priority and paragraph (e) being the lowest priority.
   a. On existing towers or other structures without increasing the height of the tower or structure;
   b. On City-owned properties located in any zoning district;
   c. On properties in areas zoned for heavy industrial use;
   d. On properties in areas zoned for light industrial use; or
   e. All other sites.
2. Should an applicant by-pass sites of higher priority, the applicant shall provide documentation showing substantial evidence that the higher priority option is not a commercially viable or technically feasible option.
3. Notwithstanding the above, the Director or, if applicable, the Planning Commission, may approve any site located within an area in the above list of priorities, provided that it finds that the proposed site is not injurious to the best interest of the health, safety and welfare of the City and its inhabitants and will not have an adverse effect on the nature and character of the community and neighborhood.
4. Notwithstanding that a potential site may be situated in an area of highest priority or highest available priority, the City may deny an application for any of the following reasons:
   a. Conflict with safety and safety-related codes and requirements;
   b. The use or construction of wireless telecommunications facilities which is contrary to an already stated purpose of a specific zoning district;

c. The placement and location of wireless telecommunications facilities which would create an unacceptable risk, or the reasonable probability of such, to residents, the public, employees and agents of the City, or employees of the service provider or other service providers; or

d. Conflicts with the provisions of this section.

E. **Shared Use of Wireless Telecommunications Facilities and Other Structures**.

1. The City prefers the location of wireless telecommunication antennas on existing towers without increasing the height, as opposed to the unneeded construction of a new tower, before issuing a conditional use permit for a new tower.
2. No transmittal equipment of any kind may be installed on any structure below 10 meters from the surface level without approval from the Director.
3. An applicant submitting an application for a co-location of an antenna on existing wireless telecommunication tower that is not located in the City right-of-way and that does not increase the height of such tower shall only be required to submit an application for a zoning permit.
4. Any new wireless telecommunications facilities that is not a co-location as described above, and is not located in the City right-of-way, must be reviewed and approved through the conditional use permit procedure as established in Section 1207.21, *Conditional Use Permit*, and subject to the standards and conditions of this section.

F. **Conditional Use Permit Application and Review Requirements.**

1. There shall be a pre-application meeting for wireless telecommunications facilities subject to this section. The purpose of the pre-application meeting is to address issues that will help to expedite the review and permitting process. A pre-application meeting shall also include a site visit if there has not been a prior site visit for the requested site. Costs of the City's consultants to prepare for and attend the pre-application meeting will be borne by the applicant.
2. Any and all representations made by the applicant to the City on the record during the application process, whether written or verbal, shall be deemed a part of the application and may be relied upon in good faith by the City.
3. An applicant shall submit to the City the number of completed applications determined to be needed during the pre-application meeting. Written notification of the application shall be provided to the legislative body of all adjacent municipalities.
4. The Planning Commission is the officially designated agency or body to whom applications for wireless telecommunications facilities (excluding co-location on existing facilities and excluding small cell facilities and/or wireless support structures in the City rights-of-way) must be made. Planning Commission is authorized to review, analyze, evaluate and make decisions with respect to granting or not granting, recertifying or not recertifying, or revoking conditional use permits for wireless telecommunications facilities.
5. An application for a conditional use permit for wireless telecommunications facilities shall be signed on behalf of the applicant by the person preparing the same and with knowledge of the contents and representations made therein and attesting to the truth and completeness of the information. The landowner, if different than the applicant, shall also sign the application. At the discretion of the City, any false or misleading statement in the application may subject the applicant to denial of the application without further consideration or opportunity for correction.
6. Where a certification is called for, such certification shall bear the signature and seal of a professional engineer licensed in the state.

7. The applicant shall include a statement in writing:
    a. That the applicant's proposed wireless telecommunications facilities shall be maintained in a safe manner, and in compliance with all conditions of the conditional use permit, without exception, unless specifically granted relief by the City in writing, as well as all applicable and permissible local codes, ordinances, and regulations, including any and all applicable city, state and federal laws, rules, and regulations; and
    b. That the construction of the wireless telecommunications facilities is legally permissible, including, but not limited to the fact that the applicant is authorized to do business in the state.
    c. The tower shall be structurally designed to accommodate at least five additional antenna arrays equal to those of the applicant, and located as close to the applicant's antenna as possible without causing interference. This requirement may be waived, provided that the applicant demonstrates, in writing, that the provisions of future shared usage of the tower is not technologically feasible, is commercially impracticable or creates an unnecessary and unreasonable burden, based upon;
    d. The foreseeable number of FCC licenses available for the area;
    e. The kind of wireless telecommunications facilities site and structure proposed;
    f. The number of existing and potential licenses without wireless telecommunications facilities spaces/sites; or
    g. Available space on existing and approved towers.
8. No tower owner or manager shall be permitted to submit an application for a conditional use permit for a tower if the tower owner does not have a signed agreement committing a commercial service provider to occupy space on the tower.
9. In the case of a new tower, the applicant shall be required to submit a written report demonstrating its meaningful efforts to secure shared use of existing tower(s) or the use of alternative buildings or other structures within the City. Copies of written requests and responses for shared use shall be provided to the City in the application, along with any letters of rejection, stating the reason for rejection.
10. The applicant shall certify that the telecommunication facility, foundation and attachments are designed and will be constructed to meet all local, city, state and federal structural requirements for loads, including wind and ice loads.
11. The applicant shall certify that the wireless telecommunications facilities will be effectively grounded and bonded so as to protect persons and property, and installed with appropriate surge protectors.
12. The applicant shall demonstrate and provide in writing and/or by drawing how it shall effectively screen from view the base and all related facilities and structures of the proposed wireless telecommunications facilities.
13. The applicant will provide a written copy of an analysis, completed by a qualified individual or organization, to determine if the tower or existing structure intended to support wireless facilities requires lighting under Federal Aviation Administration Regulation Part 77. This requirement shall be for any new tower or for an existing structure or building where the application increases the height of the structure or building. If this analysis determines that the FAA must be contacted, then all filings with the FAA, all responses from the FAA, and any related correspondence shall be provided in a timely manner.

G. **Exceptions from a Conditional Use Permit.**

1. A conditional use permit shall not be required for small cell facilities or wireless support structures in the City rights-of-way, which are subject to Chapter 1020, *Comprehensive Rights-of-Way Ordinance*, of the

City's Codified Ordinances. Notwithstanding anything to the contrary in this section, a conditional use permit shall not be required for those non-commercial exceptions noted in the definition of wireless telecommunications facilities.

2. All wireless telecommunications facilities subject to this section that are existing on or before the effective date of this Section shall be allowed to continue as they presently exist, provided however, that any visible modification of an existing wireless telecommunications facility must comply with this section.

H. **Public Hearing and Notification Requirements.**

1. In the case of a new telecommunications tower subject to this section, the applicant shall, prior to the public hearing on the application, hold a balloon test. The applicant shall arrange to fly, or raise upon a temporary mast, a minimum of a 3-foot in diameter brightly colored balloon at the maximum height of the proposed new tower.
2. The dates, (including a second date, in case of poor visibility on the initial date) times and location of this balloon test shall be advertised by the applicant 7 to 14 days in advance of the first test date in a newspaper with a general circulation in the City and posted on a sign posted on the site and visible from the road (with a minimum sign area of 16 square feet). The applicant shall inform the City, in writing, of the dates and times of the test, at least 14 days in advance. The balloon shall be flown for at least four consecutive hours sometime between 7:00 a.m. and 4:00 p.m. on the dates chosen. The primary date shall be on a weekend, but in case of poor weather on the initial date, the secondary date may be on a weekday.
3. The applicant shall provide photographic evidence of the balloon test as part of the application prior to the hearing.
4. Prior to the review and decision on any application for a conditional use permit for wireless telecommunications facilities, a public hearing before the Planning Commission shall be held by the City, notice of which shall be published in accordance with Section 1207.06, *Public Notice, Meetings, and Hearings*. So that the City may notify nearby landowners, the application shall contain the names and addresses of all landowners whose property is located within 1,500 feet of any property line of the lot or parcel on which the new wireless telecommunications facilities are proposed to be located.

I. **Retention of Expert Assistance and Reimbursement by Applicant.** The city may hire any consultant and/or expert necessary to assist the City in reviewing and evaluating the application for a conditional use permit, including the construction and modification of the site, once permitted. Such costs shall be paid by the applicant, as needed, and shall not exceed $2,500.00 unless written notice is provided to the applicant in advance with the cost of hiring the consultant or expert.

J. **Permit Holder Responsibilities.**

1. A person who holds a conditional use permit for wireless telecommunications facilities granted under this Section shall construct, operate, maintain, repair, provide for removal of, modify or restore the permitted wireless telecommunications facilities in strict compliance with all current applicable technical, safety and safety-related codes adopted by the City, state, or United States, including but not limited to the most recent editions of the National Electrical Safety Code and the National Electrical Code, as well as accepted and responsible workmanlike industry practices and recommended practices of the National Association of Tower Erectors. The codes referred to are codes that include but are not limited to construction, building, electrical, fire, safety, health, and land use codes. In the event of a conflict between or among any of the preceding the more stringent shall apply.
2. A holder of a conditional use permit granted under this Section shall obtain, at its own expense, all permits and licenses required by applicable law, rule, regulation or code, and must maintain the same, in full force

and effect, for as long as required by the City or other governmental entity or agency having jurisdiction over the applicant.

3. The holder of a conditional use permit shall notify the City of any intended modification of a wireless telecommunication facility and shall apply to the City to modify, relocate or rebuild a wireless telecommunications facility.
4. The owner of the proposed new tower subject to this section, and his or her successors in interest, shall negotiate in good faith concerning future requests for shared use of the new tower by other telecommunications providers; and allow shared use of the new tower if another telecommunications provider agrees in writing to pay reasonable charges.
5. Failure to abide by the conditions outlined above may be grounds for revocation of the conditional use permit for the tower.

K. **Minimum Standards.**

1. All utilities at the proposed site for a wireless telecommunications facility, subject to this section, shall be installed underground and in compliance with all laws, ordinances, rules and regulations of the City, including specifically, but not limited to, the National Electrical Safety Code and the National Electrical Code, where appropriate.
2. The wireless telecommunications facility and all accessory or associated facilities shall maximize the use of building materials, colors and textures designed to blend with the structure to which it may be affixed and/or to harmonize with the natural surroundings.
3. At a telecommunications site, an access road, turn-around space, and parking shall be provided to assure adequate emergency and service access. Maximum use of existing roads, whether public or private, shall be made to the extent practicable. Road construction shall at all times minimize ground disturbance and the cutting of vegetation. Road grades shall closely follow natural contours to assure minimal visual disturbance and reduce soil erosion.

L. **Height**.

1. The applicant for a conditional use permit shall submit documentation justifying the total height of any tower, facility and/or antenna and the basis therefore. Such documentation will be analyzed in the context of the justification of the height needed to provide service primarily and essentially within the City, to the extent practicable, unless good cause is shown.
2. The maximum permitted height of a new tower subject to this section shall be 140 feet unless varied due to siting constraints or other site factors (i.e. limiting the number of new towers) as conditionally approved by Planning Commission.

M. **Appearance and Visibility.**

1. All wireless telecommunications facilities subject to this Section shall contain a demonstration that the facility be sited so as to be the least visually intrusive reasonably possible and thereby have the least adverse visual effect on the environment and its character, on existing vegetation, and on the residences in the area of the wireless telecommunications facility.
2. As part of a conditional use permit application for a new or expanded wireless telecommunication tower, the applicant shall furnish a visual impact assessment, which shall include:
    a. Photographic evidence of balloon test showing representations of before and after views from key viewpoints both inside and outside of the City, as may be appropriate, including but not limited to state highways and other major roads; state and local parks; other public lands; preserves and historic sites normally open to the public; and from any other location where the site is visible to a

large number of visitors, travelers or residents. Guidance will be provided, concerning the appropriate key sites at a pre-application meeting.

b. A visual depiction of the tower base, guy wires and accessory buildings from abutting and adjacent properties and streets as it relates to the need or appropriateness of screening.

c. Wireless telecommunications facilities shall not be artificially lighted or marked, except as required by law.

d. Towers shall be galvanized and painted with a rust-preventive paint of a non-contrasting gray or similar color to harmonize with the surroundings and shall be maintained in accordance with the requirements of this code.

e. Lights, beacons, or strobes of any kinds shall not be permitted on any tower, antenna, and equipment unless required by the Federal Aviation Administration.

N. **Security**. All wireless telecommunications facilities and antennas subject to this Section shall be located, fenced or otherwise secured in a manner that prevents unauthorized access. Specifically:

1. All antennas, towers and other supporting structures, including guy wires, shall be made inaccessible to individuals and constructed or shielded in such a manner that they cannot be climbed or collided with; and

2. Transmitters and telecommunications control points shall be installed in such a manner that they are readily accessible only to persons authorized to operate or service them.

O. **Signage**. Wireless telecommunications facilities shall contain a sign no smaller than two square feet and no larger than four square feet located near the base of the tower in order to provide adequate notification to persons in the immediate area of the presence of an antenna that has transmission capabilities and shall contain the name of the owner and operator of the antenna, as well as emergency phone number. The sign shall be on the equipment shelter or cabinet of the applicant and be visible from the access point of the site and must identify the equipment owner of the shelter or cabinet. The sign shall not be lighted, unless lighting is required by applicable law, rule or regulation.

P. **Lot Size, Setbacks and Screening Requirements.**

1. All proposed towers and any other proposed wireless telecommunications facility structures subject to this Section shall be set back from any property line a minimum of a distance equal to the height of the proposed tower or wireless telecommunications facility structure plus 10% of the height of the tower or structure.

2. Towers and any other wireless telecommunications facility structure subject to this Section shall be set back a minimum of 30 feet from any other non-related buildings situated on the same site. Any accessory structure shall be located so as to comply with the applicable minimum setback requirements set forth in the applicable zoning district for the property on which it is situated.

3. All equipment related to the operation of a lower and any other wireless telecommunications facility structure subject to this Section located on the ground shall be fully screened with a minimum six-foot high composite material privacy fence with continuous evergreen hedge vegetation, with a minimum initial tree height of five feet. All screening shall be located behind the specified setback lines. The tower or wireless telecommunications facility structure owner/operator is responsible for installing and maintaining said screening. Existing vegetation (trees and shrubs) shall be preserved to the maximum extent possible.

Q. **Performance Security**. The applicant and the owner of record of any proposed wireless telecommunications facilities property site subject to this Section shall, at their cost and expense, be jointly required to execute and

file with the City a bond, or other form of security acceptable to the City as to type of security and the form and manner of execution, in an amount of at least $75,000.00, and with such sureties as are deemed sufficient by the City to assure the faithful performance of the terms and conditions of this Section and conditions of any conditional use permit issued pursuant to this Section. The full amount of the bond or security shall remain in full force and effect throughout the term of the conditional use permit and/or until any necessary site restoration is completed to restore the site to a condition comparable to that which existed prior to the issuance of the original conditional use permit.

R. **Indemnification**.

1. Any application for wireless telecommunication facilities that is proposed for city property pursuant to this section shall contain a provision with respect to indemnification. Such provision shall require the applicant, to the extent permitted by law, to at all times defend, indemnify, protect, save, hold harmless, and exempt the City and its officers, boards, employees, committee members, attorneys, agents, and consultants from any and all penalties, damages, costs, or charges arising out of any and all claims, suits, demands, causes of action, or award of damages, whether compensatory or punitive, or expenses arising therefrom, either at law or in equity, which might arise out of, or are caused by the placement, construction, erection, modification, location, products performance, use, operation, maintenance, repair, installation, replacement, removal, or restoration of said facility, excepting, however, any portion of such claims, suits, demands, causes of action or award of damages as may be attributable to the negligent or intentional acts or omissions of the City, or its servants or agents. With respect to the penalties, damages or charges referenced herein, reasonable attorneys' fees, consultants' fees, and expert witness fees are included in those costs that are recoverable by the City.
2. Notwithstanding the requirements noted in division (i) of this section, an indemnification provision will not be required in those instances where the City itself applies for and secures a conditional use permit for wireless telecommunications facilities.

S. **Removal**.

1. Under the following circumstances, the City may determine that the health, safety, and welfare interests of the City warrant and require the removal of wireless telecommunications facilities:
   a. Wireless telecommunications facilities with a permit with the exclusion of small cell facilities and/or wireless support structures in the City rights-of-way, have been abandoned (i.e. not used as wireless telecommunications facilities) for a period exceeding 90 consecutive days or a total of 180 days in any 365-day period, except for periods caused by force majeure or Acts of God, in which case, repair or removal shall be completed within 90 days.
   b. Permitted wireless telecommunications facilities subject to this Section fall into such a state of disrepair that it creates a health or safety hazard.
   c. Wireless telecommunications facilities subject to this Section have been located, constructed, or modified without first obtaining, or in a manner not authorized by, the required conditional use permit, or any other necessary authorization.
2. If the City makes such a determination as noted in division (i) of this section, then the City shall notify the holder of the conditional use permit for the wireless telecommunications facilities promptly that said wireless telecommunications facilities are to be removed, the City may approve an interim temporary use agreement/permit, such as to enable the sale of the wireless telecommunications facilities.
3. The holder of the conditional use permit, or its successors or assigns, shall dismantle and remove such wireless telecommunications facilities, and all associated structures and facilities, from the site and restore the site to as close to its original condition as is possible, such restoration being limited only by

physical or commercial impracticability, within 90 days of receipt of written notice from the City. However, if the owner of the property upon which the wireless telecommunications facilities are located wishes to retain any access roadway to the wireless telecommunications facilities, the owner may do so with the approval of the City.

4. If wireless telecommunications facilities are not removed or substantial progress has not been made to remove the wireless telecommunications facilities within 90 days after the permit holder has received notice, then the City may order officials or representatives of the City to remove the wireless telecommunications facilities at the sole expense of the owner or conditional use permit holder.
5. If the City mandates the removal of a wireless telecommunication facility and the owner of the facility does not claim and remove it from the site to a lawful location within 10 days, then the City may take steps to declare the wireless telecommunications facilities abandoned, and sell them and their components.
6. Notwithstanding anything in this section to the contrary, the City may approve a temporary use permit/agreement for the wireless telecommunications facilities, for no more than 90 days, during which time a suitable plan for removal, conversion, or relocation of the affected wireless telecommunications facilities shall be developed by the holder of the conditional use permit, subject to the approval of the City, and an agreement to such plan shall be executed by the holder of the conditional use permit and the City. If such a plan is not developed, approved and executed within the 90-day time period, then the City may take possession of and dispose of the affected wireless telecommunications facilities in the manner provided in this section.

T. **Minor Modification**. Any repair, antenna modification, height modification that does not exceed the maximum permitted, ground equipment additions within the screened area as required in this section, ~~Section 1204.23(B)(5),~~ and minor structure additions may be approved by the Director and shall be required to submit an application for zoning permit.

1203.07 Accessory Uses and Structures

A. **Generally**. An accessory use or structure may be established provided that it is associated with a primary use permitted in Section 1203.02, *Primary Use Table,* and is permitted by the zoning district as outlined in Table 1203.07-1, *Permitted Accessory Uses and Structures*, below. Accessory uses and structures associated with use categories in Section 1203.03, *Use Categories,* identify common accessory uses and structures associated with primary uses, but do not specify specific associated uses or zoning district permissions. All accessory uses and structures shall comply with the standards of this Section.

B. **Applicability**.

1. *Establishment*. Accessory uses and structures may only be established or constructed if they meet the standards of this Section and all other applicable standards of this PZC. These standards apply when:
   a. Establishment or Construction. An accessory use or structure is established or constructed;
   b. Structure Expansion. An existing accessory structure is expanded by more than 10 percent of its gross floor area; and
   c. Use Expansion. There is an expansion of the accessory use to or within an existing building, in an outdoor area devoted to the use, or a combination thereof.
2. *Unlisted Accessory Uses*. Refer to Section 1203.09, *New and Unlisted Uses*, as the same means of interpretation apply to accessory uses as apply to principal uses.

C. **General Standards for All Accessory Uses and Structures**. All accessory uses and accessory structures shall meet the following standards:

1. *Subordination*.
   a. An accessory use or structure shall be subordinate in size, scale, and intensity to a principle use and shall serve a principal use or structure.
   b. No structure or building shall be used for an accessory use unless the primary building is also operating with a permitted use.
   c. A non-agricultural accessory structure shall be subordinate in height and gross floor area to the principal structure.
2. *Ownership*. Be owned or operated by the same person or business as the principal use or structure;
3. *Same Property*. Be located on the same lot or parcel as the principal use or structure;
4. *Location*. Be located in the rear yard unless specific additional requirements permit other yards; The Director may grant an exception to location on through lots that have two front yards (i.e. State Route 63) for the area that functionally serves as the rear yard, subject to any provisions that may be imposed to ensure the surrounding character and privacy of the neighboring lots are preserved.
5. *Commercial Use*. Accessory structures located on residentially zoned or used property shall not be used for commercial purposes.
6. *Setbacks*. Setback requirements for all accessory structures are established for each building type and are set forth in the district chapter (Section 1202.03, *Residential Districts Standards*; Section 1205.05, *Mixed Use and Nonresidential Districts Standards*) unless otherwise regulated specifically within this Section.
7. *Height.* An accessory use or structure may not exceed:
   a. *Residential Use.* In residential districts or for any residential uses, the height of all accessory structures shall be subordinate to the height of the principal structure, unless specifically permitted with standards (i.e. Small Wind Energy Conservation Systems).
   b. *RR Zoning District.* 40 feet in height for agricultural use buildings.
   c. *SR, GR, NC, and UR Zoning Districts*. 20 feet in height.
   d. *All Mixed Use and Nonresidential Zoning Districts*. An accessory use may not exceed 35 feet in height.
8. Architectural Standards. New accessory buildings shall be constructed of materials similar to the materials used on the principal dwelling or may, in all cases, be constructed of brick, stone, cultured stone, cement siding, wood, stucco and synthetic stucco materials, or other material permitted in Section 1204.06, *Residential Building Elements and Architectural Design*. Decks, gazebos, pergolas, and similar structures must be constructed from materials that are complementary to the principal structure.
9. *Timing of Use*. An accessory use or structure may only be constructed after the principal use and building has been established on the lot; and
10. *Easements*. Accessory structures shall not encroach into any private or public easement unless specifically authorized.
11. *Permissions*. Any accessory use or structure shall, at minimum, require a zoning permit. The Director shall have the authority to determine if a proposed accessory use is of a scale a nature as to be a second principal structure and/or use of the site, subject to all requirements of principal buildings, including the applicable architectural standards.

D. **Table of Permitted Accessory Uses and Structures**. Table 1203.07-1, *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 1203.07-1, *Permitted Accessory Uses and Structures*

1. "P" = The accessory use or structure is permitted by right and is not subject to additional use-specific standards;
2. "L" = The accessory use or structure is permitted subject to use-specific standards and approval of a Zoning Permit by the Director (See use-specific standards set forth in this Section);
3. "C" = The accessory use or structure is permitted subject to use-specific standards and approval of a Conditional Use Permit by the City Council (See 1203.05, *Conditional Use Standards*); and
4. '--" = The use is prohibited.

Table 1203.07-1, Permitted Accessory Uses and Structures

Accessory Use Or Structure	Residential Districts					Mixed Use Districts		Non Residential Districts	
	RR	SR	GR	NC	UR	MU	DT	HC, GC	EC, LI, HI
Accessory Buildings	L	L	L	L	L	L	L	L	L
Accessory Dwelling Units	L	L	L	L	L	--	--	--	--
Agricultural Buildings	L	--	--	--	--	--	--	--	--
Amateur Radio Antennas	L	L	L	--	--	--	--	--	--
Automated Teller Machines (ATMs)	--	--	--	--	--	L	L	L	C
Community Gardens	L	L	L	L	L	L	L	L	L
Detached Garages	L	L	L	L	L	L	L	L	L
Detached Storage/Utility Sheds, Gazebos, and Similar Structures	L	L	L	L	L	L	L	L	L
Drive-Through Facility, Principle Use Associated	--	--	--	--	--	--	--	L	C
Drop-Off Box	--	--	--	--	--	--	--	P	--
Electric Vehicle (EV) Charging Station - Level 1 and 2	L	L	L	L	L	L	L	L	L
Electric Vehicle (EV) Charging Station - Level 3 and Battery Exchange	--	--	--	--	--	--	--	L	L
Home Occupation	L	L	L	L	L	L	L	--	--
Guard Shack and Related Structures	--	--	--	--	--	--	--	--	L
Outdoor Dining	--	--	--	--	--	L	L	--L	--
Outdoor Sales/Display	--	--	--	--	--	L	L	L	L
Outdoor Bulk Storage	--	--	--	--	--	--	--	L	L
Porches or Decks	L	L	L	L	L	L	L	L	--

Table 1203.07-1, Permitted Accessory Uses and Structures									
Accessory Use Or Structure	Residential Districts					Mixed Use Districts		Non Residential Districts	
	RR	SR	GR	NC	UR	MU	DT	HC, GC	EC, LI, HI
Radio and Television Antennas	L	L	L	L	L	L	L	L	L
Raising of Chickens	L	L	L	L	--	--	--	--	--
Recreational Facilities and ~~Community~~ Swimming Pools	L	L	L	L	L	L	L	L	L
~~Residential Recreational Facilities~~	~~L~~	~~L~~	~~L~~	~~L~~	~~L~~	~~--~~	~~--~~	~~--~~	~~--~~
Roadside Stands	L	--	--	--	--	--	--	L	L
Satellite Dishes	L	L	L	L	L	L	L	L	L
Short-Term Rental	L	L	L	L	L	L	L	--	--
Small Wind Energy Conversion Systems (SWECS)	L	--	--	--	--	--	--	--	C
Solid Waste Collection and Trash Enclosures	L	L	L	L	L	L	L	L	L
Solar Panels (Small Scale)	L	L	L	L	L	L	L	L	L
~~Swimming Pools, Private~~	~~L~~	~~L~~	~~L~~	~~L~~	~~L~~	~~L~~	~~L~~	~~L~~	~~L~~
Type-B Day Care Home (1-6 children)	P	P	P	P	P	--	--	--	--
Unenclosed Patios	L	L	L	L	L	L	L	L	L

E. **Standards for Residential Accessory Structures or Uses.**

1. *Generally.*

   a. Screening. An accessory structure located in an interior side yard shall be screened by a six-foot tall opaque fence or wall.

   b. Size. The cumulative total of all accessory structures shall be subject to maximum lot coverage allotments for each district as established in *Section 1202.03 Residential District Standards*.

~~1. *Accessory Buildings.*~~

~~a. Timing. Accessory buildings shall not be built until the foundation of the primary building has been laid and framing of the primary building is substantially completed.~~

~~b. Screening. An accessory building located in an interior side yard shall be screened by a six-foot opaque fence or wall.~~

~~c. Size. The cumulative total of all accessory structures shall be subject to maximum lot coverage allotments for each district as established in Section 1202.03, *Residential Districts Standards*.~~

~~d. Architectural Standards. Any accessory structure that is enclosed shall be required to meet the architectural standards established in Article 04.03, *Building Elements and Architectural Design*.~~

~~e. Other Standards.~~

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~~i. Accessory structures that are to house vehicles shall be located so that access can be made to the accessory structure over a paved surface (asphalt or concrete) driveway.~~

~~ii. Attached and detached decks shall be subject to the setbacks in Chapter 1202, *Zoning Districts and Dimensional Standards*. Furthermore, enclosed or primarily enclosed structures (including structures with a solid roof) shall meet the setback requirements of the primary dwelling.~~

2. *Accessory Dwelling Units (ADUs)*. Accessory dwelling units shall be permitted in all residential zoning districts as an accessory use to single-unit detached on lots greater than or equal to 9,000 square feet, or the single-unit attached housing type in the UR zoning districts, subject to the following standards:
   a. ADU Types. There are two types of ADUs:
      i. Integrated ADUs; and
      ii. Detached ADUs.
   b. Integrated ADUs. Integrated ADUs are located within a permitted building and shall comply with the building placement standards for the permitted and associated principal building types established in Article 02.02, *Residential Zoning Districts*.
      i. Integrated ADUs may be established by dividing space within a principal building (See (A) in Figure 1203.07-1, below), or by adding floor area to an existing building (See (B), below). Integrated ADUs may be accessed from within the principal building or from outside, according to the standards of this Section.
      ii. Integrated ADUs appearance:
         (A) Integrated ADUs shall not involve design modifications to the exterior of the principal building that make their presence obvious.
         (B) Where exterior doors provide direct access to the integrated unit, such doors shall be designed, located, and configured in a manner that is typical for secondary access to a residential dwelling (e.g. side doors, French doors, etc.).
         (C) Any exterior stairs that would serve as the primary entrance to the ADU shall be located on the side or rear of the principal structure and are prohibited from being located on the front of the principal structure.
         (D) If a principal building is expanded to accommodate an integrated ADU, the expansion shall be designed in a manner that is comparable to the principal building.
         (E) Only one entrance may be located on the front facade of the principal building facing the street unless the building contained additional front entrances prior to the ADU's construction.
   c. Detached ADUs.
      i. Detached ADUs are dwelling units that are located inside of an accessory structure, such as a detached residential garage (See (C) in Figure 1203.07-1, below) or detached structure (D).
      ii. *Alleys*. Where an improved alley adjacent to the lot exists, vehicular access to the ADU shall take place from the alley.
   d. Prohibited Locations.
      i. An ADU shall not be located on a lot where any short-term rental residential use exists.
      ii. ADUs may not be established within manufactured homes or structures and vehicles that do not have a permanent foundation, including, but not limited to recreational vehicles, travel trailers, or campers.

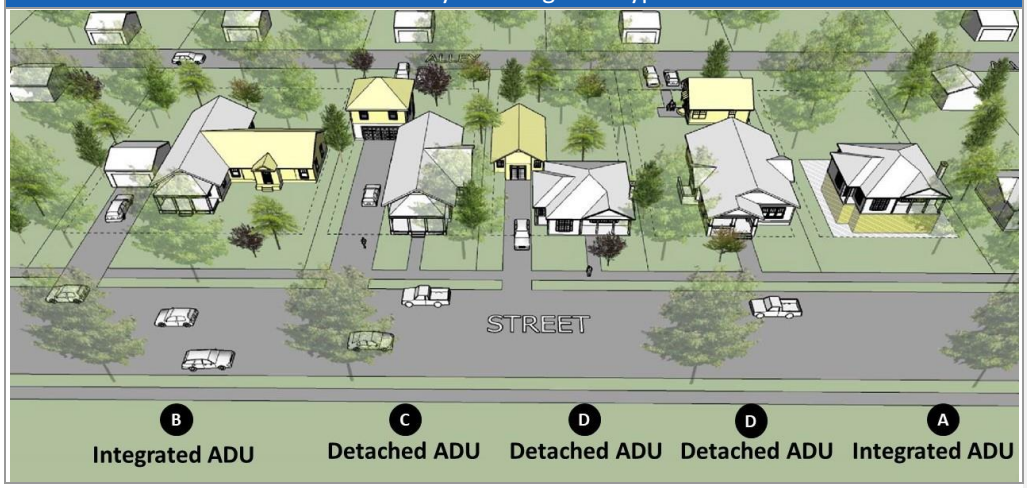
e. Maximum Floor Area of the ADU.

i. *Measurement*. The floor area is measured as the area within the ADU itself and does not include areas of an accessory building that are used for other purposes, such as a detached garage or a workshop that is not incorporated into the ADU.

ii. *Standard*. The floor area of an ADU shall not exceed 25 percent of the total square footage of the principal residential building to which it is accessory, or 800 square feet, whichever is greater.

f. Required Parking for ADUs. In the SR, GR, and UR districts, in addition to the parking requirements for the principal residential use set out in Section 1204.10, *Off-Street Parking Spaces Required*, one off-street parking space for the ADU shall be provided.

Figure 1203.07-1
Accessory Dwelling Unit Types



3. *Amateur Radio Antennas*. Noncommercial amateur radio antenna structures are permitted when in compliance with the following standards:

a. Use Requirement. The structure is for use by licensed amateur radio operators.

b. Height. Such tower shall not exceed 100 feet in height, except by conditional use permit.

c. Construction Requirement. The construction shall be of such type as may be required by the City to form a safe and durable structure.

d. Encroachments. Components of the antenna shall not be permitted to extend across the property line of the property on which the antenna is located.

e. Setback. The antenna structure shall be set back a distance equal to the height of the tower plus an additional 20 feet.

4. *Community Gardens*. As an accessory use, community gardens are subject to the following regulations:

a. Prohibitions and General Requirements. On-site sale of community garden food products is prohibited in the residential districts;

b. All equipment shall be stored in an enclosed building;

c. The garden site shall be designed and maintained to prevent any chemical pesticide, fertilizer or other garden waste from draining onto adjacent properties or public rights-of-way;

d. On-site trash, recyclable, and compost containers shall be located and maintained as far as practicable from residential dwelling units located on adjoining lots;

e. Signage. One sign is allowed on lots on which a community garden use is located, which shall not exceed four square feet in area and shall include the name and phone number of the property owner or the garden manager;

f. The property shall be maintained free of tall weeds and debris;

g. Dead garden plants shall be regularly removed and, in any instance, no later than December 1 of each year; and

h. Fencing. The perimeter of community gardens shall be fenced.

5. *Detached Garages and Detached Storage/Utility Sheds, Gazebos, and Similar Structures.*

a. Surface Material for Garages. All detached storage or detached garage structures shall have a solid asphalt or concrete floor surface. Alternate materials may be approved by the Director.

b. Surface Material for Other Structures. Utility Sheds (generally 200 square feet and under), gazebos, and similar structures may be permitted with wooden, paver, or other alternative solid floor surfaces, as approved by the Director.

~~b.~~c. Paved Surface. Accessory structures that are to house vehicles shall be located so that access is made by a paved surface (asphalt or concrete) driveway.

6. *Home Occupations.*

a. Use Limitation.

i. Such use shall be conducted entirely within the dwelling unit and no use of any accessory building or yard space shall be permitted.

ii. More than one home occupation may be permitted within any single dwelling unit provided that the total of all home occupations complies with the standards of this section.

iii. Not more than one person, who is not a resident of the premises, may participate in the home occupation as an employee or volunteer.

iv. The following are examples of permitted home occupations:

(A) Clerical and other similar business services;

(B) Instruction in music, dance or other type of teaching with a maximum number of two students at a time;

(C) The office of a professional accountant, attorney, broker, consultant, insurance agent, realtor, architect, engineer, sales representative, and similar office-oriented occupations;

(D) Artists, sculptors, photographers, home crafts;

(E) Barber shop/beauty salon with a maximum of one chair;

(F) A licensed massage therapist who provides massage therapy for a maximum of one client at any given time; or

(G) Any similar use as determined by the Director.

b. Space Limitation. No more than the equivalent of 25 percent of the gross floor area of any dwelling shall be utilized for a home occupation.

c. Home Offices. Persons utilizing their home office space (e.g., working from home during off-hours or telecommuting) shall not be subject to these home occupation regulations.

d. Performance Standards. The nature of home occupation as an accessory use relative to its location and conduct of activity shall be such that the average neighbor, under normal circumstances, would not be aware of its existence. In keeping with this, the external appearance and residential character of the dwelling unit shall not be altered in any manner to identify the presence of a nonresidential use.

e. Storage. There shall be no outside storage of any kind related to the home occupation and only commodities made on the premises or commodities that are considered accessory to the services provided (i.e. shampoo in a beauty salon) may be sold on the premises. No display of the products shall be visible from the street.

f. Parking. No additional parking burden, due to the home occupation, shall be created.

g. No equipment, process, materials, or chemicals which create offensive noises, vibration, smoke, dust, odor, heat, glare, x-rays, radiation, or electrical disturbances shall be utilized in the home occupation.

h. Deliveries. Delivery of any materials necessary for a home occupation shall be limited to automobiles, light duty trucks or vans.

i. Hours of Operation. Hours of operation for a home occupation that entails client visits or incoming deliveries is restricted to no earlier than 8:00 a.m. and no later than 8:00 p.m. each day of the week, except that operation on Sundays is restricted to 12:00 p.m. to 6:00 p.m.

j. Signage. No sign, other than one non-illuminated nameplate, two square feet in area and mounted flat on the front face of the dwelling, shall be erected or maintained on the premises.

7. *Porches or Decks*. Porches and decks may be permitted shall comply with the following standards:

a. Porches and decks are permitted in all yards.

b. Porches and Decks shall be set back a minimum of five feet from all lot lines.

c. Porches and decks in the front or side yard shall be required to meet all the setback requirements for principal buildings in the applicable zoning district.

d. Porches or decks in any yard that are enclosed (with screening or other materials) or have a solid roof shall meet the setback requirements for principal buildings in the applicable zoning district.

e. All other porches may extend into required setbacks in accordance with the applicable zoning district of the use.

~~7.~~8. *Raising of Chickens*. Raising of Chickens shall be permitted in residential zoning districts subject to compliance with all the following requirements:

a. Location. The raising of chickens shall only be permitted in the rear yard.

b. Maximum Number and Limitation.

i. For all residential lots one-third acre or less that contain a single-unit dwelling unit/house the maximum number of chickens allowed is three.

ii. For all residential lots over one-third acre that contain a single-unit dwelling unit/house the maximum number of chickens allowed is six.

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iii. There is no restriction on chicken breeds. Ducks, geese, turkeys, peafowl, male chickens/roosters, or any other poultry or fowl are not permitted.

iv. Eggs, chicks, adult chickens, and processed chickens shall not be sold. Chicken manure and compost using chicken manure shall not be sold or otherwise distributed.

c. Chicken Enclosures. The design and materials for a chicken enclosure shall comply with the following (see also Figure 1203.07-2, *Acceptable Chicken Coop and Pen Features*):

i. General. A chicken coop and chicken pen shall be provided and the chickens shall be secured in the coop or pen at all times. No person shall release or set any chicken free from such coop or pen.

ii. Location of Coop and Pen. The chicken coop and chicken pen all be located at least 15 feet from any property line or public right-of-way and a minimum of 25 feet from any residential structure on an adjoining lot.

iii. Coop.

(A) The coop shall be enclosed with a solid material on all sides and have a have a solid roof and door(s).

(B) The coop shall be at least two feet high, and provide at least three square feet of floor area per chicken with a maximum area of 100 square feet. The maximum height is six feet.

(C) The coop shall provide one square foot of window per 15 square feet of floor area, and vents as necessary to ensure adequate ventilation. If the floor area is less than 15 square feet, then at least one window measuring one foot by one foot shall be provided.

(D) Doors shall be constructed so that they can shut and lock. Windows shall be constructed so they can shut.

(E) Windows and vents shall be covered with wire that is 16-gauge or wider diameter with maximum spacing of one inch by one inch.

(F) In all instances the coop is required to substantially meet the architectural requirements for accessory structures with the intent to comply with architectural features in Figure 1203.07-2, *Acceptable Chicken Coop and Pen Feature.*

iv. Pen.

(A) The chicken pen shall be constructed of wood or alternate material as approved and wire fencing material that is 19-gauge or wider diameter with maximum spacing, overall or along the lower portion for graduated poultry fencing, of one inch by six inches. The maximum height is six feet with a maximum area of 160 square feet.

(B) The pen shall provide at least 10 square feet of area per chicken. The fence shall rise at least three feet above the ground.

(C) The pen shall be covered with wire or solid roofing.

d. Other Standards.

i. Chickens shall have access to feed and clean water at all times, and such feed and water shall be inaccessible to rodents, wild birds, and predators. Chickens shall be provided adequate bedding in the chicken coop and perches are encouraged.

ii. No more than 2 cubic feet of chicken manure shall be stored, for use as unprocessed fertilizer. All other manure shall be disposed of or composted. All stored manure shall be completely

contained in a waterproof container. Any compost using chicken manure shall be produced in an enclosed backyard composter.

iii. The chicken coop, chicken pen, and surrounding area shall be kept clean, dry, odor free, and in a neat and sanitary condition at all times. All manure, uneaten feed, and other trash shall be removed in a timely manner and disposed of in a sanitary manner.

iv. Chicken coops and pens shall be completely screened from adjacent roadways and parcels by a six-foot tall solid opaque fence, wall, or equivalent landscape vegetative material.

v. Slaughter shall not be visible from any adjacent property, public area, or right- of-way and only if for use by the occupants of the premises and not for sale. If a chicken dies from causes other than slaughter, it shall promptly be placed into a plastic bag, which shall be closed securely and disposed of with household waste.

vi. In a public health emergency declared by the Health Department or appropriate agency, including but not limited to an outbreak of Avian Flu, immediate removal of the chickens or other corrective action may be required, in accordance with applicable public health regulations and procedures.

vii. In the event that violation(s) of this section occurs twice within any given 365-day period, the City shall have the right to revoke the accessory use permit for the raising of chickens and order the immediate removal of all chickens, and related chicken raising structures, and uses.

Figure 1203.07-2, Acceptable Chicken Coop and Pen Features

Figure Notes:

A. Pen constructed of wood or alternate material.
B. Wire fencing material and a pen area maximum of 160 square feet and height maximum of 6 feet. The fence shall rise a minimum of 3 feet above ground to prevent chickens from escaping.
C. Roofing material shall be wire or solid material.

8. ~~*Residential*~~ *Recreational Facilities and Swimming Pools*. Swimming pools, hot tubs, spas, ponds, lakes, and residential recreational facilities such as bathhouses and tennis courts shall comply with the following conditions and requirements:
   a. Location.
      i. The facility or accessory structures shall only be permitted in the side or rear yard.
      ii. The facility or accessory structures adjacent thereto shall not be located in any front yard.
      iii. No facility or adjacent accessory structure situated in the side yard shall be located closer than 20 feet from the side lot line.
      iv. No facility or adjacent accessory structure situated in the rear yard shall be located closer than ten feet from any side or rear lot line.
      v. A private temporary swimming pool, pond, or lake, containing water 24 inches or less in depth water and less than 150 square feet may be located in any yard provided it is not closer than 5 feet to any lot line.

b. Fencing. A residential recreational facility's fencing may exceed height, type, and location requirements as established in the base zoning district and as required in Section 1204.22, *Screening and Fencing,* as determined by the Director when the fencing is necessary for the security and safety of the use.

~~b.~~c. **Private Swimming Pools.**

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i. A private swimming pool, hot tub, spa, pond, or lake containing water more than 24 inches in depth water shall be completely surrounded by a fence or barrier at least 48 inches in height above the finished ground level measured on the side of the barrier away from the pool to prevent uncontrolled access by children from the street or from adjacent properties. Spas or hot tubs with a safety cover that complies with ASTM F1346-91 shall be exempt from the fence provisions. If the swimming pool is above grade and exceeds four feet in height, no fence shall be required however, all access ladders shall be removed or secured to prevent access when not in use.

ii. Openings in the fence or barrier shall not allow passage or access. The fence or barrier shall be constructed of one of the following materials:

iii. Vertical wooden boards placed close enough together to serve as a barrier to prohibit access to children, pets, etc.;

iv. A decorative metal fencing with slats or poles placed close enough to prohibit access; or

v. Split rail fencing, Kentucky Board or similar type of fencing with woven wire is acceptable provided that the wire is installed on the inside of the fence.

vi. The enclosure around any private swimming pool, hot tub, spa, pond, or lake shall have an access opening, as necessary, that shall have gates that close and latch automatically, and can be locked when not in use.

vii. The entire fence shall be kept in a neat condition and in a state of good repair. The swimming pool, hot tub, spa, shall be maintained in a clean and healthful condition, and no such pool shall be permitted to accumulate foul, stagnant, or dirty water.

viii. The facilities shall be located on the same lot as the principal building, structure or use;

ix. The private swimming pool, hot tub, spa, pond, or lake is intended to be used solely for the enjoyment of the occupants of the principal use of the property on which it is located.

~~c.~~d. **Community Pools.**

i. Exclusive of PUD Districts, community pools shall be set back a minimum of 50 feet all lot lines and 150 feet from all lot lines that abut a single-unit dwelling lot.

ii. Community pools shall be landscaped with plantings on all sides and rear property lines.

iii. Community pools shall meet all standards as required for private swimming pools in this section.

iv. Community pools may be subject to the structural and sanitary requirements of the Ohio Department of Health.

~~d.~~e. Exemptions.

i. Swings, playsets, sandboxes, gardens with garden type fencing, clotheslines, outdoor fire pits, and chimneys are permitted in the side or rear yards, and do not require a zoning permit.

ii. Wood piles are permitted in the rear yard only and do not require a zoning permit.

iii. Birdbaths, basketball hoops, fountains, flagpoles, statues are permitted in any yard and do not require a permit.

iv. Trellises less than 10 square feet are permitted in any yard and do not require a permit.

v. Detention or retention ponds as required for development purposes are exempt from the requirements of this section.

9. *Short-Term Rental*.

a. Generally.

i. The dwelling unit used as a Short-Term Rental must be the property owner's or owner-authorized resident's primary residence, regardless of dwelling unit type.

ii. If the property owner or owner-authorized resident is not present in the residence, the property can be used as a Short-Term Rental for a maximum of 120 days in a calendar year. If the property owner or owner-authorized resident is physically present and occupies the residence during the rental stay, there is no limitation on the number of days the property can be used as a Short-Term Rental.

b. Zoning Permit Required.

i. A Short-Term Rental may not operate without a Zoning Permit pursuant to the requirements in Section 1207.14, *Zoning Permit*.

ii. The Zoning Permit for the Short-Term Rental does not run with the property but is issued to the specific owner of the property. The permit shall expire upon sale or transfer of the property. The permit shall not be transferred or assigned to another individual, person, entity, or address but may be managed by a third party on behalf of the owner.

c. Location.

i. No non-owner-occupied Short-Term Rental shall be located within 500 feet of another non-owner-occupied Short-Term Rental.

ii. No non-owner-occupied Short-Term Rental shall be located in the RR, SR, NC, and GR zoning districts.

d. Operational Standards. All Short Term Rental owners and tenants shall comply with the following rules and regulations:

i. All short-term tenants shall comply with all applicable noise, housing, public health, fire, and safety ordinances of the City.

ii. Parking in private driveways shall be used first, with overflow parking on the street where permitted. Parking on-site in non-driveway areas (i.e., front yard areas, parkways, and rear yards) shall be prohibited.

iii. No meals shall be prepared for or served to the short-term tenants by the owner or the owner’s agents.

iv. Use of the Short Term Rental for any commercial or large social events or gatherings, such as weddings, shall be prohibited.

v. The Permit with all local contact information and emergency safety information shall be prominently displayed within the Short-Term Rental.

vi. The City-issued Zoning Permit number shall be used in all rental marketing materials.

vii. During the term that a Short-Term Rental is occupied by a short-term tenant, the owner or the local contact person designated by the owner shall be available at all times for the purpose of responding within one hour to complaints regarding the condition or operation of the Short-Term Rental or the conduct of short-term tenants. If the local contact person designated by the owner changes, the owner shall update the permit on file within three days.

viii. Maximum overnight occupancy of a Short-Term Rental shall be limited to two occupants per bedroom, plus an additional two occupants per dwelling unit. The maximum overnight occupancy per dwelling unit shall be 15 occupants.

F. **Standards for Nonresidential Accessory Uses and Structures.**

1. *Generally*.

a. Height. An accessory use may not exceed 35 feet in height unless indicated within this Section.

b. Encroachments. A detached accessory building shall not encroach on any required buffer.

c. Building or Structure Limitations. There shall be no more than three detached accessory buildings on a lot where the principle building is 200,000 SF or less. One additional accessory building may be permitted for every 100,000 square feet of principal building floor area in excess of 200,000 square feet.

d. Location. Unless specifically allowed in a front yard, an accessory building may only be permitted in the rear yard.

e. Director Discretion. The Director shall have the authority to determine if a proposed accessory use is of a scale a nature as to be a second principal building and/or use of the site, subject to all requirements of principal buildings, including the applicable architectural standards.

2. *Agricultural Buildings.*

a. Use Limitations. In the RR District, agricultural buildings are permitted only as accessory to the Raising of Livestock or Raising of Crops.

b. Location and Setbacks.

i. In the RR District, an agricultural building is permitted in any yard, provided it meets the side and rear yard setback requirements and is a minimum of 200 feet from the front yard lot line.

ii. If directly adjacent to an SR, NC, GR, or UR zoning district or residential use~~,~~ the minimum setback for all livestock uses, such as agricultural livestock buildings or pasturing areas shall be 50 feet.

~~iii. If directly adjacent to a residential zoning district, the minimum setback for all livestock uses, such as agricultural livestock buildings or pasturing areas shall be 50 feet.~~

~~iv.~~iii. For purposes of multiple lots under single ownership, the Director may waive the setback requirements.

~~1.~~3. *Automated Teller Machines (ATMs).*

a. Building Materials. ATMs are permitted as an accessory use when they meet the applicable architectural standards and are constructed of the same or better materials as the primary building.

b. Height. No part of an ATM structure shall exceed 15 feet in height unless the ATM is built into the side of the principal building.

c. Setbacks. All structures and activity areas, except off-street parking, shall be set back a minimum of 50 feet from all lot lines abutting a residential zoning district and a minimum of 35 feet from all other lot lines.

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d. Stacking Requirements. All ATMs that are built into a drive-through facility shall be subject to the vehicle stacking requirements of Section 1204.14, *Off-Street Vehicle Loading and Stacking*.

e. Location. To the maximum extent feasible, ATMs shall be located in the side or rear yard.

~~2.~~4. *Drive-Through Facilities.*

a. Use Limitations.

i. These standards shall not apply to carry-out restaurants where a user can pick up pre-ordered food either at a window or inside the principal building.

ii. No service shall be rendered, deliveries made, or sales conducted within the required front yard;

b. Signage. See Section 1204.26, *Permanent Signs*, for regulations addressing signs related to the facility.

c. Fencing. A solid fence or screen between six feet in height shall be constructed along any property line abutting a residential district.

d. Ancillary Structures. All drive-through areas, including but not limited to menu boards, stacking lanes, trash receptacles, loudspeakers, drive-up windows, and other objects associated with the drive-through area shall be located in the side or rear yard of a property to the maximum extent feasible, and shall not cross, interfere with, or impede any public right-of-way.

e. Parking. Customers served in vehicles shall be parked to the sides and/or rear of the principal structure.

f. Speaker Setbacks. Audible electronic devices such as loudspeakers, automobile service order devices, and similar instruments shall be set back a minimum of 300 feet from any residential dwelling unit.

g. Stacking Requirements. Drive-through facilities shall be subject to the vehicle stacking requirements of Section 1204.14, *Off-Street Vehicle Loading and Stacking*.

h. Ingress and Egress. All points of entrance or exit shall be set back a minimum of 100 feet from the intersection of any street.

~~3.~~5. *Drop-Off Boxes.*

a. Location. Drop-off boxes shall only be permitted in the side or rear yard.

b. Screening.

i. The drop-off box shall be screened on a minimum on three sides to a height that fully screens the use unless otherwise required in this code.

ii. Screening shall be accomplished by the use of hedges, wall, or decorative fence that provides full opacity screening.

~~4.~~6. *Electric Vehicle (EV) Charging Stations.*

a. Generally.

i. An electric vehicle charging space as an accessory use is permitted provided that the space does not interfere with vehicular, bicycle, or pedestrian circulation, including fire lanes and access to the site.

ii. An electrical permit is required for the installation of charging equipment.

iii. All Electric Vehicle Charging Stations shall include an emergency power shutoff located in a location easily accessible by emergency responders.

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b. Permitted Locations and Standards.

i. All Uses. Electric vehicle charging stations may be located in any yard.

ii. Residential Uses.

(A) Unless the charging station is located in a parking structure, charging stations are limited to Level 1 and Level 2 type facilities as defined in Section 1209.03, *Definitions*.

(B) Level 1 or Level 2 charging stations shall only be provided for the residents and their guests as an accessory to primary residential use.

(C) The charging stations shall be located within a fully enclosed attached or detached garage.

iii. Mixed-Use and Nonresidential Use.

(A) Level 1 or Level 2 charging stations shall be permitted as accessory to all uses.

(B) Level 3 charging stations shall be limited to commercial and industrial uses only in zoning districts indicated in Table 1203.07-1, *Permitted Accessory Uses and Structures.*

(C) The space must be located in a parking structure or parking lot that serves a principal use; and

(D) EV charging stations shall be reserved for parking and charging of electric vehicles only.

c. Parking.

i. Electric vehicle charging stations located within parking lots or garages may be included in the calculation of the minimum required parking spaces.

ii. All EV parking spaces shall meet the minimum dimensional standards of Section 1204.11, *Off-Street Parking Design*.

d. Equipment Standards and Protection. Equipment for electric vehicle charging stations shall comply with the following standards:

i. Charging equipment shall be protected by wheel stops, bollards, or similar devices to prevent damage.

ii. Charger cords shall be retractable or have hanging or storage locations outside of pedestrian pathways.

iii. Cords connecting chargers to vehicles shall not cross driveways, sidewalks, or loading areas.

iv. Equipment shall be protected by wheel stops or concrete-filled bollards.

e. Signage.

i. Each electric vehicle charging station located in a mixed-use, nonresidential, or agricultural use shall be posted with signage indicating the space is only for electric vehicle charging purposes.

ii. Wayfinding signs conveniently located to guide motorists to the charging stations are permitted with the approval of the Director.

iii. The following information shall be posted at all electric vehicle charging stations:

(A) Voltage and amperage levels;

(B) Geographic location, date of installation, equipment type and model;

(C) Hour of operations if time limits or tow-away provisions are to be enforced by the property owner;

(D) Usage fees;

(E) Safety information;

(F) A 24-hour on-call contact information for reporting when the equipment is not operating or other problems.

~~5.~~7. *Guard Shacks and Related Structures.*

a. Building Materials. Guard shacks and related structures shall be constructed of complimentary or similar materials to the principle structure.

b. Location. Structures should be located in the side or rear yard. The Director may permit the structure to be located in the front yard if the applicant can show cause as to why it cannot be located in the side and rear yards.

c. Size. Structures should be of an appropriate size as is customary for the use.

~~6.~~8. *Outdoor Dining*. Outdoor dining areas are permitted when they comply with the following regulations:

a. Location.

i. Outdoor dining areas are permitted in any yard.

ii. Outdoor dining areas shall not be located in such a manner as to require customers and employees to cross driveways or vehicular use areas to go between the café/food service area and the principal building.

b. Dimensions. Outdoor dining areas wider than four feet shall be surrounded by decorative railings or fencing that separates the eating area from the sidewalks or vehicular traffic.

c. Other Standards.

i. Umbrellas that shelter diners from the elements shall be secured so as not to create a hazard in windy conditions.

ii. Permanently enclosed outdoor dining areas either by a permanent roof or to expand the existing structure shall meet all the requirements of a building within the applicable zoning district and shall require the issuance of a zoning permit.

iii. Temporary tents covering outdoor dining areas are permitted when they comply with the following regulations:

(A) They shall only be permitted for a maximum of six months in a calendar year.

(B) They shall be constructed of black vinyl or other materials as approved by the Director.

(C) They must have windows or similar architectural features.

~~7.~~9. *Outdoor Sales/Display.* Temporary and permanent facilities for outdoor sales/display (e.g., garden supply sales, news and flower stands, and similar uses) that are accessory to another principal use may be permitted upon compliance with the following:

a. Location.

i. Outdoor sales/display areas may be permitted provided that the merchandise is displayed on the sidewalk or walkway adjacent to the building in the front yard.

ii. Outdoor sales/display areas may also be permitted in the side or rear yard.

iii. Outdoor sales/display areas that are not located adjacent to the principal building shall not be located more than 20 feet away from the principal building.

iv. Outdoor sales/display areas may be permitted in the front yard, away from sidewalks and buildings, under the following provisions:

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(A) The outdoor sales/display area shall not reduce the amount of off-street parking spaces provided to a number below the minimum number of required spaces; and

(B) No more than 2,400 square feet of the front yard (exclusive of display areas on a sidewalk or walkway) shall be dedicated to outdoor sales.

b. Pedestrian Movement. The placement of the merchandise shall not interfere with pedestrian movement on any sidewalk or walkway. A minimum of five feet of the sidewalk or walkway shall be clear of merchandise to allow for safe pedestrian movement.

c. Fencing or Screening. Fenced or screened outdoor sales/display areas must incorporate materials, architectural features, and fencing that complement the principal building.

~~8.~~10. *Outdoor Bulk Storage*. The following regulations shall apply to commercial or industrial outdoor bulk storage (including items such as trailers, supplies, and materials):

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 or distribution centers) as determined and approved by the Director.

b. Outdoor storage shall not interfere with parking or the safe and unobstructed use of vehicular or pedestrian accessways or walkways.

c. Outdoor storage shall not include the use of banners, pennants, strings of pennants, or similar decorations.

~~c.~~d. Outdoor storage areas shall be required to be located on a paved solid surface of asphalt or concrete. Gravel surfaces are prohibited.

~~d.~~e. Outdoor storage areas shall be required to be fully screened with a solid fence, or wall, at least 8 feet in height and not to exceed 14 feet in height. The screening shall be constructed of materials similar or complementary to those materials used on the principal building within the development, unless more specific standards apply. Open fence types may be permitted in combination with landscaping and screening as determined by the Director for the material type and height.

~~e.~~f. Outdoor storage areas that are visible from a front yard or public/private road shall also have a continuous evergreen hedge or similar at minimum of 6 feet tall at installation.

~~9. *Porches or Decks*. Porches and decks may be permitted shall comply with the following standards:~~

~~a. Porches and decks are permitted in all yards.Porches and Decks shall be set back a minimum of five feet from all lot lines.~~

~~b.~~

~~c. Porches and decks in the front or side yard shall be required to meet all the setback requirements for principal buildings in the applicable zoning district.~~

~~d. Porches or decks in any yard that are enclosed (with screening or other materials) or have a solid roof shall meet the setback requirements for principal buildings in the applicable zoning district.~~

~~e. All other porches may extend into required setbacks in accordance with the applicable zoning district of the use.~~

~~f. Porches and Decks shall be set back a minimum of five feet from all lot lines.~~

~~10.~~11. *Radio and Television Antennas*. Radio, television, or other similar receiving dish, antenna, or structure, shall not be located closer to the street than the front building line.

~~11. ***Swimming Pools, Private.***~~

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a. A private swimming pool, hot tub, spa, pond, or lake containing water more than 24 inches in depth water shall be completely surrounded by a fence or barrier at least 48 inches in height above the finished ground level measured on the side of the barrier away from the pool to prevent uncontrolled access by children from the street or from adjacent properties. Spas or hot tubs with a safety cover that complies with ASTM F1346-91 shall be exempt from the fence provisions. If the swimming pool is above grade and exceeds four feet in height, no fence shall be required however, all access ladders shall be removed or secured to prevent access when not in use.

b. Openings in the fence or barrier shall not allow passage or access. The fence or barrier shall be constructed of one of the following materials:

i. Vertical wooden boards placed close enough together to serve as a barrier to prohibit access to children, pets, etc.;

ii. A decorative metal fencing with slats or poles placed close enough to prohibit access; or

iii. Split rail fencing, Kentucky Board or similar type of fencing with woven wire is acceptable provided that the wire is installed on the inside of the fence.

e. The enclosure around any private swimming pool, hot tub, spa, pond, or lake shall have an access opening, as necessary, that shall have gates that close and latch automatically, and can be locked when not in use.

f. The entire fence shall be kept in a neat condition and in a state of good repair. The swimming pool, hot tub, spa, shall be maintained in a clean and healthful condition, and no such pool shall be permitted to accumulate foul, stagnant or dirty water.

g. The facilities shall be located on the same lot as the principal building, structure or use;

h. The private swimming pool, hot tub, spa, pond, or lake is intended to be used solely for the enjoyment of the occupants of the principal use of the property on which it is located.

i. **Community Pools.**

i. Exclusive of PUD Districts, community pools shall be set back a minimum of 50 feet all lot lines and 150 feet from all lot lines that abut a single-unit dwelling lot.

ii. Community pools shall be landscaped with plantings on all sides and rear property lines.

iii. Community pools shall meet all standards as required for private swimming pools in this section.

iv. Community pools may be subject to the structural and sanitary requirements of the Ohio Department of Health.

j. Exemptions.

i. Swings, playsets, sandboxes, gardens with garden type fencing, clotheslines, outdoor fire pits, and chimneys are permitted in the side or rear yards, and do not require a zoning permit.

ii. Wood piles are permitted in the rear yard only and do not require a zoning permit.

iii. Birdbaths, basketball hoops, fountains, flagpoles, statues are permitted in any yard and do not require a permit.

iv. Trellises less than 10 square feet are permitted in any yard and do not require a permit.

3.12. *Roadside Stands.*

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

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b. *A roadside stand must be operated in association with an existing agricultural use and must be located on the same property or on adjoining property under the same ownership as the agricultural use.*

c. *The roadside stand may not exceed 1,000 square feet in size and must be located within a permanent structure.*

d. *A minimum of 51 percent of the product display area must be devoted to a product(s) grown on the associated farm.*

e. *The roadside stand may include food preparation utilizing products produced on the associated farm.*

~~a.~~ f. *The roadside stand must comply with the applicable building code and permitting requirements as well as all applicable regulations related to the treatment and disposal of wastewater.*

~~4.~~13. *Satellite Dishes*.

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a. Satellite dishes of one meter in diameter or less shall be exempt from the provisions of this section and shall not require a zoning permit. To the maximum extent feasible, the dish should be located in the side or rear yard.

b. Any satellite dish that is larger than one meter in diameter shall be subject to the following standards:

   i. The dish shall only be permitted in the rear yard and shall be set back 15 feet from the principal dwelling and 10 feet from all lot lines.

   ii. The maximum diameter of any dish shall be 10 feet in a residential zoning district and 12 feet in all other zoning districts.

   iii. The dish shall not exceed 15 feet in height as measured from the natural grade level.

   iv. Fencing or landscaping shall be installed around the dish or the subject property so as to fully screen the dish from view from adjacent properties or street rights-of-way.

~~5.~~14. *Small Wind Energy Conversion Systems (SWECS).*

a. SWECS may be located on lots with a minimum lot area of 2.5 acres or more. However, if the proposed turbine is attached to a building and the turbine (to the top of the blades) does not exceed the maximum building height requirement of the applicable zoning district, there shall be no minimum lot area requirement.

b. The maximum height of a stand-alone SWECS shall be 150 feet from natural grade to the top of an extended rotor blade.

c. All portions of a SWECS support structure must, at a minimum, meet the setback requirements for the applicable zoning district. SWECS must also be set back a minimum distance equal to 110 percent of the height of the SWECS, as measured to the top of the rotor blades, from all lot lines.

d. Only a single tower and single turbine shall be permitted on a property. Multiple turbines may be permitted with a conditional use permit if attached to a nonresidential building and if the diameter of the rotor is less than six feet.

e. Climbing access to the tower structure shall be limited by:

   i. Placing fixed climbing apparatus no lower than 10 feet from the ground; and

   ii. Placing a six-foot fence or shielding around the SWECS.

f. SWECS shall be of a scale intended for on-site power consumption and shall not be designed to produce energy to sell to electric providers. This regulation shall not prohibit a property owner that

is installing a SWECS from connecting to the local electric system if mandated by the electric provider for the purposes of safety.

~~6.~~15. *Solar Panels (Small-Scale)*.

a. Freestanding solar panels shall be limited to a maximum height of 16 feet and shall be located in the rear yard.

b. Roof-mounted solar panels on the front side of a roof facing a street shall be flush-mounted to the roof.

c. Roof-mounted solar panels that do not face a street shall not exceed more than 36 inches in height from the roof plane.

~~7.~~16. *Solid Waste Collection and Trash Enclosures.*

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a. Generally. Solid waste collection and trash enclosures shall be incorporated into the overall design of the building and landscape so that visual impact of brush and waste containers are fully contained and out of view from adjacent properties and public rights-of-way.

b. Damage Prevention. Whenever screening material is placed around any large waste receptacle (dumpster) or waste collection unit which is emptied or removed mechanically on a regular basis, a curb or bollards to contain the placement of the container shall be provided within the required screening material. The curbing or bollards shall be at least one foot from the screening material and shall be designed to prevent possible damage to the screening when the container is moved or emptied.

c. Residential Uses. Centralized solid waste facilities may be provided for attached or multi-unit residential uses by the use of dumpsters or garbage bins if it is demonstrated that:

   i. The facilities are located no more than 200 feet (walking distance) from the individual residential uses that they are intended to serve.

   ii. The facilities are located in a side or rear yard, unless it is not possible to provide service access in such locations.

   iii. Access to the facilities is configured to meet the requirements of the City refuse service.

   iv. The areas where dumpsters and/or garbage bins are stored are fully enclosed by a solid wall or fence to match the principal building in terms of materials.

   v. The enclosures have gates that remain closed at all times except when the dumpster or garbage bins are being serviced.

   vi. The enclosures are landscaped as indicated in Figure 1203.07-2, Trash Enclosures for Residential and Nonresidential Uses.

   vii. The enclosures are oriented so that landscaping faces adjoining properties or streets.

d. Nonresidential Uses. Solid waste collection facilities, generally. Dumpsters or garbage bins may be provided for solid waste collection if it is demonstrated that:

   i. The facilities are located no more than 200 feet (walking distance) from all individual commercial uses that they are intended to serve.

   ii. The facilities are located behind the principal building in a side or rear yard.

   iii. The facilities are placed a minimum distance of 20 feet from any public right-of-way, public sidewalk, or property line that abuts a residential zoning district or use;

   iv. Access to the facilities is configured to meet the requirements of the City refuse service.

v. The areas where dumpsters and/or garbage bins are stored are fully enclosed by an opaque fence, wall, or enclosure constructed of any one or more of the following materials and include an opaque gate:

(A) Redwood;

(B) Rough cedar;

(C) Pressure-treated lumber;

(D) Brick;

(E) Concrete;

(F) Composite fencing material; and

(G) Masonry materials.

vi. A minimum height shall be the greater of six feet or one foot taller than the waste container provided that the maximum height shall not exceed 10 feet in height.

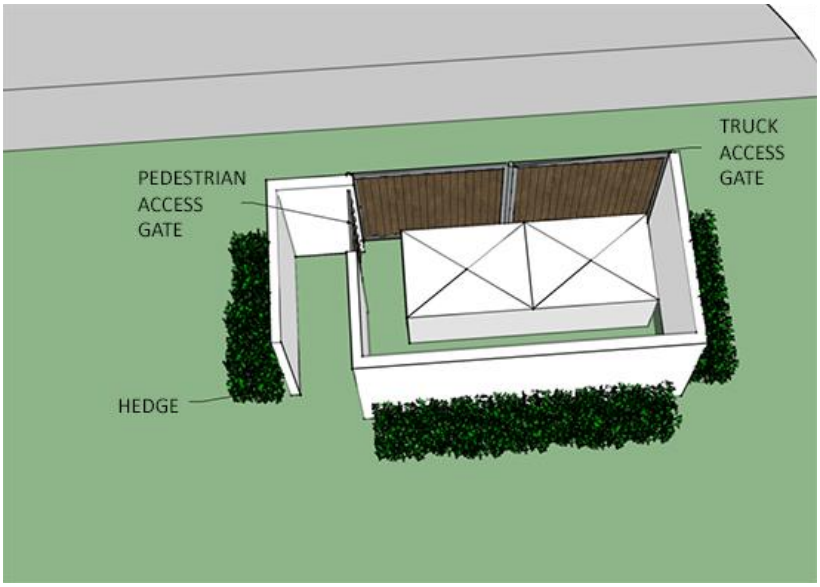
vii. The areas where dumpsters and/or garbage bins are stored are fully enclosed by a solid wall or fence constructed of masonry to match the principle building.

viii. Meet City engineering, infrastructure, and construction design standards, including those that pertain to maneuvering space.

ix. The enclosures are landscaped as indicated in Figure 1203.07-2, *Trash Enclosure for Residential and Nonresidential Uses*.

x. The enclosures are oriented so that landscaping faces adjoining properties or streets.

Figure 1203.07-2
Trash Enclosures for Residential and Nonresidential Uses



14. *Unenclosed Patios.*
    e. All unenclosed patios shall be set back a minimum of three feet from all lot lines.
    f. Unenclosed patios shall be permitted in any yard.

1203.08 Temporary Uses and Structures

A. **Purpose**. The purpose of this Section is to establish specific conditions for certain uses and structures permitted for a limited duration. The following standards ensure that such temporary uses or structures do not negatively impact surrounding properties and are discontinued upon the expiration of a set time period.

B. **Applicability.** Permitted temporary uses and structures are set forth in Table 1203.08-1, *Temporary Uses and Structures*. These standards shall apply to all permitted temporary uses and structures in all districts unless provided for otherwise in this Section to ensure that such temporary uses or structures do not negatively impact surrounding properties and are discontinued upon the expiration of a set time period.

C. **Temporary Use Permit.**
    1. *Permit Required.* Any operator of a temporary use shall receive and display a valid temporary use permit from the Director per 1207.21, *Temporary Use Permit*, unless specifically excepted within this Section.

2. *Exemptions*. The following temporary uses and structures shall not require a Temporary Use Permit but shall comply with all applicable standards of this Section:
    a. Outdoor Entertainment. Individual outdoor entertainment events in permitted athletic stadiums, amphitheaters, and City-owned property;
    b. Mobile Food Vending as Part of Special Events. 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 Director;
    c. Residential Garage or Yards Sales. Garage or yard sales on a property with a residential use or that is zoned residential; and
    d. Onsite Outdoor Seasonal Produce Sales. Outdoor seasonal produce sales sold on the same property where subject produce is grown.

D. **Extension of Approvals.** Approvals may be extended upon demonstration of good cause, appropriate maintenance, extension of any surety, and diligent pursuit of the purposes for which the temporary construction or storage uses were established. All applications for renewal of a temporary use permit issued pursuant to this Section shall be submitted to the Director at least 10 working days before the expiration of the current permit.

E. **General Standards for All Temporary Uses and Structures.**
1. *Applicability.* These standards shall apply to all permitted and limited temporary uses and structures in all districts unless provided for otherwise in this Section.
2. *Required Principal Use.* The establishment of a temporary use requires that there is a permanent principal use on the same property.
3. *Maximum Duration*. Other than retail promotional activities, the temporary uses set out in this Subsection are limited for a specified period of time as noted in Table 1203.08-1, *Temporary Uses and Structures*.
4. *Property Owner's Permission.* The operator of a temporary use shall obtain, in writing, the permission of the property owner to operate on their property and shall submit a copy to the Director as part of the zoning permit process.
5. *No Substantial Impacts.* The temporary use shall not have substantial adverse effects or noise impacts on nearby residential neighborhoods.
6. *No Permanent Alterations.* No permanent alterations to the site shall be done for the temporary use.
7. *Not Interfere with Normal Operations.* The temporary use shall not interfere with the normal operations of any permanent use located on the property.
8. *Land Area.* There shall be sufficient land area to allow the temporary use, structure, or special event to occur, as well as adequate land to accommodate the parking and traffic movement.
9. *Utilities.* Temporary uses shall provide sufficient potable water and adequate sewage disposal.
10. *Public Convenience and Litter Control.*
    a. Trash receptacles shall be provided for customers to dispose of food wrappers, food utensils, paper products, cans, bottles, food, and other such waste. Such receptacles shall be located not more than 10 feet from the temporary use.
    b. The Director may require adequate public restroom facilities.
    c. Liquid wastes such as grease or oil used in the operation shall not be discharged from a mobile food vehicle.

d. After the temporary use is finished, the site shall be returned to its condition prior to the temporary use being established, including, but not limited to, removal of all litter and any other facilities related to the use, at no expense to the City.

e. *Parking, Access, and Circulation.* The temporary use shall:

i. Have sufficient on-site parking for the principal and temporary use;

ii. Have adequate sight distances for safe vehicular ingress and egress;

iii. Not impede the safe movement of vehicular and pedestrian traffic, parking lot circulation, or access to any public alley or sidewalk;

iv. Not obstruct access by emergency service providers; and

v. Provide safe circulation by:

(i) Maintaining access to principal uses operating simultaneously with the temporary use; and

(ii) Minimizing points of conflict between vehicles and pedestrians.

11. *Tents, Stages, and Seasonal Covers.* A temporary tent, stage or seasonal cover may be erected for a temporary use in any yard, provided:

a. The location of the tent or seasonal cover shall not obstruct visibility nor block the sidewalk;

b. Only one tent or seasonal cover shall be placed at any residential property at one time; and

c. Tents and seasonal covers shall not be located on any parcel for a period exceeding 28 days per calendar year.

12. *Outdoor Lighting*. All light sources shall be directed inward to the site and downward and away from adjacent properties. Refer to Article 04.07, *Outdoor Lighting*.

13. *Signs*. Signage for temporary uses shall be permitted only within the time frame for which the temporary use is permitted. See 1204.27, *Temporary Signs* for specific standards for signs.

14. *Liquor Sales.* 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.

15. *Other Codes.* The temporary use shall meet all applicable local and state codes.

F. **Temporary Uses and Structures Table.**

1. *Permitted Temporary Uses.* Permitted temporary uses and structures are set forth in Table 1203.08-1, *Temporary Uses and Structures*.

2. *Unlisted Temporary Uses*. Refer to 1203.01, *General Provisions*, as the same means of interpretation apply to temporary uses as apply to permanent uses.

3. *Legend***.** The temporary uses in Table 1203.08-1, *Temporary Uses and Structures*, below, are classified and symbolized by the following:

a. "P" means the use is permitted by right and is not subject to additional use-specific standards;

b. "L" means the use is permitted subject to limited temporary use standards set forth in Table 1203.08-2, Limited Temporary Use Standards, below, and approval of a Zoning Permit by the Director;

c. '--" means the use is prohibited in the specified zoning district; and

d. "Number/Number" in the Duration column means the maximum number of events per year and maximum days per event on a single lot in a calendar year.

Table 1203.08-1, *Temporary Uses and Structures*					
Key: P = Permitted Use | L = Limited Use | -- = Prohibited					
Land Use	Duration	Zoning Districts			
		Residential	Mixed-Use and Nonresidential		
		RR, SR, GR, NC, UR	MU, DT	HC, GC	EC, LI, HI
Public and Commercial Events					
Commercial Outdoor Sales Event	14/every 90 days	--	P	P	--
Farmers' Market or Open-Air Market	52/2	--	L	P	--
Mobile Food Vending	365/1	--	L	L	--
Public Exhibit or Transient Event/Show	1/14	--	P	P	--
Roadside Stand	2/60	--	P	P	--
Seasonal Sales	6/90	--	P	P	--
Sidewalk Sales	6/60	--	P	P	--
Construction, Storage, and Refuse Collection Facilities					
Construction Dumpster	Until a certificate of occupancy for the last building of the project is issued	L	L	L	L
Construction Offices		L	L	L	L
Construction Yard		--	--	--	L
Gravel Surface Parking Lot		L	L	L	L
Portable Storage Unit	▪ 14 days if located in a residential driveway;	L	L	L	L
Real Estate Sales/Model Home	Until 85% occupancy is reached	L	L	--	--

G. **Limited Temporary Use Standards.** The following sets out standards for duration, location, hours, operational limitations, and design standards for limited temporary uses as indicated in Table 1203.08-1, *Temporary Uses and Structures.*

1. *Public and Commercial Events.*
   a. *Farmer's or Open-Air Market.*
      i. Location of Use. May only be located on city-owned property with approval by the City.
      ii. Hours of Use. Not Limited.
      iii. Operational Limitations.

(A) At least 75 percent of the displayed inventory of the products sold is farm products or value-added farm products.

(B) If a booth sells products 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.

(C) 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; and

(D) 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.

b. *Mobile Food Vending.*

i. Location of Use. The use shall:

(A) Not be within any sight distance triangle, required setbacks, open space, or bufferyard;

(B) Be at least 150 feet from any existing restaurant unless documentation stating approved consent from all restaurant owners within 150 feet is provided; and

(C) Be at least 150 feet from any residential zoning district except as approved on city-owned land or parks.

ii. Hours of Use. The use shall not operate before 10:00 a.m. or after 2:00 a.m.

iii. Operational Limitations. The mobile food operator or an employee shall be present at the use at all times.

c. *Seasonal Sales.*

i. Location of Use. The use shall:

(A) Not be within the public ROW; and

(B) Not be within 200 feet of a single-unit dwelling, unless the dwelling is located on the same property where the product is grown and sold.

ii. Hours of Use. 7:30 a.m. to 10:00 p.m. or the same hours of operation as the principal use on the same lot, whichever is more restrictive.

iii. Operational Limitations.

(A) Only one seasonal activity on a lot at any one time;

(B) 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:

(1) pumpkins;

(2) grains and seed crops;

(3) fruits and vegetables;

(4) nursery, floral, ornamental, and greenhouse products;

(5) trees and forest products, including Christmas trees, and firewood;

(6) bees and beekeeping products;

(7) seafood; and

(8) dairy products.

iv. Design. Four parking spaces shall be available for the use of customers.

2. *Construction, Storage, and Refuse Collection Facilities.*

a. *Construction Dumpster.*

i. Location of Use. The use shall be located:

(A) On the parcel or lot using dumpster;

(B) Set back at least 10 ft. from all property lines;

(C) At least five feet from a fire hydrant;

(D) Not within any required bufferyard;

(E) Not located as within a floodplain or otherwise obstruct drainage flow; and

(F) In nonresidential and mixed-use districts, dumpsters shall be located behind buildings (where possible) and shall not obstruct required parking areas.

ii. Hours of Use. Not Limited.

iii. Operational Limitations. Refuse shall be contained within the dumpster, and shall be secured to prevent it from being removed from the dumpster by wind or animals.

b. *Construction Office.*

i. Location of Use.

(A) On a lot or parcel proposed for development;

(B) Set back at least 10 feet from all property lines; and

(C) Not within required open space, landscaping area, bufferyard.

ii. Hours of Use. Not Limited.

iii. Operational Limitations. May be used by construction superintendents, construction workers, contractors, and other personnel on a construction team or as a security office, but shall not be used as a residence.

c. *Construction Yard.*

i. Location of Use. Within one-half mile of the construction site to which the construction yard relates.

ii. Hours of Use.

(A) 8:00 a.m. to 8:00 p.m. if within 600 feet of residential property; or

(B) 6:00 a.m. to 10:00 p.m. in all other location.

iii. Operational Limitations. The facility shall be used only for a construction site within the City or an infrastructure project that is wholly or partially located in the City.

d. *Gravel Surface Parking Lot.*

i. Location of Use. Only in areas for parking as established on the approved Site Plan.

ii. Hours of Use. Not limited.

iii. Operational Limitations. Not limited.

iv. Design. A solid surface or gravel access drive shall be provided for vehicle access from a public street.

e. *Real Estate Sales/Model Home.*

i. Location of Use. On a platted lot.

ii. Hours of Use. Not Limited.

iii. Operational Limitations. Operated by a developer or builder active in the same phase or section where the use is located.

iv. Design. The use shall be aesthetically compatible with the character of the surrounding development in terms of exterior color, predominant exterior building materials, and landscaping.

f. *Portable Storage Unit.*

i. Location of Use.

(A) On the same a parcel or lot served by a portable storage unit;

(B) Not located within setbacks or encroaching over the sidewalk; and

(C) On nonresidential parcels, use shall be located on the driveway or behind the principal building.

ii. Hours of Use. Not limited.

iii. Operational Limitations. Only one portable storage container shall be on any residential property at any one time.

1203.09 New and Unlisted Uses

A. **Purpose**. It is recognized that new types of land use will develop and forms of land use not anticipated may seek to locate in the City. In order to provide for such changes and contingencies, a determination as to the appropriate classification of any new or unlisted land use shall be made as established in this Section.

B. **Authorization of Proposed Use.**

1. *Director Discretion*. Use Categories and specific uses are listed in the tables in Section 1203.03, *Use Categories*. The Director may interpret a use that is not listed to be within a defined use category or zoning district.

2. *Referral to Planning Commission*.

a. Director Referral. The Director may refer the question concerning any new or unlisted use to the Planning Commission requesting an interpretation as to the use category or zoning district into which such use should be placed. The referral of the use interpretation question shall be accompanied by a statement of facts listing the nature of the use and whether it involves dwelling activity, sales, processing, type of product, storage and amount and nature thereof, enclosed or open storage, anticipated employment, transportation requirements, the amount of noise, odor, fumes, dust, toxic material and vibration likely to be generated and the general requirements for public utilities such as water and sanitary sewer.

b. Zoning District Determination. If referred to the Planning Commission, the Commission shall consider the described nature and performance of the proposed use and its similarity with the uses within a given Use Category and the purpose of a given zoning district and determine if the proposed use should be permitted in any Use Category or zoning district.

C. **If Not Authorized Then Prohibited.** If the Director or Planning Commission determines that a proposed use does not fit within a given Use Category or zoning district and is not functionally the same as a permitted, limited, or conditional use, then the use is considered a prohibited use.

D. **Decision Criteria.** The Director or Planning Commission, as appropriate, shall evaluate the proposed use based on the descriptions of the use categories as provided in Section 1203.02, *Primary Use Table*, and the following criteria:

1. Parking demand;
2. Average daily and peak hour trip generation (cars and trucks);
3. Impervious surface;
4. How the use is advertised;
5. Regulated air or water emissions;
6. Noise;
7. Lighting;
8. Dust;
9. Odors;
10. Glare;
11. Solid waste generation;
12. Potentially hazardous conditions, such as projectiles leaving the site;
13. Use and storage of hazardous materials;
14. Character of buildings and structures;
15. Nature and impacts of operation;
16. Hours of operation; and
17. The basis of facts about the history of a known use in other jurisdictions.

CHAPTER 1204 DEVELOPMENT AND DESIGN STANDARDS

Article 04.01 Purposes and Applicability

1204.01 Purposes

Table 1204.01-1, *Section Purpose Statements*, provides the purpose for each of the Articles in this Chapter.

Table 1204.01-1, Section Purpose Statements	
Section and Title	Purpose
Article 04.02, *Open Space*	*Parks and open space provide a valuable asset to the urban form of the city, its historical development, and the general welfare of its residents by enhancing property values, providing adequate light and air space, preventing overcrowding of land, providing visual buffering between roadways and structures, and promoting the beautification of the city. The purpose of this Article is to:* ▪ *Expand on the open space to provide for amenities that provide a range of community benefits - from passive natural open space for low residential development, focal points for new mixed-use development, gathering spaces, or key public benefits (such as stormwater management);* ▪ *Apply open space requirements for projects that are sufficiently large to accommodate them; and* ▪ *Encourage development where public open space is already available.*
Article 04.03, *Building Elements and Architectural Design*	*The purpose of this Article is to encourage development that contributes to the City of Monroe's unique sense of place, reflecting the community's physical character and adding to it in appropriate ways. The provisions of this Article are intended to:* ▪ *Preserve and enhance a community character that conveys a positive, lasting impression on both residents and visitors;* ▪ *Provide buildings that are functional, safe, and attractive;* ▪ *Establish the physical and functional relationships between buildings and the public realm; and* ▪ *Prescribe the rules related to building massing, form, and design.*

Table 1204.01-1, Section Purpose Statements	
Section and Title	Purpose
Article 04.04, *Parking, Loading, and Circulation*	*The purpose of this Article is to regulate the amount and location of vehicle parking, loading areas, access, and mobility in order to promote a more efficient use of land, enhance the development form, encourage the use of alternative modes of transportation, provide for better pedestrian movement, and protect air and water quality. The provisions of this Article are intended to:* ▪ *Prevent and alleviate the congestion of public streets;* ▪ *Encourage the incorporation of alternative modes of transportation by emphasizing pedestrian circulation and establishing requirements for bicycle parking;* ▪ *Increase and protect the capacity of the roadway system;* ▪ *Promote greater safety of passage between highway and land;* ▪ *Minimize the detrimental effects of vehicular use areas on adjacent properties;* ▪ *Encourage the reduction of impervious surfaces through effective design and the use of shared parking where practical; and* ▪ *Promote the health, safety, and public welfare by establishing minimum requirements for off-street parking and loading areas as well as provisions for access control.*
Article 04.05, *Landscaping, Screening, and Buffering*	*The purpose of this Article is to protect and promote the public health, safety, general welfare, and beautification of the City through landscaping, screening, and bufferyards. The provisions of this Article are intended to:* ▪ *Protect privacy and provide buffering between land uses of differing intensities;* ▪ *Create an aesthetically pleasing environment that improves the quality of life for the citizens;* ▪ *Aid in noise, glare, and heat abatement;* ▪ *Contribute to the process of air purification, ground water recharge, and control of ground water runoff;* ▪ *Encourage efforts to preserve large trees, natural wetlands, and/or other natural features;* ▪ *Prevent tree loss by eliminating or reducing compaction, filling, or excavation near tree roots;* ▪ *Prevent or reduce soil erosion and sedimentation and stormwater runoff;* ▪ *Enhance energy conservation;* ▪ *Control the urban heat island effect; and* ▪ *Increase and maintain property values.*

Table 1204.01-1, Section Purpose Statements	
Section and Title	Purpose
Article 04.06, *Signage*	*Regulating the location, size, placement, and physical characteristics of signs is necessary to enable the public to locate goods, services, and facilities and to receive a wide variety of other messages, commercial and noncommercial, without difficulty and confusion, to encourage the general attractiveness of the community, to enhance public safety, and to protect property values. The provisions of this Article are intended to:* ▪ *Enhance the economy and the business and industry of the City by promoting the reasonable, orderly, and effective display of signs and thereby encourage increased communication with the public;* ▪ *Provide the City the authority and powers to regulate signs under the United States Constitution, the Constitution of the State of Ohio, and the City Charter;* ▪ *Provide a fair, equitable, and predictable regulatory framework for all sign users;* ▪ *Promote and protect the public health, safety, comfort, morals, and convenience;* ▪ *Restrict signs and lights that will increase the probability of traffic congestion and accidents by distracting attention or obstructing vision;* ▪ *Reduce conflict among signs and light and between public and private information systems;* ▪ *Promote signs that are compatible with their surroundings;* ▪ *Ensure regulations that constitutionally protect free expression and do not burden the content of protected messages displayed on signs; and* ▪ *Protect that incidental restriction on the freedom of speech is no greater than is essential to the furtherance of the interests protected by this Article;*
Article 04.07, *Outdoor Lighting*	*The purpose of this Article is to enhance the visual environment of the City and promote safety and continued well-being by:* ▪ *Preventing the trespass of artificial light onto rights-of-way, residential, nonresidential, industrial, and institutional properties in ways that constitute a hazard to public safety or interference with the use, value, and enjoyment of the property;* ▪ *Helping to minimize heat generation resulting in higher temperatures during night-time hours; and* ▪ *Helping to minimize the City's carbon footprint.*
Article 04.08, *Miscellaneous Development Standards*	*The purpose of the performance standards to provide for the peaceful and quiet enjoyment of property and to set forth regulations so that no use shall be constructed or operated so as to create a nuisance or to create any noxious, objectionable, or other undesirable effects on persons or property outside of the lot line of said use. Materials, uses and products produced shall be adequately housed, shielded, or screened so that the health, safety, and welfare of persons occupying the property or adjacent properties are not jeopardized.*

1204.02 Applicability

A. **Generally.** The standards of this Chapter apply to and are required of new development, redevelopment, and expansions of uses, sites, and buildings, as shown in Table 1204.02-1, *Development Standards Applicability*.

B. **Timing of Compliance**. No Certificate of Occupancy or other permissions to operate shall be issued until all site improvements required in this Article are constructed in conformance with the approved application required in Chapter 1207, *Development Review Procedures.*

Table 1204.02-1, Development Standards Applicability

Sections of this Article	Development Thresholds						
	New construction of multiunit dwellings, nonresidential, or mixed-use	**Change in use from residential to nonresidential or mixed use**	**Increase in units, GFA, or impervious surface (such as parking, loading, or stacking) immediately, or cumulatively over a 5-year period by:**			**Change in use requiring additional parking, loading, or stacking spaces**	**Construction of a new sign or structural modification of an existing sign**
			50% or more	**25 to 49 %**	**less than 25%**		
	♦ = Article Applies | -- = Article Does Not Apply						
Article 04.02, *Open Space*	♦	--	♦	--	--	--	--
Article 04.03, *Building Elements and Architectural Design*	♦	♦	♦	--	--	--	--
Article 04.04, *Parking, Loading, and Circulation*	♦	♦	♦	♦	♦	♦	--
Article 04.05, *Landscaping, Screening, and Buffering*	♦	--	♦	♦	--	♦	--
Article 04.06, *Signage*	♦	♦	--	--	--	--	♦
Article 04.07, *Outdoor Lighting*	♦	--	♦	♦	♦	♦	--
Article 04.08, *Miscellaneous Standards*	♦	♦	♦	♦	♦	♦	♦

Article 04.02 Open Space Standards

1204.03 General Provisions

A. **Purpose.** Parks and open space provide a valuable asset to the form of the city and the general welfare of its residents by enhancing property values, providing adequate light and air space, preventing overcrowding of land, providing visual buffering between roadways and structures, and promoting the beautification of the city. The purpose of this Article is to:

1. Expand on the open space to provide for amenities that provide a range of community benefits - from passive natural open space for low residential development, focal points for new mixed-use development, gathering spaces, or key public benefits (such as stormwater management);
2. Apply open space requirements for projects that are sufficiently large to accommodate them; and
3. Encourage development where public open space is already available.

B. **Amount of Open Space Required.** Development shall provide at least the minimum amount of open space dictated by the zoning district in Chapter 1202, *Zoning District Established*. and the following:

1. *Minimum Open Space Set Aside*. Development shall provide at least the minimum amount of open space identified in Table 1204.03-1, *Open Space Set-Aside*.
2. *Calculating Open Space*. The percentage of open space shall be based on the gross site area of the proposed project, including all rights-of-way.
3. *Formal Open Space Requirements*. When formal open space, as defined in Section 1209.03, *Definitions*, is required per this Section, such space shall be areas of improved open space for active use by residents or members of the public that may include, but is not limited to, in-ground swimming pools, playgrounds, tennis courts, jogging trails, or similar outdoor recreational uses. See Section 1204.04, *Open Space Design,* for design standards for other forms of formal open space categories.

Table 1204.03-1, Open Space Set Aside

District	Minimum Percentage of Gross Site Designated as Open Space
Any subdivision in the RR District	--
Any subdivision in the SR, GR, NC, or UR Districts	Required Total Open Space per Article 02.02, *Residential Zoning Districts,* including 5% Formal Open Space
Conservation development types in RR, SR, and GR Districts	
Any residential PUD	20% Total Open Space including 5% Formal Open Space
Any nonresidential PUD with a residential component	5% Formal Open Space

C. **What Qualifies as Open Space.** When formal open space is required, such space shall be areas of open space that have been improved for active use by residents or members of the public that may include, but is not limited to, in-ground swimming pools, playgrounds, tennis courts, paved jogging trails, or similar outdoor recreational uses.

D. **What Does Not Qualify as Open Space**. The following areas shall not be counted toward compliance with open space requirements:

1. Private and public roads, and associated rights-of-way;
2. Public or private parking spaces, access ways, and driveways related to any residential use;
3. Required setbacks between buildings, and vehicular use areas;
4. Required setbacks between buildings and streets;
5. Required minimum spacing between buildings and vehicular use areas;
6. Private yards, including front, back and side yards;
7. Land that is subject to pre-existing conservation easements or other similar protected open spaces;
8. Above-ground buildings, pipes, apparatus, and other equipment for community or individuals, septic or sewage disposal systems;
9. Substations, public or private utility easements;
10. Dry stormwater detention basins or facilities unless they are located within an open space area preserved under this PZC; and
11. Leftover land that has no value for development and is not a natural resource (e.g., river or stream corridor, large forest stand, wetland) that contributes to the quality of the overall project, as determined by the Planning Commission.

E. **Permitted Uses in Open Space.** The following uses may be permitted in required open space:

1. Passive recreational uses such as nature preserves, protected tree stands, meadows, or other non-formal areas of open space.
2. Active recreational uses as permitted in formal open spaces (See the definition of "active parks, playgrounds, and recreational facilities.")
3. Detached Garages/Detached Storage/Utility Sheds, Gazebos, and Similar Structures:
   a. All storage or garage structures shall have a solid asphalt or concrete floor surface. Alternate materials may be approved the Director;
   b. Utility Sheds (generally 200 square feet and under), Gazebos and similar structures may be permitted a wooden, paver, or other alternative solid floor surface, as approved by the Director;
4. Community Gardens;
5. Picnic areas and associated shelters; and
6. Any other uses approved by the Planning Commission during the applicable review procedure.

F. **Provision of Open Space in Multi-Phase Developments.**

1. Development proposed in phases shall be considered as a single development to apply the open space set-aside standards required in this chapter.
2. The open space set aside for the entire project shall be reviewed and approved as part of the preliminary plat process.
3. Development shall not be phased solely as a method to avoid the minimum open space set-aside standards in this chapter.
4. In cases where less than 100 percent of the total amount of open space set-aside is provided within the first phase of a multi-phase development, the open space set-aside required shall be apportioned into each of the remaining development phases.

G. **Protection and Ownership of Open Space.**

1. *Generally.*
   a. Any further subdivision of the open space for uses other than those prescribed in this PZC and the approved site plan, PUD plan, Master Development Plan, or subdivision plat shall be prohibited.
   b. In all cases, the long-term control and protection of the open space shall be accomplished through the use of a conservation easement.
2. *Conservation Easements.*
   a. Generally. At the time when an applicant records the plat for the approved subdivision, a conservation easement shall be placed on all lands and private waters used to satisfy the open space requirement. The conservation easement shall:
      i. Run with the land, regardless of ownership;
      ii. Provide for protection of the land in perpetuity;
      iii. Be granted and deeded to the City, county, state, park district, a City-approved land trust, or other qualified organization approved by the Planning Commission;
      iv. Be solely to ensure the land remains undeveloped; and
      v. Shall not, in any way, imply the right of public access or any other right or duty not expressly established by the terms of the easement.
   b. Ownership. While the City, county, state, park district, city-approved land trust, or other qualified organization may hold the conservation easement, the property itself shall still be owned by the original property owner, the developer (applicant of the subdivision), or the homeowners' association. If it is to be owned by the homeowners' association, the association's documents shall be recorded with the subdivision plat and a copy submitted to the Director to be maintained as part of the City's records.
   c. Maintenance. The conservation easement shall include information on how the property will be maintained by the property owner and shall also state that failure to maintain the property in accordance with the conservation easement agreements shall be considered a violation of this code. In addition, the holder of the easement may pursue any remedy provided by law or equity, including, but not limited to, the remedies in Section 5301.70 of the Ohio Revised Code.

H. **Homeowners' Associations or Property Owners' Associations.**

1. *Establishment.* A homeowners' association or property owners' association shall be established to permanently maintain all open space and common areas if such areas are not transferred and accepted by the City, county, state, park district, city approved land trust, or other qualified organization.
2. *Membership.* Membership in the association shall be mandatory for all purchasers of lots in the development.
3. *Agreements.* All homeowners' association or property owners' association agreements shall be submitted to the Director as part of the subdivision application, PUD or site plan, whichever is applicable. No set of proposed covenants, articles of incorporation, or bylaws of a homeowner's association or property owners' association shall permit the abrogation of any duties set forth in this section.
4. *Maintenance.*
   a. All homeowners' associations or property owners' associations shall guarantee the maintenance of all open space and common areas within the boundaries of the development through the deed restrictions or covenants.

b. The association shall be responsible for maintenance, control, and insurance of all common areas, including required open space.

c. If the homeowners' association or property owners' association no longer maintains the common areas and open space in a neat and orderly manner, or if the homeowners' association or property owners' association goes defunct, the City may take over maintenance and assess a fee to cover the costs of such maintenance. The fee shall be assessed to each of the benefitting property owners within the subdivision.

5. *Membership.* Membership in the association shall be mandatory for all purchasers of lots in the development.

1204.04 Open Space Design

A. **Generally**. In order to ensure that a variety of functional, well-designed civic and open spaces are distributed throughout the City, residential developments shall have a civic and open space component as required in Article 02.02, *Residential Zoning Districts*, and mixed use and nonresidential developments shall have a civic and open space component as required in Article 02.03, *Mixed Use and Nonresidential Zoning Districts.*

B. **Function**. Open space may be integrated into the on-site stormwater management system to maximize the usable portion of a property. Low-impact development (LID) improvements may be used and count toward the open space requirements of the development. Such improvements include, but are not limited to, bioretention, enhanced detention, and infiltration basins, such as inverted vegetated islands within parking lots, rain gardens, reduced impervious areas, vegetated swales, rain barrels and cisterns, and pervious pavements.

C. **Location**. Civic and open space shall be readily accessible to and visible from the street and connected to a public sidewalk.

D. **Perimeter Access**. A minimum of 25 percent of the perimeter of any required open space area shall abut a street.

E. **Accessibility**. The civic and open space shall be designed in accordance with the Americans with Disabilities Act (ADA) requirements.

F. **Availability**. If the open space permits general public access, the space shall include signage posting the hours available for public usage. The signage shall not count against total signage permitted as set forth in Article 04.06, *Signage*.

G. **Exclusions**. The following areas shall not be counted as open space:

1. *Yards*. Private yards on individual lots, including lots of single-unit attached, single-unit detached, patio homes, duplexes, and townhomes;
2. *Driveways and Landscaping*. Driveways, parking areas, and required landscape islands;
3. *Structures*. Land covered by structures not designated for active or passive recreational uses;
4. *Outdoor Display and Storage*. Designated outdoor display and storage areas; and
5. *Stormwater Management Facility*. Areas designated as stormwater management facilities that are not integrated with one of the civic or open space types as permitted in Table 1204.04-1, *Public Civic and Open Space Standards*

H. **Open Space Categories**. Permitted public civic and open spaces include any open space in Table 1204.04-1, *Public Civic and Open Space Standards*. Permitted private open space includes such amenities as forecourts, courtyards, or other amenities acceptable to the Director.

Table 1204.04-1 Public Civic and Open Space Standards	
Type	Standard
Plaza 	**General Character** ▪ Formal open space ▪ Defined seating areas ▪ Balance of hardscape and plantings ▪ Spatially defined by building entries **Location and Size** ▪ Minimum area: 900 square feet ▪ Maximum area: 22,000 square feet ▪ Minimum width: 30 feet ▪ Minimum pervious cover: 25 percent ▪ Permitted zoning districts: MU, DT, GC, HC, BP
Pocket Park 	**General Character** ▪ Formal open space ▪ Spatially defined by buildings or streets ▪ Open shelters, paths, lawns, and trees ▪ Walkways and plantings at all edges ▪ Abundant seating opportunities **Location and Size** ▪ Minimum area 2,500 square feet ▪ Maximum area: 10,000 square feet ▪ Minimum width: 60 feet ▪ Minimum pervious cover: 60 percent ▪ Permitted zoning districts: MU, DT, GC, HC, BP
Common Green 	**General Character** ▪ Small semi-urban open space responding to specific user groups and space available ▪ Range of character can be for intense use or aesthetic enjoyment **Location and Size** ▪ Minimum area 5,000 square feet ▪ Maximum area: 2 acres ▪ Minimum pervious cover: 75%; the remainder may consist of amenities, pavers, or other materials and features acceptable to the Director ▪ Within a ¼ mile of all residences ▪ Permitted zoning districts: RR, SR, GR, UR, MU, DT, GC, BP, LI, HI

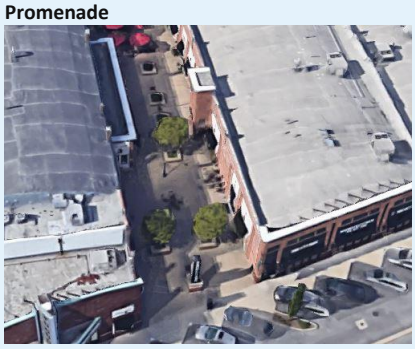
Table 1204.04-1 Public Civic and Open Space Standards	
Type	Standard
Promenade 	**General Character** ▪ Linear shaded public open space ▪ Allow for social and commercial activity to spill into the public realm ▪ Consist of a hardscape pathway with permeable or impermeable pavers and surfaces, and activated by building entries that face onto it ▪ Landscaped, and activated with seating areas, patios, sidewalks, fountains, and similar amenities **Location and Size** ▪ Minimum width: 16 feet ▪ Maximum width: 30 feet ▪ Minimum pedestrian passage width: 8 feet ▪ Minimum pervious cover: 20 percent ▪ Located to provide inter-block connections from one street to another ▪ Permitted zoning districts: MU, DT, GC, HC, BP
Rooftop Garden 	**General Character** ▪ Vegetated space on top of a flat or gently-sloped roof ▪ Space is usable by the general public, residents, employees, or customers **Location and Size** ▪ Roof load: A registered professional engineer shall certify that the roof can support any proposed new loads and whether any additional steps are required to keep new roof components in place when subjected to a wind speed of more than 90 mph. ▪ Roof edge protection: To avoid loose material from falling, a perimeter opaque barrier shall be established on the perimeter of the garden with a minimum height of 42 inches. ▪ Permitted zoning districts: MU, UC, GC, BP

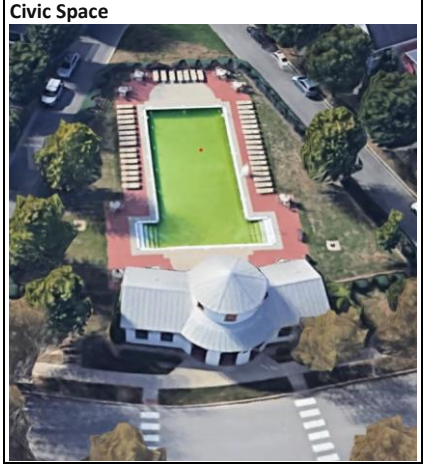
Table 1204.04-1 Public Civic and Open Space Standards	
Type	Standard
Parklet 	**General Character** ▪ Sidewalk extension that provides seating, plantings, and other amenities. ▪ Typically installed in parallel, on-street parking spaces as part of an internal street network or public right-of-way as approved by the City Engineer. ▪ Extend out from the sidewalk at the level of the sidewalk to the width of the parking space(s). **Location and Size** ▪ Minimum area: 180 square feet ▪ Maximum area: 360 square feet ▪ Minimum planted area: 25 percent ▪ Encroachment: Temporary or permanent right of Way Permit required ▪ Protection: A perimeter barrier shall be established with a minimum height of 36 inches and a maximum height of 42 inches. ▪ Permitted zoning districts: MU, DT
Civic Space 	**General Character** ▪ Consists of permitted uses for the district in the Government Facilities, Office, Retail Repair, Sales, and Service use categories ▪ Serves as a focal point in the development. ▪ In a conservation development may only consist of 10 percent of the site area and may only count toward a maximum of 10 percent of required open space **Location and Size** ▪ Minimum area: Minimum lot size for the district ▪ Maximum area: 7,500 square feet ▪ Minimum landscaped area: 25 percent ▪ Permitted zoning districts: RR, SR, GR, UR, MU, DT, GC

Table 1204.04-1 Public Civic and Open Space Standards	
Type	Standard
Natural Area 	**General Character** ▪ Informal natural space and/or green infrastructure for stormwater treatment purposes ▪ Spatially defined by natural features ▪ Paths, meadows, and wooded areas are designed to reflect the natural and cultural heritage of the site ▪ Potential to interconnect with other natural areas **Location and Size** ▪ Minimum area: 1 contiguous acre ▪ Minimum width: 25 feet at its narrowest point ▪ Located in areas of sensitive environmental resources, including but not limited to woodlands, waterways and riparian buffers, steep slopes, and floodplains ▪ Permitted zoning districts: RR, SR, GR, GC, BP, LI, HI

I. **General Standards for Required Open Space**. In addition to the general requirements established in Table 1204.04-1, *Public Civic and Open Space Standards*, above, land set-aside as required civic and open space shall comply with the following standards:

1. *Accessibility*. All areas of open space shall be accessible to residents or users of the development by providing at least 15 feet of frontage on a public street, or in the case of a mixed use development, 15 feet of frontage on an internal access drive or a public street.
2. *Minimum Contiguous Square Feet*. Areas of open space in residential subdivisions shall have a minimum contiguous area of 10,000 square feet in size.
3. *Connectivity to Planned Space*.
   a. Where open areas, trails, parks, or other open space resources are planned or exist adjacent to development, the open space shall, to the maximum extent practicable, be located to adjoin, extend, and enlarge the presently existing trail, park, or other open area land.
   b. The use and improvement of the green space and recreational space shall be planned in relation to any existing or proposed public or semi-public open space which adjoins or which is within 1,500 feet of the perimeter of the PUD or subdivision.
4. *Orientation*. Lots and buildings adjacent to formal open space set-asides in traditional and conventional areas shall be oriented toward the open space set-aside.
5. *Residential Open Space*. When 15% or more of a site is required to be set aside for open space in a residential zoning district, a minimum of 10% of the total project area shall be dedicated as a Natural Area open space type. Such green space shall be suitably improved for its intended use, but any green space containing natural features worthy of preservation, as determined by the approving authority, may be left unimproved. The buildings, structures and improvements which are permitted in the green space shall be appropriate to the uses which are authorized for the green space and shall conserve and enhance the amenities of the green space, having regard to its topography and unimproved condition.

6. *Bonding*. If the final plat of a major subdivision or final Planned Unit Development (PUD) plan provides for buildings, structures, or improvements in the green space and recreational space, the developer shall provide a bond of 100% of the City Engineer's estimate of the cost of those improvements so that the buildings, structures and improvements will be completed. The City shall release the bond or other assurance when the buildings, structures or improvements have been completed according to the approved plan.
7. *Conveyance*. The legal right to develop the green space and recreational space for those uses not specified in the final subdivision plat, Master Development Plan, or PUD plan may be conveyed, with a conservation easement, to a public agency in accordance with Section 1204.03 (G), *Protection and Ownership of Open Space.*

Article 04.03 Building Elements and Architectural Design

1204.05 General Provisions

A. **Purpose.** The purpose of this Article is to encourage development that contributes to the City of Monroe's unique sense of place, reflecting the community's physical character and adding to it in appropriate ways. The purpose of this Article is to:
   1. Encourage development that contributes to the City of Monroe's sense of place;
   2. Preserve and enhance the community's physical character;
   3. Ensure building developments are functional, safe, and attractive; and
   4. Create a community character that conveys a positive impression on residents and visitors.

B. **General Principles.**
   1. *Design Quality and Relationship.* Architectural style is not restricted, but the evaluation of the project's appearance shall be based on the quality of its design and its relationship to the prevailing design characteristics of the surrounding neighborhood.
   2. *Supplemental Architectural Features.* Supplemental architectural features, such as colonnades, columns, windows, awnings, pilasters, and cornices shall be on all walls that can be viewed from public or private rights-of-way or circulation areas.
   3. *Massing Variations.* Monotony of design in multiple building projects shall be avoided. Variation in detail shall be used to provide visual interest.

C. **Applicability.** All buildings shall be subject to the standards of this Article including all new development, redevelopment, and expansion of residential, nonresidential, and mixed-use principal buildings and accessory buildings.

D. **Frontage.** All buildings shall share a frontage line with a public street.

E. **Proportions.** All building components such as windows, doors, columns, eaves, and roofs shall be proportional to the overall scale of the building.

F. **Location in Right-of-Way**. The permitted location of a building on a property shall be determined by the building placement standards specified in Article 02.02, *Residential Zoning Districts*, and Article 02.03, *Mixed Use and Nonresidential Zoning Districts*, and in no case shall a principal or accessory building encroach into the public right-of-way.

G. **Rooftop Mechanical Equipment**. Rooftop mechanical or other equipment shall be screened from public view from adjacent public and private rights-of-way as well as from residential zones or uses. Screening materials

shall include parapet walls of the same primary materials used on the principal structure. Screening walls are prohibited.

H. **Permitted Exterior Building Materials.** Table 1204.05-1, *Permitted Primary Building Materials - Masonry,* Table 1204.05-2 *Permitted Building Materials - Metal, Siding, Stucco, and Glass,* and Table 1204.05-3, *Permitted Roofing Materials*, show the permitted building materials for mixed-use and nonresidential buildings. For permitted building materials for residential buildings, see 1204.06, *Residential Building Elements and Architectural Design.*

I. **Prohibited Materials.** No building elevation may utilize sheet or corrugated aluminum, iron or steel, plain concrete, plain concrete block, vinyl siding, or exterior panelized plywood.

J. **Materials Not Listed.** Materials that are submitted for potential approval and that are not listed in this Article are considered prohibited.

Table 1204.05-**1**
Permitted Building Materials - Masonry

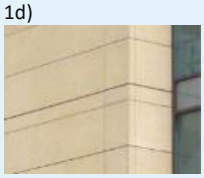
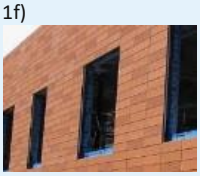
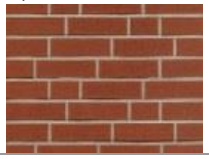
1 Masonry		Photo Example		
1a)	Modular Brick	1a)	1b)	1c)
1b)	Modular Stone			
1c)	Architectural cast or precast concrete (detailed)			
1d)	Architectural reinforced concrete (glass fiber, fiber)	1d) 	1e)	1f) 
1e)	Cement board siding			
1f)	Terra cotta			
1g)	Cast stone	1g)	1h)	1i) 
1h)	Architectural concrete masonry unit			
1i)	Prefabricated brick			

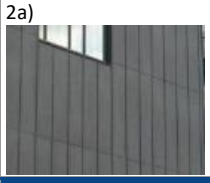
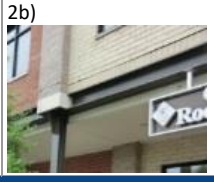
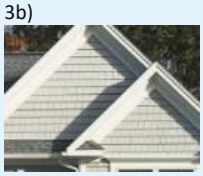
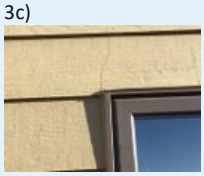
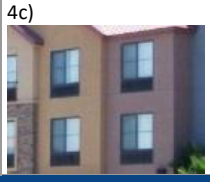
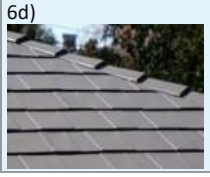
Table 1204.05-2 Permitted Building Materials - Metal, Siding, Stucco, and Glass				
2 Metal		Photo Example		
2a)	Metal panels (not corrugated or exposed)	2a) 	2b) 	2c)
2b)	Metal accents			
2c)	Composite wall panel			
3 Siding		Photo Example		
3a)	Wood lap (natural or cement)	3a)	3b) 	3c) 
3b)	Wood (natural or cement)			
3c)	Cement board siding			
4 Stucco		Photo Example		
4a)	Authentic (detailed)	4a)	4b)	4c) 
4b)	Synthetic (scored)			
4c)	Synthetic (not scored)			
5 Glass		Photo Example		
5a)	Curtain wall	5a)	5b)	
5b)	Glass accent			

Table 1204.05-3 Permitted Roofing Materials				
6 Roofing Material		Photo Example		
6a)	Asphalt shingle	6a)	6b)	6c)
6b)	Concrete or clay tile			
6c)	Standing seam metal			
6d)	Metal shingles	6d) 	6e)	6f)
6e)	Solar Shingles			
6f)	Vinyl Membrane			

1204.06 Residential Building Elements and Architectural Design

A. **Applicability.** These building material standards apply to all new single-unit detached, single-unit detached, zero lot line homes, townhouses, multiplex, and multi-unit dwelling developments, redevelopments, and expansions of residential principal buildings in the RR, SR, GR, NC, UR, MU, and DT Districts as permitted in Section 1203.02, *Primary Use Table*.

B. **Building Materials.**

1. *Permitted Exterior Building Materials.* The entire exterior of all wall areas (front, rear, sides) beginning at grade, including gas fireplace insert cantilevers, gables, overhangs, kitchen and other bays, and other types of protrusions, of each dwelling shall comply with the standards of Section 1204.05(H), *Permitted Exterior Building Materials*.
2. *Prohibited Exterior Building Materials.* All residential buildings shall comply with the prohibited building materials as specified in Section 1204.05 (I), *Prohibited Materials*.
3. *Accessory Structures.* All residential accessory structures shall be constructed of materials similar to the materials used on the principal dwelling or may, in all cases, be constructed of brick, stone, cultured stone, cement siding, wood, stucco and synthetic stucco materials, or other materials on the relevant list of approved building materials approved by the Planning Commission and maintained and made available to the public by the Development Department.
4. *Below Grade Materials.* All potential below grade living areas shall be constructed with poured concrete walls.
5. *Architectural Standards for Infill New Construction.*
   a. Primary Building Material Along the Same Block Face. A new single-unit dwelling may be constructed of building materials that are the primary building material on other single-unit dwellings along the same block face.

b. Mixture of Materials Along the Same Block Face. If the existing, individual buildings along the same block face contain a mixture of building materials, the new construction should contain materials that reflect the predominant materials or better materials along the same block face as determined by the Director.

6. *Architectural Standards for Expansions and Alterations.*

a. Facade Similarity. The expansion or alteration shall be constructed of materials and proportions similar to the façade that is being extended or altered (i.e., if the side façade of a dwelling is constructed of brick and will be extended or altered, the expanded or altered area shall also be constructed of brick).

b. Material Replacement. Where an existing building is constructed with brick, stone, cultured stone, cement siding, wood, stucco, or synthetic stucco material, such materials shall only be replaced with the same material or materials on the list of approved building materials approved by the Planning Commission that shall be kept in a document ~~and~~ maintained by the Development Department.

c. Rear or Side Building Expansion Materials. Majority glass and similar materials (excluding glass block siding) may be used in building expansions to the rear or side of the existing building.

7. *Exceptions.*

a. Vinyl Siding. The use of vinyl siding may be allowed only as trim around second-story windows and gables as described in this paragraph.

b. Locational Difficulties. When portions of a façade are difficult to cover in the approved materials due to locational difficulties or serve strictly as trim, as determined by the Director, any building material may be utilized, as determined by the Director. See Figure 1204.06-1, *Acceptable Use of Vinyl*, and Figure 1204.06-2, *Unacceptable Use of Vinyl*, for illustrative examples of the acceptable and unacceptable use of vinyl.

Figure 1204.06-1
Acceptable Use of Vinyl

Figure 1204.06-2
Unacceptable Use of Vinyl

C. **Single-Unit Dwellings.** All single-unit dwellings shall comply with this Paragraph and Table 1204.06-1, *Single-Unit Residential Building Standards.*

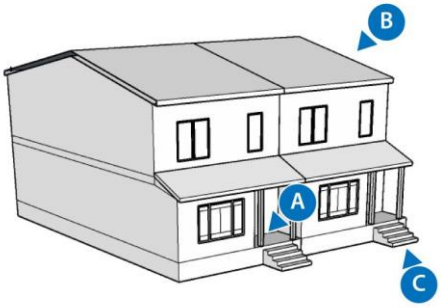
1. *Primary Entrance.* Primary entrances shall be located along the frontage and set back a minimum of three feet from the front facade.
2. *Siding Placement.* All siding shall be either horizontal or vertical in placement.
3. *Porches or Stoops.* All single-unit dwellings shall have either a usable porch or stoop accessed from the ground floor.
4. *Design Features*. Frontages shall include a minimum of two of the following design features:
   a. One or more dormer windows or cupolas;
   b. Pillars, posts, or pilasters; or
   c. One or more bay windows with a minimum of 12-inch projection from the façade plane.
5. *Garage Doors.* Flat overhead garage doors are prohibited. All garage doors shall be raised panel doors or have some type of relief feature in their construction so as to not appear as a completely flat surface.
6. *Roof.* The roof type shall generally reflect the predominant roof types of the buildings along the same block face (e.g., the building should not have a flat roof where the predominant roof type is a gable) and shall comply with 1204.05, *General Provisions.*

Table 1204.06-1 Single-Unit Residential Building Standards		
Standard	Requirements	Additional Standards
Primary Entrance		
Primary Entrance (min.)	3' minimum setback from the front facade and located along primary street frontage	--
Building Height		
Height (max. and min.)	Height may not exceed max. height defined in 1202.03, *Residential District Standards.*	For infill development, no more than 20% taller nor no more than 20% shorter than principal buildings along same block face
Street Facing Wall Articulation		
Façade width before articulation (max.)	10'	--
Design Features		
Number of varied design features (min.)	2	Design features shall comply with Paragraph C.4., *Design Features*, above
Roof Form		
Pitched Roof Over Principal Structure (min.)	5/12 pitched roof design (including the roof area located over the garage)	--
Pitched Roof Over Porch and Entrances (min.)	4/12 pitched roof design	
Eave (min.)	12" overhangs over all faces of the exterior walls	
Parking		
Garage (2-car)	Raised panel doors or some type of relief feature	Parking standards shall comply with standards defined in Article 04.04, *Parking, Loading, and Circulation*
Garage (3-car)	Raised panel doors or some type of relief feature and the single-car garage must be set back a min. 1' from double-car garage	
Patio		
Width, Clear (min.)	8'	--
Depth, Clear (min.)	5'	
Height, Clear (min.)	8'	
Stoop		
Width, Clear (min. / max.)	5' / 8'	--

Depth, Clear (min. / max.)	5' / 8'	
Height, Clear (min. / max.)	8'	
Clear Zone from Sidewalk (min.)	6'	

D. **Duplex Dwellings**. This building type accommodates two single-unit dwellings which are attached to one another and are oriented to the street. This type reflects traditional residential structures in form but is somewhat larger in scale. It is freestanding, and one to two- and one-half stories in height. Details include principal entrances in one or more locations. Each is defined by a porch, stoop, or recessed entry. All duplex or single-unit attached residential buildings shall comply with Figure 1204.06-3, *Duplex Building Type and Illustrative Examples* and Table 1204.06-2, *Duplex Residential Building Standards.*

Figure 1204.06-3, Duplex Building Type and Illustrative Examples



Symbol	Description
A	Primary entrance is oriented to the street and may be defined by a porch.
B	Pitched roof relates to traditional single-unit buildings.
C	Walkway leads to the primary entrance from the public way.

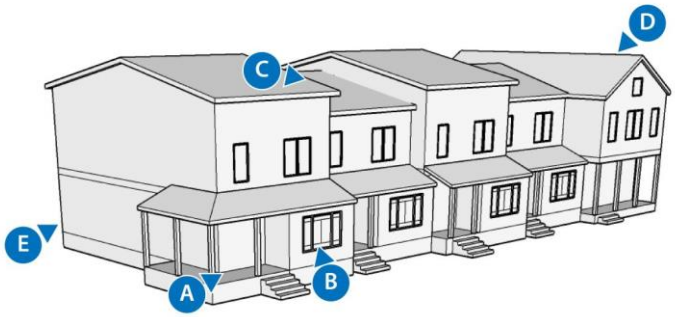
Note:

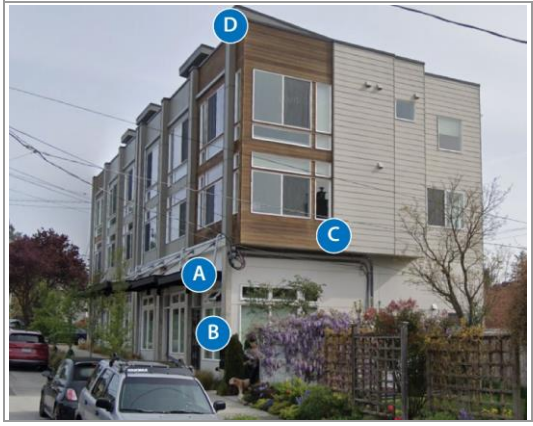
1. The above images are shown only for illustrative purposes and are not meant to prescribe the use of these building forms.

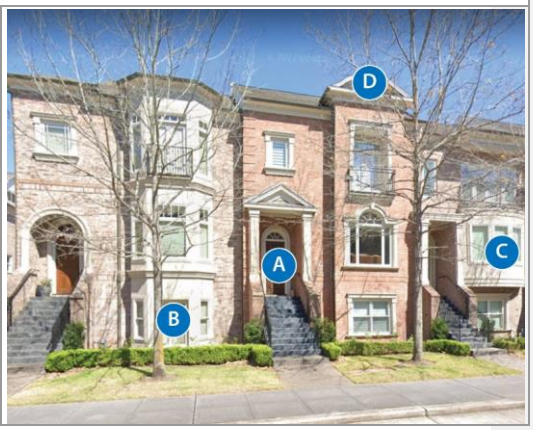
Table 1204.06-2 Duplex Residential Building Standards		
Standard	Requirements	Additional Standards
Primary Entrance		
Primary Entrance (min.)	3' setback and located along frontage	--
Building Height		
Height (max. and min.)	Height may not exceed max. height defined in 1202.03, *Residential District Standards*	For infill development, no more than 20% taller nor no more than 20% shorter than principal buildings along same block face
Street Facing Wall Articulation		
Façade width before articulation (max.)	10'	--
Design Features		
Number of varied frontage types (min.)	1	Refer to Section 1204.08, *Frontage Types*
Transparency		
Facade glazed: % ground floor wall area (min.)	30%	--
Facade glazed: % upper floor(s) wall area (min.)	30%	
Roof Form		
Pitched Roof Over Principal Structure (min.)	5/12 pitched roof design (including the roof area located over the garage)	--
Pitched Roof Over Porch and Entrances (min.)	4/12 pitched roof design	
Eave (min.)	12" overhangs over all faces of the exterior walls	

E. **Townhouse Dwellings**. This building type accommodates three to eight single-unit units which are attached to one another and are oriented to the street. They are to be compatible in mass and scale with nearby residential structures of a lower scale. A Townhouse is one to three stories in height. The façade is designed to define each individual unit. Each unit has a principal entrance on the ground floor defined by a porch, stoop, or recessed entry. End units have window openings on three sides, while interior units have window openings only in the front and back. Parking is located in the rear. All townhouse residential buildings shall comply with Figure 1204.06-4, *Townhouse Building Type and Illustrative Examples,* and Table 1204.06-3, *Townhouse Residential Building Standards*.

Figure 1204.06-4, Townhouse Building Type and Illustrative Examples







Symbol	Description
A	Covered elevated porches and easy identifiable entrances to the building.
B	Transparency at the elevated ground level engages the residents to the public way.
C	Horizontal and vertical step backs allow for visual interest.
D	Gable roofs or roof variations allow for visual interest at the roofline.
E	Parking should be accessed from the rear and should be located either underneath or behind the building.

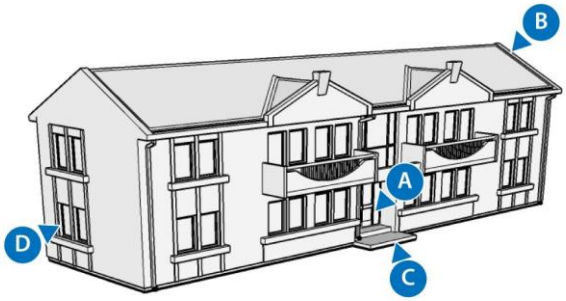
Note:

1. The above images are shown only for illustrative purposes and are not meant to prescribe the use of these building forms.

Table 1204.06-3 Townhouse Building Standards		
Standard	Requirements	Additional Standards
Primary Entrance		
Primary Entrance (min.)	3' setback and located along frontage	--
Building Height		
Height (max. and min.)	Height may not exceed max. height defined in 1202.03, *Residential District Standards*	For infill development, no more than 20% taller nor no more than 20% shorter than principal buildings along same block face
Street Facing Wall Articulation		
Façade width before articulation (max.)	10'	--
Design Features		
Number of varied frontage types (min.)	1	Refer to Section 1204.08, *Frontage Types*
Transparency		
Facade glazed: % ground floor wall area (min.)	30%	--
Facade glazed: % upper floor(s) wall area (min.)	30%	
Roof Form		
Minimum sloping roof form (hip, shed, or gable) percentage of building in plan view	25%	--
Roof Slope	5:12 or steeper or 3:12 or steeper for porches, add-ons, etc.	

F. **Multiplex Dwellings**. This residential building type contains three to six residential units. It is freestanding, and one to two and one-half stories in height in different contexts. Details include principal entrances in one or more locations. Each is defined by a porch, stoop, or recessed entry. A Multiplex building generally includes a pitched roof. All multiplex residential buildings shall comply with Figure 1204.06-5, *Multiplex Building Type and Illustrative Examples,* and Table 1204.06-4, Multi-Unit Residential Building Standards.

Figure 1204.06-5, Multiplex Building Type and Illustrative Examples



Symbol	Description
A	Primary entrance is oriented to the street and may be defined by a porch.
B	Pitched roof relates to traditional single-unit buildings.
C	Walkway leads to the primary entrance from the public way.
D	Sides of buildings should have windows to allow for transparency.

Note:
1. The above images are shown only for illustrative purposes and are not meant to prescribe the use of these building forms.

Table 1204.06-4
Multiplex Building Standards

Standard	Requirements	Additional Standards
Primary Entrance		
Primary Entrance (min.)	3' setback and located along frontage	--
Building Height		
Height (max. and min.)	Height may not exceed max. height defined in 1202.03, *Residential District Standards*	For infill development, no more than 20% taller nor no more than 20% shorter than principal buildings along same block face
Street Facing Wall Articulation		
Façade width before articulation (max.)	10'	--
Design Features		
Number of varied frontage types (min.)	1	Refer to Section 1204.08, *Frontage Types*
Transparency		
Facade glazed: % ground floor wall area (min.)	30%	--
Facade glazed: % upper floor(s) wall area (min.)	30%	
Roof Form		
Minimum sloping roof form (hip, shed, or gable) percentage of building in plan view	50%	--
Roof Slope	5:12 or steeper or 3:12 or steeper for porches, add-ons, etc.	

G. **Multi-Unit Dwellings.** This residential building type contains multiple floors in structures with more than six dwelling units. This type reflects traditional residential structures in form but is somewhat larger in scale,

compatibility, bulk, density, and building design qualities that integrate well with surrounding development. Multi-unit dwellings are either freestanding buildings or individual buildings within a multi-building development of more than two buildings. Multi-unit buildings commonly have primary entrances facing a street covered by a canopy, awning, or similar weather protection feature. Parking to multi-unit buildings are accessed from an alley, a driveway leading to a detached garage, or parking area in the rear yard. All multi-unit residential development shall comply with Figure 1204.06-3, *Multi-Unit Building Type and Illustrative Examples,* and Table 1204.06-2, *Multi-Unit Residential Building Standards.*

Figure 1204.06-6
Multi-Unit Building Type and Illustrative Examples

Illustrative example of **acceptable** architectural design for multi-unit residential buildings.

Illustrative example of **unacceptable** architectural design for multi-unit residential buildings.

Symbol	Description
A	Breaking up building form.
B	Breaking up roof form to avoid it appearing monolithic.
C	Vertical articulation, such as a wall offset.
D	Horizontal articulation, such as an expression line.
E	Stairs shall be covered.

Note:
1. The above images are shown only for illustrative purposes and are not meant to prescribe the use of these building forms.

1. *Siding Placement.* All siding shall be either horizontal or vertical in placement.
2. *Design Features.*
   a. *Frontage Lot.* Frontages shall include a minimum of two of the following design features:
      i. Wall offsets in the form of projections and/or recesses in the façade plane;
      ii. Bay windows;
      iii. Façade color changes;
      iv. Use of pilasters, columns, or other detailing to articulate the facades; or
      v. Roofline changes when coupled with correspondingly aligned façade material changes.
   b. *Corner Lot.* Front facades and side facades on buildings on corner lots shall provide a minimum of three of the following design features for each residential unit fronting onto the street:
      i. One or more dormer windows or cupolas;
      ii. Pillars, posts, or pilasters;
      iii. One or more bay windows with a minimum of 12-inch projection from the façade plane;
      iv. A parapet wall with an articulated design, which entails design variation rather than a simple rectilinear form; or
      v. Multiple windows with a minimum of four-inch wide trim.
3. *Building Variation and Articulation*. An apartment community with three or more buildings must substantially vary the buildings in heights, dispositions, scales (number of units), materials, and colors.
4. *Roof Penetrations and Equipment.* To the degree practicable, all roof vents, pipes, antennas, satellite dishes, and other roof penetrations and equipment (except chimneys) shall be located on the rear elevations or configured to have a minimal visual impact as seen from the street and shall comply with 1204.05, *General Provisions* and Article 04.05, *Landscaping, Screening, and Buffering*.

Table 1204.06-5 Multi-Unit Residential Building Standards		
Standard	Requirements	Additional Standards
Building Materials		
Front Facade (min.)	75% shall be constructed of brick or stone in combination with wood or other natural material	Materials shall comply with 1204.05, *General Provisions*
All Other Facades (min.)	50% shall be constructed of brick or stone in combination with wood or other natural material	
Primary Entrance		
Primary Entrance (min.)	3' setback and recessed	--
Building Height		
Height (max. and min.)	Height may not exceed max. height defined in 1202.03, *Residential District Standards.*	For infill development, the building shall be no more than 20% taller nor no more than 20% shorter than principal buildings along same block face.
Street Facing Wall Articulation		
Façade width before articulation (max.)	30'	--
Facade depth (min.)	2'	
Design Features		
Number of varied design features (min.)	3	Design features shall comply with Paragraph D.1.b. above
Transparency		
Facade glazed: % ground floor wall area (min.)	30%	--
Facade glazed: % upper floor(s) wall area (min.)	30%	
Roof Form		
Pitched Roof Over Principal Structure (min.)		--
Eave (min.)	6" shall be provided over all faces of the exterior walls	
Parking		

Parking, Space, Garage, or Covered Parking Area	--	Parking standards shall comply with standards defined in Article 04.04, *Parking, Loading, and Circulation*
Patio		
Width, Clear (min.)	8'	--
Depth, Clear (min.)	5'	
Height, Clear (min.)	8'	
Stoop		
Width, Clear (min. / max.)	5' / 8'	--
Depth, Clear (min. / max.)	5' / 8'	
Height, Clear (min. / max.)	8'	
Clear Zone from Sidewalk (min.)	6'	

1204.07 Mixed-Use and Nonresidential Building Elements and Architectural Design

A. **Applicability.** These building standards apply to all new mixed-use and nonresidential developments, redevelopments, and expansions of principal buildings and accessory buildings in the MU, DT, HC, GC, EC, LI and HI Districts.

B. **Building Materials.**

1. *Permitted Exterior Building Materials.* The entire exterior of all wall areas (front, rear, and sides) shall comply with 1204.05, *General Provisions*.
2. *Prohibited Exposed Structural Frame.* The structural frame of a building shall not be exposed to the exterior of a building.
3. *Prohibited Exterior Building Materials.* Exposed metal panels (such as corrugated metal) shall be prohibited in all districts. This shall not apply to 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.
4. *Accessory Structures*. All nonresidential accessory structures shall be constructed of materials similar to the materials used on the principal building or may, in all cases, be constructed of brick, stone, cultured stone, cement siding, wood, stucco and synthetic stucco materials.

~~3.~~

C. **Mixed-Use.** All mixed-use buildings in the MU and DT district shall comply with the paragraphs below and shall comply with this Paragraph and Table 1204.07-1, *Mixed-Use Building Standards*.

1. *Building Orientation.* Buildings shall generally be parallel to the street they front, unless an alternate orientation is consistent with existing adjacent development.
2. *Primary Entrance.* The primary entrances of buildings shall be oriented:
   a. Towards a street along the perimeter of the development or towards a public space, if located adjacent to the proposed project; or

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b. Towards streets in the interior of the development if none of the building's facades has frontage on a public street; or

c. As approved by the review body during site plan review.

3. *Siding.* Siding of any type shall not occupy more than 25 percent of any elevation.

4. *Design Features.* Buildings shall include no less than three of the following design features:

a. Roof overhangs above the entrance;

b. Entry recesses/projections;

c. Arcades that are physically integrated with the entrance;

d. Raised corniced parapets above the entrance;

e. Gabled roof forms or arches above the entrance;

f. Outdoor plaza adjacent to the entrance having seating and a minimum depth of 20 feet;

g. Display windows that are directly adjacent to the entrance;

h. Architectural details, such as tile work and moldings, that are integrated into the building structure and design and are above and/or directly adjacent to the entrance; or

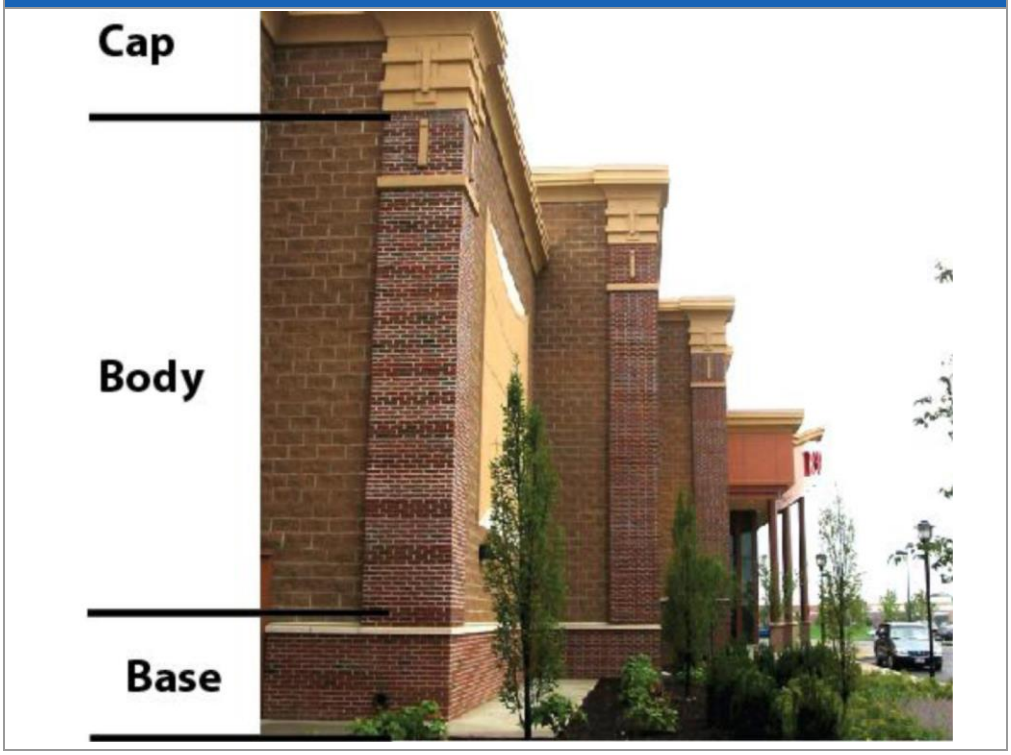
i. Integral planters or wing walls that incorporate landscaped areas or seating areas. A wing wall is a wall secondary in scale projecting from a primary wall and not having a roof.

Figure 1204.07-1
Design Feature Examples

5. *Building Mass.*

a. *Base, Body, and Cap.* All architectural elevations of principal buildings shall consist of a base, a body, and a cap as illustrated in Figure 1204.07-2, *Building Mass*. The base and cap shall be clearly distinguishable from the body through changes in color, material, pattern, profile, and texture.

Figure 1204.07-2
Building Mass



b. *Wall Openings (Doors and Windows).*

i. Doors and windows should be positioned to create a uniform pattern or visual rhythm along the building elevation.

ii. All doors and windows shall be articulated through the use of lintels, sills, and thresholds. Windows larger than 20 square feet that are not used for display purposes shall be divided into panes through the use of mullions and/or sashes.

iii. Doors and windows shall be rectangular in shape and vertical in orientation.

iv. The pattern of architectural features, such as windows and doors, shall be placed upon the facade of a building in a pattern that creates a building fenestration that has a constant rhythm, a harmonious appearance, and is proportional to one another and surrounding buildings.

6. *Roof Styles.*

a. *Roof Line Changes.*

i. Roof line changes shall include changes in roof planes or changes in the top of a parapet wall, such as extending the top of pilasters above the top of the parapet wall.

ii. When roof line changes are included on a façade that incorporates wall offsets or material or color changes, roof line changes shall be vertically aligned with the corresponding wall offset or material or color changes as illustrated in Figure 1204.07-3, *Roofline Change Examples*.

Figure 1204.07-3
Roof Line Change Examples

c. *Flat Roofs.*

i. When flat roofs are used, parapet walls with three-dimensional cornice treatments shall conceal them. The cornice shall include a perpendicular projection a minimum of eight inches from the parapet façade plane.

ii. Thin parapets that extend more than two feet above the roof and have a depth of less than two feet from the façade surface, are prohibited.

d. *Asymmetric or Dynamic Roofs.*

i. Asymmetric or dynamic roof forms allude to motion, provide variety and flexibility in nonresidential building design, and allow for unique buildings as illustrated in Figure 1204.07-4, *Dynamic or Asymmetric Roof Line Examples*.

ii. Asymmetric or dynamic roof forms shall be permitted on nonresidential buildings provided the criteria for flat roofs are met.

Figure 1204.07-4
Dynamic or Asymmetric Roof Line Examples

6. *Mechanical Equipment.*
   a. Wall-mounted mechanical, electrical, communication equipment, downspouts, gutters, service doors, and other building-mounted utility fixtures, shall be painted and maintained to match the building or be screened from view.
   b. Mechanical equipment such as transformers and HVAC units shall not be located in front yards.
   c. All mechanical equipment, including both ground-mounted and roof-mounted equipment, shall comply with 1204.05, *General Provisions* and Article 04.05, *Landscaping, Screening, and Buffering.*

Table 1204.07-1 Mixed-Use Building Standards		
Standard	Requirements	Additional Standards
Primary Entrance		
Primary Entrance	Recessed or contain an awning, canopy, arcade or portico. Sheltering element shall be 15% of total wall area.	--
Building Mass		
Base (min.)	8% of the average wall height	--
Body (min.)	60% of the average wall height	
Cap (min.)	8% of the average wall height *(not to exceed the height of the base)*	
Number of cap design features (min.)	2	Cornice; parapet; awning; canopy; or eaves
Building Height		
Height (max. and min.)	Height may not exceed max. height defined in Article 02.03, *Mixed-Use and Nonresidential District Standards*	--
Street Facing Wall Articulation		
Façade width before articulation (min. / max.)	20' / 35'	--
Facade depth	2'	
Facade Alternative (a)	Façade material changes following the same dimensional standards as the offset requirements	
Facade Alternative (b)	Pilasters with a minimum depth of 1', minimum width of 1', and a minimum height of 80% of the facade's height	
Design Features		
Number of varied design features (min.)	2	Design features shall comply with Paragraph c.4. above
Transparency[1]		
Facade glazed: % ground floor wall area (min.)	30%	The bottom edge of the windows shall not be higher than 3' above grade on the ground floor

Facade glazed: % upper floor(s) wall area (min.)	30%	--
Opaque glass (max.)	20%	--
Roof Form		
Pitched Roof Height (max.)	1/2 of the overall building height	--
Gallery or Arcade		
Width, Clear (min.)	75% of facade width	Galleries shall be supported from below by a porch, arcade, or other structure; or visually supported by brackets, corbels, or beams along its full depth.
Depth, Clear (min.)	8'	
Ground Floor Height, Clear (min.)	11'	
Upper Floor Height, Clear (min.)	9'	
Storefront		
Depth of Recessed Entries (max.)	5'	--
Depth of Canopy or Awning (min.)	4'	
Width of Canopy or Awning, Cumulative (min.)	70% facade width	
Height, Clear (min.)	8'	
Table Notes: 1. All windows and storefronts on the ground and second floors facing public rights-of-way.		

D. **Nonresidential.**

1. *Commercial.* All buildings in the HC and GC districts shall comply with the paragraphs below and shall comply with Table 1204.07-2, *Nonresidential Building Standards*.
   a. The primary entrances of building shall be oriented:
      i. Towards a street along the perimeter of the development or towards a public space, if located adjacent to the proposed project; or
      ii. Towards streets in the interior of the development if none of the building's facades has frontage on a public street; or
      iii. As approved by the Director or the Planning Commission during site plan review.
   b. *Design Features.* Nonresidential buildings shall include no less than three of the following design features:
      i. Canopies/porticos above the entrance;
      ii. Roof overhangs above the entrance;
      iii. Entry recesses/projections;

iv. Arcades that are physically integrated with the entrance;

v. Raised corniced parapets above the entrance;

vi. Gabled roof forms or arches above the entrance;

vii. Outdoor plaza adjacent to the entrance having seating and a minimum depth of 20 feet;

viii. Display windows that are directly adjacent to the entrance;

ix. Architectural details, such as tile work and moldings, that are integrated into the building structure and design and are above and/or directly adjacent to the entrance; or

x. Integral planters or wing walls that incorporate landscaped areas or seating areas. A wing wall is a wall secondary in scale projecting from a primary wall and not having a roof.

2. *Industrial.* Buildings with permitted industrial uses in the EC, and all permitted industrial use buildings in the LI and HI districts shall comply with the paragraphs below and shall comply with this Paragraph and Table 1204.07-2, *Nonresidential Building Standards*.

a. *Primary Entrance.* Building entrances shall be clearly defined and appropriately proportioned to the building size by a recess or extension that is framed by a sheltering element such as an awning, canopy, arcade or portico that incorporates detailing, a change in materials or similar feature to break up the building façade and encompasses 15 percent of the total wall area.

b. *Foundations.* Foundations shall be composed of concrete, brick, split-faced block, cast stone, or stone.

c. *Building Materials.* Building materials shall comply with 1204.05, *General Provisions*, and shall comply with the following:

i. Primary Materials. 100 percent primary masonry materials use is permitted on any wall facing a public street or right-of-way unless secondary or accent materials are utilized, then the primary masonry materials may be reduced to a minimum of 25 percent;

ii. Secondary Materials. Secondary materials may be used on any wall. A maximum of 75 percent is permitted.

(A) Concrete panels (shall be texted, patterned, and colored)

(B) Stucco (masonry)

(C) Architectural concrete block/concrete masonry unit (CMU)

(D) Metal panels

iii. Accent Materials (Minimum 15 percent use required on walls facing or visible from a public street or right-of-way).

(A) Exterior Insulation and Finish Systems (EIFS)

(B) Cementitious Material installed as lap siding

(C) Glass Block

(D) Tile

d. *Large-Scale Buildings*. Buildings with a gross floor area over 150,000 square feet may vary from the primary material requirements of this Section with approval from the Director based on the integration of design elements of the structure within this Section to create architectural and visual interest.

Table 1204.07-2 Nonresidential Building Standards			
Standard	Requirements		Additional Standards
	HC and GC	EC, LI, and HI	
Primary Entrance			
Primary Entrance	Recess or extension of building framed by an awning, canopy, arcade or portico. This element shall encompass a minimum 15% of total wall area.		--
Building Mass			
Base (min.)	8% of the average wall height	--	--
Body (min.)	60% of the average wall height		
Cap (min.)	8% of the average wall height *(not to exceed the height of the base)*		
Number of cap design features (min.)	2	--	Cornice; parapet; awning; canopy; or eaves
Building Height			
Height (min. and max.)	--		Height may not exceed max. height defined in Article 02.03, Mixed Use and *Nonresidential District Standards*
Street Facing Wall Articulation			
Façade width before articulation (min.)	30'	50'	--
Facade depth	2'	--	
Facade Alternative (a)	Pilasters with a minimum depth of 1', minimum width of 1', and a minimum height of 80% of the facade's height	--	
Design Features			
Number of varied design features (min.)	3	--	Design features shall comply with Paragraph c.4. above
Transparency (Windows)[1]			
Facade glazed: % ground floor wall area (min.)	30%	--	The bottom edge of the windows shall not be higher than 3' above grade on the ground floor.
Facade glazed: % upper floor(s) wall area (min.)	30%		--

Opaque glass (max.)	20%	--	
Roof Form			
Pitched Roof Height (max.)	1/2 of the overall building height	--	--
Gallery or Arcade			
Width, Clear (min.)	75% of facade width	--	Galleries shall be supported from below by a porch, arcade, or other structure; or visually supported by brackets, corbels, or beams along its full depth.
Depth, Clear (min.)	8'		
Ground Floor Height, Clear (min.)	11'		
Upper Floor Height, Clear (min.)	9'		
Storefront			
Depth of Recessed Entries (max.)	5'	--	--
Table Notes: 1. All windows and storefronts on the ground and second floors facing public rights-of-way or private streets.			

1204.08 Frontage Types

A. **Generally**. Frontage consists of the area between the front facade of a principal building and the property line adjacent to a street, internal driveway, or open space. Frontage shall comply with the standards of this Subsection for the design of the frontage of a building and how it relates to the street, internal driveway, or open space.

B. **Permitted Frontage Types by Building Type**. The following table sets forth the different frontage types by Building Type. The descriptions, illustrations, and standards for each type are outlined in the tables within this section, below.

Table 1204.08-1, Permitted Frontage Types by Building Type

	Frontage Types								
Building Type	Porch	Gallery and Arcade	Stoop	Forecourt	Terrace	Storefront	Common Yard	Awning or Canopy	Marquee
Multi-Unit Building	--	♦	♦	♦	♦	--	♦	♦	--
Duplex	♦	--	♦	--	--	--	♦	♦	--
Live-Work	♦	♦	♦	♦	--	--	--	--	♦
Commercial	--	♦	♦	♦	--	--	--	--	♦
Zero Lot Line Dwelling	♦	--	♦	--	♦	--	♦	♦	--

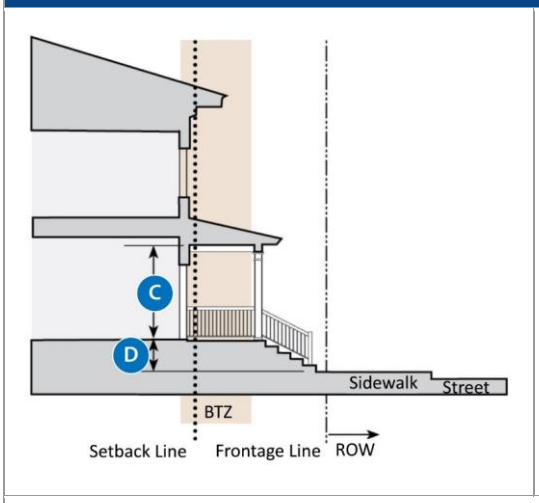
Table 1204.08-1, Permitted Frontage Types by Building Type									
	Frontage Types								
Building Type	Porch	Gallery and Arcade	Stoop	Forecourt	Terrace	Storefront	Common Yard	Awning or Canopy	Marquee
Mixed Use Building	♦	♦	--	--	--	♦	--	♦	♦
Public and Civic Building	♦	♦	♦	♦	♦	♦	--	♦	♦
Single-Unit Attached Dwelling	♦	--	♦	--	♦	--	♦	♦	--
Single-Unit Detached Dwelling	♦	--	♦	--	♦	--	♦	♦	--
Townhouse	♦	--	♦	--	♦	--	♦	♦	--
Multiplex	♦	♦	♦	♦	♦	--	♦	♦	--
TABLE NOTES: ♦ = permitted -- = prohibited									

C. **Frontage Standards.** The following tables set forth the different frontage types with descriptions, illustrations, and standards for each type:

1. *Porch.*

Table 1204.08-2, Porch Frontage Type Standards

Description: In the Porch frontage type, the front facade of the building is at the setback line and the porch projects forward into the encroachment area. The porch is used to access a first floor that is elevated above the sidewalk to ensure privacy within the building. A porch is large enough to function as an outdoor living space. Stairs from the porch may descend forward or to the side. Porches may extend forward of the build-to-zone or setback line.



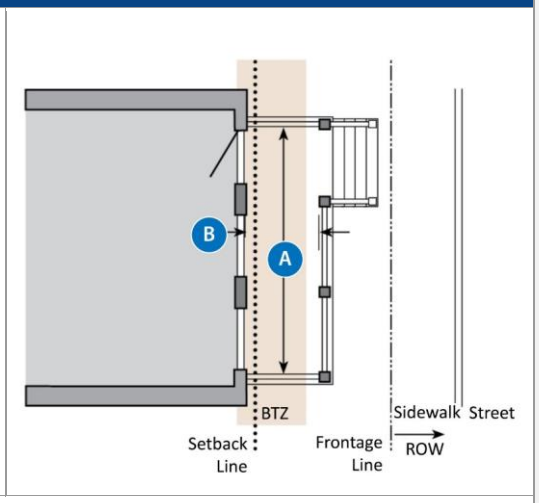


Figure Key:

Encroachment Area
Setback Line
Frontage/Property Line

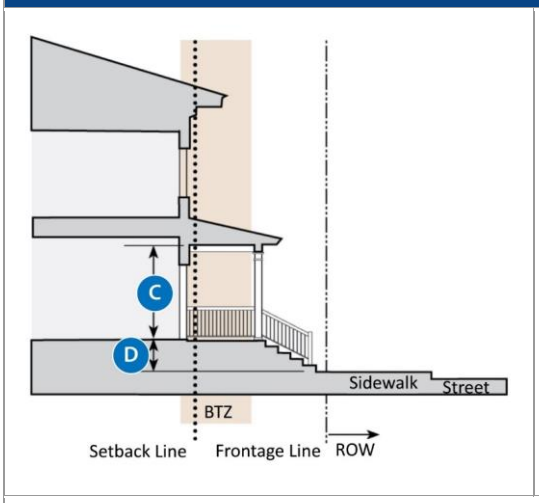
	Dimensional Standards	
A	Width, Clear (min.)	8 ft.
B	Depth, Clear (min.)	5 ft.
C	Height, Clear (min.)	8 ft.
D	Finish Level Above Sidewalk	1.5 ft.

Other Standards:

1. All porches shall have a roof.
2. Open porch bases shall be visually concealed with latticework or similar materials or landscaping.
3. A six-foot minimum clear zone for pedestrians shall be maintained on the sidewalk.

Examples

Table 1204.08-2, Porch Frontage Type Standards
Description: In the Porch frontage type, the front facade of the building is at the setback line and the porch projects forward into the encroachment area. The porch is used to access a first floor that is elevated above the sidewalk to ensure privacy within the building. A porch is large enough to function as an outdoor living space. Stairs from the porch may descend forward or to the side. Porches may extend forward of the build-to-zone or setback line.



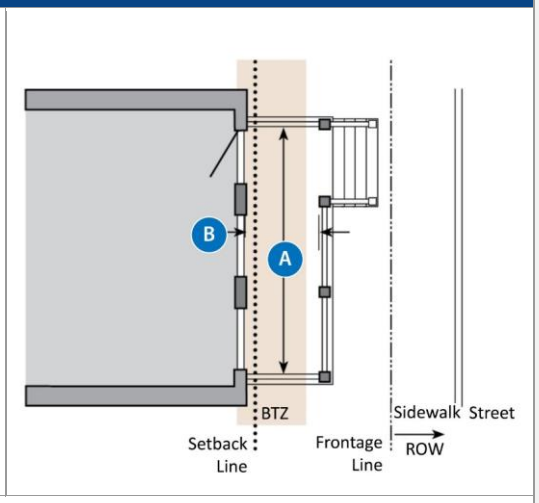


Figure Key:

Encroachment Area
Setback Line
Frontage/Property Line

2. *Gallery & Arcade.*

Table 1204.08-3, Gallery & Arcade Frontage Type Standards		
Description: In the Gallery or Arcade frontage type, a covered walkway with or without habitable space above encroaches over a sidewalk or walkway. An arcade should be used to provide pedestrian circulation along a frontage, and it should extend far enough from the building to provide adequate protection and circulation space for pedestrians. An arcade is intended for buildings with ground floor commercial uses and is common along public courtyards and walkable streets.		

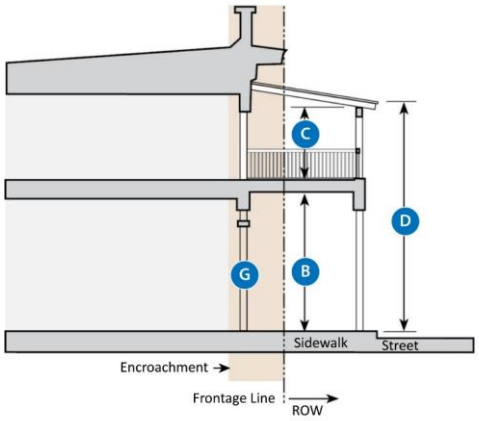
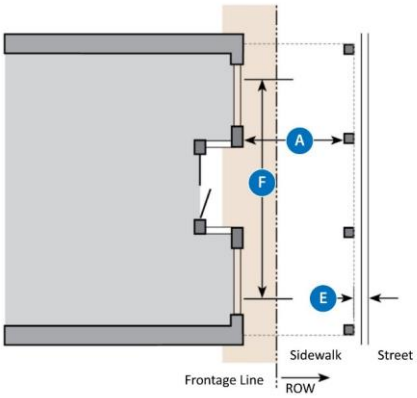
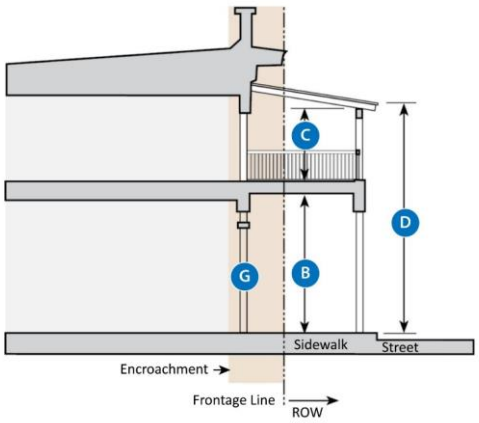

	

Figure Key: Encroachment Area Setback Line Frontage/Property Line		
	Dimensional Standards	
A	Depth, Clear (min.)	8 ft.
B	Ground Floor Height, Clear (min.)	11 ft.
C	Upper Floor Height, Clear (min.)	9 ft.
D	Height (max.)	2 stories with encroachment
E	Setback from Back of Curb (min.)	2 ft.
F	Width (min.)	75% of facade width
G	Arcade Frontage Conflict with Storefront	Arcade frontages shall be used in conjunction with the standards for the Storefront frontage type. In case of a conflict between them, the Arcade frontage type standards prevail.
Other Standards:		

Table 1204.08-3, Gallery & Arcade Frontage Type Standards

Description: In the Gallery or Arcade frontage type, a covered walkway with or without habitable space above encroaches over a sidewalk or walkway. An arcade should be used to provide pedestrian circulation along a frontage, and it should extend far enough from the building to provide adequate protection and circulation space for pedestrians. An arcade is intended for buildings with ground floor commercial uses and is common along public courtyards and walkable streets.



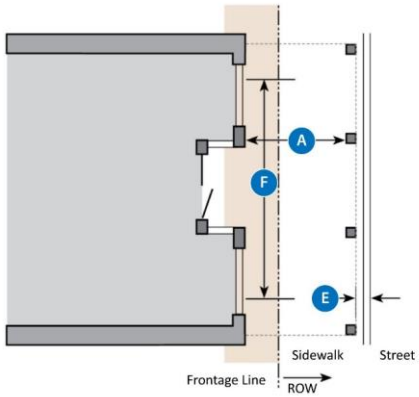


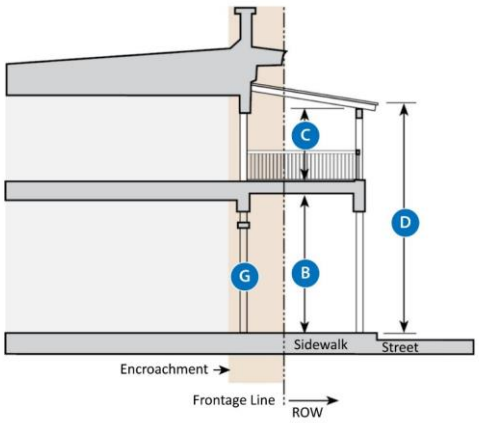
Figure Key:

Encroachment Area
Setback Line
Frontage/Property Line

1. Galleries shall be supported from below by a porch, arcade, or other structure; or visually supported by brackets, corbels, or beams along its full depth.
2. Arcade frontages shall be used in conjunction with the standards for the Shopfront frontage type. In case of a conflict between them, the Arcade frontage type standards prevail.
3. Arcades shall have a consistent depth along a frontage.
4. Arcades with more than two floors of habitable space above the colonnade shall not encroach onto a public right-of-way and shall be located so that they abut the right-of-way.
5. An arcade or gallery shall require a [a right-of-way permit from the City of Monroe to encroach into the public right-of-way.

Examples

Table 1204.08-3, Gallery & Arcade Frontage Type Standards
Description: In the Gallery or Arcade frontage type, a covered walkway with or without habitable space above encroaches over a sidewalk or walkway. An arcade should be used to provide pedestrian circulation along a frontage, and it should extend far enough from the building to provide adequate protection and circulation space for pedestrians. An arcade is intended for buildings with ground floor commercial uses and is common along public courtyards and walkable streets.



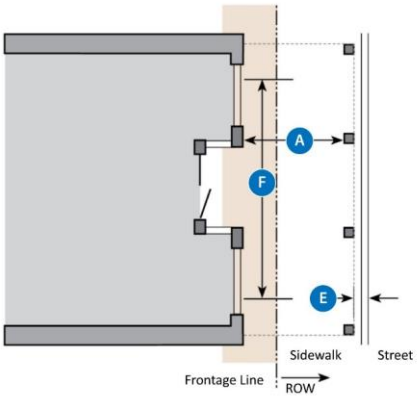
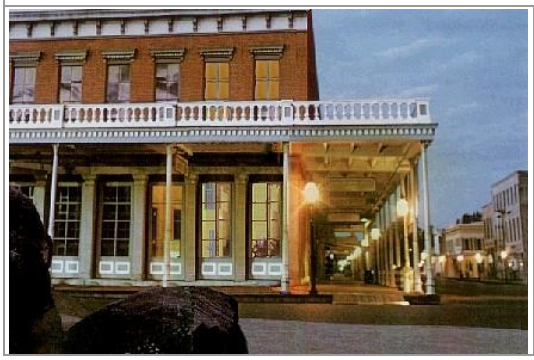


Figure Key:

Encroachment Area
Setback Line
Frontage/Property Line



3. *Stoop*.

Table 1204.08-4, Stoop Frontage Type Standards		
Description: In the Stoop frontage type, the front facade of the building is at the setback line and the elevated stoop projects forward into the encroachment area. The stoop is elevated above the sidewalk to ensure privacy within the building. The stoop usually is composed of stairs and a landing.		

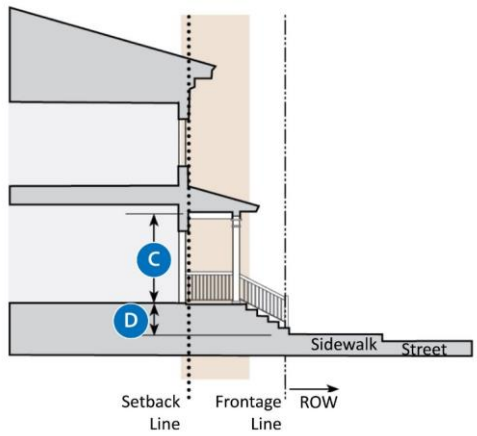
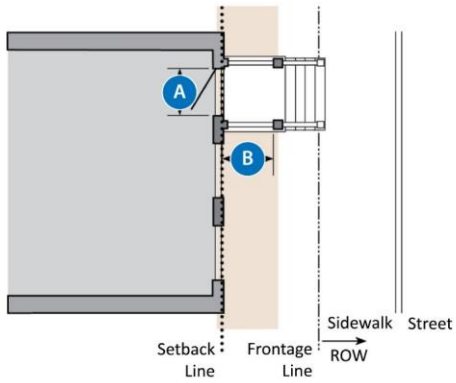

	

Figure Key: Encroachment Area Setback Line Frontage/Property Line		
	Dimensional Standards	
A	Width, Clear (min. / max.)	5 ft. / 8 ft.
B	Depth, Clear (min. / max.)	5 ft. / 8 ft.
C	Height, Clear (min.)	8 ft.
	Height (max.)	1 story
D	Finish Level Above Sidewalk (min.)	1.5 ft.
Other Standards:		

Table 1204.08-4, Stoop Frontage Type Standards
Description: In the Stoop frontage type, the front facade of the building is at the setback line and the elevated stoop projects forward into the encroachment area. The stoop is elevated above the sidewalk to ensure privacy within the building. The stoop usually is composed of stairs and a landing.

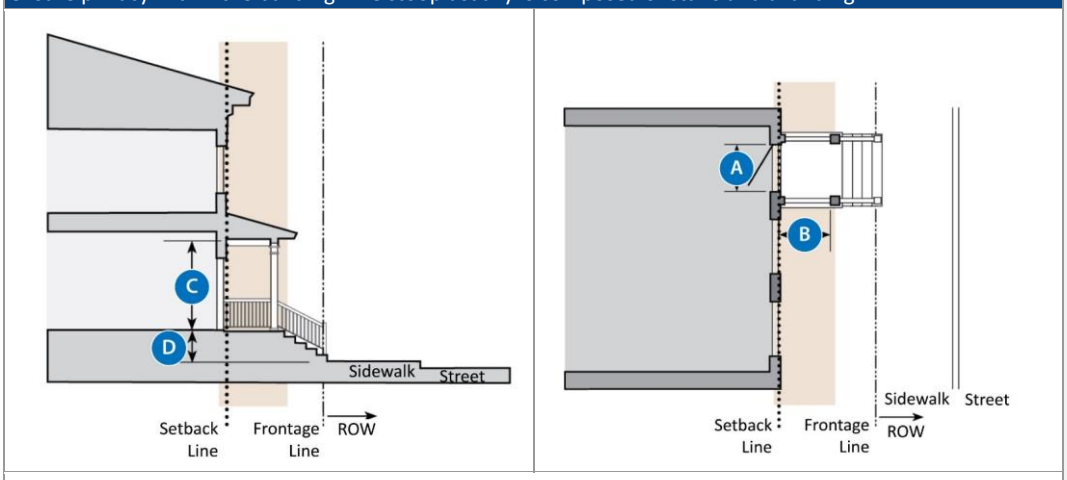


Figure Key:

Encroachment Area
Setback Line
Frontage/Property Line

1. A stoop is appropriate for residential uses with small setbacks.
2. Stoops may extend forward of the build-to-zone or setback line.
3. A six-foot minimum clear zone for pedestrians shall be maintained on the sidewalk.
4. Stairs may be perpendicular or parallel to the building facade.
5. The entry doors are encouraged to be covered or recessed to provide shelter from the elements.
6. Gates are not allowed.
7. All doors shall face the street.
8. A stoop shall be at least 18” above the sidewalk and shall directly connect to the sidewalk, walkway, or driveway.
9. A stoop shall have a railing or wall, a covering, or be at least 18” above the adjacent walkway or driveway.
10. If unenclosed and open on three sides, a stoop may encroach into a required front or corner setback as allowed by the applicable building type.

Examples

Table 1204.08-4, Stoop Frontage Type Standards
Description: In the Stoop frontage type, the front facade of the building is at the setback line and the elevated stoop projects forward into the encroachment area. The stoop is elevated above the sidewalk to ensure privacy within the building. The stoop usually is composed of stairs and a landing.

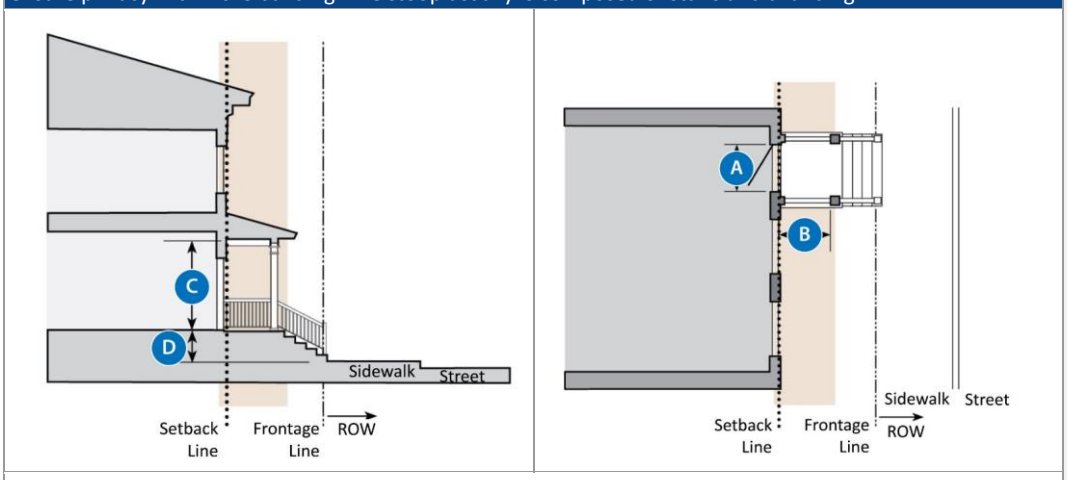


Figure Key:

Encroachment Area
Setback Line
Frontage/Property Line

4. *Forecourt*.

Table 1204.08-5, Forecourt Frontage Type Standards

Description: In the Forecourt frontage type, the primary portion of the building's front facade is within the minimum setback while a small percentage is set back, creating a courtyard space. This space can be used as an entry court or garden space, or for outdoor seating, dining, or retail.

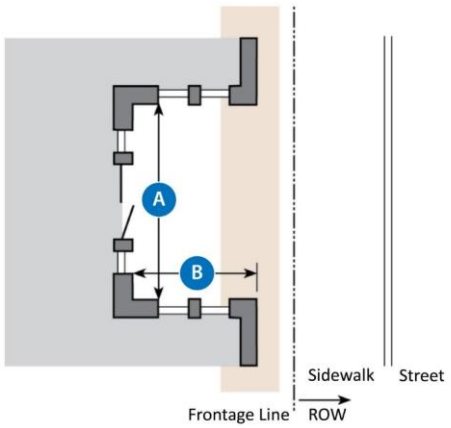


Figure Key:

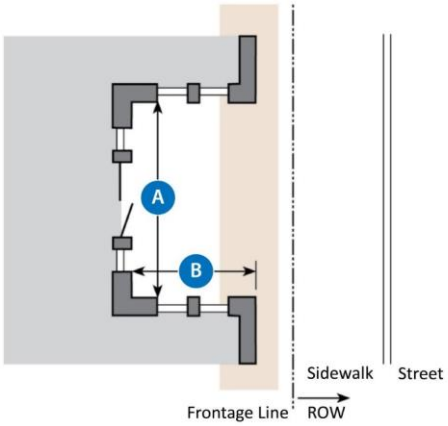
Encroachment Area
Setback Line
Frontage/Property Line

	Dimensional Standards	
A	Width, Clear (min.)	12 ft.
B	Depth, Clear (min.)	12 ft.

Other Standards:

1. Forecourts are especially useful along larger, more auto-dominant streets in order to provide well-shaped, intimately sized public outdoor spaces.
2. A forecourt shall be enclosed by building walls on three sides and give careful consideration to solar orientation.
3. A minimum 25% of forecourt shall be composed of landscape with remaining areas paved with hardscape material. Asphalt may not be used as a surface material.

Examples

Table 1204.08-5, Forecourt Frontage Type Standards	
Description: In the Forecourt frontage type, the primary portion of the building's front facade is within the minimum setback while a small percentage is set back, creating a courtyard space. This space can be used as an entry court or garden space, or for outdoor seating, dining, or retail.	
	
Figure Key: Encroachment Area Setback Line Frontage/Property Line	

5. *Terrace*.

Table 1204.08-6, Terrace Frontage Type Standards	
Description: In the Terrace frontage type, the building facade is set back from the lot line by an elevated terrace. This frontage element type tends to buffer residential uses from urban sidewalks and removes the private yard from public encroachment. Terraces are suitable for use or conversion to outdoor dining.	

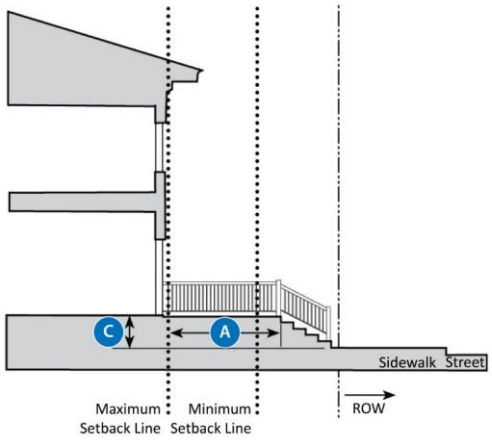
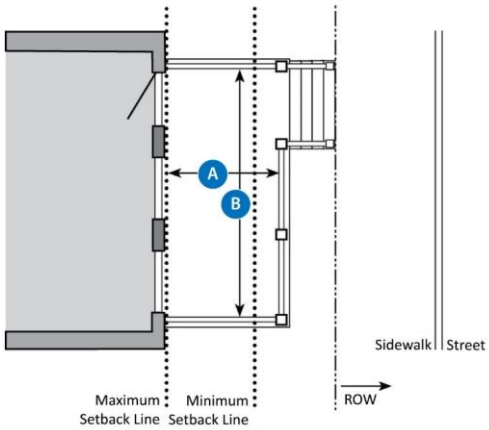

	

Figure Key: Encroachment Area Setback Line Frontage/Property Line	

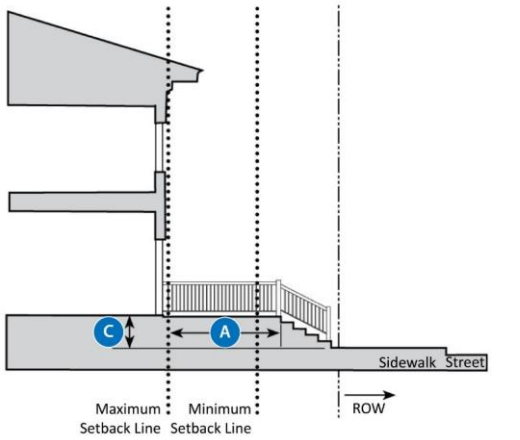
	Dimensional Standards	
A	Depth (min.)	8 ft.
B	Length (min.)	25% of frontage
C	Finish Level Above Sidewalk	1.5 ft.

Other Standards:

1. If used for outdoor dining, a low fence or garden wall shall be required to designate the dining area.
2. Frequent steps up to the terrace are required to maximize access and avoid blank walls along the sidewalk.
3. Low walls used as seating are encouraged.

Examples

Table 1204.08-6, Terrace Frontage Type Standards
Description: In the Terrace frontage type, the building facade is set back from the lot line by an elevated terrace. This frontage element type tends to buffer residential uses from urban sidewalks and removes the private yard from public encroachment. Terraces are suitable for use or conversion to outdoor dining.



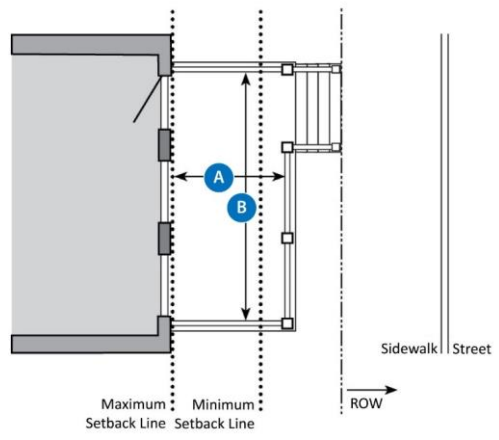


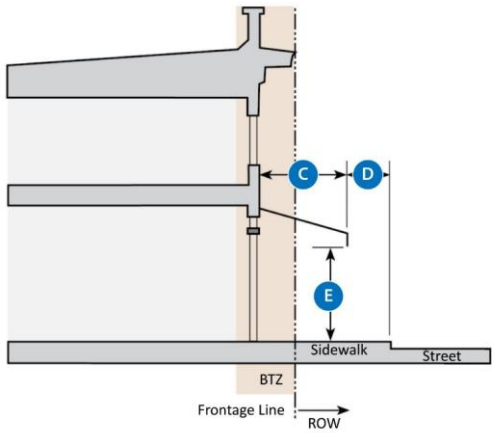
Figure Key:

Encroachment Area
Setback Line
Frontage/Property Line

6. *Storefront*.

Table 1204.08-7, Storefront Frontage Type Standards

Description: In the Storefront frontage type, the front facade of the building is at or near the frontage line with an at-grade entrance along the public right-of-way. The Storefront frontage also includes a canopy or awning element that overlaps the sidewalk along the majority of the frontage. The canopy is a structural cantilevered shed roof, and the awning is canvas or similar material and is often retractable. A Storefront may be used in conjunction with other frontage types.



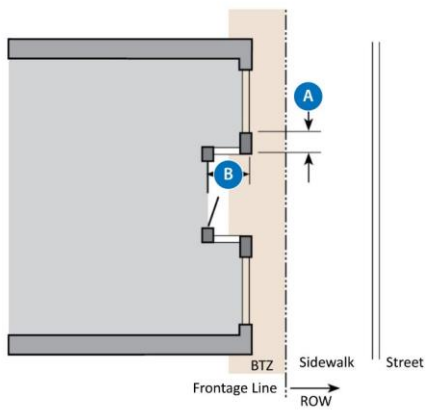


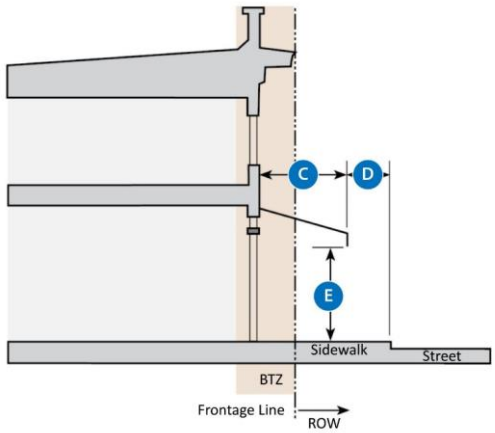
Figure Key:

Encroachment Area

Frontage/Property Line

	Dimensional Standards	
A	Distance between glazing (max.)	2 ft.
	Ground Floor Transparency (min.)	70% and should allow a view of at least 5 ft. of interior space
	Upper Floors Transparency (min.)	30%
B	Depth of Recessed Entries (max.)	5 ft.
C	Depth of Canopy or Awning (min.)	4 ft.
	Width of Canopy or Awning, Cumulative (min.)	70% facade width
D	Setback from Back of Curb (min.)	2 ft.
E	Height, Clear (min.)	8 ft.
Other Standards:		

Table 1204.08-7, Storefront Frontage Type Standards
Description: In the Storefront frontage type, the front facade of the building is at or near the frontage line with an at-grade entrance along the public right-of-way. The Storefront frontage also includes a canopy or awning element that overlaps the sidewalk along the majority of the frontage. The canopy is a structural cantilevered shed roof, and the awning is canvas or similar material and is often retractable. A Storefront may be used in conjunction with other frontage types.



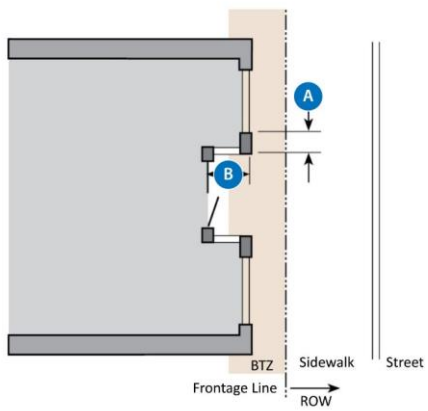


Figure Key:

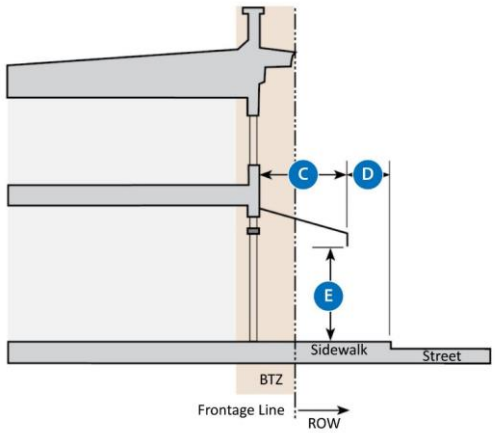
Encroachment Area

Frontage/Property Line

1. Open-ended, operable awnings or canopies are encouraged for shade and weather protection.
2. Bi-fold glass windows and doors that allow the space to open to the sidewalk are encouraged.
3. Residential grade windows are not permitted.
4. Doors may be recessed as long as the front facade is at the build-to-zone.
5. Windowsills shall be located at a maximum of 30 inches above the finished grade at the building line.

Examples

Table 1204.08-7, Storefront Frontage Type Standards
Description: In the Storefront frontage type, the front facade of the building is at or near the frontage line with an at-grade entrance along the public right-of-way. The Storefront frontage also includes a canopy or awning element that overlaps the sidewalk along the majority of the frontage. The canopy is a structural cantilevered shed roof, and the awning is canvas or similar material and is often retractable. A Storefront may be used in conjunction with other frontage types.



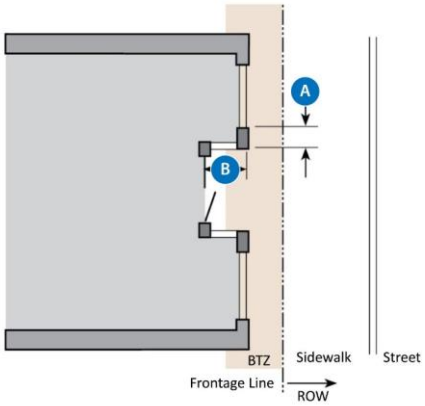


Figure Key:

Encroachment Area

Frontage/Property Line

C. **Frontage Treatment Options.**

1. *Common Yard.*

Table 1204.08-8, Common Yard Frontage Treatment Options	
Description: In the Common Yard frontage treatment options, a landscaped yard separates the building and the street. It is intended for non-urban areas with moderate to considerable setbacks. It is also appropriate for areas transitioning from non-urban residential to non-urban commercial where the frontage maintains the residential character of the street. A maximum 50% opaque and 42-inch tall fence at the frontage line may be used help to maintain privacy and street spatial definition. A visually continuous yard can be created without fencing. If there is a porch, it is a secondary feature.	

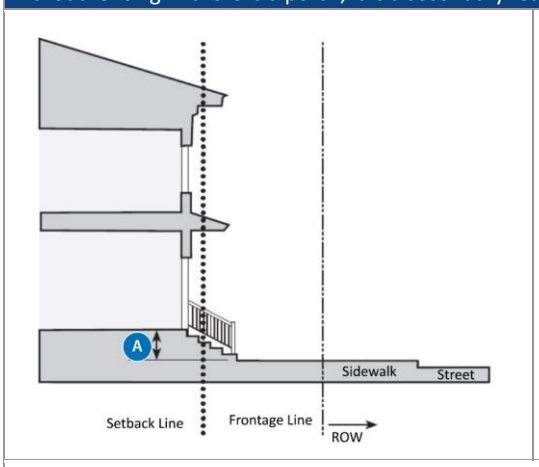
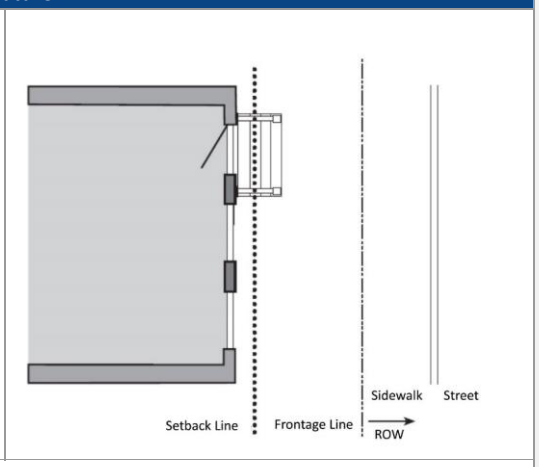
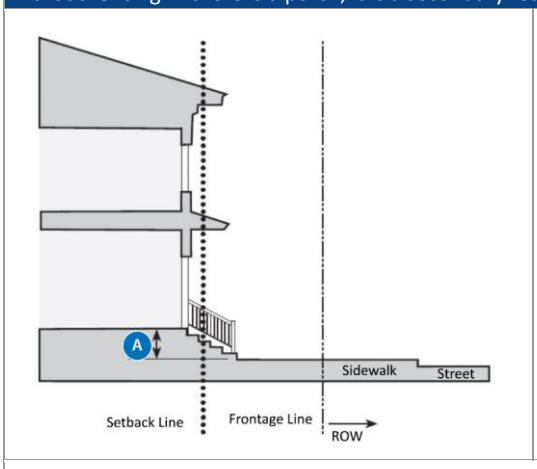

	

Figure Key: Encroachment Area Setback Line Frontage/Property Line	

	Dimensional Standards	
A	Finish Level above Sidewalk (min.)	1 ft.
Other Standards:		
1. N/A		
Examples		

Table 1204.08-8, Common Yard Frontage Treatment Options
Description: In the Common Yard frontage treatment options, a landscaped yard separates the building and the street. It is intended for non-urban areas with moderate to considerable setbacks. It is also appropriate for areas transitioning from non-urban residential to non-urban commercial where the frontage maintains the residential character of the street. A maximum 50% opaque and 42-inch tall fence at the frontage line may be used help to maintain privacy and street spatial definition. A visually continuous yard can be created without fencing. If there is a porch, it is a secondary feature.



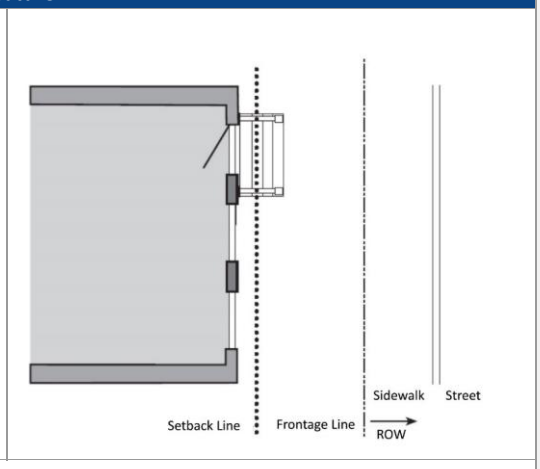


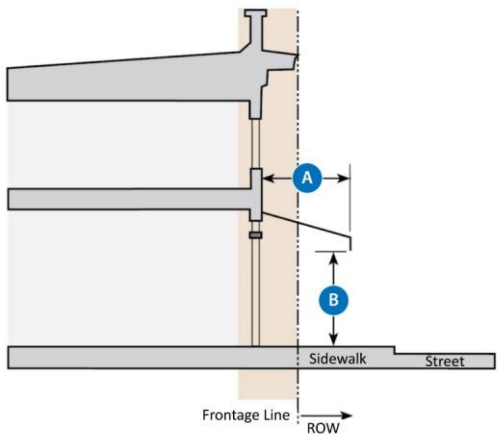
Figure Key:

Encroachment Area
Setback Line
Frontage/Property Line

2. *Awning*.

Table 1204.08-9, Awning or Canopy Frontage Treatment Options

Description: In the Awning or Canopy frontage treatment options, an awning or canopy is any structure attached to the wall of a building that was built and designed for the purpose of cosmetics or for shading a window, door, or sidewalk. Awnings or canopies are not integral to the building, are typically triangular or curved in cross-section and are generally comprised of a metal frame and canvas or other fabric.



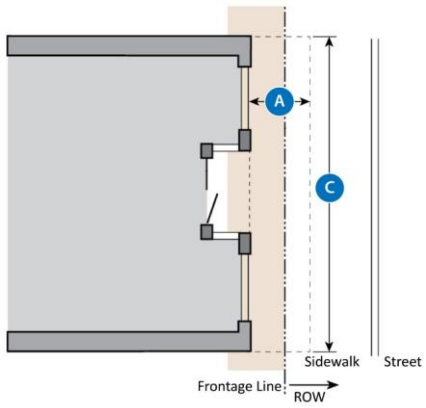


Figure Key:

Encroachment Area ····· Setback Line

-·—-·—· Frontage/Property Line

	Dimensional Standards	
A	Depth (min.)	5 ft. - measured perpendicular to the wall face
B	Underside Clearance (min.)	8 ft.
C	Length	75-100% of frontage

Other Standards:

1. The above requirements apply to first-floor awnings or canopies. There are no minimum requirements for awnings or canopies above the first floor.
2. Awnings or canopies shall occur forward of the build-to line or zone, and may encroach within the right-of-way, but shall not extend closer than two feet to the curb line.
3. Awnings or canopies shall be made of durable fabric and may be either fixed or retractable. High-gloss or plasticized fabrics are prohibited. Backlit awnings are also prohibited.
4. An awning or canopy may be used in combination with other frontage types, except for Gallery & Arcade.
5. Signs on awnings or canopies shall comply with the standards in Article 04.06, *Signage*.

Examples

Table 1204.08-9, Awning or Canopy Frontage Treatment Options	
Description: In the Awning or Canopy frontage treatment options, an awning or canopy is any structure attached to the wall of a building that was built and designed for the purpose of cosmetics or for shading a window, door, or sidewalk. Awnings or canopies are not integral to the building, are typically triangular or curved in cross-section and are generally comprised of a metal frame and canvas or other fabric.	

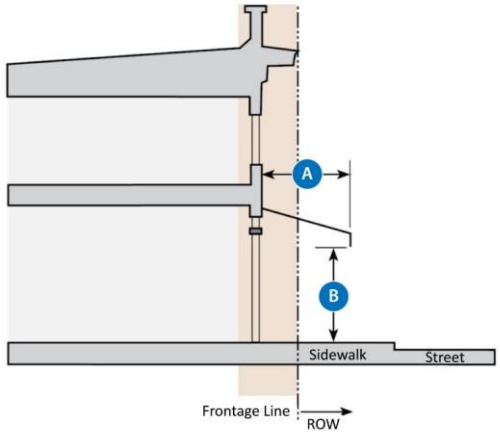
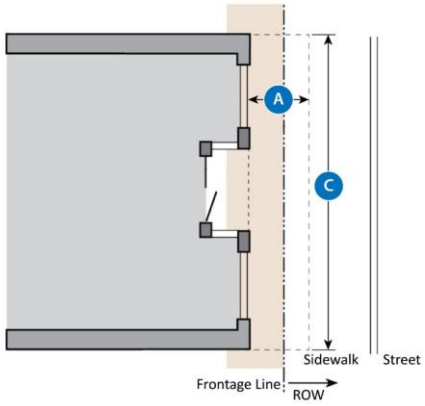

	

Figure Key: Encroachment Area Setback Line Frontage/Property Line	

3. *Marquee.*

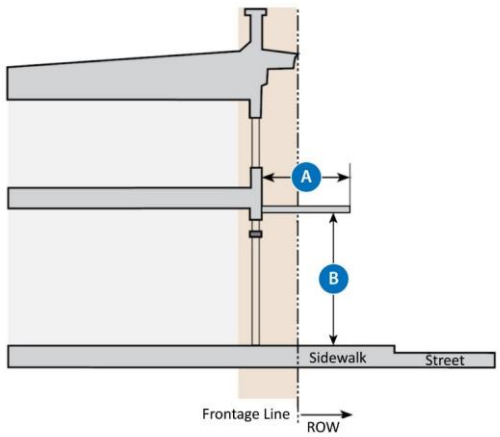
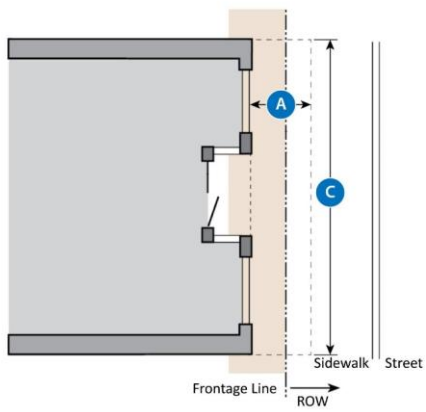
Table 1204.08-10, Marquee Frontage Treatment Options	
Description: In the Marquee frontage treatment options, a marquee is a permanent roof-like structure other than a roof attached to, supported by, and projecting from a building, providing protection from natural elements over the ground, sidewalk, or walkway.	
	

Figure Key:

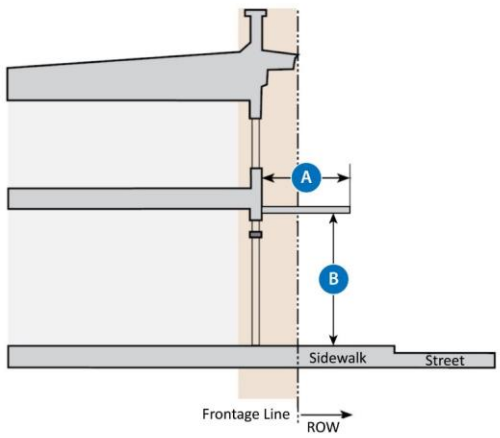
Encroachment Area
Setback Line
Frontage/Property Line

	Dimensional Standards	
A	Depth (min.)	6 ft. - measured perpendicular to the wall face
B	Underside Clearance (min.)	8 ft.
C	Length	75-100% of frontage

Other Standards:

1. The above requirements apply to first-floor marquees. Marquees above the first floor are not permitted.
2. Marquees shall occur forward of the build-to line or zone, and may encroach within the right-of-way, but shall not extend closer than two feet from the curb line.
3. Marquees typically are used above the primary entrances to buildings such as cinemas, hotels, and office buildings. They may be cantilevered (with structure hidden internally) or supported from above by suspension cables or chains.
4. A marquee may be used in combination with other frontage types, except for Gallery & Arcade.
5. Signs on marquees shall comply with the standards in Article 04.06, *Signage*.

Table 1204.08-10, Marquee Frontage Treatment Options
Description: In the Marquee frontage treatment options, a marquee is a permanent roof-like structure other than a roof attached to, supported by, and projecting from a building, providing protection from natural elements over the ground, sidewalk, or walkway.



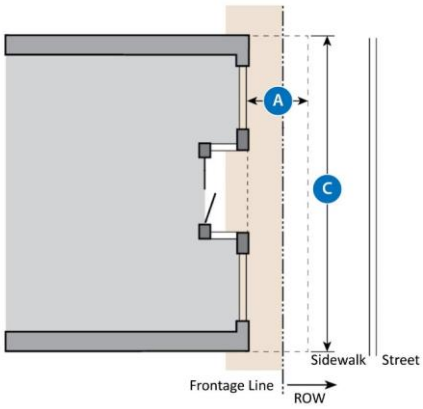


Figure Key:

Encroachment Area
Setback Line
Frontage/Property Line

Examples

Article 04.04 Parking, Loading, and Circulation

1204.09 General Provisions

A. **Purpose.** The purpose of this Article is to regulate the amount and location of vehicle parking, loading areas, access, and mobility in order to promote a more efficient use of land, enhance the development form, encourage the use of alternative modes of transportation, provide for better pedestrian movement, and protect air and water quality. The purpose of this Article is to:

1. Prevent and alleviate the congestion of public streets;
2. Encourage the incorporation of alternative modes of transportation by emphasizing pedestrian circulation and establishing requirements for bicycle parking;
3. Increase and protect the capacity of the roadway system;
4. Promote greater safety of passage between highway and land;
5. Minimize the detrimental effects of vehicular use areas on adjacent properties;
6. Encourage the reduction of impervious surfaces through effective design and the use of shared parking where practical; and
7. Promote the health, safety, and public welfare by establishing minimum requirements for off-street parking and loading areas as well as provisions for access control.

B. **Applicability**.

1. *Development Activities*. The standards of this Article apply to the following development activities:
   a. New residential, nonresidential, or mixed-use development or change in use from residential to nonresidential or mixed-use;
   b. Expansion or increase in use, apartment units, gross floor area, or impervious surface by 20 percent or more, or by 20 percent cumulatively over a five-year period; or
   c. Change in use requiring additional parking, loading, or stacking spaces (also known as vehicle use areas).
2. *Change of Use (Maximum Parking)*. Uses with off-street parking in excess of the maximum allowed in the MU and DT zoning districts for a nonresidential use resulting from a change of use in an existing building are not required to remove the excess parking spaces.
3. *Enlargements and Expansions.*
   a. Unless otherwise expressly stated, the regulations of this Article apply whenever an existing building or use is enlarged or expanded to include additional dwelling units, floor area, seating capacity, employees or other units of measurement used for establishing off-street parking requirements.
   b. In the case of enlargements or expansions that trigger requirements for additional parking, additional spaces are required only to serve the enlarged or expanded area, not the entire building or use. In other words, there is no requirement to address lawfully existing parking space deficits.
   c. Whenever a building or use created prior to the effective date of this PZC is expanded or enlarged in floor area, number of units, seating capacity, or otherwise that will create a need for an increase in the number of parking spaces, loading spaces, or vehicle stacking spaces, the additional spaces shall be provided on the basis of the new demand created by the area of the alteration, addition, or change.

d. If the proposed change, expansion, or enlargement will increase the floor area, number of dwelling units, seating capacity, or other area to an extent larger than 35 percent of the building or use prior to the effective date of this code, then the entire site shall come into compliance with the requirements of this chapter, Article 04.05, *Landscaping, Screening, and Buffering, and* Article 04.07*, Outdoor Lighting.*

e. Any expansion, or enlargement smaller than that established in paragraph 3.d, above, shall comply with the requirements of this Article for any new parking, loading, or stacking space areas required for the expansion. In cases where these small expansions or enlargements occur over a period of time after the effective date of this code, the site shall come into full compliance with the requirements of this chapter and Article 04.05, *Landscaping, Screening, and Buffering* once the total expansion or enlargement of the floor area, number of dwelling units, seating capacity of other area exceed 35 percent of the original size at the time this Code became effective.

f. If a vehicular use area is expanded without an expansion of any buildings or structures, the expansion may be reviewed through the site plan review process.

4. *Exemptions*.

a. Changes in the use(s) of existing buildings that result in fewer required parking, loading, or stacking spaces shall not be required to provide additional parking spaces.

b. A permitted use may be converted to another permitted use without full compliance with the required number of parking, loading, or stacking spaces if the Director determines:

i. No additional parking, loading, or stacking spaces could be provided without removing or partially removing a principle structure; and

ii. The amount of parking, loading, or stacking spaces available is at least 80 percent of the parking, loading, or stacking required for the new use

C. **Maneuvering Space**.

1. *Prohibited*.

a. In order to park, load, unload, or stack, no vehicle use area (VUA) shall require a vehicle to maneuver into a public right-of-way except in the case of a single- or two-family dwelling unit or where vehicular access is from an alley.

b. In addition, no VUA shall:

i. Hinder the free movement of pedestrians and vehicles over a sidewalk or street; or

ii. Overhang or encroach into a public right-of-way, including a sidewalk or into a walkway on private property, except where an encroachment permit is granted; or

iii. Overhang or encroach an adjacent property under separate ownership except where an easement, shared driveway, or private street as described in Chapter 1205, *Subdivision Standards*, is in place.

2. *Dimensions*. Parking, loading, and stacking space dimensions are exclusive of access drives or aisles. All such spaces shall have a vertical clearance of at least seven feet.

D. **Lighting and Noise**. The following standards shall apply to all vehicle use areas:

1. Lighting shall comply with Article 04.07, *Outdoor Lighting*.

2. An area used for primary circulation, frequent idling of vehicle engines, or loading activity shall be designed and located to minimize the effects of noise, pollution, and vehicle lights on an adjoining property.

E. **Truck Parking in Residential Areas and Lots.**

1. The parking or storage of motor vehicles over 7,500 pounds gross vehicle weight and eight feet in height, semi-trucks, and semi-trailers shall be prohibited in a residential zoning district or on a residential lot.
2. Exemptions for this standard shall apply when the parking of such vehicle is temporarily parked for loading or unloading of goods or the rendering of a service.
3. Recreational vehicles and pickups are not restricted by the terms of this subsection.

F. **Parking and Storage of Recreational Vehicles and Trailers**.

1. *Location and Timing Restrictions*. A combined total of two recreational vehicles and/or trailers may be parked or stored outdoors on each individual residential lot that contains an inhabited dwelling. The location and timing restrictions are as follows:
   a. On a year-round basis one recreational vehicle and/or trailer is permitted to be stored in one of the side yards, provided that no recreational vehicle or trailer is stored in any other side yard;
   b. From the period of time beginning one week prior to Memorial Day through Veterans Day, one of the recreational vehicles/trailers is permitted in the front yard on the driveway serving the dwelling, provided that the vehicle/trailer does not encroach upon the sidewalk; and
   c. Recreational vehicles and/or trailers may be stored in the rear yard.
   d. Independent of the timing restrictions in G.1.a-b, above, a recreational vehicle belonging to visitors of a resident may be permitted to park in the front yard driveway for a period not to exceed 10 days provided that this recreational vehicle is the only one parked in the front yard.
2. *Setbacks*. All recreational vehicles and trailers shall be parked or stored at least five feet from any adjacent lot line.
3. *Surfacing*.
   a. No recreational vehicles shall be parked on grass or other landscaped areas including, but not limited to, mulch, dirt, etc. in order to prevent soil erosion; and
   b. All areas designated for parking recreational vehicles and trailers shall conform with surfacing and drainage requirements in paragraph K, below.
4. *Prohibitions*.
   a. No living quarters shall be maintained nor any business conducted in any recreational vehicle and/or trailer while it is parked or stored.
   b. Recreational vehicle and/or trailer shall be free of fixed connections to water, electric, gas, or sanitary sewer facilities.
   c. A recreational vehicle and trailers shall not be utilized for storage or warehousing of goods and shall be free of rubbish and debris. The wheels of a recreational vehicle or its transporting devices (e.g., the boat trailer) and/or trailer permitted within a residential district shall not be removed, nor shall any recreational vehicle or trailer be temporarily or permanently affixed to the ground or attached to something having a temporary or permanent location on the ground.

G. **Inoperable or Abandoned Vehicles**.

1. *Prohibition*. The parking or storage of inoperable or abandoned vehicles is prohibited outdoors in all districts except where otherwise specified.
2. *Temporary Parking or Storage*. The location and duration of temporary parking or storage of an unlicensed or inoperable vehicle shall be approved by the Director through the issuance of a zoning permit on the

basis of adequacy of the parcel size, condition of the vehicle, visibility from other properties and absence of undue adverse impact on adjacent properties or on the area as a whole.

3. *Enclosure*. In all districts, where not specifically permitted, the repairing, rebuilding, dismantling, or storage of any inoperative vehicle shall be permitted only within a completely enclosed building.

H. **Location**. Except as permitted in Section 1204.13, *Parking Credits and Reductions*, a VUA required by this Article shall be located on the same property as the building, use, or structure it serves and it shall be located behind any required bufferyard as set out in Article 04.05, *Landscaping, Screening, and Buffering*.

I. **Associated Building, Use, or Structure**. Vehicle use areas (VUA) shall be maintained as long as the associated building, use, or structure is in use or operation. No person shall utilize such building, use, or structure without providing the VUAs required in this Article. It shall be unlawful to discontinue, reduce, or remove the required VUAs apart from the discontinuance, removal, or reduction of the building, use, or structure that requires the VUA.

J. **Calculations**.

1. *Fractions*. If the final calculated number of required parking, loading, or stacking spaces includes a fractional space, the number of required spaces shall be increased to the next whole number if the fraction is five-tenths or more, and when the fraction is less than five-tenths, the next lower whole number shall apply.

2. *Variables for Calculating Required Spaces.* The variables used for calculating spaces are measured as shown in Table 1204.09-1, *Parking, Loading, and Stacking Variable Meanings.*

Table 1204.09-1 Parking, Loading, and Stacking Variable Meanings

Variable	The number of required spaces is calculated based on the number of:
Per Dwelling Unit	Dwelling units on the subject property.
Per Campsite	Spaces available for a recreational vehicle to connect to utilities provided at the recreational vehicle park.
Per Bedroom	Bedrooms in the facility instead of the number of bed or some other measure.
Per Gross Floor Area	Gross floor area of the establishment, which measurement is described in Sec. 2.20, Measurements.
Per Employee	Employees during the shift in which the maximum number of employees is present.
Per Seat	Seats affixed to the floor that are provided to guests (patrons, members, etc.), with benches or pews measured as one seat per two feet of width. Space requirements for uses with unaffixed seats shall be based on the seating capacity permitted by the Fire Code and approved by the Fire Marshal's office.
Per Student	Students or enrollees that the facility is permitted to have according to the appropriate licensing agency, if applicable.

3. *Multiple Nonresidential Uses*. If several nonresidential uses occupy a single parcel or building, the parking requirements shall be calculated separately for each use within the development, or as set out in Section 1204.13, *Parking Credits and Reductions*, whichever results in a lesser number of required spaces.

K. **Surfacing and Drainage**. All vehicle use areas shall be graded, surfaced, and maintained so that water does not accumulate, flow, or drain onto abutting public or private property. The surfacing of VUAs shall consist of asphalt, concrete, or other all-weather surface approved by the City Engineer.

L. **Dedication of Spaces**. Off-street parking, loading, and stacking spaces shall not be used interchangeably to meet one another's requirements nor shall their placement interfere with one another's use.

M. **Insufficient Vehicle Use Area**. The Director may require a landowner to provide additional VUA even if the number of spaces provided meets the minimum requirement for the established use, if vehicles are consistently required to park or unload on the street (where on-street parking is prohibited) or on other properties due to a lack of usable VUA.

1204.10 Off-Street Parking Spaces Required

A. **Applicability**.

1. This Section applies to all uses and structures in all zoning districts, except as provided below.
2. The minimum requirements of this Section do not apply to the DT, Downtown zoning district. However, the maximum requirements of this Section do apply.

B. **Residential Parking**. Parking spaces for Household Living use types or specified building types that are located in private garages or individual driveways do not have to be marked. An area on a private residential lot is considered a parking space if:

1. *Dimensions*. The area is at least 10 feet wide and 20 feet deep in dimension and is not part of a driveway to a private garage;
2. *Encroachment*. The area does not encroach upon a public sidewalk;
3. *Surface*. The area has an improved hard surface as required in Section 1204.09 (K), *Surfacing and Drainage*; and
4. *Access*. The area is accessible from the street or alley.

C. **Minimum and Maximum Spaces**. Off-street parking spaces must be provided for the uses listed in Table 1204.10-1, *Minimum and Maximum Parking*, below. The uses must provide the minimum number of off-street parking spaces, and parking spaces may not exceed the maximum number of spaces.

D. **Multiple Activities**. Except as otherwise provided, where multiple activities associated with a single-use take place on-site, the required parking shall include a combination of the site's activities. For example, if an upper-story residential use exists above a restaurant then the minimum and maximum parking totals will be determined by adding together the values for both uses.

Table 1204.10-1
Minimum and Maximum Parking

SF = square feet GFA = Gross Floor Area -- = No minimum or no maximum, as applicable

Use Category	Subtype	Minimum Spaces	Maximum Spaces
Residential and Agricultural			
Household Living	Dwelling, Multi-Unit (Apartment)	1 per bedroom	2 per dwelling unit
	Dwelling, Single-Unit Attached	2 per dwelling unit	4 per dwelling unit
	Dwelling, Single-Unit Detached	2 per dwelling unit	4 per dwelling unit
	Dwelling, Duplex	2 per dwelling unit	4 per dwelling unit

Table 1204.10-1 Minimum and Maximum Parking			
SF = square feet GFA = Gross Floor Area -- = No minimum or no maximum, as applicable			
Use Category	Subtype	Minimum Spaces	Maximum Spaces
	Dwelling, Townhouse	2 per dwelling unit	4 per dwelling unit
	Dwelling, Multiplex	1 per bedroom	2 per dwelling unit
Group Living	Assisted Living Facility	1 per 2 beds	1 per unit + 1 per employee
	Boarding or Rooming House	1 per bedroom	1 per bedroom
	Group Home	2 per dwelling unit	2 per dwelling unit
	Nursing Home	1 per 2 beds	1 per 2 beds
	Group Living (Other than Listed)	2 per dwelling unit	2 per dwelling unit
Residential Accessory Uses[1]	Accessory Dwelling Unit	1 per dwelling unit	1 per dwelling unit
	Bed and Breakfast Home	1 per bedroom	1 per bedroom
	Farm Stand	1 per stand	3 per stand
	Group Day Care (6 to 12 children)	--	1 per dwelling unit
	Residential Accessory Use (Other than Listed)	--	--
	Upper-Story Residential	1 per dwelling unit	1.5 per dwelling unit
Agricultural and Animal Services	Community Garden	1 per 500 SF GFA	1 per 200 SF GFA
	Kennel	1 per 1,000 SF GFA plus 1 drop-off space per 20 kennel spaces	1 per 250 SF GFA plus 1 drop-off space per 20 kennel spaces
	Plant Nursery, Greenhouse, and Landscaping Business	1 per 250 SF of indoor sales plus 1 per 1000 square feet of outdoor sales/display areas	--
	Veterinary Clinic	1 per 500 SF GFA	1 per 200 SF GFA
	Veterinary Hospital	1 per 500 SF retail area	1 per 300 SF retail area
	Crop Production	--	--
	Nursery (Retail)	1 per 500 SF retail area	1 per 200 SF retail area
	Stable (Public or Commercial)	1 per 4 stalls plus 1 per employee	2 per horse boarded
Public and Civic Use			

Table 1204.10-1 Minimum and Maximum Parking			
SF = square feet GFA = Gross Floor Area -- = No minimum or no maximum, as applicable			
Use Category	Subtype	Minimum Spaces	Maximum Spaces
Community Facilities	Club or Lodge	1 per 300 SF GFA	1 per 200 SF GFA
	Place of Public Assembly	1 per 6 seats	1 per 1.5 seats
	Library, Aquarium, Museum, or Gallery	1 per 1,000 SF GFA	1 per 500 SF GFA
	Senior, Youth, or Community Center	1 per 300 SF GFA	1 per 200 SF GFA
Daycare Facilities	Adult Day Care	1 per employee	1.75 per employee
	Pre-School or Child Day Care Center	1 per employee	1.75 per employee
	Group Day Care Center	1 per employee	1.75 per employee
Educational Facilities	College or University	1 per 400 SF office, research, and library area; plus 1 per 300 SF assembly areas and classrooms	1 per 300 SF office, research, and library area; plus 1 per 250 SF assembly areas and classrooms
	Training Facility or Vocational School	1 per 300 SF GFA	1 per 250 SF GFA
	School, Primary or Secondary (Public or Private)-Primary-Secondary	2 per classroom (Primary);1 per employee + 1 per 5 students (Secondary)	--
	All Other Educational Facilities	1 per 400 SF GFA	1 per 350 SF GFA
Government Facilities	Government / Non-Profit Office	1 per 400 SF GFA	1 per 200 SF GFA
	Government Services (Police, Fire, Emergency Medical Services)	--	--
Medical Facilities	Hospital	1 per 3 patient beds	1 per 2 patient beds
	Funeral Home or Mortuary	1 per 6 seats	1 per 1.5 seats
	Clinic, Medical Lab, or Urgent Care	1 per 300 SF GFA	1 per 150 SF GFA

Table 1204.10-1 Minimum and Maximum Parking			
SF = square feet GFA = Gross Floor Area -- = No minimum or no maximum, as applicable			
Use Category	Subtype	Minimum Spaces	Maximum Spaces
Parks and Open Areas	Active Park, Playground, or Ball Field	10 spaces per acre	--
	Botanical Garden, Nature Preserve or Trail	--	--
	Cemetery, Columbarium, Mausoleum, or Memorial Park	1 space per 4 seats in a chapel or place of assembly	--
	Park, Playground, and Common Open Space	--	--
Passenger Terminal	All other Passenger Terminal Uses	--	--
Social Service	All Social Services	Special Study, refer to Section 1204.10.E, below	
Utilities	Major Utility	1 per employee	--
	Minor Utility	--	--
Commercial and Office			
Automotive Sales and Service	Vehicle Washing Establishment	1 per 3 washing bays/stations	1 per 1 washing bays/stations
	Truck, Trailer, or Equipment Sales, Leasing, or Rental	1 per 1,000 SF sales and service building(s)	1 per 300 SF sales and service building(s)
	Retail Fuel ~~Station~~Sales	1 per 400 SF GFA	1 per 200 SF GFA
	Automotive Body and Major Repair	1 per 250 SF GFA + 1 per employee	1 per 200 SF GFA + 1 per employee
	All Other Vehicle Sales and Service	1 per 500 SF sales and service building(s)	--
Entertainment and Recreation, Indoor	Shooting Range, Indoor	1 per 3 bays or 1 per 250 SF firing area if no bays	1 per bay or 1 per 100 SF firing area if no bays
	Bar or Tavern	1 per 200 SF GFA	1 per 100 SF GFA
	Bowling Alley	1 per lane	4 per lane
	Dance Club or Dance Hall	1 per 200 SF GFA	1 per 100 SF GFA
	Fitness Gym	1 per 600 SF GFA	1 per 200 SF GFA

Table 1204.10-1 Minimum and Maximum Parking			
SF = square feet GFA = Gross Floor Area -- = No minimum or no maximum, as applicable			
Use Category	Subtype	Minimum Spaces	Maximum Spaces
	Entertainment (Indoor) (Other than Listed)	1 per 250 SF GFA	1 per 200 SF GFA
	Movie or Other Theater	1 per 4 seats	1 per 3 seats
	Sexually Oriented Business	1 per 250 SF GFA	1 per 100 SF GFA
	Tattoo or Piercing Business	1 per chair plus 1 per employee	1.5 per chair plus 1 per employee
Entertainment and Recreation, Outdoor	Amphitheater	1 per 6 seats or 1 per 30 SF if no permanent seats	1 per 4 seats or 1 per 50 SF if no permanent seats
	Campground without Overnight Accommodations	1 per campsite	--
	Golf Course or Country Club	--	5 per hole
	Golf Driving Range	1 per tee area	3 per tee area
	Entertainment (Outdoor) (Other than Listed)	Greater of 1 / 6 seats or 1 / 50 SF	Greater of 1 / 4 seats or 1 / 30 SF
	Stadium, Running Track, or Ball Field	1 per 6 seats or 1 per 50 SF if no permanent seats	1 per 4 seats or 1 per 30 SF if no permanent seats
Office	Bank or Credit Union	1 per 350 SF GFA	1 per 200 SF GFA
	Offices (Other than Listed)	1 per 400 SF GFA	1 per 200 SF GFA
Overnight Accommodation	Bed and Breakfast Establishment	1 per guest room plus 2 for the owner	1.5 per guest room plus 2 for the owner
	Short-Term Rental	1 per rental unit	2 per rental unit
	Overnight Accommodations (Other than Listed)	.8 per guest room + 1 per 800 SF public meeting area and restaurant space	1 per guest room + 1 per 400 SF public meeting area and restaurant space
Parking, Commercial	All Uses	--	--
Restaurant	Restaurant, Delivery Only	1 per employee	2 per employee

Table 1204.10-1 Minimum and Maximum Parking			
SF = square feet GFA = Gross Floor Area -- = No minimum or no maximum, as applicable			
Use Category	Subtype	Minimum Spaces	Maximum Spaces
	Microbrewery, Microdistillery, or Microwinery	1 per 250 square feet of tasting room, taproom, or table service area. Production and storage areas shall comply with industrial use requirements.	1 per 100 square feet of tasting room, taproom, or table service area. Production and storage areas shall comply with industrial use requirements.
	Restaurant, Drive-In ~~or Drive-Through~~	1 per 250 SF GFA	1 per 150 SF GFA
	Restaurant (Other than Listed)	1 per 200 SF GFA	1 per 100 SF GFA
Retail Repair, Sales, and Service	All Uses	1 per 400 SF GFA	1 per 200 SF GFA
Self-Service Storage	All Uses	Lesser of 1 / 500 SF of office area or 1 / 25 storage units	Greater of 1 / 500 SF of office area or 1 / 25 storage units
Industrial			
Heavy Industrial	All Uses	1 per employee or 1 per 1,500 SF GFA, whichever is less	--
Light Industrial	Contractor Service, Equipment, and Storage Yard~~Contractor Yard~~	1 per 1,500 SF storage area	1 per 300 SF storage area
	Research and Development Facility	1 per 350 SF GFA	1 per 250 SF GFA
	Light Industrial (Other Than Listed)	1 per employee or 1 per 1,000 SF GFA, whichever is less	1 per employee or 1 per 750 SF GFA, whichever is less
Warehousing and Freight Movement	All Uses	1 per 2,000 SF GFA	1 per 500 SFA
Wholesale Trade	All Uses	1 per 2,000 SF GFA	1 per 500 SF GFA
Notes: 1 In addition to the required and maximum for the primary use.			

E. **Special Studies**.

1. *Generally*.

a. Some of the uses listed in Table 1204.10-1, *Minimum and Maximum Parking*, have widely varying parking demand characteristics. Accordingly, their parking requirements are listed as "Special Study." Required parking for these uses are established according to the standards of this Section.

b. Special studies may also be submitted to support a request to reduce the number of required parking spaces to less than that set out in Table 1204.10-1, due to the nature of the operations and/or location of a proposed use. The special study must include and support all requested reductions in parking. Further parking credits and reductions that are otherwise available pursuant to Section 1204.13, *Parking Credits and Reductions*, may not be applied when parking reductions are granted pursuant to this Section, unless the reductions are supported by the special study.

2. *Special Study Requirements.*

a. A special study must be conducted by a qualified transportation planner or traffic engineer at the applicant's expense.

b. The special study must provide:

i. A peak parking analysis of at least five functionally comparable uses; and

ii. Documentation regarding the comparability of the referenced uses, including: name, function, location, gross floor area, parking availability, access to transportation network (including vehicular, bicycle, pedestrian, and transit), use restrictions, and other factors that could affect the parking demand.

3. *Approval of Special Study.*

a. The Director may rely upon the special study or may request additional information or analysis, including, but not limited to: alternative or new data points, or consideration of additional or alternative factors related to comparability or peak demand, as supported by sound engineering principles.

b. As a condition of approval of a special study, the Director may require that land be reserved as an undeveloped area for additional future parking if there is a demonstrably high probability the use could change, resulting in a higher demand for parking.

F. **Unlisted Uses**. Upon receiving a development application for a use not specifically addressed in this Article, the Director shall apply the off-street parking standard specified for the use that the Director deems most similar to the proposed use according to Section 1203.03, *New and Unlisted Uses*, or require that the applicant provide a special study according to Subsection E, *Special Studies*, above.

1204.11 Off-Street Parking Design

A. **Design and Construction Requirements.**

1. *Tandem Parking*. Each parking space shall be accessible from a street or alley through aisles and/or driveways, except that tandem parking arrangements are permitted for single-unit detached, single-unit attached, townhouse, duplex and manufactured home uses or as allowed based on an approved parking study as described in Section 1204.13, *Parking Credits and Reductions.*

2. *Dead-End Aisles*. Dead-end aisles are not permitted unless adequate turnarounds usable by a two-axle vehicle are provided.

3. *Marking*. All parking spaces for nonresidential and mixed-uses shall be clearly marked on the pavement with yellow or white traffic paint or raised pavement markers approved by the City Engineer.

4. *Parking Space Orientation*. Parking areas shall be designed to minimize headlights shining into residential properties.
5. *Parking Module Dimensions*. Parking spaces, excluding required accessible spaces, shall meet the minimum dimensional standards provided in Table 1204.11-1, *Standard Parking Space Dimensions*.

Table 1204.11-1, Standard Parking Space Dimensions

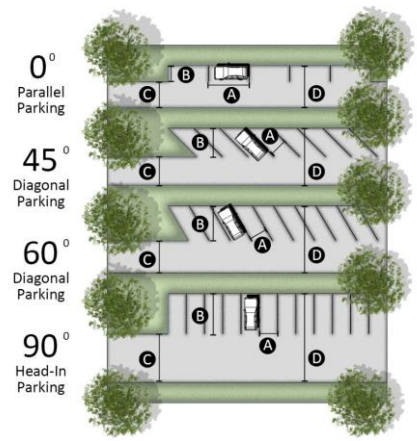
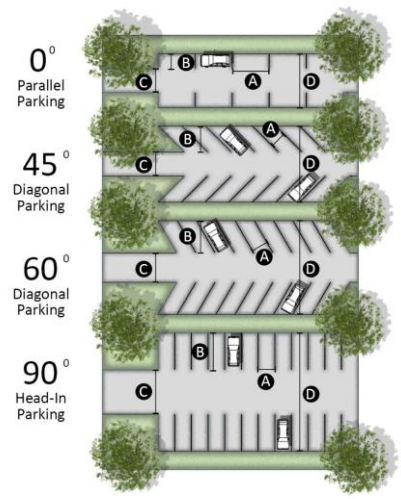
Number of Rows and Space Angle	Dimensions						Illustration
	(A) Parking Space Width	**(B) Parking Row Depth**	**(C) Driving Aisle Width**		**(D) Total Module Size (row + aisle)**		
			One Way	**Two Way**	**One Way**	**Two Way**	
Single Row of Parking							
0° (Parallel Parking)	22 ft.	10 ft.	12 ft.	18 ft.	33 ft.	42 ft.	
45° (Diagonal Parking)	10 ft.	18 ft.	13 ft.	20 ft.	33 ft.	41 ft.	
60° (Diagonal Parking)	10 ft.	18 ft.	14 ft.	--	36 ft.	--	
90° (Head-In Parking)	10 ft.	18 ft.	--	24 ft.	--	44 ft.	
Double Row of Parking							

Table 1204.11-1, Standard Parking Space Dimensions							
Number of Rows and Space Angle	Dimensions						Illustration
	(A) Parking Space Width	(B) Parking Row Depth	(C) Driving Aisle Width		(D) Total Module Size (row + aisle)		
			One Way	Two Way	One Way	Two Way	
0° (Parallel Parking)	22 ft.	10 ft.	12 ft.	24 ft.	30 ft.	42 ft.	
45° (Diagonal Parking)	10 ft.	21.1 ft.	12 ft.	20 ft.	54.2 ft.	62.2 ft.	
60° (Diagonal Parking)	10 ft.	22.3 ft.	14 ft.	--	58.6 ft.	--	
90° (Head-In Parking)	10 ft.	20 ft.	--	24 ft.	--	64 ft.	

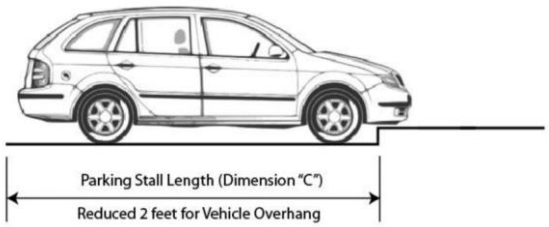
B. **Access and Maneuverability.** In order to promote adequate access and maneuverability, the following provisions shall be followed:

1. All parking spaces shall be entered and exited along parking aisles arranged perpendicular to access drives wherever possible.
2. Access drives are traffic lanes in a vehicular use area that provide for vehicular circulation but that do not provide access to individual parking stalls. All access drives shall have a minimum width of 20 feet.
3. No parking spaces shall be located along entry drives within 30 feet of the right-of-way or easement line (and at greater distances as may be required during site plan review (See 1203.06 Site Plan Review) depending on the traffic generation and parking lot size) nor within eight feet of the curb or pavement edge of such restricted entry drive area.
4. Where room permits, parking spaces should be entered and exited along parking aisles and not along main access drives for the purposes of safety and to prevent traffic congestion.

C. **Wheel Stops and Continuous Curbs.**

1. Wheel stops or continuous curbs shall be provided in areas adjacent to sidewalks, walkways, and landscaping areas to protect such areas from damage or encroachment of vehicles and to provide necessary traffic control in the vehicular use area.
2. Each wheel stop shall be a singular block of reinforced concrete, stone, or other durable material 5 inches in height, 6 inches in width, and 8 feet in length. Wheel stops shall be securely attached to the ground and may be used only at the end of parking stalls.
3. Continuous curbs shall be made of asphalt, concrete, or stone, and shall be a minimum of 6 inches in height and 6 inches in width. They shall form a non-interrupted edge around all landscaped areas adjacent to parking and turn-around areas that are not protected by wheel stops. Continuous curbs may be modified or interrupted for the purposes of accommodating stormwater runoff.
4. The wheel stop or continuous curb shall be located a minimum of 4 feet from any structures, buildings, walls, or plant material, excluding groundcover, to prevent a vehicle from driving onto the landscape area or hitting any structure or plant material at the edge of the vehicular use area. The mature size of the plant material shall be specified to determine if the landscaping meets the setback requirements.
5. Where continuous curbs are used, the paved area of the parking stall length (Dimension C) required in Table 1204.11-1, *Standard Parking Space Dimensions*, may be reduced by two feet as shown in Figure 1204.11-1, *Vehicle Overhang Illustration*, provided that the vehicle overhang will not encroach on pedestrian circulation or the required setback for desirable plant growth. Where wheel stops are used, the paved area of the parking stall length (Dimension C) required in Table 1204.11-1, shall not be reduced.

1204.11-1, Vehicle Overhang Illustration



D. **Surface and Drainage**. All vehicular use areas shall be subject to the following standards with the exception of agricultural uses:

1. *Grading and Drainage*. All vehicular use areas shall be properly graded and drained so as to dispose of all surface water accumulated within the area of the parking lot.
2. *Drainage Easement*. In no instance shall a storm drainage facility be designed to allow the flow of water into abutting property without an approved easement.
3. *Paving Materials*. All vehicular use areas shall be surfaced with a pavement of concrete or asphaltic concrete of sufficient depth to meet the standard engineering practice for the design of pavements for the anticipated traffic load, and shall be so graded and drained to meet the requirements of this Code for the disposal of all surface water accumulated within the areas, and shall be so arranged and marked as to provide for orderly and safe loading, unloading, parking and storage of motor vehicles.

4. *Alternative Paving Materials*. The City Engineer may approve alternative paving materials for parking areas not specified in Subsection B, *Surface and Drainage*, above, if the City Engineer determines that the alternative, compared to the permitted materials, is substantially equal to or better in quality and durability.

E. **Setback**. No part of any parking area shall be closer than six feet to any established street right-of-way, alley, or property line. Where a parking area of a non-residential use or district adjoins any residential use or district, it shall be screened in accordance with the standard of Section 1204.21, *Bufferyard Landscaping*.

F. **Pedestrian Pathways**. Plans for the design of parking lots exceeding 50 parking spaces must include the following for pedestrian circulation and connectivity:

1. *Delineation*. A clearly delineated pedestrian pathway extending from the primary building entrance(s) to the outer perimeter(s) of the parking lot;
2. *Width*. A minimum passable width of six feet, with a 10-foot clear area to accommodate bumper overhang;
3. *Connectivity*. Connection to adjacent public street sidewalks and those of abutting or adjacent land uses;
4. *Lighting*. Pedestrian-scale lighting; and
5. *Safety*. Pavement markings, crosswalks, and signage to alert motorists of pedestrian crossings.

G. **Parking Garages.**

1. Applicability. The standards of this subsection apply to all parking garages regardless of if it is used as a primary or accessory use.
2. *General Design Standards.*
   a. Configuration of Individual Parking Spaces. Individual parking spaces in parking garages shall comply with Table 1204.11-1, *Standard Parking Space Dimensions,* and 1204.12, *Accessible Parking Spaces*.
   b. Rooftop Parking. Rooftop open-air parking shall be screened with a parapet of at least four feet in height.
   c. Safety Mirrors. Pedestrian safety devices such as convex mirrors or other warning devices are required where it would be a significant risk to public health or safety without the installation of those devices as determined by the City Engineer.
   d. Lighting. Parking structures shall contain lighting sufficient for security purposes.
   e. Height of Accessory Parking Garage. If the parking garage is accessory to primary use, it shall not exceed the height of the structure it serves.
   f. Vehicle Entry and Access. Vehicle entries to off-street parking garages shall be integrated into the placement and design of adjacent buildings or oriented away from the primary street frontage. At a minimum, parking garages shall have user vehicles access from locations that minimize conflicts with pedestrian circulation.
   g. Building Elements and Architectural Design. All parking garages shall comply with Article 04.03, *Building Elements and Architectural Design.*
   h. Facade Design. The facades of parking garages that face public streets and are not occupied by commercial, office, institutional, public uses, or civic uses shall be articulated through the use of three or more of the following architectural features to make the parking garage appear similar in character to an occupied building:
      i. Windows or window-shaped openings with decorative mesh or similar features as approved by the City;

ii. Masonry columns;

iii. Decorative wall insets or projections;

iv. Awnings;

v. Changes in color or texture of materials;

vi. Approved public art;

vii. Integrated landscape planters; or

viii. Other similar features approved by the City.

i. Building Materials. Parking garages shall be constructed of materials of similar or better quality to surrounding principal structures.

3. *Permitted Parking Garage Types.* Table 1204.11-2, *Parking Garage Types and Standards*, describes the types of parking garages permitted, and specific design standards for each type.

Table 1204.11-2, Parking Garage Types and Standards		
Parking Garage Type and Description	Standards	Image
Tuck-under parking consists of a single row of covered parking spaces beneath a building.	▪ Access to tuck-under parking shall be provided by a drive aisle in a parking lot or alley. ▪ Tuck-under parking may be combined with other surface or parking garage types. ▪ Tuck-under parking shall be oriented toward an alley. ▪ Where visible from a public right-of-way other than an alley, tuck-under parking shall be screened from view by buildings or a wall that is a minimum of six feet in height.	
Stand-alone parking garages are freestanding structures located in the center of a larger block.	▪ Stand-alone garages shall be separated from adjacent buildings by a minimum of 20 feet to provide sufficient light and privacy for adjacent structures. This separation may accommodate an alley and/or rear yards. ▪ Vehicle entries and exits of stand-alone parking structures shall be oriented away from the primary street frontage and shall minimize conflicts with pedestrian circulation. ▪ Street front openings in stand-alone parking structures shall not exceed 55 percent of facade area. ▪ Stand-alone parking structures shall have foundation plantings as required in 1204.21, Development Landscaping.	

Table 1204.11-2, Parking Garage Types and Standards		
Parking Garage Type and Description	Standards	Image
Activated structures are parking structures with retail uses at the base that are oriented solely toward the street.	▪ Liner buildings associated with activated structures may be directly attached or detached by a minimal fire separation distance.	
Integrated structures are parking structures located within an occupied building or surrounded by liner buildings	Integrated structures may be fully or partially integrated with the surrounding building.	

1204.12 Accessible Parking Spaces Required and Design

A. **Generally.** Accessible parking spaces shall be provided in accordance with this Section, as required by the Americans with Disabilities Act (ADA) for all uses that are served by a parking lot.

B. **Relationship to Required Number of Parking Spaces.** Accessible off-street parking spaces required by this Section shall count toward fulfilling the total off-street parking requirements.

C. **Location of Accessible Spaces.** Accessible parking spaces shall be located as close as possible to an entrance, which allows such persons to enter and leave the parking area and building without assistance. If possible, the spaces shall be located so that the accessible route from the accessible spaces to the accessible entrance should not cross a driving aisle or road.

D. **Number of Required Spaces**.

1. *Generally*. Parking for disabled persons shall be provided as set out in Table 1204.12-1, *Accessible Parking Requirements*, or as required by the Americans with Disabilities Act (ADA) Standards for Accessible Design and ADA Accessibility Guidelines for Buildings and Facilities published by the United States Access Board. If any of the standards within this Section and the United States Access Board are in conflict then

whichever requires more spaces shall be used. Required accessible parking spaces are included in the total number of required parking spaces per Section 1204.03, *Off-Street Parking Spaces Required*.

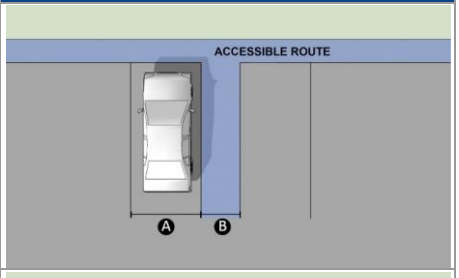
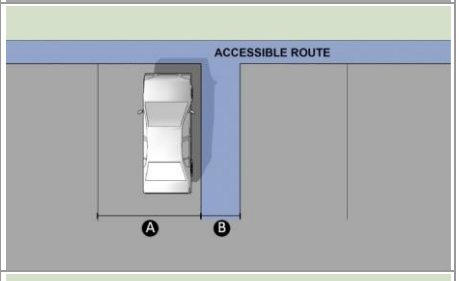
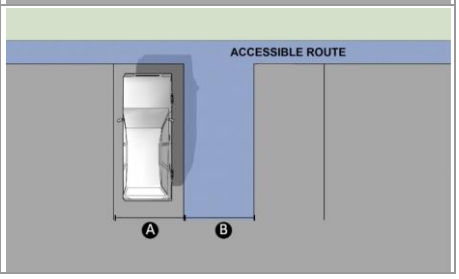
2. *Multi-Unit Residential Development*. In multi-family residential development, one accessible parking space shall be provided for each unit that is designed for occupancy by a person with disabilities.

Table 1204.12-1, Off-Street Accessible Parking Spaces Required	
Total Number of Parking Spaces Provided	Minimum Number of Accessible Parking Spaces[1]
1 to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1000	2% of total parking
1001 and over	20 plus 1 for each 100 over 1000
Special Parking Conditions for Specific Uses	**Minimum Number of Accessible Parking Spaces [1]**
Hospital Outpatient Facilities	10% of patient and visitor parking
Rehabilitation Facilities	20% of patient and visitor parking
Outpatient Physical Therapy Facilities	20% of patient and visitor parking

Table Notes:

1. At least one out of six accessible spaces, rounded up, shall be van-accessible.

E. **Parking Space Size Specifications.** Figure 1204.12-1, *Accessible Parking Space Dimensions*, details the specific size requirements for both standard automobile and van-accessible ADA-accessible parking spaces.

Table 1204.12-1, Accessible Parking Space Dimensions				
Accessible Space Type		(A) Parking Space Width (min.)	(B) Access Aisle Width (min.)	Illustration
Car Accessible Space		96 in.	60 in.	
Van Accessible Space	Option 1:	132 in.	60 in.	
	Option 2:	96 in.	96 in.	

1204.13 Parking Credits and Reductions

A. **Generally**. This Section sets out several ways to reduce or receive credit for the number of required off-street parking spaces that must be provided according to Section 1204.10, *Off-Street Parking Spaces Required*.

B. **Administrative Credits and Reductions**. The Director may approve the following parking credit and reduction options for a property. If such administrative reductions are proposed in a legislative review application the presence of such reductions shall have no bearing on the recommendation or final decision of the

administrative review bodies involved. The administrative credit and reduction options are cumulative if more than one is used on a property.

1. *On-Street Parking Credit.*
   a. On-street parking spaces may provide credit to satisfy the minimum parking space requirements in the nonresidential and mixed-use zoning districts established in Section 1204.10, *Off-Street Parking Spaces Required*, on streets designed for on-street parking. The use of on-street parking spaces to satisfy minimum parking requirements in no way guarantees the use of such parking spaces to customers, employees, or visitors of the subject property.
   b. On-street spaces shall be located on a public or private street, available to the general public, and directly abutting the subject property.
   c. Bus stops, clear zones adjacent to curb cuts, and other areas in which parking is prohibited shall not be included in the calculation of available on-street parking spaces.
   d. An on-street parking space shall be a minimum of 20 feet in length. A minimum of 16 linear feet of an on-street parking space shall be directly adjacent to the subject property in order to be counted as a parking space.
2. *Shared Parking Reduction.*
   a. Shared parking allows a reduction of up to 25 percent in the total number of required parking spaces when a property is occupied by two or more uses that typically do not experience peak use of parking areas at the same time. When any land or building is used for two or more uses that are listed in Table 1204.13-1, *Shared Parking Table*, below, the minimum total number of required parking spaces may be determined by the following procedures, which are followed by Table 1204.13-2, *Illustrative Shared Parking Credit Calculation*, showing an example of how to calculate shared parking reductions.
      i. Determine the minimum parking requirements for each use category in Column (A) as if it were a separate use excluding spaces reserved for use by specified individuals or classes of individuals (for example, accessible spaces or spaces posted as "reserved");
      ii. Multiply the sum of required parking spaces for each use by the corresponding percentages for each of the five time periods set forth in Columns (B) through (F) of Table 1204.13-1, below;
      iii. Calculate the total for each time period; and
      iv. Select the Column with the highest total to find the required number of shared spaces.

Table 1204.13-1, Shared Parking Table

(A) Use Category	Weekday		Weekend		(F) Night (midnight to 6 AM)
	(B) Day (6 AM to 6 PM)	(C) Evening (6 PM to midnight)	(D) Day (6 AM to 6 PM)	(E) Evening (6 PM to midnight)	
Residential	60%	90%	80%	90%	100%
Offices	100%	10%	10%	5%	5%
Retail Sales or Personal Service	60%	90%	100%	70%	5%

Table 1204.13-1, Shared Parking Table					
(A) Use Category	Weekday		Weekend		(F) Night (midnight to 6 AM)
	(B) Day (6 AM to 6 PM)	(C) Evening (6 PM to midnight)	(D) Day (6 AM to 6 PM)	(E) Evening (6 PM to midnight)	
Overnight Accommodations	75%	100%	75%	100%	75%
Restaurant	50%	100%	100%	100%	10%
Indoor Recreation or Outdoor Recreation	40%	100%	80%	100%	10%
All Others	100%	100%	100%	100%	100%

Table 1204.13-2, illustrative Shared Parking Reduction Calculation					
EXAMPLE: A mixed-use building in the MU zoning district has 35 apartments, 30,000 square feet of general office space, and 40,000 square feet of retail space. Separately, these uses would require 270 parking spaces ((35 sp. x 2 sp. / unit) + (30,000 sf. x (1 sp. / 350 sf.)) + (40,000 sf. x (1 sp. / 350 sf.)) = 270). However, combined, they could share 196 parking spaces, a 27% reduction.					
(A) Use Category	Weekday		Weekend		(F) Night (midnight to 6 AM)
	(B) Day (6 AM to 6 PM)	(C) Evening (6 PM to midnight)	(D) Day (6 AM to 6 PM)	(E) Evening (6 PM to midnight)	
Residential (70 spaces)	60% x 70 = 42	90% X 70 = 63	80% = 56	90% = 63	100% = 70
Office or Industrial (86 spaces)	100% x 86 =86	10% x 86 = 9	10% x 86 = 9	5% x 86 = 4	5% x 86 = 4
Retail Sales and Service (114 spaces)	60% x 114 = 68	90% x 114 = 103	100% x 114 = 114	70% x 114 = 80	5% x 114 = 6
COLUMN TOTALS	**196**	**175**	**179**	**147**	**80**
TABLE NOTE: The largest number, 196, is the number of parking spaces required. This example is a 27 percent reduction compared to individual calculations.					

b. Where a shared parking reduction is to be applied to uses on two or more lots under different ownership, the following shall be provided to the Director:

i. A plan that provides for interconnected parking lots and required spaces to be clearly designated and separated from spaces provided for employees, customers, and service;

ii. Recorded easements, accepted on a form acceptable to the City Attorney, that provide, at a minimum:

(A) A guarantee of each owner's rights to the use of the parking facility;

(B) A requirement that any termination of or amendment to the agreement shall be subject to the approval of the City;

(C) Cross-access among the parking areas and connections to allow parking by the different uses anywhere on the connected properties;

(D) Allocation of maintenance responsibilities;

(E) A pedestrian circulation system that connects uses and parking areas, making it easy and convenient for pedestrians to move between uses; and

(F) A right of enforcement by the City.

3. *Off-Site Parking Credit*. Off-site parking spaces may provide credit to satisfy the minimum parking space requirements in any nonresidential or mixed-use zoning district subject to the following:

   a. The off-site parking lot is within 300 feet of the subject property, measured from the nearest property lines;

   b. The parking lot is wholly within a nonresidential or mixed-use zoning district; and

   c. The parking lot complies with all applicable requirements of this PZC.

4. *Compact Car Spaces*. This Section shall apply only to retail shopping centers/superstores of 25,000 square feet or more. Not more than 20 percent of the off-street parking spaces required by this Article shall be designed as compact car parking spaces. Each compact car parking space shall be a minimum of eight feet wide and 16 feet long. Compact car parking spaces shall be clearly marked or posted for "Compact Cars Only." All other provisions of this Article relating to off-street parking requirements shall be met.

5. *Electric Vehicle Charging Station*. Each off-street electric vehicle charging station with a rating of 240 volts or higher shall count as 1.5 off-street parking spaces toward satisfaction of the minimum required off-street parking requirements, for a maximum credit of 10 percent of required spaces.

6. *Proximity to Greenway or Bicycle Path*. Parking lots that directly connect to a greenway or bicycle path as identified in a park master plan developed by the City shall receive a credit of 10 percent of required spaces. Walkways in compliance with the requirements of Section 1204.17, *Site Access Management and Internal Circulation*, shall provide the connection from the parking lot to greenway or bicycle path.

7. *Shadow Parking*. A portion of the required parking spaces may remain landscaped and unpaved, as approved by the Director and City Engineer, provided that the parking and unpaved areas comply with the following standards and is authorized in accordance with this Section. See Figure 1204.13-1.

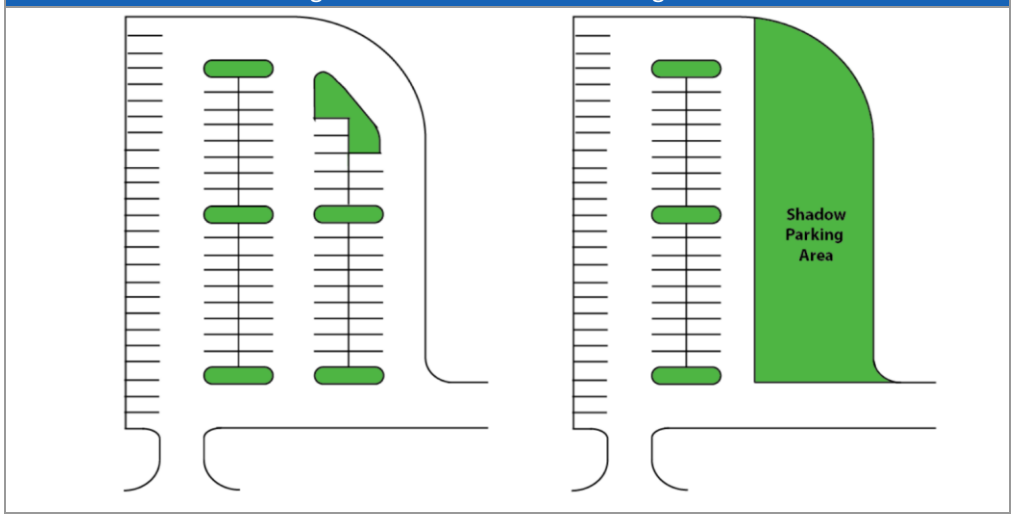
   a. The vehicular use area plan submitted with the zoning permit or site plan application shall denote the location and layout of that portion of the parking area that currently is deemed not required. The plan shall indicate that the "shadow" parking spaces will be constructed according to these regulations in the event that the Director determines at any time that all or any portion of this parking is necessary.

   b. At no time shall any portion of the required parking area that is so designated for future construction be used for the construction of any structure or temporary use.

   c. At no time shall any portion of the required parking or loading that is so designated for future construction as provided herein be counted as open space or other non-paved areas required by other provisions of this Article.

d. The owner shall initiate construction of the approved "future" parking area(s), as identified on the approved parking plan, within three months of the receipt of a certified letter or a letter through normal postal service (in the event that the certified letter is not accepted) sent to the owner of record from the Director, identifying that such parking is determined to be necessary.

Figure 1204.13-1 Shadow Parking Area



C. **Credits and Reductions.**

1. *Director*. The Director may approve a reduction in the number of required parking spaces if the applicant demonstrates that a reduction is appropriate based on the applicant providing a parking study with specific parking demand forecasts for the proposed use and/or on the provision of alternative parking or transportation demand management programs that tend to reduce the demand for parking spaces, provided that:
   a. The study is prepared by a professional transportation planner or traffic engineer;
   b. The forecasts are based upon a peak parking analysis of at least five comparable uses; and
   c. The comparability of the uses is documented in detail, including their location, gross floor area, street access, use types and restrictions, hours of operation, peak parking demand periods, and all other factors that could affect parking demand.
2. *Transportation Professional*. The Director may retain a qualified transportation planner or traffic engineer, at the applicant's expense, to review the parking demand forecast and provide recommendations to the Planning Commission.
3. *Reserve*. The balance of the land necessary to meet the parking requirements shall be held in reserve as an undeveloped area, to meet any future needs generated by an expansion of the business, a change in land use, or underestimated parking demand.

1204.14 Off-Street Loading

A. **Generally**. This Section establishes the requirements for off-street loading spaces in connection with any nonresidential or mixed-use building, structure, or use that is to be erected or substantially altered to provide adequate space for off-street loading, unloading, and the maneuvering of shipping and delivery vehicles in the MU, DT, GC, HC, EC, LI, and HI zoning districts.

B. **Minimum Number of Off-Street Loading Spaces Required**. Off-street loading facilities shall be provided in accordance with the requirements in Table 1204.14-1, *Minimum Off-Street Loading Spaces Required*.

Table 1204.14-1 Minimum Off-Street Loading Spaces Required

Use Groupings[1]	Gross Floor Area in Square Feet	Number of Required Loading Spaces
Industrial	Less than 10,000	0
	10,001–25,000	1
	25,001–100,000	2
	100,001 - 150,000	3
	150,001 and over	4 + 1 per each 100,000 SF GFA
Commercial and Office, Public and Institutional	Less than 10,000	0
	10,001–100,000	1
	100,001–200,000	2
	200,001 and over	3 + 1 per each 100,000 SF GFA
All Other Use Groupings	N/A	N/A

Table Notes: N/A = Not Applicable; SF = Square Feet; GFA = Gross Floor Area

1. Refer to overall groupings of the uses in the Use Table in Section 1203.02, *Use Table* (for example, Agricultural, Industrial, etc.).

C. **Mixed-Use Developments**. Where mixed-use developments may be adequately and conveniently served by a common loading area, the Director may approve a reduction in spaces required in Table 1204.14-1, *Minimum Off-Street Loading Spaces Required*. For this purpose, the minimum number of required spaces shall be based on the Use Category having the greatest number of resulting spaces.

D. **Design.** To minimize impacts, off-street loading spaces and areas shall comply with the following standards:

1. *Location*. All off-street loading spaces shall be located on the same lot as the principal use served and shall comply with the following standards:
   a. Loading spaces shall be located opposite any adjacent residential district lot line whenever possible;
   b. No loading spaces shall be located in front yard or street-side yard setbacks;
   c. No loading spaces shall be located within the minimum required side or rear setback;
   d. No loading spaces shall be located within 40 feet of the nearest point of intersection of any two streets with no loading dock visible from a thoroughfare or collector street right of way;

2. *Setback Requirements*.
   a. All loading spaces shall be set back a minimum of 75 feet from all residential lot lines unless completely enclosed by building walls (see paragraph D.7.a., below, for standards for enclosed loading).
   b. All loading spaces shall be set back a minimum of 25 feet from the nearest point of intersection of any two streets.
   c. Loading spaces shall only be permitted in the side or rear yard except in the LI and HI zoning districts where they may be located in any yard except those that have frontage on an arterial or collector street. The Director may waive this requirement through an administrative adjustment as established in Section 1207.24, *Administrative Adjustment,* where screening and/or a berm as established in Article 04.05, *Landscaping, Screening, and Buffering*, is provided to screen the loading areas.
3. *Loading Space Dimensions*. Off-street loading space shall be designed in accordance with the minimum requirements in Table 1204.14-2, *Minimum Loading Space Dimensions*.

Table 1204.14-2 Minimum Loading Space Dimensions			
Largest Type of Truck Intended	Minimum Width	Minimum Depth	Minimum Vertical Clearance
Tractor-Trailer	12 ft.	55 ft.	15 ft.
Trucks other than tractor-trailer, pickups, or vans	10 ft.	25 ft.	15 ft.
Pickup truck or van	9 ft.	18 ft.	15 ft.

4. *Truck Loading Docks*. All truck loading docks shall be located so as not to be visible from any public right-of-way or be oriented toward any residential zoning district or use and comply with the screening requirements of Section 1204.22.B, *Screening*.
5. *Surface*. All off-street loading spaces shall be improved with a compacted macadam base, not less than seven inches thick and surfaced with not less than two inches of asphalt, concrete, or some comparable all-weather, solid material approved by the City Engineer.
6. *Lighting and Noise*. Any lighting used to illuminate off-street loading or unloading areas shall comply with the requirements of Article 04.07, *Outdoor Lighting*, and the noise limitations established in Section 1204.14, *Performance Standards*.
7. *Stacking*. For facilities that provide ingress/egress to a gate or a guard shack from a public right-of-way, a gated entrance shall be set far enough to allow a tractor-trailer with a minimum length of 55 feet to stop completely off the public right-of-way when the gate is closed.
8. *Buffering*. In the LI and HI districts, truck access, docks, and loading spaces shall be located so as not to face or be visible from a public right-of-way or residential district or use. In other zoning districts, truck access, docks, and loading areas that are located between a principal building and a residential property shall comply with the following additional standards:
   a. *Use of Enclosed Loading*. The loading area shall be enclosed by a roof and a wall between the principal building and the property boundary line (as depicted in Figure 1204.14-1, *Illustrative*

Example of Enclosed Loading, below). The walls of the enclosure shall be tall enough to completely screen the delivery vehicle and shall be designed and constructed with architectural elements such as windows, awnings, or other features that match the exterior of the principal building. The portion of the bufferyard between the enclosed loading and the property line may be reduced by one level of opacity with the remainder of the bufferyard being the opacity level required by Table 1204.21-1, *Bufferyard Types*, for the applicable zoning district; or

b. *Absence of Enclosed Loading*. The loading area shall be screened along its length by a district bufferyard that has one additional level of opacity (for example, from a Type B bufferyard to a Type C bufferyard) than required by Table 1204.14-1 and, additionally, the loading area shall contain an eight-foot-tall masonry wall that is designed and constructed with the same primary exterior finish materials of the principal building.

Figure 1204.14-1 Illustrative Example of Enclosed Loading

1204.15 Vehicle Stacking Areas

A. **Generally**. Driveway stacking areas are used to queue vehicles off-street prior to exiting a property, minimize congestion, and increase safety. Stacking spaces do not count towards the minimum off-street parking spaces required in Section 1204.10, *Off-Street Parking Spaces Required*.

B. **Minimum Number of Stacking Spaces Required.** Stacking spaces shall be provided in accordance with the requirements established in Table 1204.15-1, *Stacking Requirements*.

Table 1204.15-1
Stacking Requirements

Activity	Minimum Spaces	Measured From
Automated teller machine (ATM)	3	ATM keypad
Bank teller lane	3	Teller window or pneumatic tube station
Vehicle washing stall, automatic	6	Entrance to wash bay

Table 1204.15-1 Stacking Requirements		
Activity	Minimum Spaces	Measured From
Vehicle washing stall, self-service	2	
Day care drop-off (between 7 to 11 children or adults)	3	Facility passenger loading area
Daycare drop-off (11 or more children or adults)	3 plus 1 per every 500 square feet of heated floor area	
School, primary or secondary (public or private)	Determined by Director	
Fuel pump island	2	Each end of the outermost pump island
Parking lot, controlled entrance	4	Key code box
Pharmacy, drive-through	3	First drive-through window
Restaurant, drive-through (or functionally similar use)	6	Pick-up window
Automotive servicing	2	Entrance to stall
Other	Determined by Director	

TABLE NOTE:

1. An example of stacking for a drive-through restaurant is illustrated in Figure 1204.15-1, *Drive-Through Restaurant Stacking Illustration*.~~4.~~

C. **Vehicle Stacking Space and Area Design Standards.**

1. *Location.* Vehicle stacking lanes shall be located on the side and rear of the building.
2. *Bypass Lane*. Stacking lanes shall be designed with an abutting bypass lane that meets the minimum width in Table 1204.15-2, *Vehicle Stacking Dimensions*, A 10-foot by-pass lane is required adjacent to the stacking lane to allow vehicles to circumvent the drive-through lane.
3. *Circulation and Marking*. Stacking lanes shall be clearly marked and shall not interfere with on-site or off-site traffic circulation.
4. *Turn-Around Area*. Controlled or gated entrances shall be designed so that vehicles may turn around without backing out into the public right-of-way.
5. *Blocking Prohibited*. Stacking areas shall be designed to avoid, if reasonably possible, and otherwise minimize, the blocking of access to driveways, parking areas, or designated emergency access.
6. *Not Permitted in ROW*. Stacking spaces for drive-through facilities shall not encroach on or interfere with the public right-of-way and the public use of streets and sidewalks by vehicles or pedestrians.
7. *Stacking Space Dimensions*. Vehicle stacking spaces shall meet the minimum dimensional standards provided in Table 1204.15-2, Vehicle Stacking Dimensions.

Table 1204.15-2 Vehicle Stacking Dimensions		
Space Width	Space Length	Bypass Lane Width
8 ft.	20 ft.	10 ft.

D. **Drive Through Restaurant.** Figure 1204.15-1, *Drive-Through Restaurant Stacking Illustration*, provides an illustration of a restaurant use with a drive-through.

Figure 1204.15-1
Drive-Through Restaurant Stacking Illustration

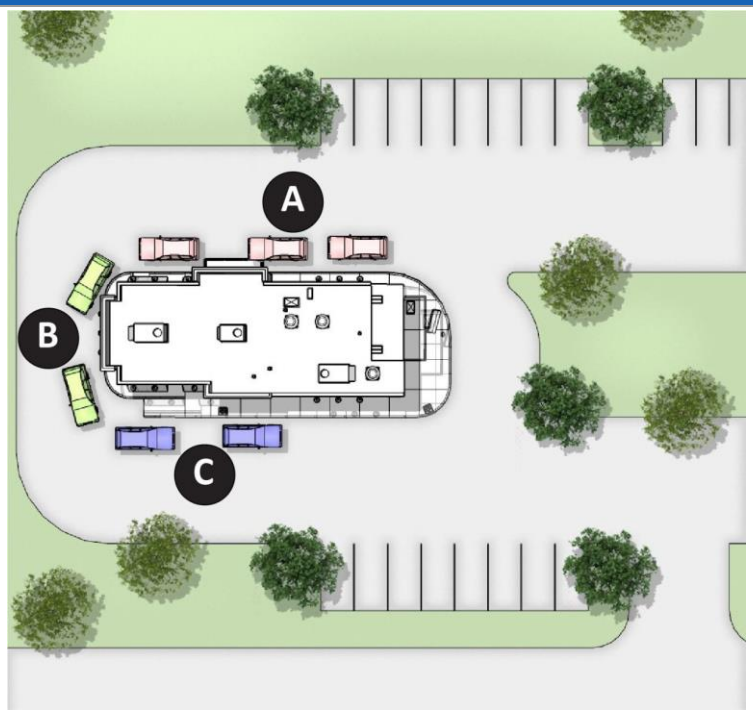


Figure Notes: A = Order Box | B = First Window | C = Second Window

1204.16 Off-Street Truck Parking Requirements

A. **Generally**. This Section establishes the requirements for designated off-street oversized truck parking including standards pertaining to specific uses, prohibitions, dimensional standards, and other practices reflective of emerging best practices pertaining to truck parking.

B. **Purpose**. The Section aims to ensure the safe and efficient use of land, minimize adverse impacts on neighboring properties, and promote compliance with federal hours-of-service (HOS) regulations established by the U.S. Federal Motor Carrier Safety Administration (FMCSA) to prevent driver fatigue and improve road safety.

C. **Applicability**. Oversized truck parking is permitted only as accessory parking to a principal industrial use in the LI, Light Industrial, and HI, Heavy Industrial zoning districts.

D. **Prohibitions**. The use of regular automobile parking spaces or automobile circulation aisles for oversized tractor-trailer parking, is prohibited.

E. **Minimum Number of Off-Street Truck Parking Spaces Required.** In addition to the minimum parking requirements for employees as required in Section 1204.10, *Off-Street Parking Spaces Required,* for associated uses in the industrial zoning districts, two 12-foot-by-75-foot truck parking spaces for each loading dock per the required allocation in Section 1204.14, *Off-Street Loading and Stacking,* shall be provided following the standards within this Section.

F. **Outbound Trucks**. A minimum of five percent of required truck staging spaces shall be reserved for outbound trucks that are required to layover or rest due to federal hours-of-service (HOS) regulations. Such spaces must be accessible during and after the facility's operating hours as necessary.

1204.17 Site Access Management and Internal Circulation

A. **Off-Street Parking Access**. All off-street parking shall have direct access to a public right-of-way through an alley, driveway, or permanent access easement.

B. **Street Classification.** Access to developed property shall be placed along a street in conformance with the type listed for the subject zoning district in Chapter 1202, *Zoning Districts and Dimensional Standards*, unless otherwise stated in this Section.

C. **Campus Developments.** All building sites and/or buildings in a development within the EC district shall be accessed on interior public or private streets, not collectors or arterials, except for the primary entrance to the development.

D. **Vehicle Circulation.**

1. *Vehicles Spaces*. Except for a conventional detached residential dwelling, patio home, or duplex, or where valet or tandem parking is utilized, all required parking shall be designed so that vehicles enter or leave a parking space without having to move any other vehicle.
2. *Turn-Arounds*. Any parking row that does not provide two means of vehicular egress must provide a space designated as a turn-around area. This space shall be located at the end of a parking row, be designed with the minimum dimensions as shown in Figure 1204.17-1, *Vehicle Parking Turnaround Configuration*, or another configuration deemed acceptable by the City Engineer, and include a "No Parking" sign.

Figure 1204.17-1, Vehicle Parking Turnaround Configuration

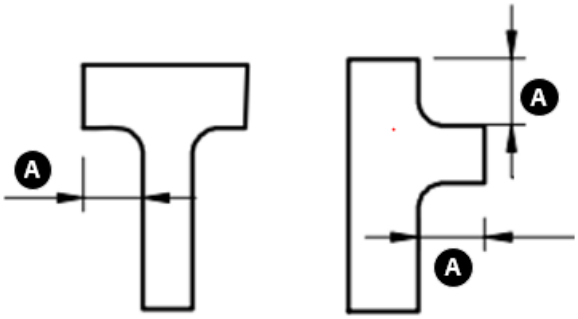


Figure Notes:
A = 24 ft.

E. **Walkways**.

1. For developments with over 25,000 square feet of gross floor area, ~~raised~~ delineated walkways a minimum of six feet in width shall link residential and commercial developments, common areas, ~~and~~ parking areas ~~to the~~ , and buildings. If a proposed development includes multiple buildings in the site design, then an overall connectivity plan shall be provided for the development, including crosswalks and other safety features designed to encourage walking as an alternative to vehicular transportation. Walkways shall be a minimum of five feet wide and shall have a minimum six-foot landscaped buffer area between the road or access way and the walkway itself.

~~1.~~2. Sidewalks, at least eight feet in width, shall be provided along any facade featuring a customer entrance, and along any facade abutting parking lots. At all times, such sidewalks shall maintain a clear pedestrian passage equal to the width of the sidewalk. ~~Walkways shall remain as unobstructed as possible by items such as plantings or trash receptacles.~~

~~2.~~3. Parking lots shall be designed to allow pedestrians to safely move from their vehicles to the buildings. This may be achieved in smaller lots by providing a sidewalk at the perimeter of the lot. On larger lots, corridors within the parking areas should channel pedestrians from the car to the perimeter of the lot. A paving material that is different in color and/or texture from that of vehicular areas shall delineate these pedestrian travel ways and shall be clearly marked. Small posts or bollards incorporating lights may also serve the same purpose.

F. **Pedestrian and Bicycle Access.**

1. *Generally*. All development subject to this Article shall be served by an internal pedestrian and bicycle circulation system of walkways and bikeways (including sidewalks, pedestrian and bicycle paths, and/or trails) that permit safe, convenient, efficient, and orderly movement of pedestrians and bicycles within the development. Walkways and bikeways shall also be provided between the internal pedestrian and bicycle circulation system, the adjoining existing or planned city-wide trail and greenway system, as applicable, and any adjoining parks, schools, and civic uses. Sidewalks shall connect to:

   a. The primary entrance(s) of principal buildings;

b. Off-street vehicle and bicycle parking areas;

c. Existing or planned public transit stations or stops located on-site or on an adjacent street; and

d. Recreation facilities, common use areas, and amenities.

2. *Sidewalks Required*. All development subject to this Subsection shall install internal sidewalks or approved pedestrian paths in accordance with the provisions of this PZC. All sidewalks within public rights-of-way or associated with private streets shall be installed in accordance with ~~a subdivision improvement agreement or~~ the requirements established by the City Engineer.

3. *Pedestrian Connectivity*. All new multi-family, non-residential, and mixed-use development shall comply with the following standards:

   a. The internal pedestrian circulation system shall be designed to allow for pedestrian cross-access between buildings and parking areas and those on adjoining lots, or to the boundary of adjoining vacant land zoned to allow multi-family, non-residential, or mixed-use development.

   b. The Director may waive or modify the requirement for pedestrian cross-access on determining that such cross-access is impractical or undesirable due to the presence of natural features, safety factors, or unusual lot configuration.

   c. Prior to the issuance of a building permit, easements allowing cross-access shall be platted or recorded by a separate instrument in the office of the County Clerk and Recorder.

4. *Bicycle Connections*. All development subject to this Subsection shall provide bicycle access routes between public bikeways and on-site bicycle parking areas. Sites shall be designed to avoid or minimize all conflicting bicycle/motor vehicle and bicycle/pedestrian movements.

5. *Layout and Design*. The minimum widths of improvements are as follows as per City Engineer requirements:

   ~~a. Private Property.~~

   ~~i.~~a. Bikeways or shared-use paths: 11 feet wide or as follows the ODOT Multimodal Design Guide; and

   ~~ii.~~b. Sidewalks:

   ~~(A)~~i. Eight feet in an UR, MU, and DT districts; or

   ~~(B)~~ii. Five feet in all other districts;

   ~~b. Public Rights-of-Way: Per City Engineer requirements.~~

   c. Be clearly distinguishable from vehicular traffic lanes by painted markings, raised paving height, decorative bollards, change in pavement material or color, and/or flashing caution signals;

   d. Have adequate lighting for security and safety; and

   e. Meet the current Americans with Disabilities Act (ADA) Standards for Accessible Design.

G. **Cross Access**. To encourage shared parking and minimize access points along roads, new multi-unit, non-residential, and mixed-use development shall comply with the following standards:

1. As displayed in Figure 1204.17-~~1~~2, *Cross Access*, the internal vehicular circulation system shall be designed to allow for vehicular cross access between the development's parking and vehicular use areas and those on adjoining lots containing, or adjoining vacant land zoned to allow multi-family, non-residential, or mixed-use development.

2. Cross-accessways shall provide for two-way vehicular traffic between the vehicular use areas on the adjoining lots through the use of a single access or drive aisle that is at least 24 feet wide or through two one-way accessways or aisles that are each at least 12 feet wide.

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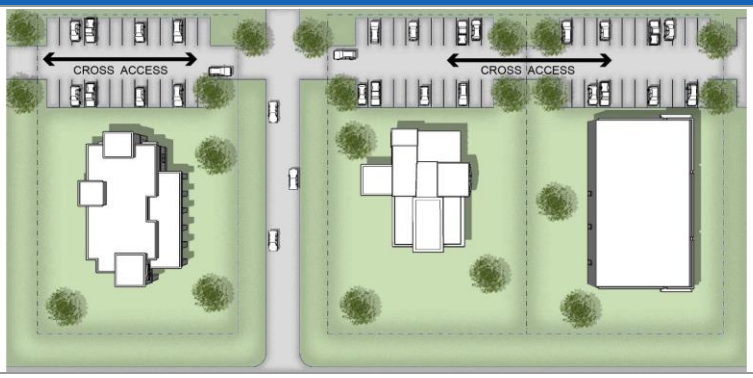
3. The Director may waive or modify the requirement for vehicular cross access on determining that such cross access is impractical or undesirable due to the presence of natural features or vehicular safety factors, or other relevant considerations.
4. Where such are required, easements allowing cross access to and from properties, along with agreements defining maintenance responsibilities of property owners, shall be recorded with the City Clerk before issuance of a building permit or certificate of occupancy.

Figure 1204.17-~~12~~
Cross Access



H. **Emergency Access**. The applicant shall provide emergency access lanes where necessary to provide adequate protection for a structure.
   1. *Dimensions*. Dimensions for emergency access lanes and turnarounds, including width and clearance, shall comply with the requirements of the Fire Code. Any emergency access lane shall either connect at each end to a dedicated public street or be provided with a turnaround established in the Fire Code, with an additional distance of 10 feet on all sides clear of permanent structures. The driving surface within emergency access lanes shall be designed and constructed according to standards established for local public streets.
   2. *Location*. All structures shall be located within 150 feet of an emergency access lane or public street.

1204.18 Traffic Impact Study

A. **Purpose**. The purpose of a Traffic Impact Study (TIS) is to provide information to the City to allow for an assessment of the impact major development projects will have on the City's transportation network. The study provides guidance for site access, on-site circulation, parking, and off-site improvements necessary to permit the street system to operate at a satisfactory level of service.

B. **Applicability**.

1. To promote efficient access management, a TIS for a proposed development shall be submitted with the site plan, preliminary plat, Master Development Plan, or Planned Unit Development plan when the development meets any of the following criteria:
    a. When a proposed development will generate sixty (60) or more added new peak hour trips to or from the site during the adjacent roadway's peak hours or the development's peak hour;
    b. If there is congestion in the vicinity of a proposed development and the development is expected to significantly impact adjacent roadways/intersections;
    c. If any proposed access is within or near a location that has been identified as a safety concern area or high crash location by a public agency. These agencies may include the City of Monroe, Butler County, Warren County, the Ohio Department of Transportation (ODOT), the jurisdiction owning or maintaining the street, Ohio-Kentucky-Indiana (OKI) Regional Council of Governments, and/or any other jurisdiction having authority over the locale.
    d. If there is a request for rezoning, variance, Master Development Plan, or Planned Unit Development (PUD).
    e. If construction has not started within three (3) years of the approval of the TIS/TIA or subsequent interchange study, a reevaluation is required to ensure the traffic data is still accurate and the proposed mitigation improvements are still appropriate.
    f. The traffic generated by the proposed development will increase the average daily traffic (ADT) by 25 percent or more on roadways in adjacent neighborhoods, as determined by the City Engineer;
    g. Traffic volumes of 10,000 ADT or higher exist on roadways adjacent to the proposed development; or
    h. The City Engineer determines that other conditions exist in the vicinity of the proposed development that may be negatively impacted by the development. Final determination of such conditions shall be determined by the City Engineer.
2. In some cases, a proposed development may generate fewer trips than the threshold indicated above but a safety or traffic operational issue around the proposed development may require an impact study. These reasons may include:
    a. High crash intersection or section of roadway;
    b. Proximity of proposed site drives to other site drives or intersections;
    c. Sensitivity of adjacent neighborhoods;
    d. The existing or projected level of service of the street adjacent to the proposed development is unacceptable; or
    e. High traffic volumes on adjacent roadways that may affect movement into and out of the site.
3. The City Engineer may waive the requirement for a TIS based on their initial review of the proposed use and information available on the streets adjacent to the subject property.

C. **Pre-Application Conference Required.**
1. A pre-application conference is required to scope the TIS. The applicant shall develop a Memorandum of Understanding (MOU) for the City Engineer to approve based on the outcome of the scope.
2. A volume submittal may be required for the City Engineer to review trip generation or distributions and assumptions.

D. **TIS Submittal Requirements.**

1. Traffic impact studies required under this section shall be submitted in a form and in such numbers as established and made available to the public by the Development Department. See also additional requirements in Article 07.01, *Common Development Procedures Requirements*.
2. A TIS must be prepared by a professional engineer.

E. **Joint Access and Cross Access**. Joint access and cross access by two or more properties shall be required but may be waived by the Director due to site-specific factors. Joint access reduces the number of driveway openings and turning movement conflicts. Cross access permits motorists to travel to adjacent properties without first exiting out of one commercial access onto the public roadway and then reentering adjacent commercial access driveways.

F. **Site Traffic Generation**.

1. In determining the amount of traffic to be generated by the proposed development, trip generation rates or equations from the latest edition of the Institute of Transportation Engineers' Trip Generation, shall be used. The proposed development shall be categorized by the specific land use classification contained in Trip Generation. If specific trip rates are not available for a particular development or access route, the method of trip rate determination shall be determined by the City Engineer.
2. Documentation shall be provided to verify the reason for any variation from normally recognized generation rates or equations and for assumptions unique to the development being studied. Trip generation rates must be defensible using a combination of available data and professional judgment.
3. A table shall be provided in the study report showing the categories and quantities of land uses, with the corresponding trip generation rates or equations and resulting number of trips. The reason for using the rates or equations shall be documented in the report. For large developments that will be phased in over time, the table shall also provide trip generation expected at each significant phase.
4. If the development will generate truck traffic, those trips shall be increased by a factor of at least 2.0 to account for a Passenger Car Equivalency (PCE).
5. If pass-by and/or internal capture trip reduction rates are used in the analysis and exceed fifty (50) percent, approval by the City Engineer shall be required.

G. **Improvement Costs**. The cost for infrastructure improvements, new traffic signals, modification of existing traffic signals, traffic signs, and pavement markings which are necessitated by the new development shall by borne by the applicant.

Article 04.05 Landscaping, Screening, and Buffering

1204.19 General Provisions

A. **Purpose.** The purpose of this Article is to protect and promote the public health, safety, general welfare, and beautification of the City through landscaping, screening, and bufferyards. The purpose of this Article is intended to:

1. Protect privacy and provide buffering between land uses of differing intensities;
2. Create an aesthetically pleasing environment that improves the quality of life for the citizens;
3. Aid in noise, glare, and heat abatement;
4. Contribute to the process of air purification, ground water recharge, and control of ground water runoff;
5. Encourage efforts to preserve large trees, natural wetlands, and/or other natural features;

6. Prevent tree loss by eliminating or reducing compaction, filling, or excavation near tree roots;
7. Prevent or reduce soil erosion and sedimentation and stormwater runoff;
8. Enhance energy conservation;
9. Control the urban heat island effect; and
10. Increase and maintain property values.

B. **Generally.**

1. *Types of Landscaping Required*. Table 1204.19-1, *Required Landscaping Types Summary*, establishes the landscaping types required in each zoning district. Figure 1204.19-1, *Illustrative Landscape Types*, depicts the location of these types.
2. *When Multiple Provisions Apply*. When any portion of the parcel is subject to more than one set of landscape or buffer requirements as set forth in this or any other chapter, the most stringent requirement shall control. The most stringent requirements shall be defined as those which require the highest fence, wall or screen or, if no fence, wall or screen is required, the requirements with the greatest quantity of landscaping.
3. *Ground Cover Required*. All unpaved or otherwise unimproved areas, including the public right-of-way, or public use areas, or remainder of the site, shall be graded and seeded in an approved manner.

Table 1204.19-1
Required Landscaping Types Summary

Uses and Zoning Districts	Development Landscaping (1204.20)			Bufferyards (1204.21)
	Foundation Plantings	**Parking Lot Landscaping[1]**	**Site Landscaping**	
• = Landscaping Type Required | -- = Landscaping Type Not Required				
Conventional detached homes, conventional attached homes, or patio homes	--	--	--	•
All residential uses except conventional detached homes, conventional attached homes, or patio homes	•	•	•	•
Nonresidential uses	•	•	•	•

Table Notes:
1. Only applies for parking lots with 5 or more spaces.

Figure 1204.19-1
Illustrative Landscaping Types

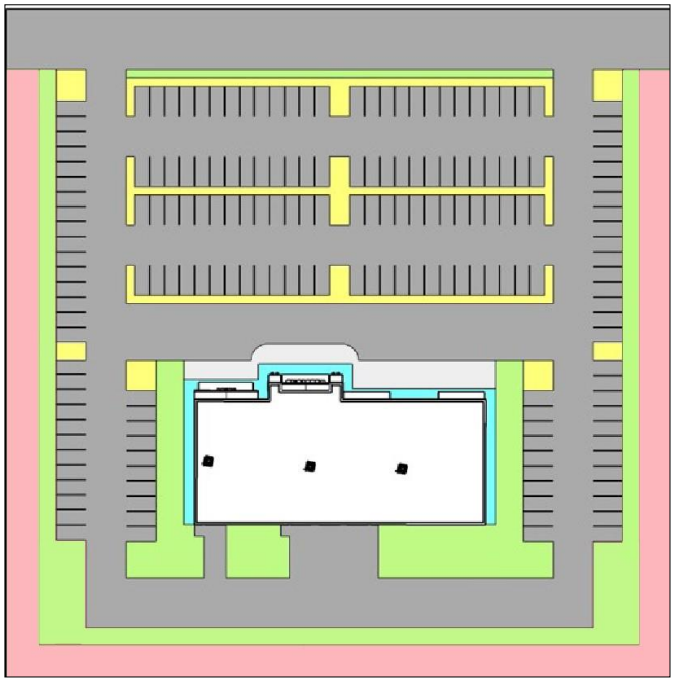


Figure Notes:
Yellow = Parking Lot Landscaping | Green = Site Landscaping | Pink = Bufferyards | Blue = Foundation Plantings

C. **Installation Standards.**

1. *Silting and Erosion Prevention.* All applicants who are required to install landscaping in accordance with this code shall take necessary steps to prevent silting and erosion during construction to meet the standards of the OEPA.
2. *Installation Timeline.* 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 at the date of the zoning compliance inspection or complete in such instance where no inspection is required.
3. *Identification Tags.* Nursery stock identification tags shall not be removed from any planting prior to inspection and approval of final installation by the City.
4. *Easements, Rights-of-Way, Setbacks, and Sight Clearance.*

a. Required landscaping may be placed wholly or partially in utility or other easements, providing all requirements can be fulfilled and approval is granted by the holder of the easements.

b. The species of trees that will be planted below utility lines should be selected based on the height of the tree at maturity to ensure that only a minimal amount of trimming will be necessary to prevent interference with utilities.

c. In no case shall landscaping and buffers be established so as to block the sight distance at street or driveway intersections as established in Section 1202.11, *Measurements* (See Site Triangle).

d. Grass or ground cover shall be planted on all portions of the easements not occupied by other landscaped material.

D. **Landscape Material Standards.**

1. *Existing Vegetation*. Existing vegetation may be used to comply with the requirements of the Article if the materials meet the following standards:

a. The applicant shall be responsible for demonstrating how retained vegetation meets the standards of this Article.

b. Only those trees meeting the location, health, and minimum size requirements applicable to new landscape materials in this section shall be credited toward meeting the requirements of this Article.

c. Existing viable trees meeting the minimum size requirements for new plantings that are located within 20 feet of the perimeter edge of an off-street vehicular use area shall be credited towards the parking lot perimeter landscape requirements of 1204.20, *Development Landscaping*.

d. Existing viable trees meeting the minimum size requirements for new plantings that are not credited towards buffer or parking lot requirements may be credited towards any other landscaping requirements of this Article.

e. All existing vegetation shall be preserved and protected during construction in accordance with acceptable nursery industry procedures.

2. *Earth Mounds.* Earth mounds may be used as physical barriers that block or screen a view. Differences in elevation between areas requiring screening does not constitute an earth mound. Earth mounds shall be constructed of earthen materials and shall conform to the following standards:

a. The maximum side slope shall be three horizontal to one vertical (3:1) and the design shall be reviewed by the Director to ensure that proper erosion prevention and control practices have been utilized.

b. Berms and earth forms should be designed with physical variations in height and alignment throughout their length.

c. Landscape plant material installed on berms and earth forms shall be arranged in an irregular pattern to accentuate the physical variation and achieve a natural appearance.

d. The landscape plan shall show sufficient detail, including a plan and profile of the berm or earthform, soil types and construction techniques, to demonstrate compliance with the above provisions.

e. Berms and earthforms shall be located and designed to minimize the disturbance to existing trees located on the site or adjacent thereto.

f. 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 line of sight.

g. Adequate ground cover shall be used and maintained to prevent erosion of the earth mound.

3. *Plants.*
   a. All plants are to be living vegetation.
   b. All landscape plant materials shall conform to the latest version of the American Standard of Nursery Stock. Plant material shall be of standard quality or better, true to name and type of species or variety. Plant materials shall have passed any inspection required under state regulations.
   c. Trees shall be balled and burlapped or in containers. Shrubs, vines and ground covers can be planted as bare root, as well as balled and burlapped or containers.
   d. The Director may maintain an approved street tree list established and made available to the public by the Development Department that identifies specific trees that may be planted within the public right-of-way. Specific trees not on the list may be submitted for consideration.
   e. The Director may maintain a prohibited tree list established and made available to the public by the Development Department that identifies specific trees that shall be prohibited either as street trees or general landscaping trees due to prevalence of disease or pests, poor survival rates, or other conditions that prevent the trees from being used to meet the requirements of this Article.
   f. Trees used as street trees shall not have thorns or produce nuts or fruits.
   g. Deciduous and evergreen canopy or shade trees shall have a minimum of 2.5 inches Diameter at Breast Height (DBH) at the time of planting, as determined in the American Standard for Nursery Stock. Evergreens shall also be a minimum of six feet in height above ground at the time of planting, while deciduous trees shall also be a minimum of eight feet in height above ground level at the time of planting.
   h. Understory, small maturing, or ornamental trees shall have a minimum of two inches Diameter at Breast Height (DBH) at the time of planting, as determined in the American Standard for Nursery Stock and shall be a minimum of six feet in height above ground level at the time of planting.
   i. All deciduous trees shall be staked or otherwise supported as appropriate to grow straight.
   j. All trees shall be mulched around the base of the trunk with a minimum diameter of three feet of mulch.
   k. The use of native, drought-tolerant vegetation is encouraged to reduce dependency upon irrigation.
   l. Once the minimum landscape requirements have been met, any size plant may be installed on a lot to supplement the minimum requirements.
4. *Shrubs and Hedges.* Shrubs and hedges shall be at least 36 inches in height at the time of planting. The height at installation of the planting shall be measured from the level of the surface of the plant base at the edge closest to the screening.
5. *Grass Or Ground Cover.* Grass of the Fescus (Gramineak) or Bluegrass (Poaceae) family shall be planted in species normally grown as permanent lawns in the applicable county. In swales or other areas subject to erosion, solid sod, erosion-reducing netting, mats, or suitable mulch shall be used and nursegrass seed shall be sown for immediate protection until complete coverage otherwise is achieved. Grass sod shall be clean and free of weeds and noxious pests or diseases. Ground cover shall be planted at a spacing that will provide at least 75 percent complete coverage after two growing seasons.
6. *Mulched Landscaped Areas.* Required landscaping shall be located in mulched landscaped beds with a minimum width of three feet in all directions.
7. *Species Diversity.*

a. When fewer than 40 trees are required on a site, at least three different species shall be utilized, in roughly equal proportions.

b. When 40 or more trees are required on a site, at least four different species shall be utilized, in roughly equal proportions.

c. Required shrubs shall utilize the same species diversity requirements.

d. Nothing in this subsection shall be construed to prevent the utilization of a larger number of different species than specified above.

E. **Street Trees.**

1. Street trees shall be required on all public and~~or~~ private frontages, except interstate frontage and alleys, for all subdivisions, new sites or development, and expansions of sites or developments.
2. All new roads or extensions of existing roads, public or private whether internal or external to a site, are subject to the street tree requirements.
3. Street trees shall be required along both sides of all streets, public or private, planted 40 feet on center in the ~~public right-of-way (~~tree lawn~~)~~.
4. All developments shall include street trees that comply with the requirements for plants in 1204.19(D), *Landscape Material Standards,* above.
5. Specific tree types or species prohibited or permitted to be installed within the public right-of-way shall be established in a document maintained by the Development Department.
6. Street tree placement may be subject to setback requirements from the curb, sidewalk, driveway, and other utilities. Such restrictions shall be established in a document maintained by the Development Department.
7. At the time of planting, the lowest limb of any tree shall not be less than five feet above the ground.
8. *Street Tree Alternate Locations.* During the Site Plan Review or a platting decision process, it may be determined a number of street trees cannot be located in the tree lawn as required due to spacing conflicts with driveways, utilities, street light poles, or otherwise within the sight triangle as established in Article 02.05, *Measurements and Specific Allowances*. The Director or Planning Commission, as applicable, may permit the applicant to locate those required street trees in alternate locations within the site or development such as common open or amenity spaces.

F. **Maintenance Standards.**

1. *Nursey Industry Procedures*. All landscaping materials shall be installed and maintained according to accepted nursery industry procedures.
2. *Owner's Responsibilities*. The owner of the property shall be responsible for the continued property maintenance of all landscaping materials and shall keep them in a proper, neat, and orderly appearance, free from refuse, debris, and weeds at all times.
3. *Replacement of Dead Plant Material.* All unhealthy or dead plant material shall be replaced within one year, or by the next planting period, whichever comes first.
4. Violations. Violation of these installation and maintenance provisions shall be grounds for the Director to require replacement of the landscape material, or institute proceedings to enforce the provisions of this PZC in accordance with Article 08.01, *Enforcement of Code*.

1204.20 Development Landscaping

A. **Generally**. Required landscaping around the exterior of developments and vehicular use areas shall be provided.

B. **Groundcover Requirements**. Eligible groundcover area shall not include concrete, asphalt, or other impervious surfaces, with the exception of xeriscape groundcover, rocks, decorative pavers, or stamped, dyed concrete which may be used only within the first one and one-half feet of the parking island to allow persons to access their vehicle without stepping on landscaping. The height of the groundcover plant species chosen shall not interfere with the triangle established in Article 02.05, *Measurements and Special Allowances,* along access drives or anywhere throughout the parking lot.

Table 1204.20-1 Development Landscaping Requirements	
Landscaping Element[1]	Location and Design
Foundation Landscaping	
Two ornamental trees or 10 shrubs for every 50 linear[2] feet in foundation planting area(s) facing the front setback(s)	▪ In the HC, GC, EC, LI, and HI zoning districts, the foundation plantings may be immediately abutting the foundation or within a maximum of 10 feet of the foundation. If the plantings are not immediately abutting the foundation, then the space between the foundation and plantings shall be designed for pedestrian circulation ▪ In the residential, MU, and DT zoning districts, the required foundation planting may be met with tree wells, planters, and landscaped plazas ▪ The remainder of the area designated for foundation plantings shall be landscaped with groundcover or consist of xeriscape groundcover, rocks, decorative pavers, or stamped, dyed concrete
Two ornamental trees or 10 shrubs for every 50 linear feet in foundation planting area(s) facing the side setback(s)[2].	
One ornamental tree or 5 shrubs for every 50 linear feet[2] in foundation planting area(s) facing the rear setback(s).	
Parking Islands	
Endcap island with groundcover[3] and 1 canopy tree and 3 shrubs for a single row and 2 canopy trees and 6 shrubs for a double row.	▪ At the end of all parking rows ▪ Each endcap island shall be a minimum of 9' wide and the length of the parking row[4] with 10-foot curb radii on the side closest to the drive aisle ▪ All vegetation used provides for clear visibility between two to six feet above level of the ground
Corner island with groundcover[3] and 1 canopy tree or 3 evergreen or ornamental trees	▪ At the corners of parking lots ▪ Each corner island shall be a minimum of 200 square feet in area and defined by the intersection of the parking rows at each corner of the parking lot ▪ All vegetation use provides for clear visibility between two to six feet above level of the ground

Table 1204.20-1 Development Landscaping Requirements	
Landscaping Element[1]	Location and Design
Interior island with groundcover[3] and 1 canopy tree and 3 shrubs[4] single row and 2 canopy trees and 6 shrubs for a double row.	▪ In the middle of parking rows planted at intervals of not less than one island for each 15 parking spaces ▪ Each interior island shall be a minimum of 9' wide and the length of the parking row[4] with 5-foot curb radii on the side closest to the drive aisle ▪ All vegetation use provides for clear visibility between two to six feet above level of the ground
Median with groundcover[3] and ornamental Grasses, shrubs, or planters	▪ A minimum, along the entire centerline of alternating double parking rows ▪ Each median shall be a minimum of 6' wide ▪ All vegetation use provides for clear visibility between two to six feet above level of the ground
Site Landscaping	
Front Yard Landscaping	▪ Plantings make up 20 percent of required front yard ▪ This landscaping may be used to fulfill the perimeter landscaping requirements.
Perimeter with ornamental grasses, shrubs, canopy and/or ornamental trees	▪ A minimum, along the entire perimeter of all parking lots when not integrated as part of Bufferyard Landscaping outlined in 1204.21, *Bufferyard Landscaping* ▪ Each parking perimeter planting shall be a minimum of 6' wide ▪ All vegetation use provides clear visibility between two to three feet above level of the ground
Other	
Use of locally-sourced mulch wherever much is provided on-site	▪ Provided at a minimum depth of three inches.
Tree quantity exceeds required quantity based on the requirements of this Section	--
Existing tree larger than 12-inch caliper is removed	

Table Notes:

1. Existing trees that are properly located may be used in lieu of required trees.
2. Measured parallel to the building.
3. The groundcover area shall not include concrete, asphalt, or other impervious surfaces, with the exception of xeriscape groundcover, rocks, decorative pavers, or stamped, dyed concrete which may be used only within the first one and a half feet of the parking island to allow persons to access their vehicle without stepping on landscaping. The height of the groundcover plant species chosen shall not interfere with sight distance triangles along access drives or anywhere throughout the parking lot.
4. See Item H in Figure 1204.20-1, below for an example of a perimeter parking interval.

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Figure 1204.20-1, Illustrative Parking Lot Planting Requirements

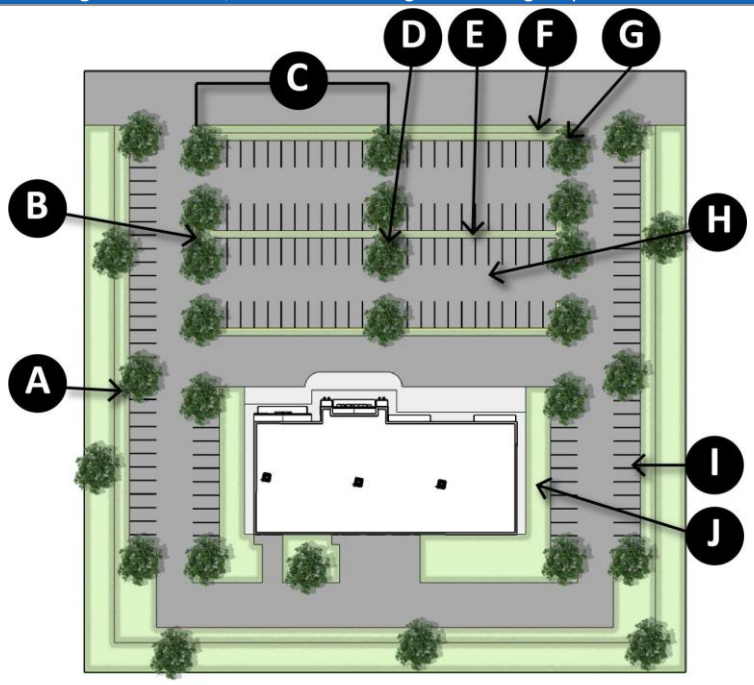


Figure Notes:
A = Single Interior Island; B = Double Endcap; C = Parking Interval; D = Double Interior Island; E = Median; F = Parking Bufferyard; G = Single Endcap; H = Double Parking Row; I = Single Parking Row; J = Foundation Landscaping

Figure 1204.20-2,Foundation Landscaping

1204.21 Bufferyard Landscaping

A. **Generally**. Required bufferyards are based on the amount of buffering and screening they provide. Bufferyards are classified in terms of intensity from less ("Type A") to moderate ("Type B") to heavier ("Type C") and to heaviest ("Type D").

B. **Table Instructions**. Table 1204.21-1, *District Bufferyard Standards*, shows all base zoning districts. The rows indicate the zoning of the parcel proposed for development, and columns indicate the zoning of the adjoining or adjacent land. The letters indicate which type of bufferyard is required to be planted on the parcel proposed for development as detailed in Table 1204.21-2, *Bufferyard Classifications*. Where "--" is found there is no bufferyard required. Refer to Section 1207.24, *Administrative Adjustment*, for situations such as infill development, that may allow for a lesser buffer than required in the table.

Table 1204.21-1, District Bufferyard Standards

Zoning of Parcel Proposed for Development	Zoning of Adjoining District											
	RR	**SR**	**GR**	**NC**	**UR**	**MU**	**DT**	**HC**	**GC**	**EC**	**LI**	**HI**
RR, SR, NC	--	--	--	--	--	B	B	C	C	D	D	D
GR, UR	A	A	--	--	--	B	B	C	C	D	D	D
MU, DT	B	B	B	B	B	--	--	A	A	D	D	D
HC, GC	C	C	C	C	C	A	A	--	--	B	B	C
EC, LI	D	D	D	D	D	D	D	B	B	--	--	--
HI	D	D	D	D	D	D	D	C	C	B	B	--

C. **Composition of Bufferyards**.

1. *Structural and Natural.* Bufferyards, as established in Table 1204.21-2, *Bufferyard Classifications*, may be classified as:

a. Structural Bufferyards. Structural bufferyards include the use of plant materials and a solid wall or fence to achieve the required level of buffering and screening; and

b. Natural Bufferyards. Natural bufferyards include the use of a higher density of plant materials to achieve the required level of buffering and screening. Any natural bufferyard may include an earthen berm; however, the Type D bufferyard requires a berm.

2. *Classification.* The bufferyard type requirements of a particular zoning district shall be determined by the adjacent zoning district.

3. *Spacing of Plants.* Trees or shrubs in a bufferyard shall generally be clustered in order to present a naturalistic character.

4. *Substitutions.*

a. Bufferyard areas beneath an overhead powerline may propose alternate tree species in order to accommodate placement and height restrictions to be approved by Staff.

b. Two ornamental trees may be substituted with one evergreen tree, up to a certain percentage of the required ornamental trees as approved by Staff.

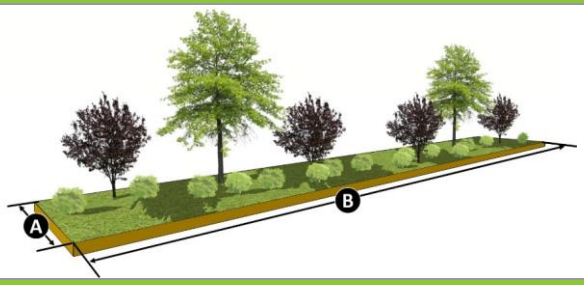
Table 1204.21-1, Bufferyard Classifications						
Bufferyard Type	Minimum Width (A)	Required Number of Plantings per 100 Linear Feet (B)				Minimum Height of Wall, Fence and/or Berm(C)
		Canopy	**Ornamental**	**Evergreen**	**Shrubs**	
Type A						
- Natural	35	1	5	--	15	--
- Structural	20	1	2	--	10	4'
Type A Natural Illustration[1]						
						
Type A Structural Illustration[1]						

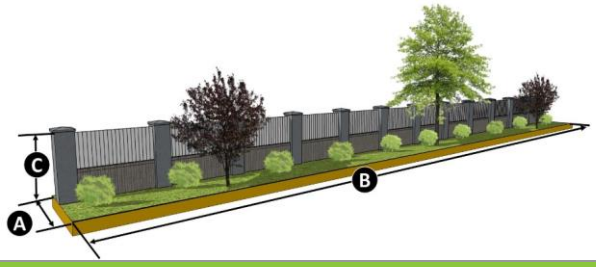
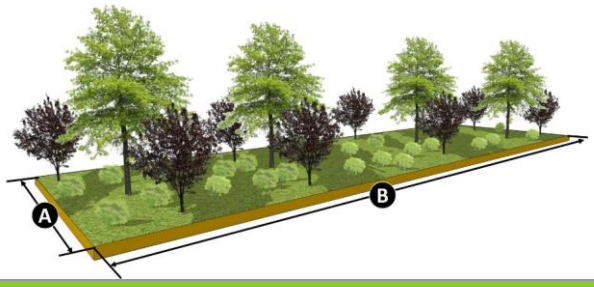
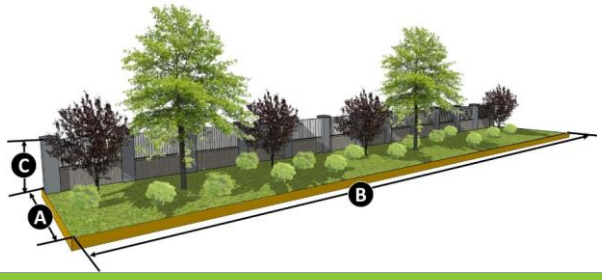
Table 1204.21-1, Bufferyard Classifications						
Bufferyard Type	Minimum Width (A)	Required Number of Plantings per 100 Linear Feet (B)				Minimum Height of Wall, Fence and/or Berm(C)
		Canopy	**Ornamental**	**Evergreen**	**Shrubs**	
						
Type B						
- Natural	35	4	5	--	35	--
- Structural	20	1	7	--	15	4'
Type B Natural Illustration[1]						
						
Type B Structural Illustration[1]						
						
Type C						
- Natural	35	6	7	8	25	--

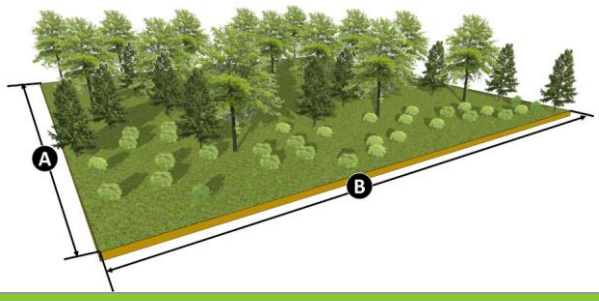
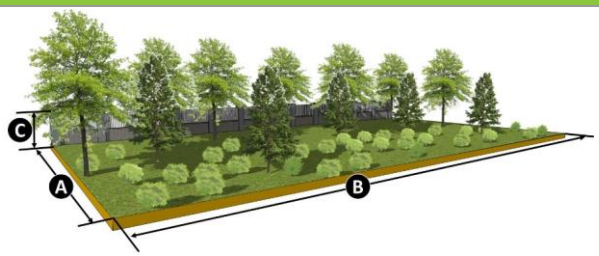
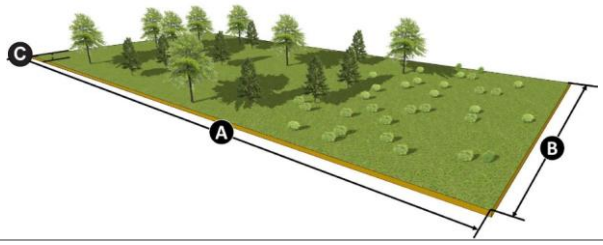
Table 1204.21-1, Bufferyard Classifications						
Bufferyard Type	Minimum Width (A)	Required Number of Plantings per 100 Linear Feet (B)				Minimum Height of Wall, Fence and/or Berm(C)
		Canopy	**Ornamental**	**Evergreen**	**Shrubs**	
- Structural	25	1	8	4	10	6'
Type C Natural Illustration[1]						
						
Type C Structural Illustration[1]						
						
Type D						
- Natural with Berm[2]	45	9	10	10	55	6'
- Structural with Berm[2]	35	6	3	5	30	8'
Type D Natural with Berm Illustration[1]						
						

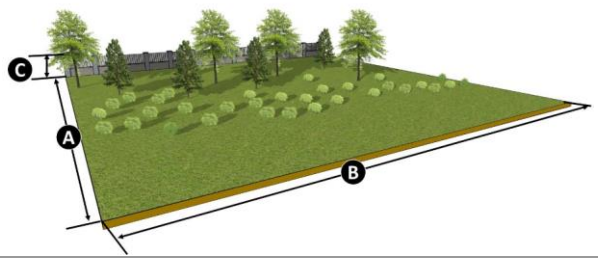
Table 1204.21-1, Bufferyard Classifications						
Bufferyard Type	Minimum Width (A)	Required Number of Plantings per 100 Linear Feet (B)				Minimum Height of Wall, Fence and/or Berm(C)
		Canopy	**Ornamental**	**Evergreen**	**Shrubs**	
Type D Structural with Berm Illustration[1]						
						

Table Notes:

1. Graphics are provided for illustrative purposes only and do not represent the exact number of required plantings.
2. At a minimum, berm shall be six feet in height.

1204.22 Screening and Fencing

A. **Walls and Fences.**

1. *Generally.* The standards below are to provide reasonable regulations for the appearance, location, type, and maintenance of fences and walls to ensure the safety of residents and the high-quality character and appearance of the City. All fences and walls shall be kept in good repair and appearance.
2. *Detailed on Plan.* When walls or fences are used to fulfill any requirements of this Article, they shall be detailed on the plan.
3. *Location in Relation to Landscaping*. When fences or walls are placed on any site in any commercial or industrial site, the required landscaping shall be outside of the fence or wall and visible from the public right-of-way or adjacent parcel.
4. *Fencing and Wall Standards*.
   a. Generally. Every part of a required yard shall be open and unobstructed to the sky, except as may otherwise be allowed in this PZC. This requirement shall not prevent the construction of fences, walls, or hedges per this subsection.
   b. Fencing Height. Fences, walls, and continuous hedge row may be located in any rear yard provided it does not exceed the height specified within the zoning district set in Article 02.02, *Residential Zoning Districts*, and Article 02.03, *Mixed Use and Nonresidential Zoning Districts*.
   c. Location. No fence or wall shall be erected within a drainage easement or designated floodplain where the sole purpose is to allow the flow, detention, or retention of stormwater unless otherwise approved by the City Engineer, Butler County Engineer, or Warren County Engineer's Office, as applicable as determined by the Director.

d. Opacity. Fences and continuous hedge rows with a maximum opacity of 50 percent shall be permitted in any front yard area located between the front building line (or other applicable building lines on corners and through lots) not exceeding four in height. Any solid continuous hedge row, fence, or wall shall not exceed three feet in the front yard area. The Director may grant an exception to the front yard height and opacity on through or corner lots that have two front yards (i.e. State Route 63) for the area that functionally serves as the rear yard subject to any provisions that may be imposed to ensure the surrounding character of the neighboring lots is preserved.

e. Construction. All fences and walls must be erected so that the finished side faces outward, and the rough or unfinished side faces the interior of the property being enclosed.

f. Permitted Materials.

   i. Fences and fence hardware shall be constructed of weather-proof materials that may include cedar, pressure-treated lumber, vinyl, wrought iron, aluminum, or similar materials as determined and approved by the Director.

   ii. Plastic-coated and black chain link fences provided such fences do not extend beyond the front building line of the principal structure except in industrial zones.

g. Prohibited and Limited Materials.

   i. The use of barbed wire, razor wire, spikes, nails, electrical or similar type fences shall be prohibited. Barbed wire and electrical fences are permitted in relation to agricultural uses in the RR zoning district except along lot lines adjacent to residential zones.

   ii. Primarily woven wire fences are prohibited in residential zoning districts and on residential lots except woven wire is temporarily permitted in conjunction with a garden use. Woven wire fencing (not including chain link) is only permitted in residential zoning districts and on residential lots in conjunction with split rail fencing and the wire should be attached to the inside of the fence where practical.

   iii. Chain Link fencing is prohibited in the front yard in residential uses or residential zoning districts. Chain link type fences may be used in the rear yard of business and industrial zoning districts provided they are plastic coated and are black or as otherwise approved by the Director.

h. Landscape Mounds. Landscaped mounds may be constructed instead of or as part of a fence, wall, or hedge row following 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 PZC unless as approved by the Director as required in this Section.

i. Exceptions. The Director 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, any safety issue (i.e. swimming pool access on a grade or soil stabilization) or industrial operations when these facilities could pose a security or physical hazard as determined by the Director.

B. **Screening.**

1. *Generally.* Screening elements shall include walls (same material and color as principal structure), landscaping, mounds, or any combination thereof.

2. *Service Structures.* All service structures shall be screened from public view. Service structures shall include, but not be limited to, loading docks, propane tanks, dumpsters, electrical transformers, utility

vaults that extend above ground, electrical and other equipment, or elements providing service to a building or a site. Service structures should be grouped together.

3. *Truck Loading Docks.* All truck loading docks shall be located so as not to be visible from any public right-of-way and may not face a residential district or use and must comply with the requirements set forth in Section 1204.14, *Off-Street Loading and Stacking*.
4. *Service or Retractable Doors*. Service doors or overhead retractable doors shall not be visible from any public right-of-way or residential district or use. Screening shall be provided to achieve at least 50% opacity up to 10 feet in height if the door is unable to be located per the requirements above as determined by the Planning Commission or Director as applicable.
5. *Wireless Telecommunication Facilities.* Wireless telecommunication facilities are not to be considered a service structure. Landscaping and buffering of wireless telecommunication facilities shall be in accordance with 1203.06, *Wireless Telecommunication Facilities*.
6. *Vehicle Use Areas.*
   a. *Parking Lots.* The perimeter of all parking lots areas shall be screened with one canopy tree for every five parking spaces and with one of the techniques listed in Table 1204.22-1, *Parking Area Screening Techniques*.
   b. *Non-parking Areas.* All non-parking space vehicular use areas (i.e. access drives, drive-through lanes, etc.) shall be screens with one canopy tree for every 50 linear feet and three bushes for every 15 linear feet of use area (with the exception of single and two unit dwelling uses, and agricultural uses).

Table 1204.22-1, Parking Area Screening Technique

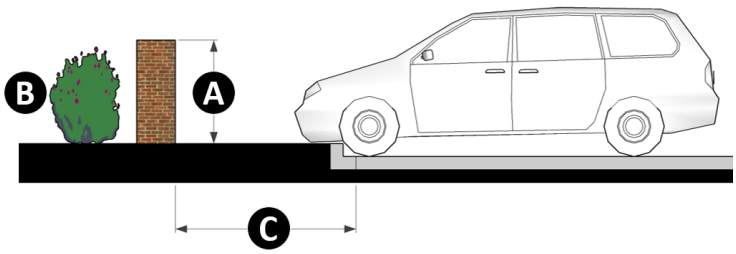
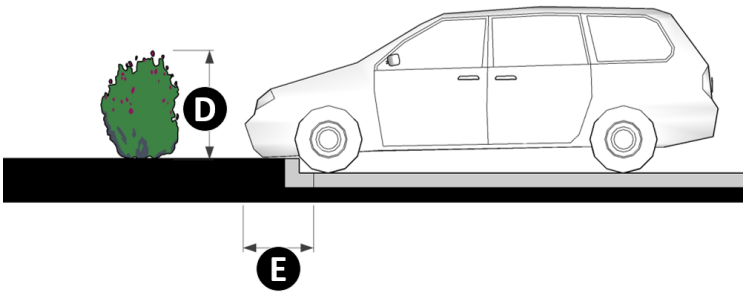
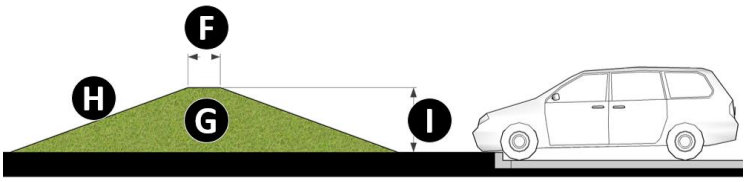
Standards		Illustration
Opaque Screening w/ Vegetation		
A	Opaque screening to be provided to a minimum height of three feet	
B	Evergreen vegetation required on side of wall visible from street or access easement	
C	Minimum of four feet of clearance between wall and curb or wheel stop	
Vegetation Screening Only		

Table 1204.22-1, Parking Area Screening Technique		
Standards		Illustration
D	Evergreen vegetation shall be a minimum of three feet in height at the time of installation	
E	Minimum of two feet and eight inches of clearance between planting area and curb or wheel stop	
Berm Only		
F	Top of berm width shall, at minimum, equal half of berm height	
G	Groundcover required	
H	Maximum slope of 2:1	
I	Maximum height of four feet above toe of berm	

C. **Detention and Stormwater Management Facilities.**

1. Detention and stormwater management facilities shall be finish mowed and landscape.
2. All retention facilities shall include a water feature.
3. The slope of the detention basin exceeding 3:1 may require a protective barrier.
4. When retaining walls are used, they shall be constructed of materials on an approved fencing and walls material list maintained by the Development Department.

Article 04.06 Signage

1204.23 General Provisions

A. **Purpose**. Regulating the location, size, placement, and physical characteristics of signs is necessary to enable the public to locate goods, services, and facilities and to receive a wide variety of other messages, commercial and noncommercial, without difficulty and confusion, to encourage the general attractiveness of the community, to enhance public safety, and to protect property values. Accordingly, this section establishes regulations governing the display of signs that will:

1. Promote and protect the public health, safety, comfort, morals, and convenience;
2. Enhance the economy and the business and industry of the City by promoting the reasonable, orderly, and effective display of signs and thereby encourage increased communication with the public;
3. Restrict signs and lights that will increase the probability of traffic congestion and accidents by distracting attention or obstructing vision;
4. Reduce conflict among signs and light and between public and private information systems; and
5. Promote signs that are compatible with their surroundings.

B. **Generally**. This Article shall regulate the height, area, location, graphics, color, materials, and other visual aspects of signs and sign structures. It does not regulate noncommercial holiday signs and decorations, public informational and safety signs, or signs required by law.

C. **Applicability**. The standards of this Article apply to the following development activities:
1. *New Development*. New residential, nonresidential, or mixed-use development or change in use from residential to nonresidential or mixed-use;
2. *New Sign*. Construction, placement, painting, or another form of creation of a new sign.

D. **No Restriction on Content.** This Article regulates only the sign structure or copy design, and not the sign's content. Despite any other provision of this Article, no sign is subject to limitation based on the content of its message. Any sign authorized in this Article may contain any non-commercial copy in lieu of any other copy.

E. **Permit Required**. No sign shall be erected, installed, converted, relocated, enlarged, or structurally modified within the City limits without a sign permit issued in accordance with Section 1207.11, *Sign Permit*.

F. **Accessory Structure**. No sign, other than subdivision entrance signs, shall be permitted as the principal use on a premises. Signs shall be permitted only as accessory uses unless otherwise specified in this Article.

G. **Reference to Sign Measurement Provisions**. See Article 02.05, *Measurements and Specific Allowances*, for provisions related to sign measurement methodology.

H. **Building, Electrical, and Fire Code Compliance and Permits**. All signs shall comply with the standards of the City Building, Electrical, and Fire Codes. Signs with internal illumination or external illumination integral to the sign require an Electrical Permit, even if a Sign Permit is not required. As part of a Sign Permit process, the Director may request additional review by the Building Inspector with respect to electrical and structural design issues.

I. **Responsible Party**. Parties responsible for signs shall be identified as follows:
1. A sign shall have printed upon it, in a legible manner, the name and address of the party responsible for the placement, maintenance, and removal of the sign;
2. A sign shall clearly indicate through its advertising medium the party responsible for the placement, maintenance, and removal of the sign; or
3. All signs which do not comply with either paragraph 1) or 2), above, shall become the responsibility of the property owner upon which the sign is placed. Said responsibility shall include that of repair, maintenance, or removal, as may be necessary.

J. **Signs Permitted Before Effective Date**. If a permit for a sign has been issued in accordance with all City ordinances in effect prior to the effective date of this Code, and provided that construction is begun within six months of the effective date of this Article and diligently built to completion, the sign may be completed in accordance with the approved permit. Such sign is subject to provisions regarding nonconforming signs in Section 1208.05, *Nonconforming Signs*.

1204.24 Prohibited and Exempt Signs

A. **Generally**. This section establishes:

1. Signs or actions which are exempt from regulation or require a sign permit within the City; and
2. Sign types, materials, design elements, and locations that are prohibited in the City.

B. **Actions Not Requiring a Permit**. The following actions do not require a Sign Permit:

1. *Maintenance*. Routine maintenance, not involving structural changes to the sign;
2. *Changeable Copy*. Changes of message, either manually or electronically, on an electronic message sign or changeable copy sign, subject to limitations of Section 1204.24, *Illumination and Changeable Copy*, on the frequency of message changes; or
3. *Temporary Signage.* Temporary signage, as regulated in Section 1204.27, *Temporary Signs*, requires specific standards.

C. **Prohibited Signs**. The following types of signs are specifically prohibited within the City:

1. Signs attached to a motor vehicle or tractor trailer that are not utilized as an integral part of a business located on the subject site. Signs attached to a motor vehicle or tractor trailer shall include any signage painted on, physically applied to, or otherwise affixed to the vehicle. Vehicles with commercial messages that relate to the on-premises business shall be parked out of the public view during non-business hours;
2. Signs that are applied to trees, bus shelters, utility poles, benches, trash receptacles, newspaper vending machines or boxes, or any other unapproved supporting structure, or otherwise placed in the public right-of-way;
3. Pennants, streamers, and other similar type devices;
4. Signs which are not securely affixed to the ground or otherwise affixed in a permanent manner to an approved supporting structure unless specifically permitted as a temporary sign, this shall include a prohibition against covering a permanent sign with a temporary banner or other temporary material for more than 30 calendar days;
5. Projecting signs that extend above the wall or parapet of a building to which it is affixed;
6. Signs that employ any parts or elements which revolve, rotate, whirl, spin or otherwise make use of motion to attract attention;
7. All portable advertising signs (mobile signs on wheels) except for sandwich board signs permitted in accordance with Section 1204.27, *Temporary Signs*.
8. Beacons and searchlights, except for emergency purposes;
9. Balloons or air-activated graphics filled with helium, gas, air or any other gaseous material either suspended from or affixed to a structure, vehicle or ground, intended to be used for commercial purposes;
10. Roof signs;
11. Painted wall signs (except in the DT district);
12. Neon signs; and
13. Snipe signs.

D. **Prohibited Design Elements**. The following design elements, regardless of sign type, are prohibited:

1. *Traffic Hazards*. Signs that interfere with, obstruct the view of, or may be confused with any authorized traffic sign, signal, or device because of its position, shape, or color;

2. *Safety or Health*. Signs that constitute a hazard to safety or health by reason of inadequate design, construction, repair, or maintenance;
3. *Confusion*. Signs that use the words "stop," "look," "go slow," "caution," "danger," "warning," or any other word, phrase, symbol, or character in a manner that interferes with, misleads, or confuses pedestrians or traffic;
4. *Glare*. Signs that are illuminated with lights that cause a glare into or upon surrounding property or that distract operators of vehicles or pedestrians on a public right-of-way;
5. *Lighting*. Signs that contain reflectors, lights, or illuminations that flash, move, rotate, scintillate, blink, flicker, vary in intensity or color, or use intermittent electrical pulsation;
6. *Indecent or Obscene*. Signs that contain statements, words, or pictures of an obscene, indecent, or immoral character as will offend public morals or decency;
7. *Moving Parts*. Except for changeable copy signs that otherwise comply with the requirements of this Section, signs that have visible moving, revolving, or rotating parts or visible mechanical movement of any kind, achieved by electrical or mechanical means;
8. *Nuisance*. Sound, smoke, heat, or odor emitters;
9. *Back-lit Awnings*. Awnings that are back-lit and/or made of plastic or vinyl, excluding substitute materials;
10. *Unfinished Wood*. Unfinished wood support structures, except that stake signs may use unfinished stakes; and
11. *Bare or Flashing Lights*. Bare light bulbs and flashing lights, except on holiday displays which are exempted from regulation as established in paragraph G, below.

E. **Prohibited Sign Locations**. A sign, regardless of sign type, is prohibited from being in the following locations:

1. *Closed Businesses*. Signs that advertise a business or product that is no longer in existence;
2. *Blocked Ingress or Egress*. Signs that prevent free ingress to or egress from any door, window, fire escape, or any other exitway required by the Building Code or Fire Code of the City or by any other ordinance;
3. *Street Intersections*. No sign or advertising device shall be erected or maintained at the intersection of streets in such a manner as to obstruct free and clear vision of the intersection;
4. *Outdoor Amenities*. Snipe signs or signs attached to or located upon outdoor exposed amenities such as trees, street signs, or utility poles that are visible from any street;
5. *Vehicles*. Signs that are painted on or attached to a motor vehicle unless:
   a. The vehicle is operable and has current registration and tags;
   b. The sign is an on-premise sign;
   c. The vehicle is legally parked within a parking space; and
   d. The display of the sign is incidental to the vehicle use.
6. *Encroachment*. Signs may not encroach or be located on any public right-of-way or other public property except for marquee signs, projecting signs, and hanging signs that comply with the standards of Section 1204.26, *Permanent Signs*;
7. *Semi-Trailers and Storage*. Signs that are painted on or attached to semi-trailers, shipping containers, or portable storage units except for the brand name of the semi-trailer, container, storage unit; and
8. *Consented Locations*. No sign or sign structure shall be placed on private or public property without the consent of the owner or authorized agent thereof.

F. **Exempt Signs**. The following signs do not require a sign permit from the Director. Each sign exempt from the permit process shall still comply with any applicable height, area, and locational standards established in this Article:

1. *Government Signs*. Governmental signs for control of traffic and other regulatory purposes, street signs, warning signs, railroad crossing signs, way-finding signs, and signs of public service companies for the purpose of safety;
2. *Flags*. Flags of reasonable, customary size and color, emblems and insignia of any governmental agency or political subdivision and temporary displays of a patriotic, religious, charitable or civic character;
3. *Plaques*. Commemorative plaques placed by a local, state, or federally recognized historical agency, or a government entity, with a maximum sign area of 48 square feet and maximum height of six feet;
4. *Interior Signage*. Interior signs within a stadium, open-air theater, shopping center, arena or other use, which signs can be viewed only by persons within such stadium, open-air theater, shopping center, parks, arena, or other use;
5. *Federally Protected Signs*. Signs protected by federal law.
6. *Art and Murals*. Art and murals, provided such signs do not contain any commercial messaging. Murals within the MU, Mixed-Use Neighborhood, and DT, Downtown zoning districts shall be exempt provided that the mural is not on a primary facade;
7. *Private Traffic Control Signs*. Signs on private property containing no advertising that direct the movement of traffic, warn of obstacles or overhead clearances, or control parking, including entrance and exit signs provided they do not exceed six square feet in area and shall not exceed four feet in height;
8. *Ancillary Signs*. Three or less ancillary signs when:
   a. No trespassing signs less than five square feet;
   b. Placed on the door or exterior wall or window of the premises; and
   c. No larger than five square feet in total sign area and not projecting more than six inches from the wall of the building.
9. *Utility Pole Banners*. Banners on utility poles in the public right-of-way approved by the City Engineer; and
10. *Utility and Hazard Signs***.** Safety and signs, such as warnings of high voltage, explosives, hazardous materials, and other dangerous situations.

1204.25 Illumination and Changeable Copy

A. **Generally**. All signs, except as specifically stated in this chapter, may be illuminated by internal or reflected light, provided that such illumination shall:

1. No illuminated sign shall be permitted if any part of the sign flashes on or off, has lighting that moves or illustrates movement, or displays changing degrees of intensity in illumination. This regulation applies to signs located outside of buildings and to window signs inside buildings that can be seen from the outside. This prohibition on flashing, moving, or intermittent lighting shall not apply to permitted electronic message centers in paragraph B, *Changeable Copy Signs*, in this Section.
2. Not have an intensity to cause glare visible to pedestrians or vehicle drivers, nor shall the illumination be of such brightness as to cause reasonable objection from adjacent residential districts; and
3. Be shielded from all adjacent residential buildings and all streets;

4. Signs shall not be lighted so as to obstruct traffic control or other public information signs.
5. Any sign having an outside power source shall obtain a permit and electrical inspection to govern safety and conformity with the National Electrical Code.

B. **Changeable Copy Signs**. Changeable copy signs may be permitted as electronic message centers or manual changeable copy readers. These changeable copy signs may only be used as part of marquee signs, menu board signs, monument signs, or pylon signs subject to the applicable standards of this Section (See Figure 1204.25-1, *Changeable Copy Sign Design Requirements*), including the following design requirements:

1. *Enclosure*. Electronic message centers or manual changeable copy are permitted as part of a sign if they are enclosed on all sides with a finish of brick, stone, stucco, powder-coated metal, or anodized aluminum. The enclosure shall extend a minimum of six inches from the perimeter of the electronic message center in all directions. Gaps between the changeable copy reader board and the surround are permitted to accommodate locks and hinges for a cover for the changeable copy area, but only to the extent necessary for such locks and hinges to operate.
2. *Size and Proportions*. The square footage of changeable copy centers shall not exceed 35% of the maximum sign area permitted for that sign type within the zoning district where the proposed sign is to be located with the following requirements or limitations for the changeable copy:
   a. *Menu Board Sign*. If a menu board sign is not visible from a residential property or a public or private street, 100 percent of the copy area may be electronic.
   b. *Marquee Sign*. The lesser of 100 square feet or 40 percent of the sign area of a marquee sign; or
   c. *Other Sign Types*. 25 percent of the sign area of a monument sign, pylon sign, or a menu board that is visible from a residential property ~~or a public or private street~~.
   d. *Remainder of Sign Copy.* The balance of the sign area shall utilize permanent letters or symbols.
   e. *Combination of Changeable Copy Sign Types*. No sign structure may include both a manual changeable copy sign and an electronic message center.
3. *Electronic Message Center Requirements.*
   a. Electronic message centers are:
      i. Prohibited in the DT, Downtown, and MU, Mixed-Use, zoning districts, with the exception of permitted marquee signs; and
      ii. Permitted in the GC, General Commercial, and HC, Highway Commercial, EC, Employment Center, LI, Light Industrial, and HI, Heavy Industrial zoning districts subject to the standards in subparagraphs b and c below.
   b. Electronic message centers shall not:
      i. Blink, rotate, move, chase, flash, glare, strobe, scintillate, or in any fashion be distracting to the traveling public or the public in general;
      ii. Include audio, pyrotechnic, or bluecasting (Bluetooth advertising) components;
      iii. Be included on or used as portable or temporary signs; and
      iv. Use transitions (scroll, roll, and/or fade in/out) or frame effects between messages.
   c. Electronic message centers shall:
      i. Be monochromatic;
      ii. Contain static messages only, excluding animation or video;
      iii. Messages can only change once every 8 seconds or more;

iv. Contain a default design that will freeze the sign in one position with no more illumination 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; and

v. 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;

vi. 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;

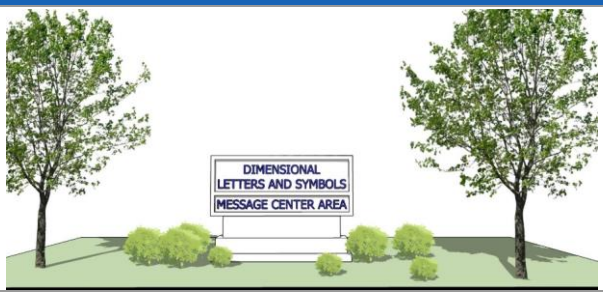
vii. Only multi-color Light Emitting Diodes (LED) technology or similar quality signs with a minimum 16-millimeter true pixel pitch shall be permitted for electronic message centers in the HC, LI, and HI zoning districts. Only multi-color Light Emitting Diodes (LED) technology or similar quality signs with a minimum 12-millimeter true pixel pitch shall be permitted for electronic message centers in the GC, MU, and DT zoning districts.

viii. Include an automatic dimmer that dims the sign at dusk or during low-light condition.

ix. Contain a default mechanism that will cause the sign to revert immediately to a black screen if the sign malfunctions;

x. Shall be located a minimum of 125 feet from any residential use. In the case of a non-residential use in a residential zone or the DT, Downtown, zoning district, the sign must be located at least 125 feet from the property line of the residential use.

Figure 1204.25-1
Electronic Message Center Design Requirements



4. *Manual Changeable Copy.*

a. Manual changeable copy reader boards are only permitted on monument signs or marquee signs.

~~b. Manual changeable copy message centers, including their frames, shall make up not more than 35 percent of the sign area. The balance of the sign area shall utilize permanently affixed letters or symbols.~~

~~c.~~b. Lettering of manual changeable copy signs shall be of a single style and shall be of uniform color and size.

Figure 1204.25-2
Changeable Copy Center Design Requirements

Note: EMCs and manual changeable copy signs may be internally illuminated if they use opaque inserts with translucent letters, numbers, or symbols, as displayed message center as illustrated above.

1204.26 Permanent Signs

A. **Applicability**. This Section applies to freestanding signs, attached signs, and to other signs that are intended for display for more than a temporary time period.

B. **Generally**.

1. All freestanding signs must be permanently installed in locations designated in the sign plan, and may not exceed the allowable dimensions of this Section.

~~1.~~2. All freestanding signs shall be located in a mulched and landscaped area that includes a variety of plant types or bushes and is equal to or larger than the total sign area of the applicable sign. Such landscaped area may be an area already used to fulfill Article 04.05 *Landscaping, Screening, and Buffering.*

~~2.~~3. All attached signs must be affixed to a building wall, within the designated sign area, and may not exceed the allowable dimensions of this Section.

~~3.~~4. Additional sign area and height is achievable if a Master Sign Plan is approved for an eligible property pursuant to Section 1207.18, *Master Sign Plan*.

C. **Unlisted Signs.** Signs that are not listed in this Section are prohibited as permanent signs.

D. **Total Number of Signs Permitted for Nonresidential Uses.** Nonresidential uses shall be permitted a maximum number of signs per individual business under the following conditions:

1. *Combination of Sign Types*. The business may choose a combination of any of the permitted sign types stated in Table 1204.26-2, *Allowed Attached Permanent Signs*, and Table 1204.26-3, *Allowed Freestanding Permanent Signs* so long as no more than four total signs are permitted unless a single tenant has a gross floor area (GFA) of more than 100,000 sq. ft., in which case an additional sign type is permitted for each additional 20,000 sq. ft. of GFA.

2. *Street Frontage.* Additionally, a business shall only be permitted one sign per sign type unless the business has two street frontages or one street frontage and the primary access to the property does not face the

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street. In these circumstances, the businesses shall be granted a maximum of two wall signs and two monument signs.

E. **Allowed Sign Types by District.** Table 1204.26-1, *Allowed Sign Type by District*, identifies on-premise signs allowed by zoning district. The key for the sign types table is as follows.

Table 1204.26-1 Allowed Sign Type By District							
Sign Type	Residential Districts	Mixed-Use or Non-Residential Districts					
	RR, SR, GR, NC, UR	MU	DT	HC	GC	EC	LI, HI
Permanent Attached Signs							
Awning	--	P	P	P	P	P	P
Canopy (Attached)	--	P	P	P	P	P	P
Hanging	--	P	P	P	P	P	--
Marquee	--	P	P	P	P	P	P
Mural	--	P	P	--	--	--	--
Projecting	--	P	P	P	P	--	--
Wall	P	P	P	P	P	P	P
Window	--	P	P	P	P	P	P
Permanent Freestanding Signs							
Access	P	P	P	P	P	P	P
Canopy (Freestanding)	--	--	--	P	P	--	--
Directory	--	P	P	P	P	P	P
Menu Board	--	--	--	P	P	--	--
Monument	P[1]	P	P	P	P	P	P
Subdivision Entry	P	P	P	P	P	P	P
Pole Mounted	--	--	--	P	--	--	--
Pylon Sign	--	--	--	P	P	--	--

NOTES: "--" = Not Permitted; "P"=Permitted

1. Monument signs in residential subdivisions shall only be allowed on permitted nonresidential uses when indicated and approved on a final plat (See Chapter 1205, *Subdivision Standards*).

F. **Allowed Attached Permanent Signs.** All permanently attached signs shall follow the standards established in Table 1204.26-1, *Allowed Attached Permanent Sign Types*.

Table 1204.26-2 Allowed Attached Permanent Signs							
Zoning District	Residential Districts	Mixed-Use and Non-Residential Districts					
	RR, SR, GR, NC, UR	MU	DT	HC	GC	EC	LI, HI
Awning Sign							
Number Allowed	--	1 per each tenant or occupant with a ground-floor entry or storefront					
Maximum Area	--	30 SF and shall not cover more than 50% of the canopy area					
Minimum Clearance	--	8 ft. above grade and 15 ft. above any driveway or vehicular use area					
Maximum Projection (Distance from Facade)	-	5 ft.					
Illumination	--	External Only					
Sign Permit Required	--	Yes					
Canopy (or Over-Canopy) Sign							

Table 1204.26-2 Allowed Attached Permanent Signs							
Zoning District	Residential Districts	Mixed-Use and Non-Residential Districts					
	RR, SR, GR, NC, UR	MU	DT	HC	GC	EC	LI, HI
Number Allowed	--	1 per building front or per storefront for a multi-tenant building		1 per building front or per storefront for a multi-tenant building			
Maximum Area	--	75% of canopy width	50% of canopy width	75% of canopy width			
Maximum Height (copy above sign)	--	3 ft.		6 ft.			
Illumination	--	External or Internal		External or Internal			
Sign Permit Required	--	Yes	Yes	Yes			
Other Standards	--	--	--	--			
Hanging Sign							

Table 1204.26-2 Allowed Attached Permanent Signs							
Zoning District	Residential Districts	Mixed-Use and Non-Residential Districts					
	RR, SR, GR, NC, UR	MU	DT	HC	GC	EC	LI, HI
Number Allowed	--	1 per each tenant or occupant with a ground-floor entry or storefront			--	--	--
Maximum Area	--	6 SF			--	--	--
Maximum Height	--	Not to project above roofline of building			--	--	--
Minimum Clearance		8 ft. above grade				--	
Illumination	--	Yes, indirect light only			--	--	--
Sign Permit Required	--	Yes			--	--	--
Other Standards	1. Not extend within 2 ft. of the curb line. 2. May be suspended under a marquee sign or under a canopy or awning.						
Marquee Sign							

Table 1204.26-2 Allowed Attached Permanent Signs							
Zoning District	Residential Districts	Mixed-Use and Non-Residential Districts					
	RR, SR, GR, NC, UR	MU	DT	HC	GC	EC	LI, HI
Number Allowed	--	1 per street-facing facade			--	--	--
Maximum Area	--	50 SF per side; 100 SF total		25% of wall to which it is attached; 150 SF total	--	--	--
Maximum Height	--	4 ft. from the lowest point of the marquee to the highest point, excluding any ornamentation supported directly by the marquee			--	--	--
Minimum Clearance	--	8 ft. above grade			--	--	--
Illumination	--	Downlighting only; only the changeable copy area may be internally illuminated			--	--	--
Other Signs	--	If used, then a wall sign is prohibited on same facade			--	--	--
Other Standards	--	1. May not project more than 6 ft. from the building; 2. Sign may be on up to three sides of a marquee.			--	--	--

Table 1204.26-2 Allowed Attached Permanent Signs							
Zoning District	Residential Districts	Mixed-Use and Non-Residential Districts					
	RR, SR, GR, NC, UR	MU	DT	HC	GC	EC	LI, HI
Sign Permit Required	--	Yes			--	--	--
Mural Sign							
Number Allowed	--	1 per building			--	--	--
Maximum Area	--	75% of facade or 1,500 square feet, whichever is less			--	--	--
Maximum Width	--	75% of facade			--	--	--
Maximum Height	--	30 ft. from grade			--	--	--
On-Site Spacing (min.)	--	--			--	--	--
Sign Projection (max.)	--	--			--	--	--
Illumination	--	Indirect Lighting Only			--	--	--
Sign Permit Required	--	--			--	--	--
Projecting Sign							

Table 1204.26-2 Allowed Attached Permanent Signs							
Zoning District	Residential Districts	Mixed-Use and Non-Residential Districts					
	RR, SR, GR, NC, UR	MU	DT	HC	GC	EC	LI, HI
Number Allowed	--	1 per tenant space	1 per building or 1 per 20 ft. of building frontage if multiple occupants.	1 per tenant space		--	--
Maximum Area	--	16 SF		4 SF per tenant space and only on multi-tenant buildings		--	--
Maximum Distance from Building Wall to Farthest Part of Sign	--	Two-thirds the width of the sidewalk or 5 ft. from the building facade, whichever is less.				--	--
Minimum Clearance	--	8 ft. above grade				--	--
Minimum Clearance, Vehicular Way	--	15 ft. above street				--	--
Illumination	--	Internal or External (down lighting only)				--	--
Other Signs	--	If used, then a wall sign is prohibited on the same façade				--	--
Sign Permit Required	--	Yes				--	--
Wall Sign							

Table 1204.26-2 Allowed Attached Permanent Signs							
Zoning District	Residential Districts	Mixed-Use and Non-Residential Districts					
	RR, SR, GR, NC, UR	MU	DT	HC	GC	EC	LI, HI
Number Allowed	1 per lot (nonresidential only)	1 per building facade or tenant (multi-tenant bldg.)					
Maximum Area	2 SF	8% of the total SF of each wall façade facing a public street or 100 SF, whichever is less.		8% of the total SF of each wall façade facing a public street or 500 SF, whichever is less.			
Maximum Height	The eave line or the bottom of the second-story window sill, whichever is lower.	The eave line or building parapet wall					
Illumination	No	External or Internal		External or Internal			
Sign Permit Required	Yes	Yes		Yes			

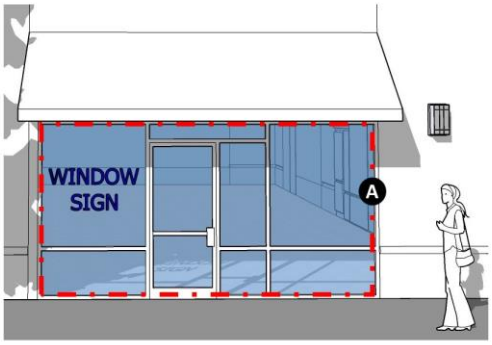
Table 1204.26-2 Allowed Attached Permanent Signs							
Zoning District	Residential Districts	Mixed-Use and Non-Residential Districts					
	RR, SR, GR, NC, UR	MU	DT	HC	GC	EC	LI, HI
Other Standards	1. In residential districts, wall signs shall be mounted flush to the building façade of the principal building of a nonresidential use. 2. In residential zoning district, if an applicant proposes to use a wall sign, no monument signs shall be permitted. 3. No wall sign shall project more than 18 inches from the building wall. 4. No wall sign shall be located on any portion of a mansard-style roof unless the proposed sign location is similar in size and location as other wall signage on the same premises or adjacent sites. 5. No wall sign or its supporting structure shall cover any window or part of a window.						
Window Sign							
 **A = Window sign area total to be determined by surface within dashed red line.**							
Number Allowed	--	Residential: 1 per dwelling unit; Nonresidential: 1 per window		1 per window			
Maximum Area	--	Residential: 10% of window area or 2 sq. ft., whichever is less; Nonresidential: 30% of window area		30% of the window area			

Table 1204.26-2 Allowed Attached Permanent Signs							
Zoning District	Residential Districts	Mixed-Use and Non-Residential Districts					
	RR, SR, GR, NC, UR	MU	DT	HC	GC	EC	LI, HI
Illumination	--	Residential: No; Nonresidential: Yes, Indirect or internal lighting; light shall be turned off when off-business hours		Yes, Indirect or internal lighting; light shall be turned off when off-business hours			
Other Signs	--	--					
Sign Permit Required	--	Yes					
Other Standards	1. The calculation of a window sign shall be determined by the total continuous transparent surface until divided by an architectural or structural element. Mullions are not considered an element that divides window area. 2. All signs located within, attached or mounted to, or located within a space two feet inside of and positioned to be visible from outside of any window, shall be deemed a window sign. 3. The sign area is based on the window area, regardless of the presence of an awning.						
TABLE NOTES: -- = Characteristic, requirement, or sign type not applicable or required; Yes = Characteristic or sign type is permitted; No = Characteristic or sign type not permitted.							

G. **Allowed Freestanding Permanent Signs.** All permanent freestanding signs shall follow the standards established in Table 1204.26-3, *Allowed Freestanding Permanent Signs*.

Table 1204.26-3 Allowed Freestanding Permanent Signs						
Land Use	Residential Districts	Mixed-Use and Nonresidential Districts				
Zoning District (in the City Limits)	RR, SR, NC, GR, UR	MU	DT	HC, GC	EC	LI, HI
Access Sign[1]						
Number Allowed	No more than 3 per principal use					
Maximum Area	4 SF per sign			6 SF per sign		
Maximum Height	4 ft.					
Minimum Setback (Property Line)	3 ft.					
Illumination	Internal or External					
Sign Spacing	No two access signs shall be located within 5 feet of each other.					
Other Standards	1. All such signs located on corner lots or intersections and greater than 3 feet in height shall not be placed inside the sight triangle as described in Table 1202.11-1, *Measurements*. 2. There shall be no more than 4 total access sign poles at any road intersection.					
Sign Permit Required	Yes					
Canopy Sign						
Number Allowed	--	--	--	1 per street frontage	--	1 per street frontage

Table 1204.26-3 Allowed Freestanding Permanent Signs						
Land Use	Residential Districts	Mixed-Use and Nonresidential Districts				
Zoning District (in the City Limits)	RR, SR, NC, GR, UR	MU	DT	HC, GC	EC	LI, HI
Maximum Area	--	--	--	40% of the canopy fascia face per street-facing side	--	40% of the canopy fascia face per street-facing side
Minimum/Maximum Height	--	--	--	Shall not extend above the canopy fascia board	--	Shall not extend above the canopy fascia board
Illumination	--	--	--	Internal or external	--	Internal or external
Sign Permit Required	--	--	--	Yes	--	Yes
Other Standards	1. Color branding shall be permitted and shall not count towards the aggregate sign total.					
Directory Sign						
Number Allowed	--	1 per property with a multi-tenant building				
Maximum Area	--	2 SF per linear foot of street frontage; maximum 100 SF				
Maximum Height	--	10 ft.				
Minimum Setback	--	0 ft.				
Illumination	--	Internal or External				
Sign Permit Required	--	Yes				
Other Standards	--	1. The bottom portion of the sign shall rest flush against the ground, allowing no space between the ground and the bottom of the sign structure.				
Monument Sign						

Table 1204.26-3 Allowed Freestanding Permanent Signs						
Land Use	Residential Districts	Mixed-Use and Nonresidential Districts				
Zoning District (in the City Limits)	RR, SR, NC, GR, UR	MU	DT	HC, GC	EC	LI, HI
Number Allowed	1 per property street frontage on nonresidential properties	1 per property street frontage		1 per establishment[3]	1 per property street frontage	1 per establishment[3]
Maximum Area	32 SF	60 SF ~~< 400 ft. of street frontage = 100 SF~~ ~~> 400 ft. of street frontage = 150 SF~~ ~~32 SF~~ ~~32 SF~~				
Maximum Height	6 ft.	8 ft.	8 ft.	10 ft.		10 ft.
Minimum Setback	5 ft. and 20 ft. from any adjacent lot line	10 ft.[4]				
Illumination	--	Internal or External				
Other Signs	--	1. In residential zoning district, if an applicant proposes to use a monument sign, no wall signs shall be permitted. 2. If Monument Sign used, then a Pylon Sign shall not be allowed				
Sign Permit Required	--	Yes				
Subdivision Entry Sign						

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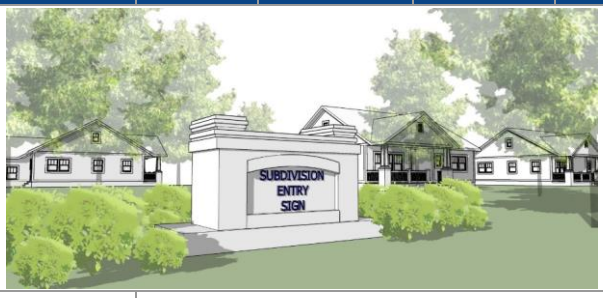
Table 1204.26-3 Allowed Freestanding Permanent Signs						
Land Use	Residential Districts	Mixed-Use and Nonresidential Districts				
Zoning District (in the City Limits)	RR, SR, NC, GR, UR	MU	DT	HC, GC	EC	LI, HI
						
Number Allowed	2 per one of the entries to the development; 1 per all other entries	--				
Maximum Area	32 SF	--				
Maximum Height	6 ft.	--				
Minimum Setback	10 ft. from street right-of-way or property line for a private street	--				
Illumination	Internal or External	--				
Sign Permit Required	Yes	--				
Other Standards	1. Sign may be located on a base constructed of concrete not to exceed 18 inches in height and shall be surrounded by landscaping and other decorative material. 2. Sign must be located outside of existing or future utilities and any required sight triangle as established in Article 02.05, *Measurements and Specific Allowances*.					
Pole Sign[1]						

Table 1204.26-3 Allowed Freestanding Permanent Signs						
Land Use	Residential Districts	Mixed-Use and Nonresidential Districts				
Zoning District (in the City Limits)	RR, SR, NC, GR, UR	MU	DT	HC, GC	EC	LI, HI
Number Allowed	--	--	--	<50 ft. of street frontage: 0 >50 ft. of street frontage: 1 per street frontage	--	--
Maximum Area (Per Sign Panel / Cumulative)	--	--	--	maximum 225 sq. ft.	--	--
Maximum Height	--	--	--	100 ft.	--	--
Minimum Clearance	--	--	--	50 ft. above grade	--	--
Minimum Setback	--	--	--	10 ft.[4]	--	--
Illumination	--	--	--	Internal or External	--	--
Other Signs	--	--	--	If used, then a Monument Sign is not allowed[5]	--	--
Sign Permit Required	--	--	--	Yes	--	--
Other Standards	1. Pole signs are restricted to HC zoning district only.					

Table 1204.26-3 Allowed Freestanding Permanent Signs						
Land Use	Residential Districts	Mixed-Use and Nonresidential Districts				
Zoning District (in the City Limits)	RR, SR, NC, GR, UR	MU	DT	HC, GC	EC	LI, HI
Pylon Sign						
Number Allowed	--	--	--	1 per street frontage	--
Maximum Area (Per Sign Panel / Cumulative)	--	--	--	35 SF / 1 SF per linear ft. of street frontage; 250 SF maximum	--
Maximum Height	--	--	--	<200 ft. of street frontage: 30 ft.>200 ft. of street frontage: 40 ft.	--
Minimum Clearance	--	--	--	8 ft. above grade and 20 ft. above the adjacent drive aisle, if the edge of the sign is within one foot of the aisle	--
Minimum Setback	--	--	--	10 ft.[4]	--
Illumination	--	--	--	Internal or External	--
Other Standards	--	--	--	The width of the support(s) of the sign shall be a minimum of 50% of the width of the sign face.	--
Other Signs	--	--	--	If used, then a Monument Sign is not allowed[5]	--
Sign Permit Required	--	--	--	Yes	--

Table 1204.26-3 Allowed Freestanding Permanent Signs						
Land Use	Residential Districts	Mixed-Use and Nonresidential Districts				
Zoning District (in the City Limits)	RR, SR, NC, GR, UR	MU	DT	HC, GC	EC	LI, HI

TABLE NOTES: ft. = Feet; SF. = Square feet

1. Directional signs shall only be permitted in conjunction with a religious, charitable, civic, fraternal, or similar organization.
2. Identification sign area shall be determined for residential development sites on whether the site is for single-unit or multi-unit types.
3. On lots fronting on three or more public streets, then two monument signs shall be permitted.
4. Freestanding signs ~~may~~ must be placed a minimum of three feet from the building-side edge of a sidewalk.
5. A monument sign and a pylon sign are only allowed in conjunction with one another on single properties or unified developments that are greater than 50 acres in area, that abut a Major Arterial and are located in the HC, GC, BP, LI, and HI zoning districts.

H. **Awnings and Marquees**. In addition to the standards established in this Section, the following standards shall be met for awning and marquee sign types in all zoning districts where permitted:

1. *Extension Standards*. Any awning or marquee extending over any public street or thoroughfare shall be constructed by either the following methods:
   a. Constructed on steel beams projecting through the street wall of the structure or building and capable of supporting the weight of such canopy or marquee and an additional live load weight of 60 pounds per square foot; or
   b. Solidly anchored against the street wall of such building or structure on steel plates bolted through the wall and hung by rigid rods anchored through such street wall and attached to the extended portion of such canopy or marquee and capable of carrying the weight thereof and an additional live load weight of 60 pounds per square foot.
2. *Anchored*. Awnings shall be attached to the framework securely anchored to the street wall of the building or structure in a manner approved by the Building Inspector.
3. *Public Right-of-Way*. Any marquee or awning permitted to extend over any public street or thoroughfare shall conform to the following:
   a. It shall not extend in one section more than 25 feet along the line of the street.
   b. It shall provide a minimum clearance above the sidewalk of the lowest part thereof of not less than seven feet.
   c. It shall not extend beyond the street line nearer than 18 inches to a vertical extension of the curb line.
   d. The construction of any marquee or awning from a street wall and extending over any portion of a public sidewalk or thoroughfare shall be liable for injury to any person using such public sidewalk underneath or adjacent to the canopy, marquee, or awning resulting from any faulty construction, maintenance or dangerous condition of the marquee or awning and shall hold the City harmless for such injury.

I. **Billboard Signs.**

1. *Prohibition*. Off-premises signage and billboards are prohibited within Monroe.

2. *Existing Billboards*. An existing billboard may be replaced, in its entirety, with an electronic message center that complies with the standards of Section 1204.25.B, *Changeable Copy Signs*, provided the sign area is not increased.
3. *State Compliance*. Notwithstanding any other section of this chapter, owners and applicants of all permitted signs or advertising devices located within 660 feet of the edge of the right-of-way of an interstate or primary State highway shall make application for a permit to the Director of the ODOT, Advertising Device Control Section, and shall comply with ORC Chapter 5516 prior to applying for a zoning permit from the City. Interstate and primary highways are defined in ORC 5516.01.

J. **Special Provisions for Signs in DT District.**

1. *Compatibility*. All signs in the DT District shall utilize similar or compatible colors and styles to the buildings that such signs identify to present a traditional and historic character.
   a. All signs are encouraged to be constructed of wood, stone, embossed metal (such as brass or bronze).
   b. Signs should have raised lettering and text and graphics in a three-dimensional manner and raised vinyl material may be permissible as approved by the Director. Durable composite wood material that is indistinguishable from solid wood is permitted.
   c. Plastic or translucent signs - as well as foam signs are prohibited.
   d. If a digital sign is proposed, the remaining design elements of the signs shall incorporate the materials as listed above. Other materials may be permitted if appropriate as determined by the Director.
2. *Double Pole Sign*. Double pole-mounted free-standing signs are permitted but, do not include a single pole mount unless it is a yard arm type of sign.
3. *Illumination*. No sign in the DT District shall be internally illuminated. Signs in the DT District may be externally illuminated.

1204.27 Temporary Signs

A. **Generally**. The signs described in this Section may be installed or modified without a sign permit, with the exception of the Freestanding Nonresidential Sign as regulated in Table 1204.27-1, below. Temporary signage shall not be counted in the total square footage of signage allowed on any particular property or site, provided that the sign otherwise complies with the Building Code and with all applicable regulations of this Code.

B. **Standards for All Temporary Signs.**

1. The temporary signage permitted by this Section shall be regulated by the base zoning district and by number, size, height, location, duration of signs placed on a property on a temporary basis;
2. All temporary signs must be made of durable materials and shall be well-maintained;
3. No temporary sign shall be located within a public right-of-way;
4. Off-premise signage is prohibited;
5. No temporary sign shall be mounted, attached, affixed, installed, or otherwise secured by any permanent means to any building, permanent sign, other structure, or improvement, or to the ground upon which it is erected;
6. Lighting shall be prohibited and only be from ambient, external illumination;
7. The party posting the temporary sign is solely responsible for obtaining the permission of the property owner before posting their temporary sign;

8. Portable, temporary signs are permitted provided they are tied down to prevent damage to other structures or property and are not located on a wheeled or other transport chassis; and
9. The Director has the authority to remove any temporary signage that does not meet any and all of the requirements of this Article.
10. No temporary sign shall be mounted, attached, affixed, installed, or otherwise secured by any permanent means to any building, permanent sign, other structure, or improvement, or to the ground upon which it is erected.
11. No temporary sign shall be mounted, attached, affixed, installed, or otherwise secured so as to protrude above the roof of a structure.
12. Lighting shall be prohibited for temporary signs.
13. Portable, temporary signs are permitted provided they are tied down to prevent damage to other structures or property and are not located on a wheeled or other transport chassis.

B. **Allowed Signs**. Table 1204.27-1, *Allowed Temporary Signs*, sets out:
   1. The temporary sign types allowed in each zoning district; and
   2. The standards applicable to each sign type.

C. **Unlisted Signs**. Signs that are not listed in Table 1204.27-1 are prohibited as temporary signs.

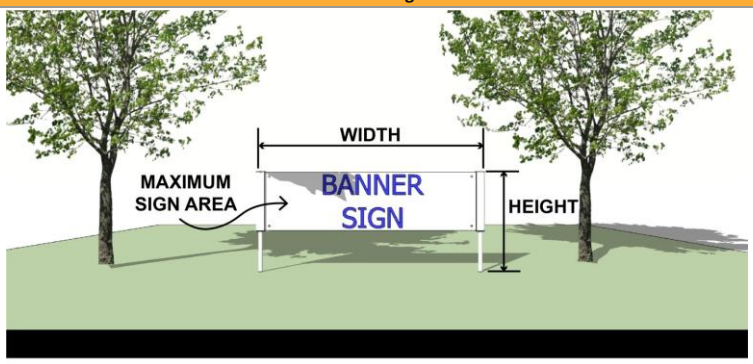
Table 1204.27-1, Allowed Temporary Signs							
Sign Type	Residential Districts	Mixed-Use and Non-Residential Districts					
	RR, SR, GR, NC, UR	MU	DT	HC	GC	EC	LI, HI
Banner Sign							
							
Number Allowed	--	1 per street frontage for a single tenant building; 1 per business in a multi-tenant building, subject to separation requirements					
Maximum Area	--	40 SF		Freestanding: 50 SF			

Table 1204.27-1, Allowed Temporary Signs							
Sign Type	Residential Districts	Mixed-Use and Non-Residential Districts					
	RR, SR, GR, NC, UR	MU	DT	HC	GC	EC	LI, HI
			Shall not exceed the size of permitted wall sign (see Sec. 48-02-504)				
Maximum Height	--	Attached: Below eave line or parapet wall; Ground Mounted: 5 ft.	Below eave line or parapet wall	Attached: Below eave line or parapet wall; Ground Mounted: 5 ft.			
Illumination	--	Ambient Only					
Minimum Separation	--	25 feet from other temporary signs					
Maximum Days Sign May be Displayed (Cycle)	--	30 days					
Maximum Cycles per Calendar Year	--	4					
Other Standards	1. Banners may be made of any cloth, bunting, plastic, paper, or similar non-rigid material. 2. Banners shall be attached to any structure, staff, pole, rope, wire, or framing which is anchored on two or more edges or at all four corners.						
Feather Sign							

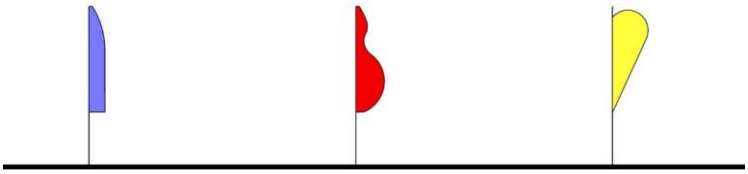
Table 1204.27-1, Allowed Temporary Signs							
Sign Type	Residential Districts	Mixed-Use and Non-Residential Districts					
	RR, SR, GR, NC, UR	MU	DT	HC	GC	EC	LI, HI
							
Number Allowed	--	1 per 50 ft. of street frontage with a max. of 3 per street frontage					
Maximum Area	--	24 SF					
Maximum Height	--	8 ft.					
Minimum Setback	--	5 ft.					
Illumination	--	Ambient Only					
Maximum Days Sign May be Displayed (Cycle)	--	15 days					
Maximum Cycles per Calendar Year	--	4					
Freestanding Temporary Sign							

Table 1204.27-1, Allowed Temporary Signs							
Sign Type	Residential Districts	Mixed-Use and Non-Residential Districts					
	RR, SR, GR, NC, UR	MU	DT	HC	GC	EC	LI, HI
Number Allowed	1 on site of development project or subdivision under construction						
Maximum Area	32 SF per side (2 side maximum)						
Maximum Height	6 ft.						
Minimum Separation	5 ft. from other temporary signs						
Minimum Setback	5 ft.						
Maximum Days Sign May be Displayed	60						
Other Signs	A detached temporary sign is prohibited from a property that already has a permanent freestanding sign						
H-Frame Sign							

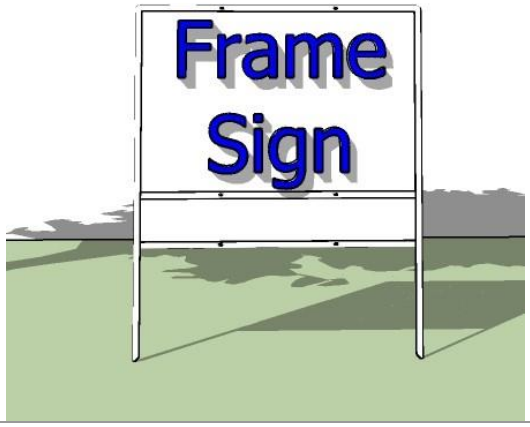
Table 1204.27-1, Allowed Temporary Signs							
Sign Type	Residential Districts	Mixed-Use and Non-Residential Districts					
	RR, SR, GR, NC, UR	MU	DT	HC	GC	EC	LI, HI
							
Number Allowed	1 per street frontage						
Maximum Area	9 SF						
Maximum Height	6 ft.						
Minimum Setback	6 feet from edge of pavement and 20 ft. from an intersection						
Illumination	Ambient only						
Maximum Days Signs May be Displayed (Cycle)	90 days						
Maximum Cycles Per Calendar Year	2						
Sandwich Board Sign							

Table 1204.27-1, Allowed Temporary Signs							
Sign Type	Residential Districts	Mixed-Use and Non-Residential Districts					
	RR, SR, GR, NC, UR	MU	DT	HC	GC	EC	LI, HI
Number Allowed	--	1 per ground floor entrance					--
Maximum Area	--	12 SF					--
Maximum Height	--	6 ft.					--
Placement	--	1. On sidewalk or on private property; 2. The sign is located in front of, and within 12 feet of the main entrance to the establishment it advertises; 3. Placement of the sign allows a minimum of 5 ft. of unobstructed sidewalk clearance between it and any building or other obstruction to protect accessibility; and 4. 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.					--
Minimum Setback	--	10 ft.					--
Illumination	--	--					--
Maximum Days Signs May be Displayed (Cycle)	--	Removed at the end of normal business hours					--
Maximum Cycles Per Calendar Year	--	N/A					--

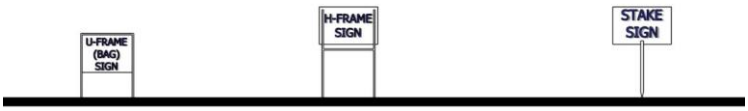
Table 1204.27-1, Allowed Temporary Signs							
Sign Type	Residential Districts	Mixed-Use and Non-Residential Districts					
	RR, SR, GR, NC, UR	MU	DT	HC	GC	EC	LI, HI
Other Standards	--	1. The sign must be internally weighted so that it is stable and windproof; 2. The design of the sign (which includes 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. 3. The sign must be made of natural or natural-looking materials. Rough-cut plywood is not acceptable material.					--
Yard Sign							
							
Number Allowed	No maximum number	--		One Every 30 ft.; Max. of 5	--	--	
Maximum Area	6 SF per side	--		9 SF per side	--	--	
Maximum Height	4 ft.	--		4 ft.	--	--	
Minimum Setback	5 feet from edge of pavement	--		5 feet from edge of pavement	--	--	
Illumination	Ambient only	--		Ambient Only	--	--	
Maximum Days Signs May be Displayed (Cycle)	N/A	--		30 days, with not less than 30 days between display periods	--	--	
Maximum Cycles Per Calendar Year	N/A	--		N/A	--	--	

Table 1204.27-1, Allowed Temporary Signs							
Sign Type	Residential Districts	Mixed-Use and Non-Residential Districts					
	RR, SR, GR, NC, UR	MU	DT	HC	GC	EC	LI, HI
Table Note: SF = Square Feet							

1204.28 Master Sign Program

A. **Purpose**. The purpose of a Master Sign Program is to allow for a unified presentation of signage throughout parcels proposed for development.

B. **Applicability**. The Master Sign Program is required for any multi-tenant development that exceeds 20,000 square feet of gross floor area in any mixed-use or nonresidential zoning district, or any PUD district that has land categorized for mixed-use or exceeds 25 acres of residential property.

C. **Standards for all Master Sign Programs**. Standards and permissions of master sign programs are as follows:

1. *Prohibited Signs and Sign Elements*. Prohibited signs and sign elements are not eligible for inclusion in a master sign program.
2. *Architectural Theme*. All signs shall be architecturally integrated into or complementary to the design of the buildings and character of the site, and shall use similar and coordinated design features, materials, and colors. The Master Sign Program shall establish an integrated architectural vocabulary and cohesive theme for the parcel(s) proposed for development. To meet this requirement, the Master Sign Program shall coordinate a minimum of three of the following elements: color(s), shape, mounting, lighting, lettering style, graphics, and materials.

D. **Conditions of Approval**. The Director may impose reasonable conditions on the Master Sign Program relating to the design, materials, locations, placements, or orientations, and sign specifications that are not related to the content of the signs or the viewpoints of the sign users, in order to ensure continuing compliance with the standards of this Article.

E. **Submittal Requirements**. See Section 1207.18, *Master Sign Plan*.

1204.29 Installation, Maintenance, and Removal

A. **Installation**.

1. *Identification*. Every permitted sign shall display in a conspicuous place on the sign, in letters no less than one inch in height, the date of erection, the permit number, the name of the sign manufacturer and installer, and the voltage of any electrical apparatus used.
2. *Anchoring*. Signs shall not be suspended by chains or other devices that will allow the sign to swing, due to wind action. Signs shall be anchored to prevent any lateral movement that could cause wear on supporting members or connections.
3. *Supports*. Supports and braces shall be an integral part of the sign design. Angle irons or wires used for supports or braces shall be hidden from public view to the extent technically feasible.
4. *Freestanding Signs*. Freestanding signs shall be self-supporting structures and be permanently attached to sufficient foundations.

5. *Attached Signs*. Attached signs must derive their principle and total support from the building to which they are attached.
6. *Use of Fill Under Monument Signs*. Mounds or berms may be used to elevate permanent monument signs, provided that the mound or berm elevates the base of the sign not more than three feet above the natural grade at the location of the sign.
7. *Electrical Switch*. The sign shall be equipped with a switch that prevents electricity from flowing to the sign in order to promote safety during maintenance.
8. *Inspection Request*. After any sign requiring a permit is constructed or erected, the sign contractor performing the work or service shall notify the Building Official for final inspection of the sign.

B. **Inspection**. The Building Inspector or Director has the right to visit any site where a sign is erected or is being erected, installed, converted, relocated, enlarged, or modified in the City for the purpose of making any inspection necessary.

1. If the Building Inspector or Director finds a sign to be non-conforming, the Building Inspector or Director shall cause notice in writing to be given the owner of the sign or the owner of the building to which it is attached to at once remove the sign.
2. If such owner neglects or fails to comply therewith, the Building Inspector or Director may cause the sign to be removed and the expense thereof to be assessed against the owner of the building or sign and collected as other special taxes.
3. Anyone violating any of the provisions of this subchapter shall be subject to a fine that shall be set by resolution.
4. Any fines issued or actions taken by the Building Inspector or Director under this subsection may be appealed to the Board of Zoning Appeals. Removal of a sign shall be stayed during such appeal unless the sign presents a danger to public safety.

C. **Maintenance**. Signs that do not have a permit, or are not maintained as set out in this Section, are subject to the provisions set out in this Subsection.

1. *Message*. Signs shall display messages. Signs that do not display a message for a period of more than 90 days are "abandoned signs," which are prohibited subject to Section 1204.24, *Prohibited and Exempt Signs*.
2. *Upkeep of Ground Around Sign*. The area within a 10-foot radius of the base of a sign shall be kept free of weeds, rubbish, or flammable waste or material.
3. *Supports and Other Hardware*. Structural supports, braces, bolds, clips, supporting frames and fastenings of a sign shall be kept in good repair and safe condition, including replacement of defective parts, so that the sign is securely fastened or anchored to a building wall, structural framing, or other foundation.
4. *Paint and Finishes*. Paint and other finishes shall be maintained in good condition. Peeling finishes shall be repaired. Signs with running colors shall be repainted, repaired, removed, or replaced if the running colors were not part of the original design.
5. *Corrosion and Rust*. Permanent signs and sign structures shall be finished and maintained to prevent corrosion and rust. A patina on copper elements is not considered rust.
6. *Level Position*. Signs that are designed to be level shall be installed and maintained in a level position.
7. *Materials*. All signs shall be constructed of durable materials and securely attached to framework, with supports made of masonry, wood, metal, or other material of equivalent strength.

D. **Removal**.

1. The property owner of such a sign may receive notice from the City to return the sign to its original satisfactory condition within 30 days of the date of the notice. Unless the property owner complies with the notice, signs which are abandoned or are not being legally maintained in accordance with this code or other applicable regulations of the City, are hereby declared to be a nuisance contributing to visual blight and are hereby determined to be abandoned. The property owner also has a continuing obligation to comply with all building and housing code requirements of the City.
2. If the sign is deemed by the Director to be in an unsafe or abandoned condition, the owner of the property shall be immediately notified, in writing, and shall, within 48 hours of such notification, correct such unsafe condition or remove the sign. If the correction has not been made within 48 hours, the Director may remove such unsafe sign or cause such unsafe sign to be removed, repaired or maintained at the expense of the property owner. To recover the costs from the property owner, the City may certify the total cost, together with a proper description of the land, to the applicable county auditor to place such costs upon the tax duplicate, or the City may commence a civil action against the property owner for the costs.
3. Whenever a sign is to be removed pursuant to the requirements of this section, all parts of the sign and supporting structure (e.g., pole, monument, cabinet structure, etc.), excluding buildings for wall, projecting, or similar signage, shall be removed in its entirety. This section shall not require the removal of a raceway if mounted to such structure on a building.
4. All lighting of signs shall be fully functional as designed or the lighting shall be turned off until such time as such non-functioning lighting has been fixed.
5. Whenever any sign, either conforming or nonconforming to this chapter, is required to be removed for the purpose of repair, relettering or repainting, the same may be done without obtaining a sign permit or paying fees, provided that all of the following conditions are met:
    a. There is no alteration or remodeling to the structure or the mounting of the sign itself.
    b. There is no enlargement or increase in any of the dimensions of the sign or its structure.
    c. The sign is accessory to a legally permitted or legally nonconforming use.

Article 04.07 Outdoor Lighting

1204.30 General Provisions

A. **Purpose.** The purpose of this Article is to enhance the visual environment of the City and promote safety and continued well-being by:
    1. Preventing the trespass of artificial light onto rights-of-way, residential, nonresidential, industrial, and institutional properties in ways that constitute a hazard to public safety or interference with the use, value, and enjoyment of the property;
    2. Helping to minimize heat generation resulting in higher temperatures during night-time hours; and
    3. Helping to minimize the City's carbon footprint.

B. **Applicability**. All outdoor lighting within the City must comply with the requirements of this Section unless required by state, federal, or local law.

C. **Exempt Lighting.** The following uses are exempt from the provisions of this Section:
    1. *Emergencies*. All temporary emergency lighting needed by the police, fire department, other emergency services, and public service vehicles;

2. *Street Lights*. Lighting used for the principal purpose of illuminating streets and sidewalks;
3. *Some Residential.* Lighting for single-unit dwellings, multiplexes, and townhouses;
4. *Temporary Uses.* Lighting associated with an approved temporary use;
5. *Seasonal Lighting.* Seasonal lighting fixtures not to exceed 60 calendar days within any six-month period;
6. *Ornamental Lighting.* Upward-directed architectural, landscaping, and decorative lighting provided direct light emissions are not intended to be visible above the building line roof;
7. *Flags, Monuments, and Statutes.* 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;
8. *Water Features.* Underwater lighting in fountains, swimming pools, and other water features;
9. *Building Code.* Lighting required by the building code;
10. *Gas Lanterns.* All exterior lighting fixtures producing light directly by the combustion of fossil fuels, such as kerosene lanterns or gas lamps; and
11. *State or Federal Mandates.* Lighting required by state or federal law (e.g., Federal Aviation Administration).

D. **Prohibited Lighting.** The following exterior lighting is prohibited:
1. Light fixtures that imitate an official highway or traffic control light or sign;
2. Light fixtures obstructing any traffic control light or sign from drivers in the roadway;
3. Laser source lights or similar high-intensity lights when projected above a line horizontal with the light source;
4. Light fixtures that have a flashing or intermittent pattern of illumination;
5. Unshielded wall packs; and
6. Searchlights, except when used by federal, state, or local authorities.

E. **Placement.** The placement of light poles within raised curb planting areas or landscaped islands is encouraged, but conflicts with parking lot trees that can obscure the lighting shall be avoided through alternative lighting locations.

F. **Installation.** All wiring, fittings, and materials used in the construction, connection. and operation of electrically illuminated signs shall be in accordance with the provisions of the state electrical code in effect.

G. **Maintenance.** 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.

1204.31 Light Fixture Design and Illumination

A. **Overall Design.** All fixtures shall be decorative and incorporated into the overall design of the development.

B. **Design Standards.**
1. *Generally.* All outdoor lighting types shall be in conformance with Table 1204.31-1, *Outdoor Lighting Standards*,
2. *Permitted for Flags and Statutes.* Light fixtures used to illuminate flags, statues, or any other objects mounted on a pole, pedestal, or platform shall use a narrow cone beam of light that does not extend beyond the illuminated object.

3. *No Nuisance.* Lighting shall be designed, reflected, or shielded so as not to be of excessive brightness or cause glare hazardous to pedestrians or drivers, create a nuisance, or unreasonably interfere with an abutting property owner's right to enjoy their property.
4. *Constant Intensity.* Luminaires shall produce light of constant intensity without changes or flickering.
5. *Canopy Lighting*. Lighting located under canopies shall be mounted flush with or recessed within the canopy ceiling.
6. *Full Cut-Off Fixture Required*. All light fixtures shall be a full cut-off light fixture.
7. *Direct Shine Onto Adjacent Dwelling*. Outdoor lighting shall not be designed or located in such a way as to shine directly into an adjacent dwelling unit, regardless of the applicable zoning district.
8. *Screened or Shielded*. All outdoor lighting for non-residential uses shall be located, screened, or shielded so that adjacent lots or streets located in residential districts are not directly illuminated.
9. *Color Distortion*. No outdoor lighting shall be of such an intensity or color distortion as to cause glare or to impair the vision of drivers or pedestrians.
10. *Lighting Spill Over*. Exterior lighting, both building lighting and site lighting, shall minimize the impact of ambient light on the surrounding community.
11. *Minimum Lighting During Particular Hours*. In the event a business is to be opened between the hours of 11:00 p.m. and 6:00 a.m., a minimum amount of lighting necessary for security and safety, which shall be identified by the photometric/lighting plan, shall be permitted to remain on during those hours.

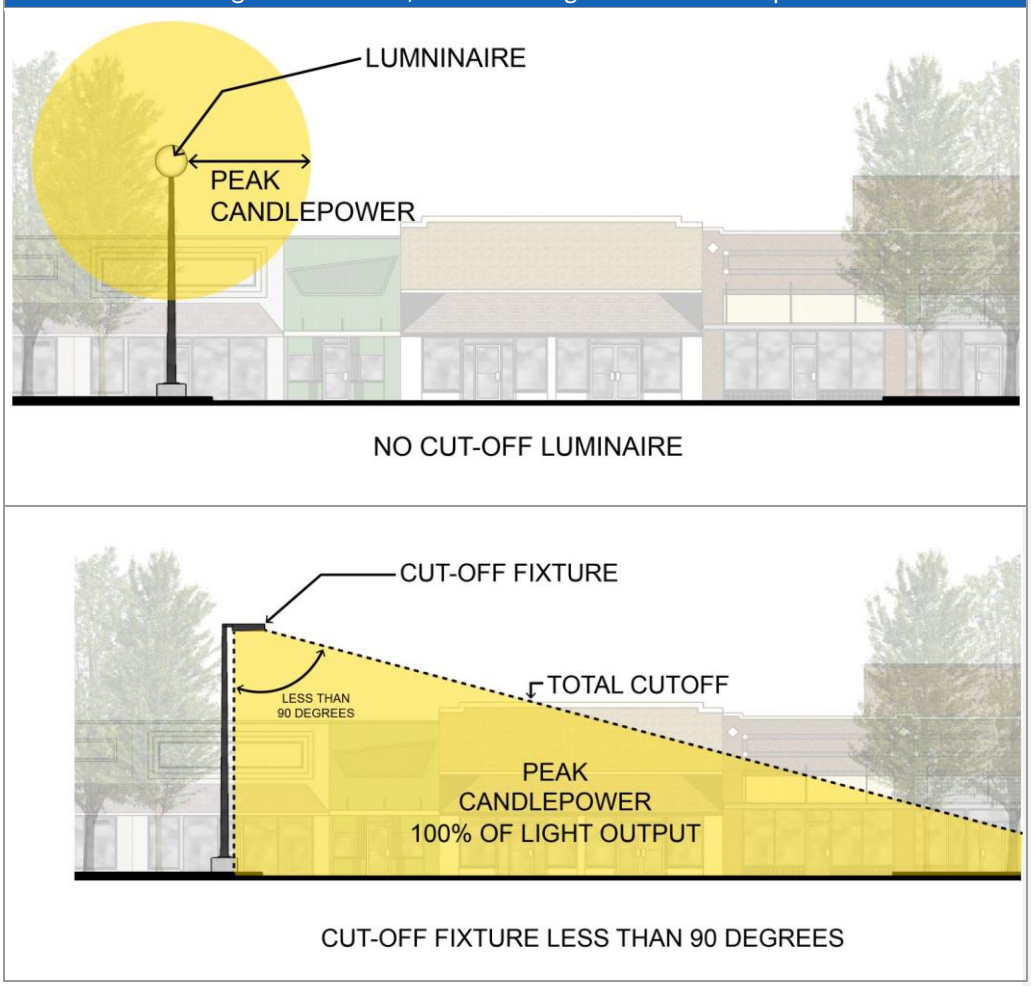
Table 1204.31-1, *Outdoor Lighting Standards*					
Standards	Wall-Mounted Fixtures	Free Standing Fixtures			
		Non Cut-Off		**90 Degree Cut-Off**	
		Residential Zoning Districts	**Mixed-Use and Nonresidential Zoning Districts**	**Residential Zoning Districts**	**Mixed-Use and Nonresidential Zoning Districts**
Maximum Height	▪ Same as the maximum building height specified in Chapter 1202, *Zoning Districts and Dimensional Standards*, based on the zoning district where the fixture is located. A light fixture shall not be mounted on a structure at a height where the fixture will exceed the height of the roofline.	8 ft.	8 ft.	12 ft.[1]	32 ft.

Table 1204.31-1, *Outdoor Lighting Standards*					
Standards	Wall-Mounted Fixtures	Free Standing Fixtures			
		Non Cut-Off		**90 Degree Cut-Off**	
		Residential Zoning Districts	**Mixed-Use and Nonresidential Zoning Districts**	**Residential Zoning Districts**	**Mixed-Use and Nonresidential Zoning Districts**
Design Standards	▪ Fixtures mounted on buildings shall be restricted to cutoff fixture types to direct the light vertically downward.	▪ Non-cutoff lighting in business districts may only be used for decorative purposes adjacent to the building. ▪ Luminaires shall not produce more than 1,500 lumens (approximately equal to a 100-watt incandescent bulb); ▪ They use energy-efficient bulbs, such as compact fluorescent ("CF") and light-emitting diode ("LED")		▪ Fixtures shall have 100 percent of its output below 90 degrees from a vertical line through the fixture ▪ Fixtures mounted within 15 feet of a residential property line or public right-of-way boundary shall be fitted with a shielding reflector on the side facing the residential property line or public right-of-way.	

Table Notes:

1. When the bulb, lamp, or light source is completely recessed and/or shielded from view by an observer at five feet above grade, the maximum height may be increased to 15 feet.

Figure 1204.31-1, Free-Standing Luminaries Examples



C. **Illumination Standards.**

1. *Minimum Illumination Based on Use.* 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 80% percent of the minimum and average illumination levels. Specific illumination use standards are required as established in Table 1204.31-2, *Minimum Illumination Standards Based on Use*.

2. *Maximum Illumination*. The maximum illumination permitted in each district type, as demonstrated by a photometric drawing, shall be as established in Table 1204.31-3, *Maximum Illumination*.

Table 1204.31-2, Minimum Illumination Standards Based on Use	
Use	Minimum Illumination (footcandles)[1]
Parking Areas and Access Drives	0.3
Loading and Unloading Areas	0.4
Walkways	0.2
Building/Development Entrances - Principal Entrance	1.0
Building/Development Entrances - Secondary Entrance	0.2

Table Notes:
1. The minimum light measured in footcandles at the point of least illumination when measured at ground level.

Table 1204.31-3, Maximum Illumination	
Zoning District	Maximum Illumination (footcandles)[1]
Residential Zoning Districts	0.5
Mixed-use and Nonresidential Districts	▪ Adjacent to a Residential District or Use: 0.5 ▪ Adjacent a Mixed-Use or Nonresidential Zoning District: 2.5

Table Notes:
1. 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.

Article 04.08 Miscellaneous Development Standards

1204.32 Purpose

The purpose of this Article is to protect and provide for the public health, safety, morals, and general welfare of the City and its people through the establishment of standards that apply to all development, regardless if the subject application is for new construction, modifications of existing development, or the subdivision of land.

1204.33 Performance Standards Chapter

A. **Noise.** Noise shall be regulated in accordance with Chapter 632, Noise Control of the General Offenses Code of the City's Code of Ordinances.

B. **Odors.** No use shall cause or allow the emission of odorous air contaminants from any source sufficient to result in detectable odors beyond any lot line on which the use occurs.

C. **Vibrations.** Every use shall be so operated that ground vibration inherently and recurrently generated is not perceptible, without instruments, at any point on or outside the property line of the property on which the use is located.

D. **Glare and Heat.** Any operation producing intense light or heat, including high-temperature processes such as combustion or welding, shall not be visible or felt beyond any lot line bounding the property wherein the use

is conducted. All exterior lighting on private property shall be positioned as to extend glare away from adjacent properties or right-of-ways.

E. **Air and Water Pollutants.** The emission of air and water pollutants shall not violate the standards and regulations of any local, state, or federal agency having jurisdiction in this matter.

F. **Hazardous Materials.** The storage, utilization, and manufacture of solid, liquid, and gaseous chemicals and other materials shall be permitted subject to the standards and regulation of any local, state, or federal agency having jurisdiction in this matter.

G. **Smoke.** The emission of smoke or dust by any land use in an amount sufficient to create a general nuisance to adjoining properties shall be prohibited.

H. **Storage of Junk or Similar Items.** No person, firm, or corporation shall accumulate, collect, deposit, dump, dispose of, maintain or store any junk, junk vehicles, or other type of salvageable solid waste or yard waste or construction/demolition debris outside of an enclosed area on his or her property. See Chapter 660, Safety, Sanitation and Health, in the City's Code of Ordinances.

1204.34 Fire Hydrant Location

A. **Distance to Non-Accessory Buildings.** Unless otherwise approved by the fire chief or designee, non-accessory buildings shall be constructed within 400 feet of a fire hydrant and located on public or private property accessible to vehicular fire equipment. The distance shall be measured by using hard surfaced roadway capable of supporting 40 pounds per square foot and not less than 15 feet in unobstructed width.

B. **Private Hydrants.** Private hydrants shall not be placed into or removed from service until approved by the Fire Chief or designee and shall be subject to annual inspection by the City.

C. **Flow, Location, and Number.** The flow, location, and number of fire hydrants shall be recommended by the Fire Chief and approved by the City Engineer.

D. **Construction of Three Lane Public Streets.** Any new construction or reconstruction of a public street consisting of three or more lanes shall include the placement of fire hydrants on both sides of the street at a spacing recommended by the Fire Chief and approved by the City Engineer.

E. **Compliance With State Fire Code.** All fire hydrants shall be in compliance with the Ohio Fire Code.

1204.35 Soil Erosion and Sediment Control Standards

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 PZC.

CHAPTER 1205 SUBDIVISION STANDARDS

Article 05.01 General Provisions

1205.01 Purpose and Applicability

A. **Purpose**. The purpose of this chapter is to protect and provide for the public health, safety, morals, and general welfare of the City and its people, and specifically to achieve the following purposes:

1. To implement the Comprehensive Plan;
2. To establish standard requirements, conditions, and procedures for the design and review of subdivisions;
3. To provide for the orderly subdivision of land, and to ensure proper legal descriptions and monumentation of subdivided land;
4. To encourage the wise use and management of land and natural resources throughout the City;
5. To ensure that adequate public infrastructure, facilities, and services are available concurrent with development;
6. To require applicants to furnish land, install infrastructure, pay fees, and establish mitigate measures to ensure that development provides its fair share of capital facilities;
7. To encourage a beneficial relationship between the uses of land and circulation of traffic throughout the City, and to provide for the proper location and design of streets;
8. To prevent problems associated with inappropriately subdivided lands, including excess subdivision, partial or incomplete subdivision, or scattered subdivision;
9. To assure that new subdivisions will contribute toward an attractive, orderly, stable, livable, and safe community; and
10. To provide adequate utility systems to support the future needs of the system.

B. **Applicability.**

1. *Generally*. This Chapter applies to all plats and all subdivision of land within the corporate limits of the City pursuant to Chapter 711 of the Ohio Revised Code.
2. *When a Subdivision Plat is Required.*
   a. Subdividing Land. The owner or proprietor of any land who desires to subdivide such shall submit a plat to the Director according to the subdivision type and application procedures set out in Article 07.06, *Platting Decisions.*
   b. Subdividing Land without a Plat. No person shall subdivide land without recording a plat.
   c. Transfer of Ownership. No person shall sell or transfer ownership of any land or portion of land by reference to a plat before the plat has been recorded in the office of the applicable County Clerk and Recorder.
   d. Building Permit. No building permit shall be issued and no construction shall be commenced for any parcel of land created by subdivision that does not comply with this Code, subject to the exemptions below.

e. Finalization of a Subdivision Plat. A subdivision final plat shall be approved by City Council before the subdivision may be recorded. No land may be subdivided through the use of a legal description other than with reference to a plat approved in accordance with this Code.

f. Preexisting Subdivision Plat. A subdivision plat approved by the City Council before the effective date of this Code is considered an approved subdivision in compliance with this Code.

3. *Recordation of Unapproved Plat Prohibited*. The applicable County Clerk and Recorder shall not record any plat until such plat has been approved in accordance with the regulations of this Code.

4. *Exemptions*. The following shall be exempt from the requirements of this Chapter:

a. Correction. Provided an Amended Plat is consistent with an approved Final Plat, there is no increase in the number of lots, or real property is not eliminated or dedicated to the city, an Amended Plat is not required;

b. Public Acquisition. Public acquisition of land (by donation, purchase, the exercise of eminent domain, or by any other lawful means) to widen or open streets, construct drainage or utility improvements, or for any other public purpose, does not require a plat;

c. Estate Transfer. Any division of land to heirs through an estate proceeding;

d. Land Transfer. Any transfer of land required by law;

e. Fences. Construction of fences;

f. Conforming Repairs and Additions. Repairs or additions which conform to this Code regarding setbacks, common open space, parking requirements, and lot coverage;

g. Signs. Construction or modification of signs;

h. Cemetery Plot. Dividing land for a cemetery plot;

i. Court Action or Foreclosure. Dividing land through court action or foreclosure of a deed of trust;

j. Accessory Structures. Construction of accessory structures or buildings on property with a principal building; and

k. Other. Any other exemptions as defined by Section 711.151, *Exceptions*, of the Ohio Revised Code, as amended.

1205.02 General Subdivision Standards

A. **Monuments and Markers.**

1. *Locations*. Permanent monuments shall be set at locations required by the City Engineer and the Director.

2. *State Requirements*. Monuments similar and equal to those required by the Ohio Department of Transportation shall be provided and installed by the applicant.

3. *Materials for Marking*. Markers shall consist of galvanized steel, iron pipe, or steel bars at least 24 inches in length and 5/8-inch in outside diameter.

4. *Applicant Requirement*. Monuments and markers shall be provided by the applicant and so placed that the center point shall coincide with the intersection of lines to be marked and the top level with the surface of the surrounding ground after final grading.

B. **Street Lighting.**

1. *Generally*. Provisions shall be made by the applicant for the adequate installation of the lighting of public streets within the subdivision. The proposed street lights shall fully meet all standards and requirements of the City as listed on file in the Public Works Department.

2. *Underground Wiring*. Street lights shall be served by underground wiring.
3. *Decorative Light Fixtures*. Decorative street light fixtures shall be chosen from a list of fixtures approved and on file in the Development Department. Upon a detailed request by the applicant, the Public Works Director or Director may approve street light fixtures not on file with the City on a case-by-case basis. A plan for street lights shall be made a part of the construction drawings. All street lights shall be maintained by the power company unless private maintenance is permanently provided as guaranteed by a legally recorded document submitted to and approved by the City Engineer.

C. **Street Names and Signs.**

1. *City Requirements*. Appropriate street signs and names as specified by the City shall be installed by the applicant at all street intersections. The timing of the sign installations shall be directed by the City.
2. *Design*. Street signs shall be of the same material, design and color as other street signs in the City unless otherwise permitted by the City Engineer. All street signs shall conform to the Manual on Uniform Traffic Control Devices (MUTCD).
3. *Existing Street Names.* Street signs and names shall not be duplicated nor closely approximate any existing street name in the City, except the extension of an existing street.
4. *Annexation Process*. If duplicate names of streets are found to exist during an annexation process, the renaming of one or both of the streets shall be addressed during the annexation process.

D. **Subdivision Names**. The proposed name of the subdivision shall not duplicate or too closely approximate phonetically, the name of any other subdivision in the City or applicable county. The City shall have final authority to designate the name of the subdivision.

E. **Public Use Areas.**

1. *Dedication for Public Use*. Where sites for parks, schools, playgrounds or other public use areas are located within the subdivision area, the applicant shall be required to designate such areas on the final plat. Within one year after the approval of the final plat, the applicant shall dedicate the land to the City or the applicable authority, or if there is a failure to do so, the City or the applicable authority may commence proceedings to acquire it.
2. *Maintenance Costs*. If the City acquires or maintains the public use area due to the failure of the applicant to dedicate the property or where the applicant or homeowners' association becomes defunct, any costs for the maintenance of the subject property shall be billed to the benefiting property owners within the subdivision.
3. *Approved Purposes Only*. If the City or applicable authority does not acquire and/or accept the public use area, the designated property may only be used for purposes approved by the Planning Commission.

F. **Privately Developed Facilities**. No applicant for a major or minor subdivision shall lay out any private road, street, highway, lane or boulevard, unless the proposed road, street, highway, lane or boulevard is built in compliance with the standards of design and construction applicable to public streets. Where the subdivision is to contain sewers, sewage treatment facilities, water supply systems, park areas or other physical facilities which will not be maintained by existing public agencies, the same shall be designed and built according to the City's, or where applicable, the county's prevailing design standards.

G. **Debris And Waste**. No cut trees, diseased trees, timber, debris, earth, rocks, stones, soil, junk, rubbish or other waste materials of any kind shall be buried in any land, or left or deposited on any lot or street at the time of the zoning compliance inspection. No items and materials as described in the preceding sentence shall be left or deposited in any area of the subdivision at the time of dedication of public improvements.

H. **Topography, Natural Vegetation, and Flooding.**

1. *Natural Amenities*. Natural amenities (including views, mature trees, creeks, riparian corridors, rock outcrops, and similar features) shall be preserved and incorporated into proposed development to the greatest extent feasible.
2. *Topography*. The natural topography shall be retained wherever possible in order to reduce excessive runoff onto adjoining property and to avoid extensive regrading of the site.
3. *Floor Elevations*. Floor elevations of all buildings shall be carefully studied in relation to existing topography, proposed street grades, existing trees and other pertinent site features.
4. *Floodplain or Floodway Protection*. The subdivision shall be designed to ensure the protection of any floodplain or floodway areas as defined by FEMA.

Article 05.02 Subdivision Design

1205.03 Blocks and Lots

A. **Generally**. The lengths, widths, and shapes of blocks shall be designed with due regard to:
   1. *Adequate Sites*. Suitable building sites for the uses contemplated and the zoning requirements pertaining to minimum lot sizes and dimensions.
   2. *Access, Circulation, and Connectivity*. Vehicle, pedestrian, and bicycle circulation and safety to promote multi-modal connectivity within the City;
   3. *Environment*. Existence of natural features such as steep slopes, environmentally sensitive lands, and pedestrian linkages; and
   4. *Lot Dimensions*. Lot area and width of the applicable zoning district.

B. **Blocks**.
   1. *Length*.
      a. Residential Blocks. The maximum block length for a residential subdivision in the RR, SR, GR, NC, and GR zoning districts shall not exceed 800 feet measured along the centerline of the block (along the rear property lines and as depicted in Figure 1205.03-1, *Block Length and Width Measurement*).
      b. Mixed Use Zoning Districts. The maximum block length in the MU and DT zoning districts shall be 600 feet measured along the centerline of the block (along the rear property lines and as depicted in Figure 1205.03-1, *Block Length and Width Measurement*).
      c. Nonresidential Zoning Districts. The maximum block length in the HC, GC, and DT zoning districts shall be 600 feet measured along the centerline of the block (along the rear property lines and as depicted in Figure 1205.03-1, *Block Length and Width Measurement*).
      d. Minimum Block Length. The minimum block length shall be 200 feet.
      e. Mid-Block Connection. Within blocks of over 600 feet in length, the Planning Commission may require, at or near the middle of the block, a public walk connecting adjacent streets or other public areas that permit pedestrian traffic to improve accessibility and walkability.
   2. *Width*.
      a. Measurement. Residential blocks shall be of sufficient width, measured along the corner side lot lines of the end lots as depicted in Figure 1205.03-1, *Block Length and Width Measurement*, to permit two tiers of lots of appropriate depth, except where an interior street parallels a limited access highway, arterial street, or railroad right-of-way.

b. Shape. No other specific rule is made concerning the shape of blocks, but blocks shall fit easily into the overall plan of the subdivision and their design must evidence consideration of lot planning, traffic flow and public areas.

Figure 1205.03-1, Block Length and Width Measurement

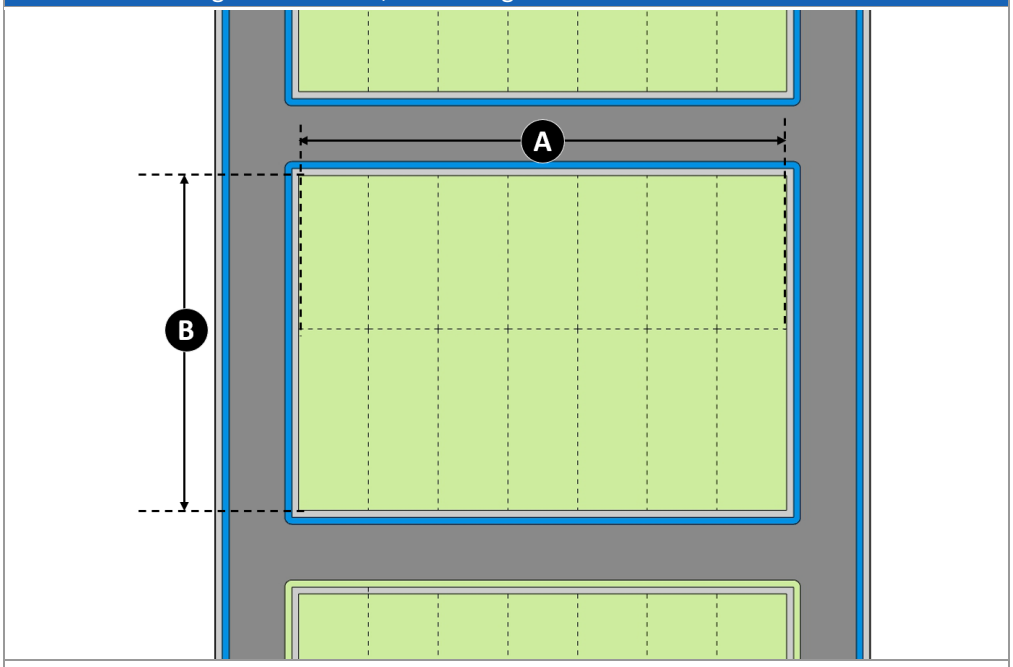


FIGURE NOTES: A = Block Length | B = Block Width

C. **Lots**.

1. *Generally.*

a. Minimum Standards. Lots shall abide by the standards of the applicable district relating to minimum lot area and width and building setbacks of Chapter 1202, *Zoning Districts and Dimensional Standards*.

b. Private Utilities. In cases where a water main supply system or a sanitary sewer system is not available, the minimum lot area shall be established by the applicable county's board of health, the Ohio EPA, or the Ohio Department of Health, as applicable, to accommodate a private water supply or sewage disposal system. In such cases, the minimum lot area may be larger than that established in this code.

c. Minor Subdivisions. Panhandle, double frontage lots, or triple frontage lots may be approved by the Director during minor subdivision if necessitated by unique features, subject to the standards within this Section.

d. Access Requirements. All lots shall abut on a dedicated street of right-of-way. See Figure 1205.03-2, *Lot Types*.

2. *Side Lot Lines*. Side lots lines shall be at approximately right angles to straight streets and on radial lines on curved streets or cul-de-sac turnarounds. Some variation from this rule is permissible, but points or very irregular lots shall be avoided. For hillside areas, side lines of lots shall be located as to provide the most suitable building site.

3. *Corner Lots*. Lots that have street frontage on two intersecting streets shall be considered a corner lot, subject to the following:

   a. Setbacks. The required minimum front yard setback shall be provided from each street right-of-way or, where a right-of-way is not identified, the lot line adjacent to the street.

   b. Widths. Corner lots shall have the width necessary to allow for the construction of structures that meet the required setbacks from both streets. Corner lots shall allow for the dedication of a radius at the intersection that meets the requirements established by the City Engineer.

   c. Rear Yard. The lot line that runs parallel with the rear façade of the building shall be the rear lot line and the minimum rear yard setback shall be applied from such lot line. See Table 1202.11-1, *Measurements*, for guidance on measuring corner lot setbacks.

   d. Other Lot Lines. All other lot lines shall be a side lot line and the minimum side yard setback shall be applied from such lot lines.

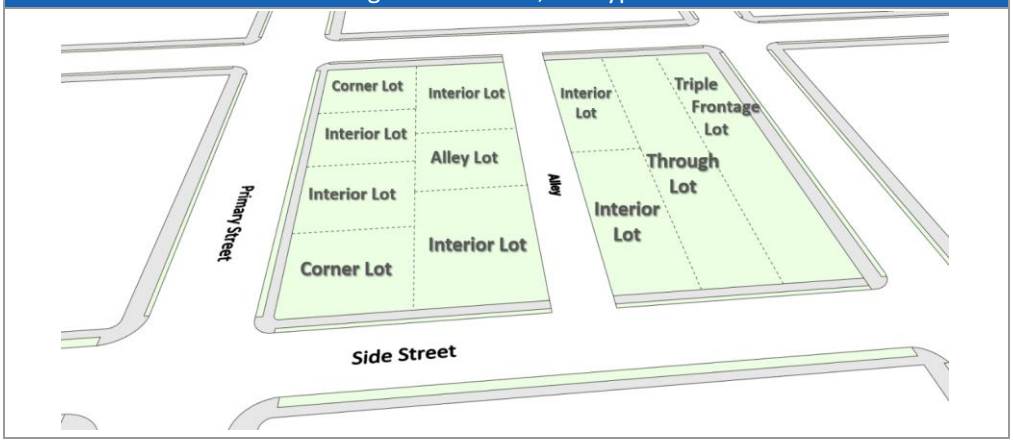
4. *Double and Triple Frontage Lots*.

   a. Limitations. Double or triple frontage residential lots shall be avoided, except where essential to provide separation of residential development from thoroughfares or to overcome specific disadvantages of topography and orientation.

   b. Vehicular Access. The street frontage providing vehicular access to any double or triple frontage residential lot shall be the lesser designation of the two or three streets involved. For example, if the lot has access to a collector and a local street, then vehicular access shall be from the local street. When double frontage lots occur, the plat shall indicate that the lesser designated street frontage involved will provide vehicular access to the lots in question.

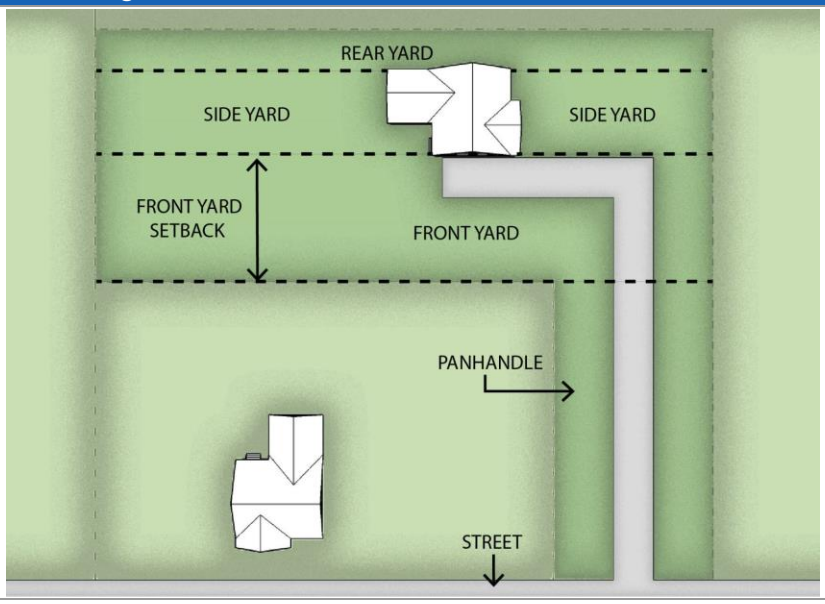
   c. Alleys. Where alleys exist in the City, any lots that have frontage along the alley shall not be considered a through lot and shall either be regulated as an interior lot or corner lot depending on the location of the subject lot within the block.

Figure 1205.03-2, Lot Types



5. *Panhandle Lots*. Panhandle lots shall be discouraged and may only be approved if necessitated by unique topographic features or other special physical conditions as deemed necessary by the Director. Panhandle lots shall be subject to the following regulations:
   a. Prohibitions. Flag or panhandle lots shall not be used to avoid the construction of a street.
   b. Minimum Width. The panhandle shall have a minimum width of 20 feet along the entire width of the panhandle. The length of the panhandle portion of a lot shall be a maximum of 300 feet.
   c. Minimum Front Setbacks. The minimum front yard setback requirement shall be measured from the lot line that creates the rear lot line of the adjacent lot as illustrated in Figure 1205.03-3, *Setback Locations on Panhandle Lots*.
   d. Storage Prohibitions. The panhandle portion of the lot shall not be used for storage nor shall any structures be permitted in such portion of the lot.
   e. Administrative Adjustment. The Director may provide an administrative adjustment, as established in Section 1207.24, of the setback requirements to allow up to a 5 percent reduction in the minimum setback requirement when a dwelling's setback requirement cannot be met due to the unique shape or other developmental constraints (i.e. easement location) of a panhandle lot as indicated on an approved preliminary plat.
   f. Shared Access. When two or more lots share a driveway, the owner of the panhandle lot shall record with the applicable County office a shared access easement and shared driveway maintenance agreement and file the recorded agreements with the Director.

Figure 1205.03-3, Setback Locations on Panhandle Lots



6. *Cul-de-Sac or Curved-Street Lot.*
   a. Front Yard Setback. For a cul-de-sac lot or a lot abutting a curved street, the front yard setback shall follow the curve of the front property line. See Table 1202.11-1, *Measurements*, for guidance on measuring setbacks.
   b. Lot Width. Lots on a cul-de-sac, including panhandle lots, shall be required to have a minimum lot width of 40 feet measured at the right-of-way line.
   c. Street Frontage. On a cul-de-sac roadway, knuckle, or eyebrow, the required 40-foot street frontage shall be required and measured at the street right-of-way on the curve of the cul-de-sac, knuckle, or eyebrow.

1205.04 Street Network, Access, and Connectivity

A. **Generally**.
   1. *Minimum Requirements.*
      a. This Section is not intended to waive minimum engineering and public safety standards. All street cross-sections and improvements are subject to approval by the City Engineer pursuant to the requirements by the City, and to review and comment by the City of Monroe Fire Department.
      b. Streets shall be completed in accordance with the plans, profiles, specifications, and cross-sections prepared for the applicant by a registered professional engineer in accordance with the standard drawings established by the City Engineer.

2. *Grading*. The streets shall be graded, surfaced, and improved to the dimensions required by this Code. All streets shall be graded the full width of the right-of-way. Grading for street improvements shall not create soil slopes exceeding a vertical rise of one foot for every three feet of horizontal distance unless otherwise recommended and approved by the City Engineer and Planning Commission.
3. *Gated Communities.* Gated communities shall only be permitted as part of an approved planned unit development.

B. **Street Layout.**

1. *Access*. The street layout shall provide access to all lots and parcels of land within the subdivision.
2. *Grid*. New subdivisions shall be based on a grid or modified grid system to the maximum extent feasible.
3. *Through Traffic*. Local streets shall be designed by pattern and layout so as to discourage through traffic unless otherwise shown in the thoroughfare plan, applicable county plan, and/or Comprehensive Plan, as determined by the City Engineer.
4. *Context-Based Design*. Proposed streets shall be adjusted to the contour of the land so as to produce usable lots and streets of reasonable gradient.
5. *Connection with Adjacent or Future Subdivisions*. Proposed streets shall be extended to the boundary of the tract to be subdivided so as to provide for normal circulation of traffic with adjacent existing or future subdivisions or developed areas.

C. **Street Dedications**. A street that is not constructed to city standards will not be accepted by the City for dedication as a public street. A street shall only be accepted by the City for dedication once all repairs to curb, gutter, and sub-base have been completed and final surface course applied.

D. **Access**.

1. *Ingress and Egress*. In the interest of public safety, and as a matter of policy, all points of ingress and egress shall be located as far as possible from the intersection of two or more major thoroughfares.
2. *Access Control*. Access control at major thoroughfares shall be taken into consideration in the design of the subdivision plat. The City or ODOT has the right to define access along major thoroughfares as shown in the thoroughfare plan, applicable county plan, and or Comprehensive Plan, as determined by the City Engineer. Access control may also be defined by the Traffic Impact Study (TIS) when required.
3. *Railroad or Highway Access*. Whenever the subdivision contains or is adjacent to a railroad right-of-way, or a highway designated as a limited access highway by the appropriate highway authorities, provision shall be made for a parallel street at a distance adequate to permit use of adjoining land.
4. *Site Access Management.* The City's access management regulations are established in Section 1204.17, *Site Access Management and Internal Circulation*.

E. **Culs-De-Sac.**

1. *Generally.* Permanent cul-de-sac streets are discouraged and should only be used where necessary due to topography, configuration of land, or other special circumstances.
2. *Limitations on the Number of Cul-de-sac Streets*. When used, the total number of lots on cul-de-sac streets, shall not exceed more than 20% of lots in subdivision unless an exception is granted by the City Engineer.
3. *Maximum Street Length*. Cul-de-sac streets shall not be more than 400 feet in length. The length of the cul-de-sac shall be measured along the centerline of the cul-de-sac street from a point beginning at the intersection of the cul-de-sac street and the intersecting street to its furthest point from the point of the beginning. See Figure 1205.04-1, *Maximum Cul-De-Sac Length*.

4. *Terminating Radius*.
   a. The turnaround shall have a right-of-way of not less than 100 feet in diameter in residential areas.
   b. The terminating end of a cul-de-sac shall have a minimum radius of 50 feet to the edge of the curb (not including the required right-of-way).
5. *Islands or Planters*. An unpaved island may be provided at the center of the cul-de-sac turnaround provided that:
   a. The island is surrounded by a mountable curb;
   b. The surface of the island is landscaped or covered with decorative pavers;
   c. Landscaping or other elements located in the island do not interfere with the sight triangle established in Section 1202.11, *Measurements*;
   d. The island has a minimum radius of six feet and a maximum radius of 10 feet measured to the back of the curb;
   e. The island is owned and maintained by a homeowners' or property owners' association; and
   f. The radii of both the right-of-way and pavement must be increased 10 feet to accommodate the island.
6. *Mixed Use and Downtown Zoning Districts*. Cul-de-sacs are prohibited in the Mixed-Use (MU) and Downtown (DT) zoning districts.

Figure 1205.04-1, Maximum Cul-De-Sac Length

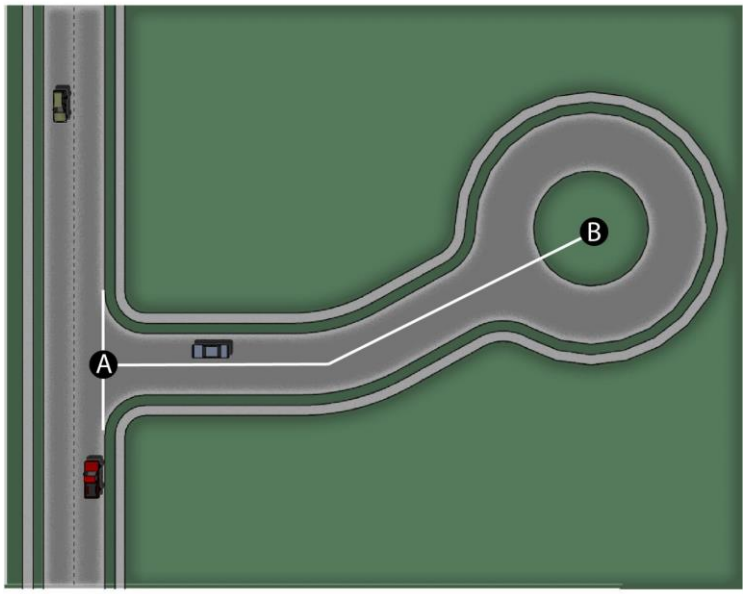


Figure Key: A = Nearest right-of-way line of intersecting street | B = Center of cul-de-sac turnaround

7. *Parking Restrictions*. Parking restrictions in a cul-de-sac terminus shall be at the discretion of the Public Works Director. When restrictions are permitted, the developer shall be required to place "No Parking" signs at the beginning radius, center, and ending radius of the cul-de-sac with signs approved by the Ohio Manual of Uniform Traffic Control Devices.

F. **Dead-end Streets**. Dead-end streets shall be prohibited, except as stub streets.

G. **Stub Streets**.

1. *Future Street Extensions*. Stub streets shall be installed to permit future street extensions into adjoining tracts, as determined by the City.
2. *Barricades*. Barricades shall be installed at the end of stub streets and signage may be provided indicating a future street connection.
3. *Maximum Length.* Stub streets shall not exceed 150 feet in length. Where required by the City Engineer, a temporary connection to another street, or a temporary turnaround, shall be provided by the developer.
4. *Maximum Size*. The size of the turn-around shall not be less than 60 feet in diameter.
5. *Temporary Turnarounds*. Where a stub street has two or more lots fronting thereon ends at a subdivision line for future extension, it shall be provided with a temporary paved turnaround until such extension is completed.

H. **Street Intersections.**

4. Angle. All street intersections shall be at a 90-degree angle of intersection unless special conditions warrant consideration and approval of an alternate design by the City Engineer.
5. *Minimum Turning Radii*.
   a. At street intersections, the right-of-way line shall be rounded by an arc, the minimum radius of which shall be 20 feet. Street curb intersection shall be rounded by radii of at least 30 feet.
   b. The roadway turning radii shall be adequate to allow all motor vehicles, trucks, and emergency vehicles adequate room to turn into a development in a single movement.
6. *Street Jogs*. Street jogs at intersections of less than 100 feet shall be avoided.
7. *Maximum Intersection Points*. Intersection of more than two streets at one point are prohibited.

Figure 1205.04-2, Minimum Street Jog Distance

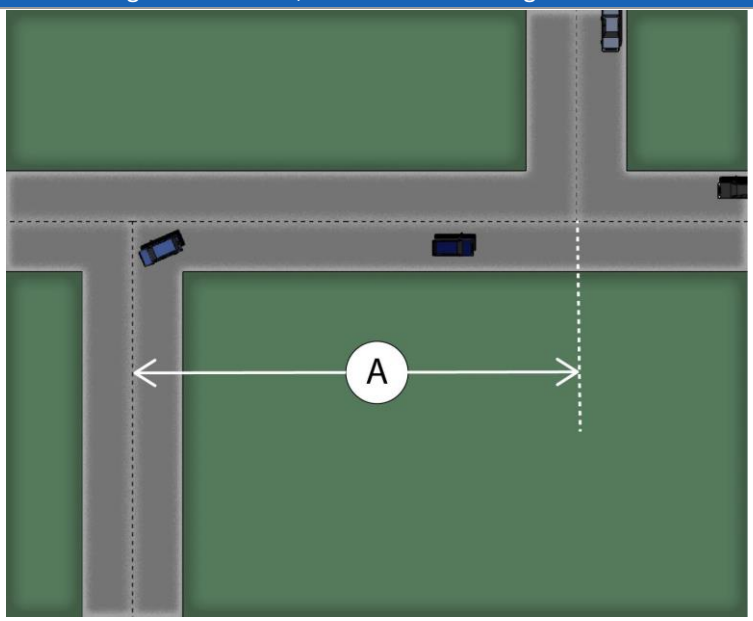


Figure Key: A = Minimum 100 Feet

1205.05 Street Design and Cross Sections

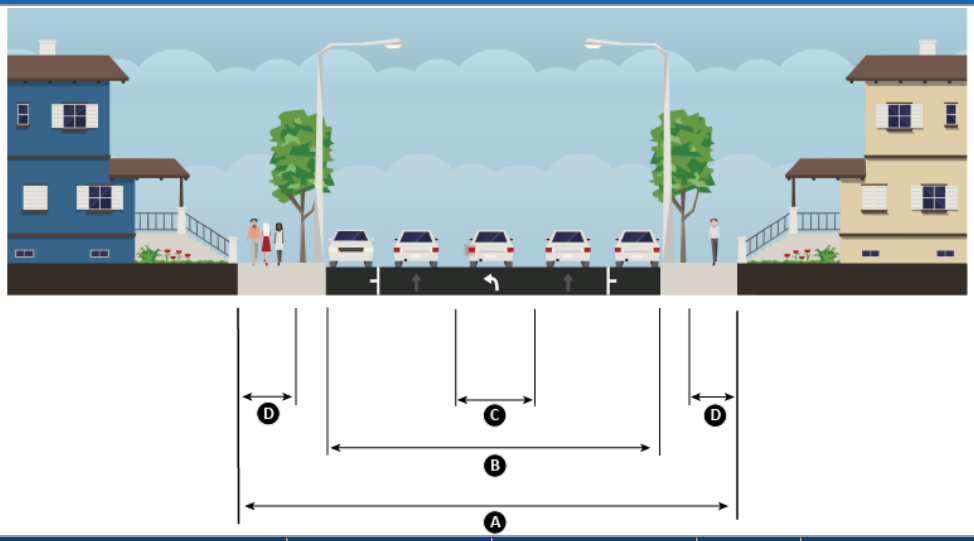
A. **Materials**.
   1. *Surface Requirement*. The surface of all streets shall be of Portland cement concrete or asphaltic cement. All streets shall be constructed in accordance with design characteristics at least equal to the minimum requirements of the City.

2. *Heavyweight Vehicles*. The City Engineer may require the use of heavy-duty asphalt pavement and/or special consideration of sub-grade construction in locations where large volumes of vehicles or heavyweight vehicles and truck traffic are anticipated.
3. *Subsurface*. Prior to the construction of street pavements, adequate surface, and any necessary subsurface facilities shall be installed by the applicant.
4. *Curb and Gutter.* Pavements shall be installed with curb and gutter as shown in the City standard drawings. An equivalent concrete section may be considered for industrial and collector streets.

B. **Street Cross-Sections.**

1. *Platting*. Wherever a dedicated or platted portion of a street or alley exists within the proposed subdivision, the street or alley shall be platted to the prescribed width within the proposed subdivision unless such use is vacated.
2. *Widths*. Widths of interstate highways, major and minor arterials, collector and local street rights-of-way shall conform to the widths specified in Table 1205.05-1, *Street Cross-Section Standards*. These widths may be increased or decreased or varied in unusual circumstances by the Planning Commission as recommended by the City Engineer.
    a. Additional right-of-way may be required by the City Engineer to accommodate adjacent stormwater runoff and drainage.
    b. Pavement width shall be measured from back of curb to back of curb.
3. *Nonconforming Widths*. Subdivisions that include, or border on, existing streets that do not conform to the required widths shall dedicate additional width along either or both sides of such streets. The half-width of all rights-of-way abutting the proposed subdivision shall be brought to city standards.
4. *Alleys*. Alleys shall be permitted in commercial and industrial areas where needed for loading and unloading or access purposes where required. Alleys may only be permitted in residential subdivisions or developments when the proposed subdivision or development is located adjacent to the downtown area, as determined by the Planning Commission, or in a mixed-use PUD. Alleys shall be at least 20 feet in width and shall be fully paved.
5. *Dead-End Alleys*. Dead-end alleys shall be avoided, but if unavoidable, shall be provided with adequate turnaround facilities at the dead-end, as determined by the City Engineer.

Table 1205.05-1, Street Cross-Section Standards



Road Classification	Minimum Right-of-Way Width Required	Minimum Pavement Width Required / Number of Lanes	Turning Lane[2] / Median	Sidewalk Width
	(A)	(B)	(C)	(D)
Interstate Freeway/Interstate	Freeway/Interstate Standards Determined by State and Federal Agencies			
Major Arterials	80 ft.	40 ft. / 5	11 ft.	6 ft.[3]
Minor Arterials	70 ft.	40 ft. / 5	11 ft.	6 ft.[3]
Collector Street	60 ft.	28 ft. / 3	11 ft.	6 ft.[3]
Local and Marginal Access Streets	50 ft.	28 ft. / 2[2]	--	5 ft.
Alley	20 ft.	20 ft./ 1	--	--

TABLE NOTES:
-- = Not required
1. The turning lane may contain a planted median at intervals approved by the City Engineer.
2. May provide a nine-foot wide parking lane on one side of the street. All parking to be determined by City Engineer.
3. Sidewalk widths within the Mixed-Use and Downtown zoning districts may be increased to 8 ft. or to a width determined by the City Engineer to facilitate pedestrian activity.

Source of Graphic: SteetMix.net

C. **Visibility and Curvature.**

1. *Horizontal Visibility*. Horizontal visibility on curved streets and vertical visibility on all streets shall be maintained along the centerlines as established in Table 1205.05-1, *Visibility and Curvature*.
2. *Horizontal Curvature*. Horizontal curvature measured along the center line shall have a minimum radius as established in Table 1205.05-1, *Visibility and Curvature*.
3. *Variances or Waivers*. These requirements may only be reduced where topographic or other conditions warrant, with approval of a variance or waiver is approved in accordance with the provisions in Chapter 1207, *Development Review Procedures*.

Table 1205.05-2, Visibility and Curvature		
Street Type	Horizontal and Vertical Visibility	Minimum Horizontal Curvature
Major and Minor Arterials	500 ft.	500 ft.
Collector Streets	300 ft.	300 ft.
Local and Marginal Streets	100 ft.	150 ft.

4. *Vertical Curves*. All changes in grades shall be connected by vertical curves of sufficient radii to provide smooth transitions and required sight distances.
5. *Reverse Curves*. Between reverse curves on major arterial streets there shall be a tangent of not less than 100 feet, and on collector and local streets such tangent shall be not less than 40 feet. For hillside areas between reverse curves on major arterial streets there shall be a tangent of not less than 50 feet, and on collector streets such tangents shall not be less than 20 feet.

D. **Maximum Grade.**

1. *Maximum Grade.* The maximum grades for streets shall not be greater than those established in Table 1205.05-2: *Maximum Grade*.
2. *Minimum Grade*. The minimum grade of any street gutter shall not be less than 0.5%.

Table 1205.05-3, Maximum Grade	
Street Type	Maximum Grade
Major and Minor Arterials	4%
Minor Arterials	7%
Collector Streets	7%
Local and Marginal Streets	10%
Pedestrian Ways or Crosswalks	12%
Alley	10%

E. **Parkways and Special Street Types**. Where parkways or special types of streets are involved, the City Engineer may apply special standards to be followed in the design of such parkways or streets.

F. **Curbs and Gutters.**

1. *Concrete Curb and Gutter*. Concrete curb and gutter shall be provided along the outside edge of all street pavements, except in RR, LI, and HI zoning districts where curb and gutter requirements may be modified

with approval of a variance or waiver is approved in accordance with the provisions in Chapter 1207, *Development Review Procedures*.

2. *Applicant Requirement*. Curbs and gutters shall be installed by the applicant in compliance with the specifications of the City. Curb construction shall be roll-type curbs on all collector and local streets. Straight curbs shall be required along arterial road pavements, unless modified with approval of a variance or waiver is approved in accordance with the provisions in Chapter 1207, *Development Review Procedures*.
3. *Standards*. Curbs shall be concrete and designed and constructed in accordance with the standards established by the Public Works Department.

G. **Street Trees.** Street trees shall be planted in accordance with 1204.05

1205.06 Sidewalks and Trails

A. **Generally**.

1. *Standards*. Sidewalks and shared-use paths or trails shall be installed in accordance with this Section and the construction standards established by the Department of Public Works. The subdivider shall install sidewalks along public and private ~~collector level and higher~~ streets prior to acceptance of subdivision improvements. This requirement applies to all land uses and street classifications, except as modified in this Section.
2. *Where Required*. Sidewalks at a minimum 5 feet in width shall be installed on both sides of all subdivision streets. Sidewalks shall be required along all portions of a parcel that fronts a public or private street for a new development or expansion of existing development that requires site plan approval.

B. **Sidewalk Location.** Sidewalks shall be located according to the requirements of Section 1205.05, *Street Design and Cross-Sections*, and shall be designed to provide direct access to common facilities, such as parks, open areas, public and civic uses, employment centers, and shopping areas.

C. **Accessibility**.

1. All sidewalks shall be built to conform to the current accessibility standards of the Americans with Disabilities Act (ADA) or Public Right-of-Way Accessibility Guidelines (PROWAG) established by U.S. Access Board, as applicable.
2. The developer shall install all common area sidewalks and all ADA ramps at the required locations.

D. **Construction Standards.**

1. *Material*. All sidewalks shall be constructed of concrete, shall meet the specifications set forth in the standards established by the Public Works Department, and shall be given a reasonably smooth float finish.
2. *Minimum Width*. The minimum width of a sidewalk shall be installed as required in Table 1205.05-1, *Street Cross-Section Standards*.

E. **Completion of Sidewalk Networks**. Adequate provisions shall be made to ensure the timely completion of the sidewalk/path network associated with development. For subdivisions, the surety shall not be released until the sidewalk/path network is completed.

F. **Connections to Building Entries.** Sidewalk connections shall be provided from all public sidewalks and pathways to buildings, housing, nonresidential uses, and multi-unit residential uses.

G. **Trails and Bike Lanes.**

1. *Adopted Plans*. On-street bike lanes and off-street shared-use trails shall be developed in accordance with the City's comprehensive plan, an adopted parks and recreation plans, or regional trail plans to link major attractions and destinations throughout the community, including neighborhoods, parks, schools, churches, Butler Tech campus, the downtown, major employment centers, and shopping areas.
2. *Linear Corridors*. Development that abuts a linear corridor that is identified in an adopted parks and recreation plan, transportation, or other adopted City plans, shall provide an easement for and construct the trail on the development site in accordance with any adopted plan.
3. *Material.* Trails shall be constructed of asphalt or concrete and shall meet the specifications set forth in the standards established by the Public Works Department.
4. *Minimum Width.* The minimum width of a required trail shall be a minimum 11 feet wide and follows the Ohio Department of Transportation (ODOT) Multimodal Design Guide.
5. *Maintenance Responsibilities*. All trails, private or public, shall be marked as such, and maintenance responsibilities shall be established at the time of platting.

1205.07 Easements

A. **Generally**. The specific standards for acceptance of easements shall be subject to the technical design standards of this PZC and any other adopted policy or manual of the City.

B. **Compliance**. All easements shall be in full compliance with this PZC prior to acceptance.

C. **Types of Easements**. During development review, a development review body may require a variety of easements. These easements may be for purposes including, but not limited to:

1. Water, Wastewater, and Other Utilities;
2. Street lights;
3. Drainage, floodways, and floodplains;
4. Emergency access;
5. Cross access;
6. Pedestrian access; and
7. Natural resource or open space conservation.

D. **Utility Easements**.

1. *Required*. Easements shall be provided for utilities. Such easements shall have a minimum width of 20 feet unless otherwise approved by the City Engineer, and where located along interior lot lines, one-half the width shall be taken from each lot.
2. *Improvement Plan*. Before determining the location of the easements, the improvement plan shall be discussed with the local utility companies to ensure the proper placing for the installation of services. Slope easements shall be provided when required by the City Engineer.

E. **Streams and Drainage Channels**. Easements of adequate width shall be provided for all streams and drainage channels, as determined by the City Engineer.

F. **Cross-Access and Shared Access Easements**.

1. *Required*. As depicted in Figure 1205.07-1, *Cross-Access and Shared Access*, the subdivider shall provide shared access (A in the Figure below) and cross-access (B in the Figure below) easements, for multi-unit residential, nonresidential, and mixed-use developments that front on locally maintained thoroughfares or collector streets, subject to the following standards. Driveway separation and width on locally

maintained collector and arterial streets shall comply with Section 1205.04, *Street Network, Access, and Connectivity*.

2. *Separate Ownership*. Where adjacent properties are separately owned and not part of the same development, the City may require shared access or internal cross-access easements, or both, as the properties are platted. As such, a development review body may grant a subdivider temporary individual access (C in the Figure below) if:
   a. The subdivider demonstrates that the adjacent landowner refused a reasonable offer with regard to cross-access;
   b. The subdivider demonstrates that the proposed temporary access will not materially affect the safe and efficient flow of traffic; and
   c. The subdivider records a covenant to ensure that the connection will be provided and access will be consolidated upon the earlier of:
      i. Approval of a plat of the adjacent property, if providing such connection is a requirement of the approval for the adjacent property; or
      ii. The subject parcel and the adjacent parcel coming under common ownership.
3. *Common Ownership or Phased Subdivisions*. Phased subdivisions, subdivisions under the same ownership, or parcels that are consolidated for the purposes of development and comprised of more than one building shall provide cross-access and shared access easements as follows.
   a. The property proposed for development shall include cross-access easements with connections to abutting cross-access points or, if the abutting property is undeveloped or without cross-access points, stub-outs at locations on the property that allow for a connection in the future. In addition, if the abutting property is undeveloped or is without a driveway suitable for sharing, the property proposed for development shall include a shared access easement on its perimeter, in a location suitable for sharing access to the street with the abutting property in the future.
   b. The subdivider shall record a covenant to allow for future connection of shared access and cross-access stub-out easements to comparable facilities on abutting parcels when they develop or are redeveloped.
   c. Cross-access easements shall be a minimum of 24 feet in width.

Figure 1205.07-1, Cross-Access and Shared Access

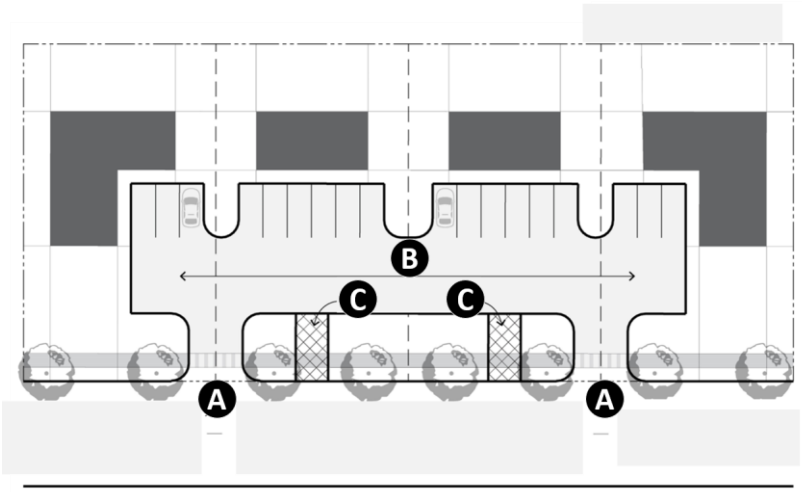


FIGURE NOTES:
A = Shared Access B = Cross Access C = Closed Temporary Individual Access

G. **Pedestrian Access Easements.** Except for countryside subdivisions and conventional subdivisions where all lots are greater than five acres, the subdivider shall provide the following pedestrian access easements. A pedestrian access easement shall be a minimum of 10 feet in width and shall include an all-weather surface with a minimum width of five feet.

1. *Mid-block Pedestrian Connections*. The subdivider shall provide a pedestrian access easement (A in Figure 1205.07-2, *Pedestrian Connections*, below) to bisect blocks greater than 800 feet in length, where such blocks abut a thoroughfare or collector street. In addition, the subdivider shall provide such connections to establish linkages to common facilities, such as parks, open areas, and institutional and civic uses (B in the Figure below).
2. Cul-de-Sac Turnaround Pedestrian Connections. The subdivider shall provide a pedestrian access easement that connects the cul-de-sac turnaround to existing or proposed sidewalks, trails, and common facilities, as depicted in (C in the Figure below).

Figure 1205.07-2, Pedestrian Connections

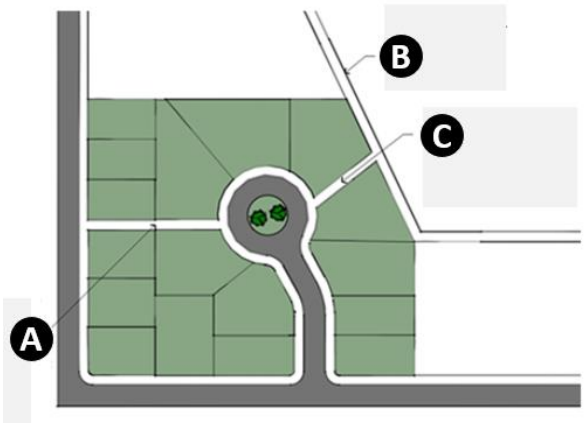


FIGURE NOTES:
A = Mid-Block Pedestrian Access **B** = Pedestrian Access to Common Facility (Sidewalk or Trail) **C** = Cul-de-Sac Pedestrian Access

H. **Conservation Easements.**

1. *Permanent Preservation*. Conservation easements may be required in order to permanently preserve common green space, natural area, and/or open space required or permitted by this PZC and to protect natural resources that are required to be protected.
2. *No Disturbance*. Once a Conservation Easement has been established by the owner, it may not be used, disturbed, or altered for any purpose unless otherwise permitted by the City.
3. *No Destructive Encroachment*. Other easements that may result in the disturbance of land shall not be permitted to encroach into a conservation easement, except that pedestrian access easements and non-destructive utility and drainage easements are permitted within areas protected by conservation easements.
4. *Responsible Party*. Conservation easements shall provide for permanent management and maintenance of the property by a responsible party other than the City, such as a nonprofit land trust or a homeowners or property owners association.

I. **Underground Utilities**. All underground public utility lines, wires, cables, conduits, vaults, laterals, pipes, mains, valves, and other similar distributing equipment shall be placed within easements or dedicated public ways in such a manner so as not to conflict with any other underground service previously installed.

1205.08 Utilities and Underground Facilities

A. **General Requirements For Utilities And Underground Facilities.**

1. *Underground Utilities*. 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 that will not conflict with other underground services.

2. *Telecommunications Conduit.*
   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.
3. *Industrial Subdivisions*. In industrial subdivisions where the electric power provider advises the City that the power load requirements are sufficiently large as to make underground service impractical or unfeasible, electric, cable, and telephone lines may be installed overhead along rear lot lines with the approval by the City Engineer. Should the City Engineer approve an overhead distribution system, all connections to it shall be made underground. All facilities are to be constructed on one side of the road without overhead crossovers.
4. *Cable and Television Services.* Where cable and television service or conduit is or will be in operation, the applicant shall install cable or conduit for such service simultaneously with and in the same manner as electric and telephone cables are installed, both within the right-of-way and to individual building connections.
5. *Sewer and Utility Pipelines*. All sewer and utility pipelines shall preferably be placed outside the limits of the pavement. All excavations for public utilities made under paved areas shall be properly backfilled with approved granular materials thoroughly compacted in place and subject to approval by the City Engineer.
6. *Storm Drainage Grates*. All storm drainage grates shall be constructed to allow bicycles to pass over the grate safely and shall have the words "No Dumping Drains to Stream", or similar, cast into the grate.

B. **Large Scale Utility Structures**. Any utility cabinet or structure that is larger than four square feet on any face, other than a principal building, shall be subject to the following requirements:
   1. *Location*. The utility structure shall be located to the rear or side of lots to the maximum extent feasible.
   2. *Exception to Location*. If the applicant demonstrates to the Planning Commission that the utility structure can only be located in a front yard, the structure shall be landscaped in a manner that will allow access to the unit but otherwise buffer the view of the structure. The applicant shall be required to provide a landscaping plan as part of the installation of such structure, regardless if the utility is exempt from zoning.
   3. *Exception to Screening Requirement*. Utility structures in the industrial zoning districts shall not be subject to this screening requirement.

C. **Sewage Disposal.**
   1. *Connection Required*. Where a public sanitary sewer main is reasonably accessible, in the judgment of the City Engineer, the applicable county's water and sewer departments, the subdivision shall be provided with a complete sanitary sewer system connected with such sewer main, including a lateral connection for each lot.

2. *County Health Department Determination*. Where a public sanitary sewer main is not reasonably accessible, in the opinion of the City Engineer, the applicable county's health department, proper provisions shall be made for the disposal of sanitary wastes.
3. *Applicant Requirements*. The applicant shall furnish the City Engineer a complete set of plans and profiles as approved by the various authorities having jurisdiction and shall provide proof of approval by the applicable county's water and sewer departments.
4. *Construction Standards*. Sanitary sewers shall be constructed in accordance with the standard plans and specifications for sanitary sewers as prepared and adopted by the applicable county's sanitary engineer.
5. *State Design Requirements*. In general, sewerage works and facilities shall be designed in accordance with State Health Department requirements, and all rules and regulations of the applicable county's sanitary engineer, and will be subject to State EPA approval.

D. **Water Supply.**

1. *Generally*. Water mains, service connections, and appurtenances shall meet the requirements set forth in "Operation and Regulations of the City of Monroe Water Distribution System," passed by City Council and effective on July 21, 1983, or subsequent amendments.
2. *Installation Method*. The developer shall install or cause to be installed a water system for the subdivision by one of the following methods:
   a. Public System.
      i. A complete water main system that shall be connected to a public or other community water supply shall meet the requirements of the State of Ohio or other government authority having jurisdiction and shall be approved by the City Engineer.
      ii. The plans for the complete installation shall show size, location, depth, material, and all connections thereto, including fire hydrants and valves.
      iii. In all instances, fire hydrants shall be spaced a maximum of 400 feet apart and shall comply with Section 1204.34, *Fire Hydrant Location*.
      iv. No water main shall be less than eight inches in diameter with smaller mains being permitted with the approval of the City Engineer. Larger mains will be required where determined necessary by the City Engineer.
      v. A water main shall be required to extend across the complete frontage of the subdivision to facilitate future development.
      vi. All water mains shall be Class 53 ductile iron unless otherwise approved by the City Engineer.
   b. Individual Supply.
      i. If the developer submits proper evidence to the City Engineer that no other form of water supply is possible or economically feasible, then the City Engineer shall permit an individual water supply on each lot in the subdivision, subject to compliance with all recommended design standards of the applicable county's health department and the State of Ohio EPA.
      ii. Such individual systems are not encouraged by the City.

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.

1205.09 Green Infrastructure

A. **Green Infrastructure Techniques.**

1. *Sustainable Development Practices*. The City encourages the use of green infrastructure techniques because of their connection to sustainable development practices and environmental quality. The proper use of green infrastructure can dramatically improve stormwater runoff quality, decrease runoff volume, protect downstream streams and rivers, and create more interesting places to live.
2. *Approved Techniques*. The following green infrastructure techniques may be incorporated into new subdivisions with approval from the City Engineer:
   a. Narrower pavement widths;
   b. Narrower right-of-way widths;
   c. Grassy swales and shoulders without curb and gutter;
   d. Pedestrian walkways that do not constitute the sidewalks required by Section 1205.06, *Sidewalks and Trails*;
   e. Permeable pavements (e.g., pavers, permeable concrete, permeable asphalt pavement);
   f. Bioretention swales;
   g. Planter boxes;
   h. Curb extensions; or
   i. Other techniques if the applicant submits documentation that the proposed green infrastructure technique will equal or exceed the function of traditional infrastructure techniques.

B. **Criteria For Green Infrastructure Waivers**. The City Engineer may grant a green infrastructure waiver for use of the green infrastructure techniques provided:

1. *Stormwater Runoff*. The techniques will utilize the landscape or nature's ability to reduce, slow, filter, and/or absorb stormwater runoff from streets, parking lots, and buildings in a method that equals or exceeds the existing infrastructure requirements of the City;
2. *Best Management Practices*. The techniques are consistent with best management practices; and
3. *Professionally Designed*. The technique has been designed by a professional engineer and is accompanied by documentation stating that the proposed technique does not pose a threat to public safety.

Article 05.03 Improvement Bonding, Dedication, and Acceptance

1205.10 Bonding Requirements

A. **Generally**. Prior to actual construction of required public improvements and before construction plans are final approved or the final plat is recorded, the subdivider shall utilize one of the methods set out in this Section for the purpose of assuring the installation of such improvements deemed necessary or appropriate in the public interest.

B. **Form**. All performance improvement and maintenance bonds shall be submitted in a form and amount established and made available to the public by the Development Department. All surety companies shall be authorized to conduct surety business in the State of Ohio. No individual sureties shall be allowed.

C. **Estimated Costs**.

1. *Review and Approval*. Prior to the developer securing bonds, line item estimates for all items to be bonded shall be submitted to the City Engineer for approval and in order to determine the bonding amounts.

2. *Line Item Estimate Requirements*. Upon approval of the construction drawings by the City Engineer, and before starting any construction work, the developer's engineer shall prepare and submit to the City Engineer and/or the agencies having jurisdiction over sanitary sewer or water (where applicable), an independent estimate of costs, by item of work, the item unit, number of units, unit price, and total cost for each item to be bonded of the following items:
   a. Construction surveying;
   b. Construction of roads, storm and sanitary sewers, sanitary treatment plants, pumping stations, and water supply systems;
   c. Drainage structures;
   d. Erosion control, stormwater management basins, restoration of land and site clean-up; and
   e. Other related items as determined by the Public Works Director.
3. *Other Requirements*. The total estimated cost, including labor, shall be prepared and signed by the developer's engineer. The Public Works Director and/or the agencies having jurisdiction over sanitary sewer or water (where applicable), may add to the developer's estimate an amount to cover contingencies, including permit and inspection costs, to arrive at the total estimated cost. The approved total of estimated costs shall be the basis for the establishment of the performance bond amount.

D. **Public Improvement Bonds.** Public improvement bonds shall be required for all private projects involving the installation of public utilities, and/or roadways including Earthwork Performance bond, Stormwater Pollution Prevention Plan Bond, Stormwater Open Channel and Detention Quality Performance and Maintenance Bond, Stormwater Infrastructure and Street Appurtenance Performance and Maintenance Bond, Water System and Appurtenance Infrastructure Maintenance Bond, and Sidewalk Bond.
   1. *Submittal*. Prior to the final approval of the construction drawings by the City of Monroe and prior to the start of construction, the developer shall post public improvement bonds, in an amount determined by the City of Monroe, of the estimated cost of the public improvements, to secure the performance and construction of the uncompleted and unapproved public improvements. The bonding forms, as determined by the Public Works Director, shall be used when submitting bonds.

E. **Type of Security**. The City of Monroe will accept security in any of the following forms. The developer may select the form of security that best suits their situation. The forms of acceptable security are as follows:
   1. *Cash or Cashier's Check*. The subdivider shall provide the City of Monroe cash or a cashier's check in an amount equal to the cost estimate as approved by the Public Works Director, of all uncompleted and unaccepted site improvements required by these regulations. Upon completion of the required site improvements and their acceptance by the Public Works Director, the amount will be refunded to the subdivider by the City of Monroe.
   2. *Surety Bond*. If security is provided in the form of a cash escrow or a surety bond by a surety company authorized to do business in the State of Ohio, the applicant shall deposit with the Office of the Public Works Director a cash amount or certified check endorsed to the escrow agent for a face value in an amount of at least the amount specified by the Public Works Director. A surety bond or cash escrow account shall accrue to the City of Monroe for administering the construction, operation, and maintenance of the improvements.
   3. Surety Obligation of National Bank. A National Bank may bind itself as surety to indemnify the City should the developer default in the installation of the development improvements if it has a segregated deposit sufficient to cover the bank's total potential liability. Therefore, an authorized representative of the

national bank must sign the security agreement, which signature shall also constitute a certification that the national bank has a segregated deposit sufficient in amount to cover the bank's total potential liability.

F. **Reductions**.

1. Following the performance of improvements in a development, the developer may request a reduction in the bond. Such requests may be made in writing to the Public Works Director and shall be granted in the sole discretion of the City of Monroe.
2. After preliminary acceptance of the constructed improvements and a complete set of as-built plans have been received and approved by the City of Monroe in hard copy and digital format, the public improvement bond may be reduced to an amount determined by the City of Monroe.

G. **Duration**. A maintenance bond will be held for a period of 12 months beyond the approval date of the improvements and after the top course of asphalt has been applied, to cover any defects in the construction of the improvement to be determined by the City of Monroe. After this period and after the final inspection and completion of any punchlist items, the maintenance responsibility of the developer may be released. A bond covering the completion of any outstanding items, i.e. sidewalks and erosion control, shall be held until home or building construction or lots developed in the section bonded has reached 80% and all other improvements have been completed to the satisfaction of the City.

H. **Release of Bond**. Upon release of the performance bond and acceptance of the maintenance bond as determined by the Public Works Director, the City shall provide for the removal of snow and ice provided all roadway improvements are complete.

1205.11 Improvement Dedication and Acceptance

A. **Generally**.

1. *Dedications*. This Section applies to any dedication of land, public improvements, infrastructure, and related appurtenances or easements required for the development of property in the City.
2. *Acceptance.* This Section establishes the acceptance procedures for any public improvements that will become the responsibility of the City of Monroe.
3. *Plat Requirements*. All dedications shall be indicated on the face of the plat. Verbose dedications may be accomplished by a separate recorded instrument which is referenced on the face of the plat.

B. **Standards for the Dedication and Acceptance of Land and Public Improvements.**

1. *Required*. Dedication to the City shall be required for all land, public improvements, infrastructure, and related appurtenances, easements, or rights-of-way.
2. *Plat Approval is Not Acceptance*. Previous approval of a subdivision plat shall not constitute an acceptance by the City of the roads, streets, alleys, or other public lands indicated for dedication on the plat.
3. *City Council Action.* The dedication of any of these lands for public use of any nature within the City shall be accepted by the City only by specific action of the City Council.
4. *City Standards.* A street or other required improvement that is not constructed to City standards will not be accepted by the City for dedication.
5. *Form of Dedications***.** All dedications shall be made by a legal instrument approved by the City and shall be shown on the site plan or plat unless the City determines that another form of dedication (for example, a recorded easement) is more appropriate.
6. *Construction Inspections.*

a. Activities Requiring Public Works Director's Approval. None of the following shall take place without the approval of the Director or their representative:

i. Covering of wastewater, water, or storm sewer pipe;

ii. Application to the street subgrade of flexible base material, subgrade material, or stabilization; or,

iii. Pouring of concrete or application of asphaltic surface to the street base.

b. City Inspection. The Public Works Director shall inspect any and all phases of construction.

c. Engineer and Contractor Duties. The subdivider's engineer shall design, stake, and help interpret the plans during the construction of improvements. The subdivider's contractor shall construct the improvements in accordance with this Article and approved construction plans. The subdivider, engineer, and contractor, as appropriate, shall maintain regular contact with the City Engineer during the construction of improvements.

C. **Procedure for Acceptance.**

1. *Inspection Request.* When construction of the required improvements is complete, the subdivider shall notify the City Engineer in writing and request an inspection of the work.

2. *Initial Inspection.* The City Engineer shall inspect the improvements and issue a punch list of any deficiencies.

3. *Existing Conditions.* During the inspection, the City Engineer shall document the existing condition of all public improvements and appurtenances. The public improvements and appurtenances shall be in compliance with all federal, state, county, and applicable municipal regulations, codes, statutes, and policies in effect at the time of the request for acceptance.

4. *Final Inspection.* The subdivider shall schedule the final inspection within 30 days of the initial inspection or a complete reinspection may be required along with a new punch list of deficiencies.

5. *Preliminary Acceptance.* After all deficiencies have been corrected and a final inspection has been satisfactorily completed, the City Engineer shall accept the improvements.

6. *Remedy of Deficiencies.* The City Engineer shall not recommend acceptance of any further improvements until the subdivider remedies all noted deficiencies.

D. **Condition of Acceptance.**

1. *Eligible Improvements*. Acceptance of the public improvements into the City maintenance system shall only constitute acceptance of roads, streets, bridges, stormwater drainage systems, water systems, wastewater systems, public open spaces, and their related appurtenances.

2. *Ineligible Improvements.* Detention facilities shall not be accepted for maintenance by the City. Only 100-year capacity open ditch-type drainage channels meeting all the requirements of this Section shall be considered for acceptance into the City maintenance system.

E. **Release of Bond**. The Public Works Director shall release the construction security, if applicable, when all applicable public improvements are accepted into the City maintenance system.

1205.12 Development Agreements

A. **Generally.** Prior to construction plans are approved or actual construction of required public improvements, the developer shall enter into a development agreement with the City of Monroe. A development agreement is a legislative action of the City that shall conform to the preliminary plat and expressly define the project rules and regulations for the development of specific property(s); commitments and policies related to the

development of the property(s); and agreements and standards pertaining to the development of specific property(s). The development agreement shall also outline specific time frames, phasing, and other completion dates for the development of the property(s).

B. **Submittal.** The development agreement shall be borne by the applicant for review by the City and recommendation to City Council. At a minimum, the development agreement shall include the following:

1. A description of the uses permitted on the property and any uses specifically prohibited;
2. The density of proposed uses, including minimum lot area, minimum lot width, maximum percentage of lot coverage, minimum setbacks, and maximum building height;
3. Provisions for the reservation or dedication of land for proposed public purposes;
4. The proposed timing and phasing for the construction of public improvements;
5. Assurances that all public facilities, streets, water, sewer, EMS/fire, and police will be available as they are needed to serve the development;
6. Provisions to protect environmentally sensitive lands, and neighboring residential and commercial subdivisions through mitigation of anticipated impacts caused from the development onto the public;
7. Provisions for public improvements in excess of what is required by current City code or law;
8. The scope of Traffic Impact Study defined in this PZC;
9. The proposed timing and phasing of the development project;
10. The termination date of the development agreement; and
11. Terms and conditions relating to financing of public improvements.

C. **Approval.** The development agreement shall be borne by the applicant and submitted to the City for review and recommendation to City Council. If accepted by City Council, the agreement shall be recorded with the applicable county recorder prior to construction of any improvements.

D. **Expiration.** Any development agreement not recorded within six months following Council approval shall be deemed null and void.

E. **Termination.** The development agreement may be modified or terminated by the mutual consent of the developer and the City. City Council may, at its option, modify or terminate a development agreement based upon evidence that a developer, or successor interest, has not complied with the terms or conditions of the agreement.

CHAPTER 1206 DEVELOPMENT REVIEW OFFICIALS AND BODIES

Article 06.01 Administrative Review Officials

1206.01 Director of Development (Director)

A. **Generally.** This Section establishes the position of Director of Development (Director) to aid in the administration and enforcement of this PZC. The Director shall be appointed by the City Manager pursuant to the Charter of the City of Monroe.

B. **Powers and Duties.** The Director shall have the authority and responsibility to:

1. *Development Review.* Review and make recommendations or final decisions on the development review applications denoted in Table 1207.10-1, *Development Review Summary;*
2. *Enforcement*. Enforce the provisions of this code in accordance with Article 08.02, *Enforcement of Code*. All officials and employees of the City shall assist the Director by reporting to the Director new construction, reconstruction, land uses, or violations that are observed; and
3. *Administration*. Prescribe such rules and forms deemed necessary for the execution of the duties to administer and enforce this PZC.

1206.02 City Engineer

A. **Generally.** The City Engineer is generally responsible for verifying that all standards and quality assurance requirements are met for public improvements and other infrastructure and shall aid in the administration and enforcement of this PZC as outlined in this Section.

B. **Powers and Duties Related to this Code.** The City Engineer shall have the authority and responsibility to:

1. *Development Review.* Review and make recommendations or final decisions on the development review applications denoted in Table 1207.10-1, *Development Review Summary;*
2. *Subdivision Improvements.* Inspect construction of improvements in subdivisions as specified in this code, issue reports on such inspections as necessary, and make recommendations to City Council on the acceptance of improvements;
3. *Traffic Impact Studies*. Review traffic impact studies required in accordance with this PZC and make decisions upon the necessity of improvements based on such review; and
4. *Record Keeping.* Maintain permanent and current records of all inspections, and subdivision design and improvement standards applicable to this PZC.

C. **Powers and Duties Related to Matters Outside of this Code.** In addition to the powers and duties set forth above, the City Engineer shall perform duties as outlined in the remainder of the City Code.

1206.03 Code Enforcement Inspector

A. **Generally.** The Code Enforcement Inspector generally aids in the administration and enforcement as outlined in this Section.

B. **Powers and Duties Related to this Code.** The Code Enforcement Inspector shall have the authority and responsibility to:

1. *Report Violations.* Report new construction, reconstruction, land uses, or violations that are observed;
2. *Inspections.* Conduct inspections as applicable to investigate violations and ensure compliance; and
3. *Other Enforcement Tasks.* Perform other tasks required to enforce the standards of this PZC in accordance with Article 08.02, *Enforcement of Code.*

C. **Powers and Duties Related to Matters Outside of this Code.** In addition to the powers and duties set forth above, the Code Enforcement Inspector shall perform duties as outlined in the remainder of the City Code.

1206.04 Chief Building Official

A. **Generally.** The role of Chief Building Official is established in Part Fourteen of the City's Code of Ordinances and shall aid in the administration and enforcement of this PZC as outlined in this Section.

B. **Powers and Duties Related to this Code.** The Chief Building Official shall have the authority and responsibility to review and make recommendations or final decisions on the development review applications denoted in Table 1207.10-1, *Development Review Summary*.

C. **Powers and Duties Related to Matters Outside of this Code.** In addition to the powers and duties set forth above, the Chief Building Official shall perform duties as outlined in the remainder of the City Code.

1206.05 Floodplain Administrator

See Chapter 1446, Section 1446.12, *Floodplain Administrator*, of the City's Code of Ordinances.

Article 06.02 Elected or Appointed Development Review Bodies

1206.06 City Council

A. **Generally.** The City Council is established as the governing authority in the City Charter.

B. **Powers and Duties Related to this Code.** The City Council shall have the authority and responsibility to:

1. *Development Review.* Make final decisions on the development review applications denoted in Table 1207.10-1, *Development Review Summary;*
2. *Appointments.* Appoint members of the Planning Commission and the Board of Zoning Appeals (BZA); and
3. *Fee Establishment.* Establish fees for development review applications and permits.

C. **Powers and Duties Related to Matters Outside of this Code.** In addition to the powers and duties set forth above, the City Council shall have any other authority granted to the City Council by the City Charter, ordinance, or state law.

1206.07 Planning Commission

A. **Generally.** The City of Monroe Planning Commission shall be established pursuant to the Charter of the City of Monroe.

B. **Duties and Powers Related to this Code.** The Planning Commission shall have the authority and responsibility to:

1. *Development Review.* Review and make recommendations or final decisions on the development review applications denoted in Table 1207.10-1, *Development Review Summary;*

2. *Implement the Comprehensive Plan.* Interpret the provisions of this code in such a way as to carry out the intent and purpose of the Comprehensive Plan; and
3. *Assistance.* When needed, call upon any city department for assistance in the performance of its duties and it shall be the duty of such departments to render such assistance to the Planning Commission as may reasonably be required.

C. **Duties and Power Related to Matters Outside of this Code.** Perform all other duties as provided by the Charter or other ordinances of the municipality.

D. **Membership and Appointment.**
1. *Appointments.* The members of the Planning Commission shall be appointed the City Council.
2. *Number of Members*. The Planning Commission shall be composed of five members.
3. *Length of Terms.* Members shall serve four-year terms with the term of one member expiring each year.
4. *Qualifications.* One member of City Council shall be selected by City Council to serve on the Planning Commission. The other four Planning Commission members shall consist of electors of the municipality not holding other municipal offices.
5. *Officers.* At the first meeting of each year, the Planning Commission shall elect a chairperson, a vice-chairperson, and a secretary, who shall serve for one year. These officers shall be elected from among the members of the Planning Commission.
6. *Removal.* Members of the Planning Commission shall be removable for misfeasance, malfeasance or nonfeasance by City Council.
7. *Vacancies.* A vacancy occurring during the term of any member of Planning Commission shall be filled for the unexpired term in a manner authorized for the original appointment.

E. **Meetings and Procedures.**
1. *Frequency.* Meetings shall be held at the call of the chairperson, or the acting chairperson, and at such other times as the Planning Commission may determine.
2. *Open to Public.* All meetings shall be open to the public, except as exempted by law.
3. *Bylaws.* The Planning Commission may, by a majority vote of its entire membership, adopt bylaws for its own governance provided they are consistent with state law or with any other ordinances of the City.

F. **Quorum and Voting.**
1. *Quorum.* Any combination of three or more regular or alternate members of the Planning Commission shall constitute a quorum.
2. *Voting on Decisions Items.* The Planning Commission shall act when at least three members concur.
3. *Voting on Non-Decisions Items.* Non-decision items, such as continuance or approval of minutes, shall require a majority of the quorum to concur.

G. **Recordkeeping.** The Planning Commission shall keep minutes of its proceedings showing the vote, indicating such fact, and shall keep records of its examinations and other official actions all of which shall be a public record, unless exempted by law, and shall be filed in the office of the Development Department.

1206.08 Board of Zoning Appeals (BZA)

A. **Generally.** The City of Monroe Board of Zoning Appeals (BZA) shall be established pursuant to the Charter of the City of Monroe.

B. **Duties and Powers Related to this Code.**

1. *Development Review.* The BZA shall have the authority to review and make recommendations or final decisions on the development review applications denoted in Table 1207.10-1, *Development Review Summary*.
2. *Implement the Comprehensive Plan.* The BZA shall interpret the provisions of this code in such a way as to carry out the intent and purpose of the Comprehensive Plan.) Hear and decide on any questions related to the interpretation of the code text or the zoning map and zoning district boundaries.
3. *Interpreting Code Text and Zoning Map.* The BZA shall hear and decide on any questions related to the interpretation of the code text or the zoning map and zoning district boundaries.
4. *Assistance.* The BZA may call upon any city department for assistance in the performance of its duties and it shall be the duty of such departments to render such assistance to the BZA as may reasonably be required.

C. **Duties and Power Related to Matters Outside of this Code.** The BZA shall perform all other duties as provided by the Charter or other ordinances of the municipality.

D. **Membership and Appointment.**

1. *Appointments.* The members of the BZA shall be appointed by the City Council.
2. *Number of Members.* The BZA shall be composed of five members, who shall be electors of the City and hold no compensated position with the City.
3. *Length of Terms.* Members shall serve five-year terms with the term of one member expiring each year.
4. *Officers.* At the first meeting of each year, the BZA shall elect a chairperson, a vice-chairperson, and a secretary, who shall serve for one year. These officers shall be elected from among the members of the BZA.
5. *Removal.* Members of the BZA shall be removable for misfeasance, malfeasance or nonfeasance by City Council.
6. *Vacancies.* A vacancy occurring during the term of any member of the BZA shall be filled by appointment by City Council for the unexpired term.

E. **Meetings and Procedures.**

1. *Frequency.* Meetings of the BZA shall be held at the call of the chairperson, or the acting chairperson, and at such other times as the BZA may determine.
2. *Bylaws.* The BZA may, by a majority vote of its entire membership, adopt bylaws for its own governance provided they are consistent with state law or with any other ordinances of the City.
3. *Oaths and Compelling Witnesses.* The chairperson, or in their absence, the acting chairperson, may administer oaths and the BZA may compel the attendance of witnesses.

F. **Quorum and Voting.**

1. *Quorum.* Any combination of three regular or alternate members of the BZA shall constitute a quorum.
2. *Voting on Decision Items.* The BZA shall act by resolution when at least three members concur. Every decision shall be accompanied by written findings of fact, based on testimony and evidence and specifying the reason for granting or denying the application.
3. *Voting on Non-Decision Items*. Non-decision items, such as continuance or approval of minutes, shall require a majority of the quorum to concur.

G. **Recordkeeping.** The BZA shall keep minutes of its proceedings showing the vote, indicating such fact and shall keep records of its examinations and official actions, all of which shall be filed in the office of the Development Department and shall be a public record, unless exempted by law.

CHAPTER 1207 DEVELOPMENT REVIEW PROCEDURES

Article 07.01 Common Development Procedures

1207.01 General Provisions

A. **Purpose.** The purpose of this Article is to consolidate and standardize to the maximum extent possible, the review procedures that apply to all or most development applications.

B. **Applicability.** The Sections of this Article apply to all development activity that requires a recommendation or final decision from City staff, the City Council, the Planning Commission, or the Board of Zoning Appeals unless otherwise stated or denoted in Table 1207.10-1, *Development Review Summary*.

1207.02 Pre-Application Conference

A. **Generally.** A Pre-application Conference is to familiarize the applicant with the submittal requirements and review procedures, including all applicable standards, the feasibility of the proposed work, and any known constraints, hazards, or special conditions associated with the subject property.

B. **Applications Requiring a Pre-Application Conference.** Table 1207.10-1, *Development Review Summary*, denotes the development applications that require a pre-application conference. Applicants may request a pre-application conference even if the application does not require one.

C. **Request for Pre-Application Conference**. A request for a pre-application conference shall be made to the Director.

D. **Conceptual Plan**. The applicant shall submit conceptual plans as a basis for discussion prior to the pre-application conference. The plans shall be of sufficient detail to accurately convey the concept, character, location, parcel size, and the size and scale of the proposed development. The City may request additional plans or materials at their discretion.

E. **Requested Submittals**. At or following the pre-application conference, the Director, City Engineer, or other City staff may request that the applicant provide additional materials at the time of application submittal in accordance with 1207.03, *Application Submittal and Fees*, as may be necessary to permit the informed exercise of judgment under the review criteria for the application.

F. **Disclaimer**. Discussions that occur during any informal meetings with City staff, boards, or during pre-application conferences or meetings are not binding on the City and do not constitute official assurances or representations by the City or its officials regarding any aspects of the plan or application discussed.

G. **Time Limit for Inaction.** If the applicant fails to submit an application within 60 days of the Pre-application Conference, the applicant shall be required to restart the review procedure and request a new Pre-application Conference.

H. **Continuing Review Process**. If an application requires a pre-application conference, it may subsequently undergo the processes established in 1207.03, *Application Submittal and Fees*, once the pre-application conference has occurred.

1207.03 Application Submittal and Fees

A. **Application Form.** Every development review application and submittal requirements required by this PZC shall be submitted in a form and in such numbers as established in a document maintained by the Development Department and made available to the public by the Development Department. At the time the application is submitted, a fee shall be paid in the amount established by the City's fee schedule.

B. **Fees and Charges.**

1. *Determination of Fees and Other Charges.*
   a. Fee Schedule. The City Council shall approve the fees to accompany applications submitted under this PZC through the adoption of a fee schedule. City Council may adjust the fees from time to time.
   b. Other Charges. If the City determines that the costs on a particular application are extremely high as a result of the preparation of legal descriptions, maps, studies, or other required information, or as a result of the need for professional expert review, study, or testimony, the Director is authorized to collect such additional costs from the applicant.
2. *Payment in Full Required.* No application shall be processed or determined to be complete until the established fee has been paid.
3. *Refunds*. Application fees are not refundable, except where the Director determines that an application was accepted in error, or the fee paid exceeds the amount due, in which case the amount of the overpayment will be refunded to the applicant. Fees for withdrawn, denied, expired, or voided applications are not refundable.

C. **Examination of Copying of Application and Other Documents.** Documents and/or records may be inspected and/or copied as provided for by state law.

D. **Authorization to Initiate An Application.** Table 1207.03-1, *Application Authorization*, denotes those who are authorized to initiate application for each of the development review procedure types.

Table 1207.03-1, *Application Authorization*

♦ = Can Initiate Application Type

Development Review Procedure Type	Property Owner(s)[1,2]	Party Aggrieved by an Administrative Decision	Planning Commission or City Council
Improvement Plan and Permit Decisions	♦		
Site Development and Use Decisions	♦		
Text and Zoning Map Amendment Decisions	♦		♦[3]
Relief and Appeal Decisions	♦	♦[4]	
Platting Decisions	♦		

Table Notes:

1. Including an agent authorized by the owner, which may include a lessee of the property.
2. If the property subject to an application is under more than one ownership, all owners or their authorized agents shall join in filing the application. Similarly, if a PUD or overlay district includes multiple properties, all owners or their authorized agents shall join in filing the application.
3. Planning Commission and City Council may initiate text and zoning map amendments under this code with or without an application from the property owner who may be affected.
4. Appeal only.

E. **Application Submission Schedule.** The schedule for the submission of applications in relation to scheduled meetings and hearings of the review bodies shall be established established in a document maintained by the Development Department and made available to the public.

F. **Simultaneous Processing of Applications.** Whenever two or more forms of review and approval are required under this code, the Director shall determine the order and timing of review. The Director may authorize a simultaneous review of applications, so long as all applicable requirements are satisfied for all applications.

G. **Withdrawal of Application.** An applicant may withdraw an application in one of the following manners:

1. *Prior to Public Notice*. In writing to the Director prior to a public meeting or hearing at which the application is to be considered. The Director shall approve a request for withdrawal of an application if it has been submitted in writing prior to publication of notice for the public hearing on the application in accordance with 1207.06, *Public Notice, Meetings, and Hearings.* If the applicant submits the request after the publication of the notice, the Director may place the request on the public hearing agenda to be acted upon by the review or decision-making body.
2. *During a Public Meeting or Hearing*. On the record, during a public meeting or hearing when the application is being considered, provided the withdrawal occurs before the development review body makes a recommendation or takes final action on the application.

H. **Successive Applications**. The Director shall not accept any application that was denied at a public hearing within 12 months after the date of denial if the Director determines there have been no substantive changes in circumstances related to an application or no substantive changes to the application submittal itself.

I. **Continuing Review Process.** Application submittals shall subsequently undergo a completeness application review established in 1207.04, *Completeness Review*, before being deemed as submitted to the City.

1207.04 Completeness Review

A. **Timeline.** The Director shall make a determination of application completeness within five business days of the application filing.

B. **Review and Processing.** The Director shall only initiate the review and processing of applications if such application is determined to be complete in accordance with paragraph C, below.

C. **Meaning of Completeness.** The Director shall deem an application complete when it contains:

1. *Completed Application.* The completed application form;
2. *Required Documents, Drawings, or Studies*. All required documents and drawings with all pertinent calculations, measurements, and information necessary to review for compliance, or studies when required, that are prepared and certified by qualified professionals (where such certifications are required);
3. *Fee*. The application fee in accordance with 1207.03, *Application Submittal and Fees*; and
4. *Additional Information*. Any additional information that is necessary to demonstrate compliance with all of the applicable requirements of this PZC as determined by the Director.

D. **Submittal Date.** Complete applications are considered submitted or filed on the date that the Director deems them complete.

E. **Incomplete and Rejected Applications.**

1. *Explanation.* If an application is determined to be incomplete, the Director shall provide written or digital notice to the applicant along with an explanation of the application's deficiencies. No further processing

or review of an incomplete application shall occur until the deficiencies are corrected in a future resubmittal application.

2. *Period for Application Revisions*. If the missing or incomplete items are not submitted within a 5-day period after notice of an incomplete application, then the application shall be rejected.
3. *Application Deadlines*. If the application is determined to be incomplete and there remains time prior to an application deadline, the applicant may resubmit with a new, complete application to the Director before the applicable deadline to be placed on the agenda for the corresponding related public meeting or public hearing.
4. *False or Misleading Information*. If any false or misleading information is submitted or supplied by an applicant on an application, that application shall be deemed incomplete and any associated fees will be forfeited.
5. *Not Considered Filed or Submitted.* Incomplete or rejected applications are not considered "filed" or "submitted".

F. **Disclaimer**. A determination of completeness does not mean that:

1. The contents of the submittal are accurate or comply with the standards of this PZC;
2. The application will receive a positive recommendation or final decision from the applicable review official or body; or
3. During review, additional clarification or information will not be needed.

G. **Continuing Review Process**. Complete applications shall subsequently undergo the processes established in 1207.05, *Staff Review and Distribution.*

1207.05 Staff Review and Distribution

A. **Review, Final Decision, and Distribution.** After a completeness review concludes an application complete, the Director and other applicable City Staff, according to the review responsibilities denoted in Table 1207.10-1, *Development Review Summary*, shall:

1. *Review and Comment.* Review the application and provide comments to the applicant, which may include required revisions based on the requirements of this PZC and other adopted requirements and standards;
2. *Review and Decide.* Review and make a final decision on the application; or
3. *Distribution.* Distribute the application to the appropriate development review body or outside agency, including, but not limited to, utilities and school districts, for review, comment, and, if denoted in Table 1207.10-1, *Development Review Summary,* recommendation or final decision.

B. **Required Revisions**. When comments or required revisions to an application are provided in accordance with paragraph A.1, *Review and Comment*, above, the applicant shall revise and resubmit the application with the requested changes. Upon receipt of the resubmittal, the Director may refer the application to agencies again if the changes substantially affect the interests of the agencies in ways not anticipated by the agency's original comments or require the agency's technical expertise for appropriate review.

C. **Staff Report.** Promptly after resubmittal of a complete application that addresses the comments provided pursuant to paragraph B, *Required Revisions*, above, or after finding that no revisions are required, the Director shall prepare a staff report, which may include an approval, denial, or recommendation to the appropriate body based upon the criteria in 1207.07, *Decision Making*, and based on the specific review criteria for a given review procedure in this Chapter.

D. **Continuing Review Process**.

1. *Applications Not Requiring a Public Meeting or Hearing.* Applications that do not require a public meeting or hearing, as denoted in Table 1207.10-1, *Development Review Summary*, may subsequently undergo the processes established in 1207.07, *Decision Making.*
2. *Applications Requiring Public Meeting or Hearing.* Applications requiring a public meeting or hearing, as denoted in Table 1207.10-1, *Development Review Summary*, shall subsequently undergo the processes established in 1207.05, *Public Notice, Meetings, and Hearings.*

1207.06 Public Notice, Meetings, and Hearings

A. **Public Notice.**

1. *General Requirements for All Public Notice.*
   a. Responsibility for Notice. The Clerk of Council is responsible for preparing, publishing, and sending notices for City Council. The Director is responsible for preparing, publishing, and sending notices for Planning Commission or BZA.
   b. Contents of Notice. Regardless of the type of notice that is required, such notice shall contain:
      i. The address or location of the property subject to the application;
      ii. Description of the land involved by street address, or by legal description and the nearest cross street, and project area (size);
      iii. The name and address of the applicant or the applicant's agent;
      iv. The date, time, and place of the public meeting or hearing;
      v. Description of the nature, scope, and purpose of the application or proposal;
      vi. Contact information for the Development Department, where the public may view the application and related documents and where written comments will be received prior to the public meeting or hearing; and
      vii. A statement that the public may appear at the public meeting or hearing, be heard, or submit evidence and written comments with respect to the application.
   c. Timeline to Provide Notice. Regardless of the type of notice that is required, such notice shall be published or postmarked at least 15 days prior to the public meeting or hearing.
   d. Computation of Time.
      i. In computing any period of time prescribed or allowed by this PZC, the date of the application, act, decision, or event, from which the designated period of time begins shall not be included. The last date of the period of time to be computed shall be included, unless it is a Saturday, a Sunday, or a legal holiday, in which case the period runs until the end of the next day which is not a Saturday, a Sunday, or a legal holiday as observed by the City of Monroe where the City administrative offices are closed for the entire day.
         (A) When the City offices are closed to the public for the entire day which constitutes the last day of the period of time, then such application, act, decision, or event may be performed on the next succeeding day which is not a Saturday, a Sunday, or a legal holiday observed by the City of Monroe in which the City administrative offices are closed for the entire day.
      ii. When the period of time prescribed is less than seven days, intermediate Saturdays, Sundays, and legal holidays shall be excluded from the computation (i.e., business days and not calendar

days). When the period of time prescribed is more than seven days, intermediate Saturdays, Sundays, and legal holidays shall be included in the computation.

e. Constructive Notice. Failure of a surrounding property owner to receive notice of a meeting or hearing shall not affect the validity of the final decision.

f. Records of Notices. When the records of the City document the publication, mailing, and/or posting of notices as required by this PZC, it shall be presumed that notice of a public meeting or hearing was given as required by this Section.

2. *Published Notice.* When required, as denoted in Table 1207.10-1, *Development Review Summary*, published notice shall be published in a newspaper of general circulation in the City in accordance with the requirements of this Section and with the Ohio Open Meetings Act.

3. *Mailed Notice.* When required, as denoted in Table 1207.10-1, *Development Review Summary*, mailed notice shall be sent by first-class mail to the applicant and all property owners within and contiguous to and directly across the street from the subject parcel(s). The notification of property owners shall apply only to the initial presentation of the application for the public meeting or hearing in front of the Planning Commission or BZA.

4. *Posted*. Notice of all required public hearings shall be posted conspicuously on the subject property. The posting shall consist of one or more signs, constructed of durable material and clearly depicting the following information:

a. The type of application in minimum three-inch high lettering; (eg. "Zoning Map Amendment")

b. For Zoning Map Amendment applications, the existing and proposed zoning districts of the property in three-inch high lettering;

c. The date, place, and time of the public hearing in minimum one-inch high lettering; and

d. The contact information of the Director, as appropriate, where additional information regarding the hearing may be obtained.

B. **Public Meetings and Hearings.**

1. *Open to Public.* All meetings of any public body are declared to be public meetings and are open to the public at all times unless otherwise provided for in the Ohio Open Meetings Act.

2. *Applications Requiring a Public Meeting or Hearing*. Not all meetings require a public hearing so recommendations and decisions that are authorized by this PZC are classified as requiring a "public meeting" or "public hearing." Table 1207.10-1, *Development Review Summary*, denotes the development applications that require a public meeting or hearing.

3. *Attendance by Applicant*. An applicant or representative is not required to attend the public meeting or hearing at which the subject application is to be considered. However, failure on the part of the applicant or representative to appear at a properly noticed public meeting or hearing may constitute grounds for a continuance or closing of the public hearing with public re-notification required, for which additional fees may be collected from the applicant.

4. *Procedures.* Elected and appointed development review bodies may adopt rules of procedure for the conduct of public hearings. The adopted rules of procedure shall reflect the following general procedures:

a. Any person may appear at a public meeting or hearing and submit information or evidence, either individually or as a representative of a person or an organization;

b. Each person who appears at a public meeting or hearing shall be identified, state his or her address, and if appearing on behalf of a person or organization, state the name and mailing address of the person or organization being represented;

c. Citizens, applicants, and the City have the right to present expert witnesses; and

d. The Chairperson may impose a reasonable time limit on speakers and may limit testimony that is irrelevant or redundant.

5. *Conditional Approval or Modification of Application at Public Meeting or Hearing.*

a. Modification. An applicant may agree to modify an application, including the plans and specifications submitted, in response to questions or comments by persons appearing at a public meeting or hearing or to suggestions or recommendations by the development review body holding the meeting or hearing.

b. Conditional Approval. The development review body may make a recommendation or conditionally approve the application with the requirement that the formalized approval is not effective until the applicant submits to the Director materials reflecting the agreed-upon changes. However, if such modifications are so substantial that the development review body determines that it cannot reasonably be expected to perceive the nature and impact of the proposed changes without first reviewing the revised application materials, it shall not accept any subsequent application and shall make no decisions related to the subject property until the applicant submits the required modifications.

c. Referral. Where deemed appropriate by the final decision-making body, applications with significant modifications may be referred back to the recommending body for review, prior to further consideration.

6. *Public Vote*. A vote shall be conducted in such a manner that the public may know the vote of each person entitled to vote, except when voice votes are authorized.

7. *Continuances and Deferral Requests.*

a. By the Applicant Prior to Public Notice. An applicant may request that a development review body's consideration of an application at a public meeting or hearing be deferred by submitting a written request for deferral to the Director prior to any required public notice. The Director may grant such requests, in which case, the application will be considered at the next regularly scheduled meeting.

b. By the Applicant After Public Notice. A request for deferral of consideration of an application received by the Director after any required notice shall be considered as a request for a continuance of the public meeting or hearing, and may only be granted by the development review body holding the meeting or hearing.

c. During the Public Meeting or Hearing. The development review body conducting the public meeting or hearing may, on its own motion or at the request of the applicant, continue the public meeting or hearing to a fixed date, time, and place.

1207.07 Common Review Criteria

A. **Generally.**

1. *Applicability.* In determining whether to approve, approve with conditions or modifications, or deny an application, the review bodies making a recommendation or taking final action shall consider the basic review criteria denoted in Table 1207.07-1, *Common Review Criteria*. Additional review criteria may apply and are enumerated in the specific review procedures.

2. *Burden of Proof or Persuasion.* In all cases, the burden is on the applicant to show that an application complies with applicable review criteria.

Table 1207.07-1, Common Review Criteria								
♦ = Criteria Applies								
Common Review Criteria	Improvement Plan and Permit Decisions	Site Development and Use Decisions	Text and Zoning Map Amendment Decisions			Relief and Appeal Decisions		Platting Decisions
			Text Amendments	**Zoning Map Amendments - General**	**Zoning Map Amendments - PUD**	**Appeals**	**Variances**	
The request complies with the applicable standards of the PZC.	♦	♦		♦		♦		♦
The request complies with the applicable standards of the Monroe Code of Ordinances, and any applicable county, state, or federal requirements.	♦	♦	♦	♦	♦	♦	♦	♦
The request substantially conforms to any associated prior approval for the development, including, but not limited to a Preliminary Plat, Conditional Use Permit, Site Plan, or Planned Unit Development.	♦	♦		♦	♦			♦
The development review body has considered the recommendation of the City staff.	♦	♦	♦	♦	♦		♦	♦

Table 1207.07-1, Common Review Criteria								
♦ = Criteria Applies								
The request is consistent with applicable policies of the Comprehensive Plan, utility plans, and capital improvement plans or if it addresses a topic that is not contained or not fully developed in the Comprehensive Plan, the request does not impair the implementation of the Comprehensive Plan.	♦	♦	♦	♦	♦		♦	♦
The request promotes the purposes of this PZC as established in 1201.02, *Purposes*, and in other applicable purpose statements in this PZC.	♦	♦	♦	♦	♦	♦	♦	♦
Adequate facilities, including public or private utilities, solid waste service, roads, drainage, and other improvements are present or are planned to be provided.	♦	♦	♦	♦	♦		♦	♦

Table 1207.07-1, Common Review Criteria								
♦ = Criteria Applies								
The request demonstrates compatibility with surrounding conforming and permitted land uses and structures and with the general character of the area.	♦	♦	♦	♦	♦		♦	♦

B. **Decision Timeline.**

1. *Sign Permits or Zoning Permits.* For applications for Sign Permits or Zoning Permits, the development review official as denoted in Table 1207.10-1, *Development Review Summary*, shall make the final decision within 30 days of the application being deemed "filed" in accordance with 1207.04, *Completeness Review*.
2. *Text and Zoning Map Amendments*. Within 60 days of referral of the application for either a Text Amendment or a Zoning Map Amendment, the Planning Commission shall submit a written recommendation to the City Council. The Planning Commission shall recommend approval, approval with modification, or disapproval.
3. *Minor Plats.* For applications for Minor Plat the development review official as denoted in Table 1207.10-1, *Development Review Summary*, shall make the final decision within 10 days of the application being deemed "filed" in accordance with 1207.04, *Completeness Review*.
4. *Applications Not Requiring A Public Meeting or Hearing.* For applications, other than Sign Permits, Zoning Permits, or Minor Plats that do not require a public meeting or hearing, the development review official or body as denoted in Table 1207.10-1, *Development Review Summary*, shall make the final decision on the application, within 60 days of the application being deemed "filed" in accordance with 1207.04, *Completeness Review*.
5. *Development Applications Requiring A Public Hearing or Meeting.* If a public meeting or hearing is required before a decision or recommendation on an application, the meeting shall occur within 45 days of the application being deemed "filed" in accordance with 1207.04, *Completeness Review.* Once such meeting or hearing has occurred, the development review body denoted in 1207.10-1, *Development Review Summary*, shall forward the recommendation, if applicable, to the next development body in the review process. The applicable development review body shall make the final decision to approve, approve with conditions, or deny the application once the required meeting or hearing for that review body has been held.

C. **Effect of Inaction on Applications.** When a development review body fails to take action on an application within the time required, such inaction shall be deemed an approval of the application.

D. **Continuing Review Process.** Applications receiving approval may subsequently undergo the processes established in 1207.08, *Post-Approval Provisions*.

1207.08 Post-Approval Provisions

A. **Approvals Run With Land.** Except for Temporary Use Permits or unless an elected or appointed development review body conditions an approval to the contrary, any permits or approvals authorizing a particular land use or structure shall run with the land and transfer with the subsequent ownership of the land and structures. Temporary Use Permits shall be tied to a particular applicant for a particular time frame.

B. **Revocation of Approval.** A development review body may revoke any permit or approval it issued where there has been a violation of the provisions of this PZC or misrepresentation of fact on the application or in the public meeting or hearing.

C. **Modification of an Approved Application.** Modifications to approved applications shall be done in accordance with 1207.19, *Minor Modification of an Approved Plan,* or 1207.30, *Amending Plat,* as applicable. However, if the change does not meet the criteria for a minor modification or an amending plat, the application shall be resubmitted as a new application.

D. **Correction of Errors on Approved Plats.**

1. *Approved but Unrecorded Plats.* An approved but unrecorded Minor Plat, Amending Plat, or Final Plat that the Director finds to contain an insignificant error, including, but not limited to scriveners' errors or typographical errors, or the addition, deletion, or relocation of easements, may be corrected by the applicant, upon approval by the Director.
2. *Approved and Recorded Plats.* Any correction of a recorded plat shall be in accordance with 1207.30, *Amending Plat*.

1207.09 Inactive and Expired Applications

A. **Approved Applications.** Approved applications that expire become void and shall be required to submit new applications and obtain new approvals. Approved applications shall expire at the end of the expiration period as denoted in Table 1207.10-1, *Development Review Summary*, unless:

1. *Next Approval.* A complete application for the next required approval in a sequence of approvals is submitted and pending upon the expiration of the period;
2. *Commenced Development*. Development has commenced and is being diligently pursued toward completion; or
3. *Extension.* An extension is granted in accordance with paragraph B, *Extension of Time*, below.

B. **Extension of Time.**

1. *Request.* Prior to the expiration of an approved application, the applicant may request in writing and the Director may approve a one-time extension of the expiration date of up to six months.
2. *Amendments.* If the City Council amends this PZC or adopts other applicable regulations during the extension period, the application shall:
   a. Not be subject to compliance to the new regulations until the original application is considered to be expired; and
   b. Become subject to the new regulations and ordinances if the period of time to request an extension lapses.
3. *Expiration of Extension.* Approved applications or unapproved inactive applications shall expire after the six-month extension lapses if the Director determines that the applicant is not actively pursuing action to complete the development or address comments.

1207.10 Development Review Summary Table

Table 1207.10.-1, *Development Review Summary*, compiles the required procedures for applications in this PZC involved in the development review process. Detailed information about general procedures and applications are further discussed within the other Articles of this Chapter.

Table 1207.10-1, Development Review Summary

♦ = Pre-Application Conference Required | Pu = Published Notice Required
M = Mailed Notice Required | -- = Not Required/Not Applicable

Development Application (Cross-Reference to Procedure)	Submittal Timing	Pre-Application Conference	Public Notice (1207.06)	Review and Decision		Expiration[1] (1207.09)	Cross-Reference to Related Standards
				Review/ Recommend	**Final Decision**		
Improvement Plan and Permit Decisions							
Sign Permit (1207.11)	Prior to installing, relocating, or modifying a sign	--	--	Director		1 year	Article 04.06, *Signage*
Construction Plans (1207.12)	Prior to construction of required public improvements and recording of the final plat	--	--	City Engineer		2 years	--
Certificate of Occupancy (1207.13)	Upon completion of construction or prior a change in occupancy in order to occupy a building or structure	--	--	Chief Building Official		None	Part Fourteen, Building and Housing Code
Zoning Permit (1207.14)	Prior to establishing a new use/change in use, change to a Limited Use as denoted in 1203.02, *Use Table*, or to convert a nonconformity	--	--	Director		1 year	1203.04, *Limited Use Standards*
Site Development and Use Decisions							
Site Plan (1207.15)	Prior to any development of any use unless specifically exempted in this PZC	♦	--	Director		1 year	Chapter 1206, *Development and Design Standards*
Master Development Plan (1207.16)	As part of a zoning map amendment to PUD, for development in the MU zoning district, or development in two phases or more	♦	Pu M	Director	Planning Commission	1 year	1202.07, *Planned Unit Development* 2.05(A), *Mixed-Use (MU)*

Table 1207.10-1, Development Review Summary							
♦ = Pre-Application Conference Required | Pu = Published Notice Required M = Mailed Notice Required | -- = Not Required/Not Applicable							
Development Application (Cross-Reference to Procedure)	Submittal Timing	Pre-Application Conference	Public Notice (1207.06)	Review and Decision		Expiration[1] (1207.09)	Cross-Reference to Related Standards
				Review/ Recommend	**Final Decision**		
Improvement Plan and Permit Decisions							
Floodplain Development Permit (1207.17)	Refer to Part Fourteen, Title 6, Chapter 1446, Flood Damage Reduction, of the City's Code of Ordinances.						
Master Sign Plan (1207.18)	Prior to constructing, installing, placing, or relocating a sign or modifying a sign's dimensions or illumination	♦	--	Director		1 year	1204.28, *Master Sign Program*
Minor Modification of Approved Plan (1207.19)	In order to make a limited modification to an application that has already been approved but has not received a Certificate of Occupancy	--	--	Same review body that makes initial approval		Same as the application being modified	--
Conditional Use Permit (1207.20)	Prior operation of any land use that is designated as a conditional use as denoted in 1203.02, *Use Table*	♦	Pu M	Director	Planning Commission	None, unless specified in approval	1203.05, *Conditional Use Standards*
Temporary Use Permit (1207.21)	Prior to establishing a temporary use related to a public or commercial event unless specifically exempted in this PZC		--	Director		As specified in approved application	1203.08, *Temporary Uses and Structures*
Text and Zoning Map Amendment Decisions							
Text Amendment (1207.22)	Prior to a change of the text in this PZC	♦	Pu	1st: Director 2nd: Planning Commission	City Council	None	--
Zoning Map Amendment (1207.23)	Prior to establishing or expanding a building type or use prohibited in the current zoning district	♦	Pu M[2]	1st: Director 2nd: Planning Commission	City Council	None	Chapter 1202, *Zoning Districts and Dimensional Standards*
Relief and Appeal Decisions							

Table 1207.10-1, Development Review Summary							
♦ = Pre-Application Conference Required | Pu = Published Notice Required M = Mailed Notice Required | -- = Not Required/Not Applicable							
Development Application (Cross-Reference to Procedure)	Submittal Timing	Pre-Application Conference	Public Notice (1207.06)	Review and Decision		Expiration[1] (1207.09)	Cross-Reference to Related Standards
				Review/ Recommend	**Final Decision**		
Improvement Plan and Permit Decisions							
Administrative Adjustment (1207.24)	In order to make a limited modification to numerical standards on an application that has already been approved but that has not received a certificate of occupancy	--	--	Director		Same as the associated application	--
Variance (1207.25)	Prior to submittal of an application that varies from the applicable standards of this PZC	♦	Pu M	Director	Board of Zoning Appeals	None	Chapter 1202, *Zoning Districts and Dimensional Standards*; Chapter 1203, *Land Uses*; and Chapter 1204, *Development and Design Standards*
Floodplain Variance (1207.26)	Refer to Part Fourteen, Title 6, Section 1446.28, *Appeals and Variances* of the City's Code of Ordinances.						
Subdivision Design and Improvement Waiver (1207.27)	Concurrent with submittal of a preliminary plat where the applicant wishes to vary from the subdivision design standards	♦	Pu M	1st: City Engineer 2nd: Director	Planning Commission	Same as the associated plat	Chapter 1205, *Subdivision Standards*
Appeals (1207.28)	Within 30 days after an appellant or their agent received notice or the action of the official that is the subject of the appeal	--	Pu M	Varies based on decision being appealed. Refer to 1207.28		None	--
Platting Decisions							

Table 1207.10-1, Development Review Summary							
♦ = Pre-Application Conference Required | Pu = Published Notice Required M = Mailed Notice Required | -- = Not Required/Not Applicable							
Development Application (Cross-Reference to Procedure)	Submittal Timing	Pre-Application Conference	Public Notice (1207.06)	Review and Decision		Expiration[1] (1207.09)	Cross-Reference to Related Standards
				Review/ Recommend	**Final Decision**		
Improvement Plan and Permit Decisions							
Minor Plat (1207.29)	In order to subdivide land into five or fewer lots on an existing street that doesn't require the creation of a street or expansion of municipal facilities	--	--	City Engineer	Director	30 days/ None after recordation	Chapter 1205, *Subdivision Standards*
Amending Plat (1207.30)	In order to make a minor modification to a recorded plat	♦	--	Director		30 days / None after recordation	
Preliminary Plat (1207.31)	Prior to a Final Plat in order to subdivide land into six or more lots or lots that require the creation of a street or the expansion of municipal facilities	♦		1st: City Engineer 2nd: Director 3rd: Planning Commission	City Council	1 year after recommendation / 5 years after approval	
Final Plat (1207.32)	Following approval of a preliminary plat and completion of improvements	--		1st: City Engineer 2nd: Director	City Council	1 year / none after recordation	
Replat (1207.33)	Prior to changing the number of lots on a recorded Final Plat	♦		1st: City Engineer 2nd: Director	Planning Commission	1 year / none after recordation	
Vacating Plat (1207.34)	Prior to removing the force of a recorded plat covering a property or properties	♦		1st: City Engineer 2nd: Director	Administrative body that approved the original Minor, Amending, Replat, or Final Plat	1 year/none after recordation	

Tables Notes:

1. The days in the "Expiration" column are measured from the date of the issued approval. Expiration occurs if the applicant does not commence the construction or work prior to the expiration or does not, as determined by the Director, diligently pursue completion of the project or the subsequent required approval. For Site Plan approval, construction is deemed to have begun when all necessary excavation and piers or footings of the principal building have been completed.
2. Only applies to zoning map amendment applications for 10 or fewer parcels.

Article 07.02 Improvement Plan and Permit Decisions

1207.11 Sign Permit

A. **Purpose.** The purpose of a Sign Permit is to ensure that any sign is built in conformance with this PZC. No permanent sign, as outlined in 1204.26, *Permanent Signs*, shall be used nor constructed, enlarged, moved, or modified without first obtaining a Sign Permit.

B. **Specific Review Procedures.** The procedures outlined in Article 07.01, *Common Development Procedures*, shall apply.

C. **Specific Review Criteria.** To approve the application, the applicable development review official per Table 1207.10-1, *Development Review Summary*, shall make affirmative findings for the following:

1. *Common Review Criteria.* All applicable common review criteria as denoted in *Table 1207.07-1, Common Review Criteria;*
2. *Sign Standards.* All applicable standards in Article 04.06, *Signage*; and
3. *Electrical Code.* If an illuminated sign, it shall be subject to the provisions of the City's electrical code.

D. **Effect.** Approval of a Sign Permit authorizes the applicant to proceed with the construction of the sign(s) as proposed in the application. It does not directly authorize development if other approvals are required by this PZC.

1207.12 Construction Plans

A. **Purpose.** The purpose of Construction Plans is to provide for the review of detailed engineering drawings for all municipal improvements required to serve the development including existing or proposed streets, sidewalks, drainage, and utility improvements, and any other public improvements that are required or proposed to be constructed, reconstructed, improved, or modified.

B. **Specific Review Procedures.** In addition to the procedures outlined in Article 07.01, *Common Development Procedures*, the following procedures shall apply:

1. *Responsibility of Applicant and Applicant's Engineer.*
   a. Locating Utilities. It shall be the duty of the applicant or the applicant's engineer to consult with public service and utility companies as to the location of all underground conduits, pipelines, cable and telephone conduit, overhead poles, street lights, wires, etc., and to provide necessary easements for such facilities on the Final Plat.
   b. Accuracy and Completeness. The applicant's engineer certifying the Construction Plans is responsible for the accuracy, completeness, and conformance to City requirements of the documents submitted for review and actual construction. City review is limited to facts as presented on submitted Construction Plans and the City has no project engineering responsibility.
2. *As-Built Drawing.* The "as-built" drawings, corrected to show exact location, grades, and necessary elevations and other pertinent data, for all structures or facilities installed under the surface of the ground, including all water and sewer mains and service connections per 1205.08, *Utilities and Underground Facilities*, shall be filed with the Public Works Department.

C. **Specific Review Criteria.** To approve the application, the applicable development review official per Table 1207.10-1, *Development Review Summary*, shall make affirmative findings for the following:

1. *Common Review Criteria*. All applicable common review criteria as denoted in Table 1207.07-1, *Common Review Criteria;*
2. *City's Design Standards and Specifications.* City's Engineering Minimum Design Standards and Specifications; and
3. *State's Specifications.* Ohio Department of Transportation's Construction and Material Specifications.

D. **Effect.**

1. *Approval of Construction Plans.* The approval of Construction Plans authorizes the applicant to proceed with construction. However, no work shall commence on the installation of the proposed infrastructure improvements as shown on the Construction Plans until any required bonding is accepted by the City.
2. *Pre-Construction Meeting.* The applicant is required to participate in a pre-construction meeting with the City Engineer prior to commencing construction.

1207.13 Certificate of Occupancy

A. **Purpose.** The purpose of a Certificate of Occupancy is to certify that a completed project adheres to this PZC, the City's Building and Housing Code, prior approvals (site plans, building permits, etc.), approval conditions, and all other pertinent provisions of the City's Code of Ordinances. No structure shall be erected, constructed, reconstructed, extended, or moved, and no land or building shall be occupied or used in whole or in part for any use whatsoever until the Chief Building Official issues a full or temporary Certificate of Occupancy.

B. **Specific Review Procedures.** In addition to the procedures outlined in Article 07.01, *Common Development Procedures*, the following procedures shall apply:

1. *Inspection.* An inspection shall be done by the Chief Building Official before making a final decision on Certificate of Occupancy applications.
2. *Recordkeeping.* A record of all certificates shall be kept on file in the office of the Chief Building Official, and copies shall be furnished on request to any person having a proprietary or tenancy interest in the land or building affected.

C. **Specific Review Criteria.** To approve the application, the applicable development review official per Table 1207.10-1, *Development Review Summary*, shall make affirmative findings for the following:

1. *Common Review Criteria*. All applicable common review criteria as denoted in Table 1207.07-1, *Common Review Criteria; and*
2. *Other Applicable Standards or Conditions.* Any other applicable standards or conditions imposed throughout the review process for the project.

D. **Effect.** An approved Certificate of Occupancy authorizes the establishment of an approved use or occupation of the completed project. The issuance of a Certificate of Occupancy in no way relieves the developer from compliance with all of the terms of this PZC and all other applicable regulations.

1207.14 ~~1207.14 Z~~Zoning Permit

A. **Purpose.** The purpose of a Zoning Permit is to ensure a proposed development complies with the purposes and standards of this PZC. No land shall be used nor shall any building or structure be used, changed in use, established, constructed, enlarged, moved, or modified without first obtaining a Zoning Permit.

B. **Applicability.** A Zoning Permit is required for the following:

~~A.~~

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1. *Limited Uses*. Ensure that a use designated as a limited use in Table 1203.02-1, *Primary Use Table*, complies with the requirements of this PZC, including 1203.04, *Limited Use Standards*.
2. *Nonconformities.* Identify a lot, building, structure, use, sign, or another site element as a legal nonconforming. A copy of such permit shall be kept on file in the offices of the Director.
3. New single-family and two-family residential dwellings;
4. The internal construction or change in floor area of a nonresidential development that does not increase gross floor area, increase the intensity of use, or affect parking requirements on a site that meets all development and site design standards of this code;
5. Expansions of existing nonresidential uses representing an increase in gross floor area less than 25% of the existing building square feet and the associated increase in parking;
6. A change in use of a nonresidential building;
7. Modifications to the façade of any nonresidential building for compliance with ~~Chapter 1210: Architectural Standards~~Section 1204.07;
8. Modifications to sites involving less than 25% increase to landscaping, parking or loading without expansions to buildings;
9. Accessory structures and uses; and

~~2.~~10. Temporary structures and uses;

~~B.~~C. **Specific Review Procedures.** The procedures outlined in Article 07.01, *Common Development Procedures*, shall apply.

~~C.~~D. **Specific Review Criteria.** To approve the application, the applicable development review official per Table 1207.10-1, *Development Review Summary*, shall consider the following:

1. *Common Review Criteria*. All applicable common review criteria as denoted in Table 1207.07-1, *Common Review Criteria;*
2. *Limited Use Standards*. All applicable use-specific standards as detailed in 1203.04, *Limited Use Standards*.
3. *Materials or Scenario.* The materials or scenario posed by the applicant;
4. *Word Meanings.*
   a. Common Usage. The plain and ordinary meaning of the terms that are subject to the application for an interpretation as set out in a dictionary of common usage;
   b. Explained or Defined in this Code. The provisions of Chapter 1209, *Word Usage*; and
   c. Technical Meaning. Any technical meanings of words used in the provision and in context with the meaning of the provision;
5. *Director Interpretations.* Other interpretations rendered by the Director associated with the same or related provisions of this PZC;
6. *Legislative History.* The legislative history of the provision;
7. *Other Sources.* Sources outside of the PZC that provide additional information on the provision in question, such as technical or professional literature; and
8. *Nonconformities.* Applicable provisions of Article 08.01, *Nonconformities*.

~~D.~~E. **Effect.**

1. *Generally.*

a. Authorization. The approval of a Zoning Permit authorizes the applicant to proceed with the development proposed in the subject application, pending any other required approvals.

b. Other Required Approvals. Development authorized by the Zoning Permit shall not be carried out until the applicant has secured all other approvals required by this PZC or any other applicable provisions of the City Code of Ordinances. Approval of a Zoning Permit shall not ensure subsequent approvals for other applications unless the relevant and applicable portions of this PZC or other applicable provisions are met.

2. *Nonconformities.* The approval of the Zoning Permit authorizes the particular nonconformity to continue in accordance with Article 08.01, *Nonconformities*.

Article 07.03 Site Development and Use Decisions

1207.15 Site Plan

A. **Purpose**. The purpose of a Site Plan is to ensure that applicable developments comply with all development and design standards of this PZC and any applicable prior approvals (e.g. Conditional Use Permit, Zoning Map Amendment, Planned Unit Development, etc.) for the subject property.

B. **Applicability**.

1. *Full Site Plan*. Full Site Plan review is required for:

a. Expansions of existing nonresidential uses representing an increase in gross floor area of 25% or more of the existing building square feet and the associated increase in parking;

b. Modifications to sites involving a 25% change or greater ~~changes to~~ in landscaping, parking, or loading, ~~not to include~~ or outdoor storage areas, without expansions to buildings; and

c. All applications for a conditional use permit;

d. All development, changes in a site, or changes in use that are not exempt from site plan review below.~~.~~

~~c.~~2. *Exemptions*. Permit and related plan review are required for all other development and as outlined in 1207.14.

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C. **Specific Review Procedures**. In addition to the procedures outlined in Article 07.01, *Common Development Procedures*, the following procedures shall apply:

1. *Simultaneous Processing*. An application for Site Plan approval may be processed simultaneously with other required applications. However, each application shall be reviewed on its own independent merits according to the standards applicable to the application.

D. **Specific Review Criteria.** To approve the application, the applicable development review official per Table 1207.10-1, *Development Review Summary*, shall make affirmative findings for the following:

1. *Common Review Criteria*. All applicable common review criteria as denoted in Table 1207.07-1, *Common Review Criteria*; and

2. *Other Applicable Standards or Conditions*. Any other applicable standards or conditions imposed throughout the review process for the project.

E. **Effect**.

1. *Authorization***.** A Site Plan approval authorizes a design of land and layout of structures, infrastructure, and landscaping according to specific standards set out in this PZC and conditions of approval. It does not

directly authorize development if other approvals are required by this PZC or the City's Code of Ordinances. Approving a site plan does not exempt the applicant from complying with all requirements of this code, the building code, and other regulations of the City.

2. *Building Permits*. Building permits may be issued in accordance with approved Site Plans. Prior to obtaining a building permit, after the approval of a Site Plan, the applicant may apply to obtain a building permit in accordance with Chapter 1426, *Permits And Fees*, established in the City's Code of Ordinances.

1207.16 Master Development Plan

A. **Purpose**. The purpose of a Master Development Plan (MDP) is to provide a site layout for Planned Unit Developments (PUDs), developments in the MU, Mixed Use zoning district, and nonresidential developments to be developed in two or more phases or sections. Review of the Master Development Plan shall occur prior to any other development activity for the project taking place.

B. **Specific Review Procedures**. In addition to the procedures outlined in Article 07.01, *Common Development Procedures*, the following procedures shall apply:

1. *Simultaneous Processing*. An application for a Master Development Plan as part of a Planned Unit Development (PUD) shall be processed, reviewed, and decided on simultaneously with a Zoning Map Amendment outlined in Section 1207.23, *Zoning Map Amendment*.

C. **Specific Review Criteria**. To approve the application, the applicable development review official per Table 1207.10-1, *Development Review Summary*, shall make affirmative findings for the following:

1. *Common Review Criteria.* All applicable common review criteria as denoted in Table 1207.07-1, *Common Review Criteria*;
2. *Site Layout*. The development is laid out in an efficient manner relative to its context and location (natural and built environments) and designed to achieve the aims of a compact, highly walkable environment;
3. *Quality Design*. The design of buildings, circulation, hardscape, and landscape areas help to establish functionality, visual interest, aesthetic appeal, and a unique identity for the development including human-scale amenities, integration of civic spaces for public interaction, and protection from the environmental elements;
4. *Phasing*. The development is phased in a manner that assures an adequate mixture of residential and nonresidential land uses and allows for transition from the early phases to completion, relating to the intensity of uses and parking; and
5. *Single Site Design*. All properties within a single site must be contiguous and immediately adjacent to one another or be the subject of additional development plans and filing fees.

D. **Effect**. Once approved, any development proposed for land within the approved Master Development Plan shall undergo all applicable procedures (Sign Permits, Site Plans, Preliminary Plats, etc.) and shall clearly demonstrate consistency and conformance with the adopted Master Development Plan.

1207.17 Floodplain Development Permit

See Section 1446.13, *Floodplain Development Permits; Application; Inspection; Revocation* in the City's Code of Ordinances.

1207.18 Master Sign Plan

A. **Purpose**. A Master Sign Plan provides for:

1. *Unified Design*. A unified presentation of signage throughout parcels proposed for a multi-tenant development that exceeds 20,000 square feet of gross floor area in any mixed-use or nonresidential zoning district or any PUD district that has land categorized for mixed-use or exceeds 25 acres of residential property.;
2. *Efficiency*. Prompt and efficient administrative approval of signs pre-approved by the PZC;

B. **Specific Review Procedures**. The procedures outlined in Article 07.01, *Common Development Procedures*, shall apply.

C. **Specific Review Criteria.** To approve the application, the applicable development review official per Table 1207.10-1, *Development Review Summary*, shall make affirmative findings for the following:

1. *Common Review Criteria*. All applicable common review criteria as denoted in Table 1207.07-1, *Common Review Criteria*;
2. *Standards*. The standards for a Master Sign Plan shall demonstrate a substantially improved, comprehensive, and unified plan compared to what is achieved with Article 04.06, *Signage* and comply with the standards set forth in Section 1204.28, *Master Sign Program*.
3. *Electrical Code*. If an illuminated sign, it shall be subject to the provisions of the City's electrical code.

D. **Effect**. Upon approval of a Master Sign Plan, permitting of individual signs shall be based on compliance with the standards set out in the Master Sign Plan for the parcel proposed for development.

1207.19 Minor Modification of Approved Plan

A. **Purpose**. The purpose of a Minor Modification is to allow an applicant to make minor changes, as listed in paragraph C., *Specific Review Criteria*, below, to an approved application that has not yet received a Certificate of Occupancy, if applicable, without requiring the applicant to restart the entire review process.

B. **Specific Review Procedures**. In addition to the procedures outlined in Article 07.01, *Common Development Procedures*, the following procedures shall apply:

1. *New Applications*. All other modifications that do not meet the paragraph C., *Specific Review Criteria*, below, shall require submittal of a new application.

C. **Specific Review Criteria**. To approve the request, the applicable review bodies shall consider all appropriate common review criteria as denoted in Table 1207.07-1, *Common Review Criteria*, and the following:

1. *Gross Floor Area (GFA)*. An addition to a structure does not exceed 5 percent of the previously approved total GFA of the structure;
2. *Height*. Additional height of a structure does not exceed 5 percent of the previously approved height and does not exceed the height requirements for the zoning district;
3. *Position*. A shift in a structure's position is less than 10 feet and does not encroach into a required setback or an easement;
4. *Density*. The overall density of the project does not increase as a result of the change in GFA, height, or position; and
5. *Condition of Approval*. The proposal does not violate a condition of approval for the original application.

D. **Effect**. Approving a Minor Modification shall authorize only the particular deviations from the original approved application to the extent provided in the approval of the Minor Modification. Approval of a Minor

Modification does not exempt the development from any necessary revisions or resubmittals through other review agencies.

1207.20 Conditional Use Permit

A. **Purpose**. The purpose of the Conditional Use Permit is to determine, after a public hearing, if a use designated as a conditional use in Table 1203.02-1, *Primary Use Table*, should be allowed on a property subject to standards in Section 1203.05, *Conditional Use Standards*.

B. **Specific Review Procedures**. In addition to the procedures outlined in Article 07.01, *Common Development Procedures*, the following procedures shall apply:

1. Simultaneous Processing. An application for Conditional Use approval shall be processed, reviewed, and decided on simultaneously with a Site Plan application outlined in Section 1207.15, *Site Plan* may be processed simultaneously with other required applications. However, each application shall be reviewed according to the standards applicable to each application.
2. *Conditions of Approval*. Uses requiring a Conditional Use Permit shall be subject to the imposition of conditions that may include, but not be limited to, the following:
   a. Landscaping or Buffering. Additional landscaping or buffering;
   b. Building Improvements. Building or façade improvements;
   c. Noise. Noise abatement measures;
   d. Lighting. Limitations on lighting, such as lighting curfews or restrictions on levels of illumination;
   e. Traffic. Measures to control, mitigate, or direct traffic;
   f. Parking, Loading, Stacking, and Circulation. Parking, loading, stacking, and site circulation adjustments;
   g. Outdoor Display, Sales, or Storage. Restrictions on outdoor displays, sales, or storage; and
   h. Signage. Restrictions on signs that relate only to the sign structure, materials, lighting, placement, size, or type, but not to the content of messages displayed (unless such messages are not protected speech).

C. **Specific Review Criteria**. To approve the application, the applicable development review official per Table 1207.10-1, *Development Review Summary*, shall make affirmative findings for the following:

1. *Common Review Criteria.* All applicable common review criteria as denoted in Table 1207.07-1, *Common Review Criteria*;
2. *Concentration*. The use will not create an unwanted concentration of similar conditional uses that is likely to discourage permitted uses by making the vicinity less desirable for them;
3. *Location*. In the interest of public safety, as a matter of policy, all points of ingress/egress shall be located as far as possible from the intersection of two or more streets;
4. *External Effects*. The proposed use will not involve uses, activities, processes, materials, equipment, and conditions of operations, including, but not limited to, hours of operation, that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare, odor or other characteristic not comparable to the uses permitted in the base zoning district; and
5. *Property Values*. The proposed use will not be detrimental to property values in the immediate vicinity.

D. **Effect**. Only the approved conditional use or similar uses as determined by the Director shall be permitted on the subject site. Any change in a conditional use, including an expansion, shall require a new application and review pursuant to this section.

1207.21 Temporary Use Permit

A. **Purpose**. The purpose of a temporary use permit is to ensure that temporary uses comply with the requirements of this Code, including 1203.08, *Temporary Uses and Structures*, and that they do not become permanent uses or structures.

B. **Specific Review Procedures**. In addition to the procedures outlined in Article 07.01, *Common Development Procedures*, the following procedures shall apply:

1. *Conditions of Approval.*
   a. *Hours of Operation*. The modification of or restrictions on hours of operation;
   b. *Clean Up*. Posting of a performance bond to ensure clean-up and removal of signs, equipment, trash, and other similar items; and
   c. *Attendance*. Limitations on the attendance of an event.

C. **Specific Review Criteria**. To approve the application, the applicable development review official per Table 1207.10-1, *Development Review Summary*, shall make affirmative findings for the following:

1. *Common Review Criteria*. All applicable common review criteria as denoted in Table 1207.07-1, *Common Review Criteria*; and
2. *Temporary Uses and Structures Standards*. The applicable use-specific standards detailed in Section 1203.08, *Temporary Uses and Structures.*

D. **Effect**. Approval of a Temporary Use Permit authorizes the temporary activities on the property that is subject to the permit.

Article 07.04 Text and Zoning Map Amendments

1207.22 Text Amendment

A. **Purpose**. The purpose of a Text Amendment is to establish the process to change the text of this PZC, which may warrant amendment from time to time.

B. **Specific Review Procedures**. In addition to the procedures outlined in Article 07.01, *Common Development Procedures*, the following procedures shall apply:

1. *Minor Updates and Changes*. If necessary, the Director may, with approval on the Planning Commission as a Consent Agenda item:
   a. Make cross-reference changes (because another section of this PZC or the City's Code of Ordinances has been moved or changed);
   b. Correct spelling or punctuation errors;
   c. Correct cross-reference errors; and
   d. Update graphics and images that do not change any substantive standards of this PZC.

C. **Specific Review Criteria.** To approve the request, the applicable review bodies shall consider all appropriate common review criteria as denoted in Table 1207.07-1, *Common Review Criteria*, and the following:

1. *Changing Condition*. The amendment is necessary to address a changing condition that was not anticipated in the Comprehensive Plan or this PZC; and
2. *Impact Mitigation*. The proposal helps to mitigate adverse impacts of the use and development of land on the natural or built environments, including, but not limited to, mobility, air quality, water quality, noise levels, stormwater management, and vegetation, or will be neutral with respect to these issues;
3. *Community Need.* Whether the proposed amendment addresses a demonstrated community need;
4. *Strategic Objectives*. The proposal advances the strategic objectives of the City Council, such as fiscal responsibility, efficient use of infrastructure and public services, and other articulated City objectives.
5. *No Single Factor and Case Determination.* No single factor listed above may control and not all factors may be applicable in each case. Each case shall be determined on its own facts.

D. **Effect**.

1. *No Retroactive Cure of Violations*. The amendment of the text of this PZC may transform a legally nonconforming situation into a conforming one. However, no text amendment shall be considered for the sole purpose of curing a violation of any part of this PZC.
2. *Effective Date.* Approval of a Text Amendment shall take effect upon the effective date of the ordinance or resolution approving the amendment.

1207.23 Zoning Map Amendment

A. **Purpose**. City Council may amend the Official Zoning Map pursuant to the procedure set forth in this Section. The purpose of a zoning map amendment is to change the zoning district of property on the Official Zoning Map from one zoning district to another due to changed conditions, changes in public policy, recommendations of the comprehensive plan, or that are necessary to advance the health, safety, and general welfare of the City.

B. **Specific Review Procedures**. In addition to the procedures outlined in Article 07.01, *Common Development Procedures*, the following procedures shall apply:

1. *Simultaneous Processing*. An application for a Zoning Map Amendment as a Planned Unit Development (PUD) approval shall be processed, reviewed, and decided on simultaneously with a Master Development Plan outlined in Section 1207.16, *Master Development Plan*.

C. **Specific Review Criteria.** To approve the application, the applicable development review official per Table 1207.10-1, *Development Review Summary*, shall make affirmative findings for the following:

1. *Zoning Map Amendment.*
   a. *Common Review Criteria.* All applicable common review criteria as denoted in Table 1207.07-1, *Common Review Criteria*;
   b. *Changing Conditions.* The proposed amendment corrects an error or meets the challenge of some changing condition, trend, or fact since the time that the original map designations were established;
   c. *Impact Mitigation*. The proposal helps to mitigate adverse impacts of the use and development of land on the natural or built environments, including, but not limited to, mobility, air quality, water quality, noise levels, stormwater management, and vegetation, or will be neutral with respect to these issues;
   d. *Community Need.* Whether the proposed amendment addresses a demonstrated community need;

e. *Strategic Objectives.* The proposal advances the strategic objectives of the City Council, such as fiscal responsibility, efficient use of infrastructure and public services, and other articulated City objectives; and

f. *No Single Factor and Case Determination.* No single factor listed above may control and not all factors may be applicable in each case. Each case shall be determined on its own facts.

2. *Planned Unit Development.* A zoning map amendment to change a zoning district to a PUD district in accordance with the standards established in Section 1202.07, *Planned Unit Development (PUD)*, will be permitted only when the proposal clearly satisfies all of the following criteria*:*

a. Common Review Criteria. All applicable common review criteria as denoted in Table 1207.07-1, *Common Review Criteria;*

b. Balanced Community. A variety of housing types, employment opportunities, or commercial services to achieve a balanced community;

c. Arrangement of Land Uses. An orderly and creative arrangement of all land uses with respect to each other and to the entire community;

d. Amenity Offset. Each proposed modification of any subdivision or zoning regulation is compensated for by a significant increase in other site amenities or design element that exceeds the minimum requirements established;

e. Comprehensive Transportation System. A planned and integrated comprehensive transportation system providing for a separation of pedestrian and vehicular traffic, that shall include facilities for roadways, trails, and pedestrian walkways;

f. Cultural or Recreational Facilities. The provisions of cultural or recreational facilities for all segments of the community;

g. Relationship to Natural and Built Environment. The location of general building envelopes to take maximum advantage of the natural and built environment; and

h. Public Utilities, Facilities, and Services. The staging of development in a manner that can be accommodated by the timely provision of public utilities, facilities, and services.

D. **Effect**. Approval of a Zoning Map Amendment shall take effect upon the effective date of the resolution approving the amendment.

Article 07.05 Relief and Appeal Decisions

1207.24 Administrative Adjustment

A. **Purpose.** The purpose of an Administrative Adjustment is to allow small changes or modifications to certain numerical standards of a proposed development that may be approved administratively without a public meeting or hearing.

B. **Specific Review Procedures.** The procedures outlined in Article 07.01, *Common Development Procedure* shall apply.

C. **Specific Review Criteria.** To approve the application, the applicable development review official per Table 1207.10-1, *Development Review Summary*, shall make affirmative findings for the following:

1. *Common Review Criteria.* All applicable common review criteria as denoted in *Table 1207.07-1, Common Review Criteria;*

2. *Limitations.* The administrative adjustment is limited to the following:
   a. Lot area;
   b. Minimum lot width;
   c. Setbacks of the principal or accessory structure;
   d. Setbacks of parking areas;
   e. Number of parking or loading spaces;
   f. Spacing of driveway access points; or
   g. Landscaping and buffering where there are physical constraints;
3. *Maximum Percentage.* The requested adjustment does not exceed 5 percent of the minimum or maximum requirements;
4. *Adjoining Property.* The adjustment will not substantially impair the permitted use or development of adjoining property and surrounding properties will be properly protected;
5. *Minimum Necessary.* The adjustment is minor in nature and the minimum necessary to grant relief from a demonstrated hardship; and
6. *Hardship.* The hardship, if any, under which the adjustment is sought, was not created by the owner or occupant of the subject property, nor was it suffered as a result of a violation of this PZC or any other applicable code of the City.

D. **Effect.**
1. *Authorization.* Approval of an Administrative Adjustment shall authorize only the particular deviations from the PZC subject to the approved application
2. *Other Required Approvals.* Approval of an Administrative Adjustment enables the applicant to proceed in securing all other required approvals and permits. An Administrative Adjustment provides no assurance of subsequent approvals of other requests for Administrative Adjustments.

1207.25 Variance

A. **Purpose.** The purpose of a Variance is to provide limited relief from the requirements of this PZC (e.g., lot area, setback, height, parking spaces required, etc.), where strict application of a particular requirement will create an unnecessary hardship by preventing the use and development of land in a reasonable manner that is otherwise allowed under this PZC.

B. **Specific Review Procedures.** In addition to the procedures outlined in Article 07.01, *Common Development Procedures*, the following procedures shall apply:
1. *Amendment That Increases Extent or Severity.* If a proposed amendment to an approved Variance would increase the extent or severity of the Variance, then the applicant shall submit the request as a new Variance and repeat the procedures required by this Chapter.
2. *Amendment That Reduces Extent or Severity*. If a proposed amendment to an approved Variance would decrease the extent or severity of the Variance, then the amendment may be approved by the Director (e.g., if the original Variance approval allowed a 10-foot setback instead of a 20-foot setback, the Director may approve an amendment if the applicant only needs a five-foot setback).

C. **Specific Review Criteria.**
1. *Review and Decision.* To approve, approve with conditions, or deny the application, the applicable development review body per Table 1207.10-1, *Development Review Summary*, shall:

a. Common Review Criteria. Consider all applicable common review criteria as denoted in Table 1207.07-1, *Common Review Criteria;* and

b. Practical Difficulty. Determine and make specific findings of fact that the literal enforcement of this PZC will result in practical difficulty. To make this determination, the following factors shall be considered:

i. Whether special conditions and circumstances exist that are peculiar to the land or structure involved and are not applicable generally to other lands or structures in the same zoning district (e.g., exceptional irregularity, narrowness, shallowness or steepness of the lot, or adjacency to nonconforming and inharmonious uses, structures, or conditions);

ii. Whether special conditions or circumstances exist as a result of actions of the owner;

iii. Whether the variance is substantial and is the minimum necessary to make possible the reasonable use of the land or structures;

iv. Whether the essential character of the neighborhood would be substantially altered;

v. Whether adjoining properties would suffer substantial detriment as a result of the variance;

vi. Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without the variance;

vii. Whether the variance would adversely affect the delivery of governmental services such as water, sewer, refuse pickup;

viii. Whether the granting of the Variance requested will confer on the applicant any special privilege that is denied by this regulation to other lands, structures, or buildings in the same district;

ix. Whether the property owner's predicament can feasibly be removed through some method other than a Variance; and

x. Whether the spirit and intent behind the PZC requirement would be observed and substantial justice done by granting a Variance;

2. *No Single Factor and Case Determination.* No single factor listed above may control and not all factors may be applicable in each case. Each case shall be determined on its own facts.

D. **Time Limit.** No variance shall be valid for a period longer than one year from the date of variance approval unless the applicant receives approval through a zoning compliance inspection, if a zoning compliance inspection is required for the action subject to the variance.

E. **Effect.**

1. *Authorization.* The approval of a Variance shall authorize only the particular variation as detailed in the subject application.

2. *Other Required Approvals.* Development authorized by the Variance shall not be carried out until the applicant has secured all other approvals required by this PZC or any other applicable provisions of the City Code of Ordinances. Approval of a Variance shall not ensure subsequent approvals for other applications unless the relevant and applicable portions of this PZC or other applicable provisions are met.

1207.26 Floodplain Variance

Procedures for Floodplain Variances are outlined in Part Fourteen, Title 6, Section 1446.28, *Appeals and Variances* of the City's Code of Ordinances.

1207.27 Subdivision Design and Improvement Waiver

A. **Purpose.** The purpose of a Subdivision Design and Improvement Waiver is to allow relief from the standards in Chapter 1205, *Subdivision Standards*, to address unforeseen circumstances or other difficulties in developing a property under the specific provisions of this PZC.

B. **Specific Review Procedures.** The procedures outlined in Article 07.01, *Common Development Procedures*, shall apply.

C. **Specific Review Criteria.** To approve, approve with conditions, or deny the application, the applicable development review body per Table 1207.10-1, *Development Review Summary*, shall make affirmative findings for the following:

1. *Common Review Criteria.* All applicable common review criteria as denoted in Table 1207.07-1, *Common Review Criteria*;
2. *Infeasibility.* Strict application of the standard requested to be waived renders platting of the subject property infeasible;
3. *Minimum Necessary.* The request is the minimum necessary to equitably remove the hardship so that substantial justice is done;
4. *No Negative Impact.* Granting of the waiver would not otherwise negatively impact the design of the subdivision or the ability to subdivide adjacent sites in the future; and
5. *Public Interest, Purpose, and Intent.* Any modification granted will not be detrimental to the public interest nor in conflict with the spirit, intent, and purpose of Chapter 1205, *Subdivision Design Standards.*

D. **Effect.**

1. *Authorization.* The approval of a Subdivision Design and Improvement Waiver shall authorize only the particular variation as detailed in the subject application.
2. *Other Required Approvals.* Development authorized by the Subdivision Design and Improvement Waiver shall not be carried out until the applicant has secured all other approvals required by this PZC or any other applicable provisions of the City. Approval of a Subdivision Design and Improvement Waiver shall not ensure subsequent approvals for other applications unless the relevant and applicable portions of this PZC or other applicable provisions are met.

1207.28 Appeals

A. **Purpose.** The purpose of an Appeal is to provide a mechanism for the appeal of any final decision of an administrative review official or body described in Chapter 1206, *Development Review Officials and Bodies*.

B. **Specific Review Procedures.** In addition to the procedures outlined in Article 07.01, *Common Development Procedures*, the following procedures shall apply:

1. *Route of Appeals.*
   a. Appeal of Administrative Review Official Decision. Any party aggrieved by or alleged error in a decision of an administrative review official (Director, City Engineer, or other City staff) on a matter addressed in this PZC may appeal to the Board of Zoning Appeals within 30 calendar days.
   b. Appeal of Planning Commission Decision. Any party aggrieved by or alleging an error in a final decision of the Planning ~~and Zoning~~ Commission may appeal to the City Council within 30 calendar days of the Planning ~~and Zoning~~ Commission's decision.

c. Appeal of City Council or Board of Zoning Appeals Decision. Any party aggrieved by or alleging an error in a final decision of the City Council or ~~Board of Adjustment~~ Board of Zoning Appeals may appeal to a court of competent jurisdiction within a timeframe established by the court.

2. *Transmission of Records*. The development review official or body whose decision is appealed shall transmit all of the documents constituting the record of the appealed action to the applicable appeal board as stated in paragraph B.1., *Route of Appeals*, above.

3. *Burden of Proof in Appeals.* The appellant shall present sufficient evidence and have the burden of proof to justify a reversal of the decision being appealed.

C. **Specific Review Criteria.** To uphold or rescind the original decision, the applicable development review body per paragraph B.1., *Route of Appeals*, above, shall consider the following:

1. *Common Review Criteria*. All applicable common review criteria as denoted in Table 1207.07-1, *Common Review Criteria*; and

2. *Record and Evidence*. The decision being appealed was appropriate considering the written record of the case and the evidence presented; and

3. *Ordinance Requirements.* The decision reflects the requirements contained in this PZC.

D. **Effect.**

1. *Stay of Proceedings*. An appeal of any order, requirement, decision, or determination shall stay all proceedings unless the Director certifies that a stay would cause imminent peril to life or property.

2. *Final Decision.* The applicable development review body per paragraph B.1., *Route of Appeals* shall have the final decision-making powers of the decision-making body from whom the appeal is taken.

3. *No Variance or Subdivision Design Waiver.* A decision on an appeal cannot grant or issue a Variance, Use Variance, or Subdivision Design Waiver.

Article 07.06 Platting Decisions

1207.29 Minor Plat (Minor Subdivision)

A. **Purpose.** The purpose of a Minor Plat is to allow for the administrative approval of small-scale subdivisions of no more than five lots that will not result in dedication of new streets or infrastructure, or major extensions of infrastructure and that comply with this PZC.

B. **Specific Review Procedures.** In addition to the procedures outlined in Article 07.01, *Common Development Procedures*, the following procedures shall apply:

1. *Approval.* If approved, the Director shall sign the approved Minor Plat.

2. *Denial*. If the Minor Plat is denied, the Director shall provide the applicant with written findings for the denial.

3. *Conveyance Plats.* If the Director approves the minor subdivision without a plat, the conveyance shall be stamped with "Approved by City of Monroe Development Department: No Plat Required".

C. **Specific Review Criteria.** To approve the application, the applicable development review official per Table 1207.10-1, *Development Review Summary*, shall make affirmative findings for the following:

1. *Common Review Criteria.* All applicable common review criteria as denoted in *Table 1207.07-1, Common Review Criteria;*

2. *Number of Lot.* The Minor Plat will result in no more than five lots after the original tract has been completely subdivided;
3. *Existing Public Street.* The subdivision will occur along an existing public street;
4. *No Creation, Widening, or Extension of Street.* The subdivision will not result in the creation, widening, or extension of any street or road; and
5. *Existing Utilities.* Existing public utilities of adequate capacity serve the entirety of the subject property in the Minor Plat without the need for an extension.

D. **Effect.**

1. *Authorization.* Approval of a Minor Plat shall authorize the applicant to file a copy of the approved plat in the office of the County Recorder. All costs for recording of the plat shall be borne by the applicant.
2. *Recordation.* Approved Minor Plats shall be filed in the office of the County Recorder within 30 days after the approval.
3. *Fire Hydrants*. If a fire hydrant is required by the Fire Marshal, it shall be installed within 60 days after the approval of a Minor Plat.

1207.30 Amending Plat

A. **Purpose.** The purpose of an Amending Plat is to allow the consolidation of lots, adjustment of boundaries between lots, or the addition of a small number of lots within a recorded plat without prior vacation.

B. **Specific Review Procedures.** The procedures outlined in Article 07.01, *Common Development Procedures* shall apply.

C. **Specific Review Criteria.** To approve the application, the applicable development review official per Table 1207.10-1, *Development Review Summary*, shall make affirmative findings for the following:

1. *Common Review Criteria.* All applicable common review criteria as denoted in *Table 1207.07-1, Common Review Criteria;*
2. *Number of Lots.* The proposed Amending Plat results in five or less additional conforming lots; and
3. *Previously Platted Land*. The land proposed to be subdivided is located within a previously platted subdivision.

D. **Effect.**

1. *Authorization.* Approval of an Amending Plat authorizes the applicant to file a copy of the approved plat in the office of the County Recorder. All costs for recording of the plat shall be borne by the applicant.
2. *Recordation.* Approved Minor Plats shall be filed in the office of the County Recorder within 30 days after the approval.
3. *Utilities.* The relocation and/or abandonment of any utilities shall be the responsibility of the subdivider and shall be provided for concurrently with the replat. The cost of any such relocation and/or abandonment shall be borne by the applicant.

1207.31 Preliminary Plat (Major Subdivision)

A. **Purpose.** The purpose of a Preliminary Plat is to provide sufficient information to evaluate and review the general conceptual design of a proposed major subdivision, those creating more than five lots or the dedication of new streets or infrastructure, or major extensions of infrastructure, to ensure compliance with the requirements of this PZC prior to the submittal of construction drawings and a final plat.

B. **Specific Review Procedures.** In addition to the procedures outlined in Article 07.01, *Common Development Procedures*, the following procedures shall apply:

1. *Phasing.* Where a tract of land is proposed to be subdivided in several phases over years, the Preliminary Plat shall show the entire area to be eventually developed and illustrate appropriate sectioning or phasing adequate to demonstrate the total design as proposed for the entire subdivision is acceptable under the terms of this PZC including conformance with the thoroughfare plan, applicable county plan, and or Comprehensive Plan, as determined by the City Engineer. Review and decisions shall be on the preliminary plat for the entire subdivision.

C. **Specific Review Criteria.** To approve the application, the applicable development review official per Table 1207.10-1, *Development Review Summary*, shall make affirmative findings for the following:

1. *Common Review Criteria.* All applicable common review criteria as denoted in *Table 1207.07-1, Common Review Criteria;*
2. *Subdivision Standards.* The Preliminary Plat conforms with the standards in Chapter 1205, *Subdivision Standards*; and
3. *Traffic Impact Study*. If required, the traffic impacts from the proposed development will be adequately mitigated in accordance with 1204.18, *Traffic Impact Study*.

D. **Effect.**

1. *Authorization.* Approval of a Preliminary ~~Plan~~ Plat shall authorize the applicant to proceed with the submission of Construction Plans (see 1207.12) and subsequently upon completion of improvements, an application for a Final Plat (see 1207.32). Approval of the preliminary plan shall be deemed general approval of the subdivision's layout only and shall not constitute approval or acceptance of a Final Plat.
2. *No Public Dedication.* Approval of the Preliminary Pla~~tn~~t shall not constitute the acceptance of any public improvements or the creation and granting of any easements.

1207.32 Final Plat (Major Subdivision)

A. **Purpose.** The purpose of a Final Plat is to implement the approved preliminary plat for a major subdivision, recognize the completion of required improvements of the associated construction plans, meet the technical requirements of the final plat, and to serve as the officially recorded map of the property ~~to be~~ developed, showing the boundaries, lots, public streets, easements, and other significant facilities and features that are necessary to serve the development.

B. **Specific Review Procedures.** In addition to the procedures outlined in Article 07.01, *Common Development Procedures*, the following procedures shall apply:

1. *Phasing.* For a development to be constructed in phases, the final plat may include only a portion of the land included in the Preliminary Plan. If the site is to be developed in phases, the construction of each phase must be completed within three years of the completion of the previous phase. In all cases, a final platted development shall be completed within ten years.

C. **Specific Review Criteria.** To approve the application, the applicable development review official or body per Table 1207.10-1, *Development Review Summary*, shall make affirmative findings for the following:

1. *Common Review Criteria.* All applicable common review criteria as denoted in *Table 1207.07-1, Common Review Criteria;*
2. *Construction Plans.* The required associated Construction Plans have been approved; ~~and~~
3. *Bonds and Guarantees*. Any bonds or guarantees required by the City have been secured; and

~~3.~~4. *City Standards*. Required improvements are constructed to City standards and have passed all required inspections.

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~~4.~~5. *Preliminary Plat.*

a. Full Compliance. The Final Plat complies with the approved Preliminary Plat, including any conditions put on the approval; or

b. Deviations From Preliminary Plat. Any deviations from the Preliminary Plat are:

i. In the judgment of the Director, minimal and insignificant;

ii. Do not require a Subdivision Design Waiver or other formal approval pursuant to the provisions of this PZC; and

iii. Not otherwise detrimental to the public health, safety, or welfare.

~~5.~~6. *Required Approval.* If the City Council finds that a Final Plat complies with all applicable decision criteria and substantially conforms to the approved Preliminary Plat, then the Final Plat shall be approved.

D. **Effect.**

1. *Authorization*. Approval of a Final Plat shall authorize the applicant to file a copy of the approved plat in the office of the County Recorder. All costs for recording of the plat shall be borne by the applicant.

2. *Recordation.* Approved Final Plats shall be filed in the office of the County Recorder within six months after the approval.

3. *No Public Dedication or Duty of Maintenance or Improvement.* The approval of a Final Plat is not considered an acceptance of any proposed dedication and does not impose on the City any duty regarding the maintenance or improvement of any dedicated parts until the appropriate municipal authorities make an actual appropriation of the dedicated parts by entry, use, or improvement.

4. *Denial.* The denial of a Final Plat is considered a refusal by the City of the offered dedication indicated on the plat.

1207.33 Replat

A. **Purpose.** The purpose of a Replat is to allow a property owner to add additional lots, add public rights-of-way, or change the number of lots on a recorded Final Plat.

B. **Specific Review Procedures**. In addition to the procedures outlined in Article 07.01, *Common Development Procedures*, the following procedures shall apply:

1. *Application*. The applicant shall file a new preliminary plat, which is processed as provided in Section 1207.31, *Preliminary Plat*.

2. *Exception*. The Director may waive a preliminary plat if the proposed replat does not revise or create the need to revise any conditions of the recorded plat, and does not increase the number of lots in the recorded plat.

3. *Approval*. After the preliminary plat is approved, or if a preliminary plat is waived, a final plat is processed as provided in Section 1207.32, *Final Plat*.

C. **Specific Review Criteria.** To approve the application, the applicable development review official per Table 1207.10-1, *Development Review Summary*, shall make affirmative findings for the following:

1. *Common Review Criteria*. All applicable common review criteria as denoted in Table 1207.07-1, *Common Review Criteria; and*

2. *Utilities*. The relocation and/or abandonment of any utilities shall be the responsibility of the subdivider and shall be provided for concurrently with the replat. The cost of any such relocation and/or abandonment shall be borne by the subdivider.

D. **Effect.** The replat is recorded in the same manner as a final plat, and has the same effect as a final plat vacation relative to the previously recorded plat if all of the requirements for the type of vacation are met.

1207.34 Vacating Plat

A. **Purpose**. The purpose of a Vacating Plat is to eliminate the subdivision of property reflected by a prior recorded plat, whereby the subdivided land would return to a single unit of property.

B. **Specific Review Procedures**. A recorded plat may be vacated following Ohio Revised Code Chapter 711.

C. **Specific Review Criteria.** To approve the application, the applicable development review official per Table 1207.10-1, *Development Review Summary*, shall make affirmative findings for the following:

1. *Common Review Criteria.* All applicable common review criteria as denoted in *Table 1207.07-1, Common Review Criteria*; and
2. *Ohio Revised Statues.* All applicable standards outlined in Ohio Revised Code Chapter 711.

D. **Effect.** Upon approval by the City Council, the Vacating Plat shall be recorded with the applicable county's clerk and recorder's office, and the property shall be subject to the terms and conditions of the approved vacating plat.

CHAPTER 1208 NONCONFORMITIES AND ENFORCEMENT OF CODE

Article 08.01 Nonconformities

1208.01 General Provisions

A. **Purpose.** The purpose of this Article is to:

1. *Expansion.* Ensure that nonconformities do not expand except in accordance with provisions within this Article;
2. *Protection.* Protect conforming uses from nuisances that may be associated with nonconformities;
3. *Elimination.* Eliminate substantially damaged or abandoned nonconformities whose degrees of incompatibility with adjacent land uses are high; and
4. *Balance.* Balance the City's objective to eliminate undesirable nonconformities with a landowner's right to maintain and make use of a nonconformity.

B. **Applicability.**

1. *Generally.* This Article's regulations apply to all types of nonconformities. Uses, buildings or structures, lots, signs, or site elements that were illegally established or constructed are not nonconformities and the provisions of this Article do not apply to them; they instead remain "illegal" or "unlawful" and are violations of this PZC.
2. *Territorial Changes*. Whenever zoning district boundaries change to a different zoning district from annexation, these regulations apply to any existing nonconformity.
3. *Exemptions.*
   a. Nonconformities Created by Public Action. Any nonconforming structure or land expressly created or caused by a conveyance of privately owned land to a federal, state, or local government to serve a public purpose is conforming for the purposes of this PZC and is not subject to the limitations of this Article. This exemption applies only in cases where private land is obtained by a governmental entity for a public purpose through condemnation, threat of condemnation, or otherwise, which creates a nonconformity in the remainder parcel in terms of setback, lot size, or other applicable standards of this PZC. This exemption does not apply to right-of-way dedication or other public conveyances of land required by the City in the course of routine site plan or platting decision approvals.
   b. Nonconformities Created by Variances. Any nonconformity created or caused by the approval of a Variance, in accordance with 1207.25, *Variance*s, is conforming for the purposes of this PZC and is not subject to the limitations of this Article.

C. **Major and Minor Nonconformities.** Nonconformities are classified as major or minor, as follows:

1. *Major.* The Director shall make the determination of whether a nonconformity is "major" by considering if it:
   a. Nuisances. Generates nuisances;
   b. Adjacent Properties. Is incompatible with adjacent properties;
   c. Comprehensive Plan. Is incompatible with the Comprehensive Plan;

d. Crime. Generates substantiated criminal complaints; or

e. Health and Safety. Poses a risk to public health and safety.

2. *Minor.* Minor nonconformities are those that are not classified by the Director as major nonconformities.

D. **Determination of Nonconforming Status.** To receive an official status determination, the owner shall apply for a Zoning Permit in accordance with the applicable procedures of Chapter 1207, *Development Review Procedures*. The property owner bears the burden of providing sufficient evidence and demonstrating to the Director:

1. *Establishment*. That a nonconformity was lawfully established; and

2. *Classification*. The classification of a nonconformity as minor.

1208.02 Nonconforming Uses

A. **Generally**. A nonconforming use is any use that:

1. *Previously Conforming.* On the effective date of this PZC, was previously lawfully established and complied with the applicable regulations in effect at the time it was established but does not comply with the applicable regulations of this PZC; or

2. *Nonconforming Due to Amendment*. On or after the effective date of this PZC, was lawfully operating according to this PZC's provisions but, by text amendment became an unpermitted use in the district in which the use is located.

B. **Continuance.** Any nonconforming uses may be continued so long as they remain otherwise lawful and subject to the following:

1. *Change in Use.* A nonconforming use shall not be changed to another nonconforming use.

2. *Enlargement or Extension.*

a. Major Nonconforming Uses. Nonconforming uses classified as major nonconformities shall not be enlarged, expanded, increased, or extended to occupy a greater area of land that was occupied on the effective date of this PZC. No structures containing a major nonconforming use shall be enlarged unless the major nonconforming use is permanently discontinued.

b. Minor Nonconforming Uses. Nonconforming uses classified as minor nonconformities may be enlarged or increased, nor extended to occupy a greater area of land than was occupied on the effective date of this PZC subject the following:

i. Residential Uses. A minor nonconforming residential use in any district may be increased or improved provided the structure continues to be used for residential purposes only and meets all required setbacks; or

ii. Nonresidential Uses. To expand a minor nonconforming nonresidential use, the owner shall first request for the use to be converted to conforming in accordance with 1208.07, *Conversion of Nonconformities;*

3. *Relocation*. No such nonconforming use shall be moved, in whole or in part, to any portion of the lot or parcel other than that occupied by such uses at the effective date of this PZC;

4. *Additional Structures*. No additional structures shall be constructed on a lot with a nonconforming use unless such new structure complies with the requirements of the zoning district in which is it located and all other applicable requirements of this PZC; and

5. *Termination of Use by Damage or Destruction*.

a. Less than Fifty Percent of Value. If a structure containing a nonconforming use is damaged but not to an extent greater than 50% of the principal structure's value, the same nonconforming use may be re-established provided:

i. The use is the same size and intensity that previously existed prior to the damage or destruction;

ii. The use is re-established within six months from when the damage occurred; and

iii. The structure complies with the requirements of the zoning district in which is it located and all other applicable requirements of this PZC.

b. *Greater than Fifty Percent of Value.* If the extent of the damage is greater than 50% of the principal structure's value, the nonconforming use shall not be re-established and any subsequent use shall meet the requirements of the zoning district in which is it located and all other applicable requirements of this PZC.

C. **Discontinuance and Abandonment.** When any nonconforming use is discontinued for period of more than six consecutive months, it is deemed to be abandoned. Once the nonconforming use is deemed abandoned, it shall not be re-established or resumed. Any subsequent use shall conform to the regulations of the zoning district in which it is located and all other applicable requirements of this PZC. The intent to continue a nonconforming use shall not be evidence of its continuance.

1208.03 Nonconforming Structures

A. **Generally.** A nonconforming structure is any existing structure erected or modified on or before the effective date of this PZC that complied with the regulations in effect at the time it was erected or modified but that does not comply with all the regulations applicable in this PZC.

B. **Governmental Acquisition.** The governmental acquisition of a portion of a lot for a public purpose that results in a reduction in a required yard or building setback below that required in the applicable zoning district shall not render a structure nonconforming.

C. **Safe Condition of Building.** Nothing in this Section shall be deemed to prevent the strengthening or restoring to safe condition of any building, or part thereof, declared to be unsafe by any official charged with protecting the public safety, upon order of such official. Where appropriate, a building permit for such activities shall be required.

D. **Continuance.** A nonconforming structure may continue to be used by any use permitted in the zoning district in which the structure is located, operated, and maintained so long as the nonconforming structure remains otherwise lawful and does not constitute a public nuisance and is subject to the following:

1. *Maintenance, Repair, Enlargement, or Alteration.* Maintenance and ordinary repairs such as repair or replacement of nonbearing walls, fixtures, wiring, or plumbing may be done on a nonconforming structure provided that such maintenance and repairs do not enlarge or expand the footprint of the structure or increase the nonconformity. Any enlargement or alteration of the nonconforming structure or site shall not create an additional nonconformity or increase the degree of the existing nonconformity of all or any part of such structure or site unless otherwise specified in this PZC;

2. *Restoration Due to Damage or Destruction.* If a nonconforming structure is damaged, but not to an extent greater than 50% of the principal structure's value, such structure may be restored if restoration is started within six months and diligently pursued to completion on the same lot to the same size and intensity of use as was previously existing immediately prior to the damage or destruction. If a nonconforming

structure is damaged beyond 50 percent of the principal structure's value, such structure shall only be rebuilt in compliance with the requirements of this PZC;

3. *Relocation.* The nonconforming structure shall not be relocated in whole or in part to any other location on the same or any other lot unless the entire structure will completely conform to the regulations of the applicable zoning district and any other application provisions of this PZC after being relocated;
4. *Change of Use.* The principal use of a nonconforming building may be changed to any other use permitted in the applicable zoning district as long as the new use complies with all regulations of this PZC specified for such use, except the regulations to which the building did not conform prior to the change in use.

E. **Voluntary Removal or Decrease in Nonconformity.** If the owner voluntarily removes the structure or reduces the nonconformity, that owner shall not be permitted to rebuild the structure to the original height, size, or setback.

1208.04 Nonconforming Lots of Record

A. **Generally.** A nonconforming lot of record is any existing lot before the effective date of this PZC that complied with the regulations in effect at the time of creation but that does not comply with all the regulations applicable in this PZC.

B. **Continuance.** A nonconforming lot of record may continue to be used by any use permitted in the zoning district in which the lot is located and structures may be constructed, expanded, or altered subject to the following:

1. *Access to Street.* The nonconforming lot shall have direct paved access to an existing improved public or private street or alley;
2. *Separate Ownership.* The lot is in separate ownership from all adjacent and contiguous parcels, therefore preventing the acquisition of the additional land area needed to comply with the standards that would otherwise apply to the creation of the lot, such as minimum area and width;
3. *Compliance with Other Standards.* Development on the nonconforming lot shall comply with all other applicable standards of this PZC, such as use standards, landscaping and bufferyard standards, parking standards, etc.
4. *Residential Districts.*
   a. Existing Dwellings. If an existing lot of record in a residential district is occupied by a dwelling, such dwelling shall be maintained and may be repaired, modernized, or altered, provided that:
      i. Enlargement of Dwelling. The building shall not be enlarged in floor area unless the enlarged section complies with all regulations of this PZC, with the exception of the lot area and the lot width regulations; and
      ii. Number of Dwellings. The number of dwelling units shall not be increased unless in conformance with this PZC.
   b. Construction of New Dwellings. In any residential district, a single-unit dwelling and its customary accessory uses may be erected on a vacant nonconforming single lot of record after the effective of this PZC provided the buildings comply with the following:
      i. Setbacks and Yard Widths. The width of the side yard of any such lot need not exceed 10 percent of the width of the lot, provided, however, that there shall be a minimum side yard setback of five feet. The rear yard setback of any such lot need not exceed 20 percent of the depth of the lot, provided, however, that the minimum rear yard setback shall be 10 feet.

ii. Panhandle Lots. Notwithstanding the above provision, any construction proposed on an existing lot of record that is a panhandle lot which results in a proposed dwelling unit being constructed behind an existing dwelling shall be reviewed by the BZA. The BZA shall review the placement of the building on the lot and may require screening to protect the privacy of the existing dwelling unit.

5. *Nonresidential Districts.* In any nonresidential district, a use that is permitted in the applicable district, and its customary accessory uses, may be erected on a vacant single vacant lot of record provided the buildings comply with the following:
   a. The width of the side yard of any such lot need not exceed 10 percent of the width of the lot, provided, however, that there shall be a minimum side yard setback of five feet.
   b. The rear yard setback of any such lot need not exceed 20 percent of the depth of the lot, provided, however, that the minimum rear yard setback shall be 10 feet.

1208.05 Nonconforming Signs

A. **Generally.** A nonconforming sign is any existing sign established on or before the effective date of this PZC that complied with the regulations in effect at the time of development but that does not comply with all the regulations applicable in this PZC.

B. **Continuance.** Any nonconforming sign may be continued subject to the following:
   1. *Repairs and Maintenance.* Ordinary repairs and maintenance of nonconforming signs are permitted, but a nonconforming sign shall not be enlarged, expanded, or otherwise altered. Nonconforming signs shall be maintained in good condition pursuant to 1204.29, *Installation, Maintenance, and Removal;*
   2. *Alterations and Modifications.* A nonconforming sign shall not be altered, modified, or reconstructed, other than to comply with this PZC, except:
      a. New Ownership. When the existing use has new ownership which results in a change in the name of the use or business on the property, a face change or panel replacement only may be permitted;
      b. Reoccupied by Similar Use. When the space is reoccupied by a similar use and the new occupant requires no external building or site renovation; or
      c. Replacing Panel or Face Only. When a sign is changed by replacing a sign panel or by repainting a sign face only. Such alterations shall not require changes to the structure, framing, erection, or location of the sign unless such changes conform to this PZC;
   3. *Restoration Due to Damage, Destruction, or Partial Removal.* If a nonconforming sign is damaged or partially destroyed or removed by any means, the structure may be restored to its original dimensions, subject to the following:
      a. Percentage of Damage. The damage or destruction does not exceed 10 percent of the sign display area, support, or appurtenances;
      b. Required Permits and Approvals. Required permits and approvals for repairs are obtained within six months of the date the sign was damaged;
      c. Timeline for Restoration. The repairs or reconstruction is completed within six months after obtaining the required permits and approvals; and
      d. No Increase in Nonconformity. The original nonconformity is not enlarged, increased, or extended

C. **Abandonment.** If a nonconforming sign does not display any message for a period of 90 days, it shall be considered abandoned and shall be removed in accordance with paragraph E, below, or brought into conformance with this PZC.

D. **Unsafe Nonconforming Sign**. Any nonconforming sign declared unsafe by an agent of the City shall be removed in accordance with paragraph E, below.

E. **Removal**. Removal of a nonconforming sign required by this Section shall occur within 30 days unless the Director specifies another time period. A nonconforming sign that is not removed within 30 days or another time period specified by the Director may be removed by the City at the expense of the property owner. To recover the costs from the property owner, the City may certify the total cost, together with a proper description of the land, to the applicable county auditor to place such costs upon the tax duplicate, or the City may commence a civil action against the property owner for the costs.

F. **Replacement.** If a nonconforming sign is removed for any reason, it shall not be replaced unless the replacement sign conforms to this PZC.

1208.06 Other Nonconforming Site Elements

A. **Generally.** A nonconforming site element is any site element established on or after the effective date of this PZC that complied with the regulations in effect at the time of development but that does not comply with all the regulations applicable in this PZC. Examples of site elements includes parking, loading, stacking, landscaping, bufferyards, outdoor lighting, or other site conditions or standards required by Chapter 1204, *Development and Design Standards*.

B. **Continuance.** A nonconforming site element may continue if there is no expansion or intensification of the associated structure or use as described below:

1. *Enlargement or Alteration.* Any increase in the gross floor area exceeding 50 percent, or construction, remodeling, or other alterations the costs of which exceed 50 percent of the fair market value of the structure; or
2. *Change in Use.* Any change of use that requires approval of a Site Plan Review, Master Development Plan, Zoning Map Amendment, or Conditional Use Permit and the new use is higher in intensity than the previous use.
3. *Outdoor Lighting.*
   a. Until the luminaire (total fixture, not just the bulb) is replaced, at which point, the lighting shall be subject to all the standards of this PZC with the exception of the maximum height; or
   b. 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 PZC.

1208.07 Conversion of Nonconformities

A. **Generally.** In some instances, minor nonconformities may be integral parts of the City's character and function with little or no negative impacts on its surroundings. In these instances, the classification "nonconformity" and resulting restriction on investment may not be what the community desires. As such, a nonconforming use or structure may be made conforming pursuant to this Section in order to remove the potential barriers to reinvestment that may be associated with the "nonconforming" designation in terms of owners' ability to improve properties.

B. **Applicability.** This procedure only applies to minor nonconformities and does not apply to any other type of nonconformity.

C. **Procedure.**

1. *Application, Review, and Decision.* An owner may apply and follow the procedures for a Conditional Use Permit as described in Article 07.01, *Common Development Procedures*, and 1207.20, *Conditional Use Permit*, with the additional of the review criteria, which are listed in paragraph D, below.
2. *Approval Conditions.* The Planning Commission may impose conditions requiring or increasing requirements regarding landscaping, bufferyards, screening, or other site elements or limitations necessary to ensure that nuisances or potential nuisances will be eliminated.

D. **Review Criteria.** In determining whether to approve, approve with conditions, or deny a Conditional Use Permit under this Section, the Planning Commission shall consider the following review criteria:

1. *Minor Nonconformity.* The nonconformity is considered a minor nonconformity and has been integrated into the neighborhood's function;
2. *Patrons and Employment.* Nearby residents regularly patronize or are employed at the subject property;
3. *Nuisances.* Construction or property management practices eliminate nuisances such as noise, glare, waste materials, unreasonably congested on-street parking, or similar conflicts;
4. *Disincentive for Maintenance.* The nonconformity has been maintained in good condition and its classification as a nonconformity would be a disincentive for the continuation of such maintenance; and
5. *Previous Complaints.*
   a. There is no material history of complaints about the structure or use; or
   b. The approval conditions of the Conditional Use Permit will eliminate the source(s) of the complaints.

E. **Effect.** Upon approval, the Conditional Use Permit has the effect of:

1. *Designate Conformity.* Designating the nonconformity as conforming; or
2. *Establishment or Expansion.* Allows re-establishment or reconstruction of a nonconformity beyond the limits established in this Article.

Article 08.02 Enforcement of Code

1208.08 General Provisions

A. **Purpose.** The purpose of this Article is to set out the procedures for enforcing this PZC and the penalties and remedies available to the City for violations of this PZC.

B. **Applicability.**

1. *Compliance Required.* No person may use, occupy, or develop land, buildings, or other structures or authorize or permit the use, occupancy, or development of land, buildings, or other structures, except in accordance with all the provisions of this PZC.
2. *Continuation of Prior Enforcement Actions.* Nothing in this Article shall prohibit the continuation of previous enforcement actions undertaken by the City pursuant to regulations in effect before the effective date of this PZC. Enforcement actions initiated before the effective date of or amendments to this PZC may be continued to completion or settlement under the terms of the regulations in effect prior to the effective date of this PZC.

C. **Enforcement Authority.**

1. *Code Enforcement Inspector.* The Code Enforcement Inspector has the authority to issue citations for any violation of this PZC in accordance with 1208.08, *Violations*, enforce this PZC, and prevent and stop violations in accordance with this Article.
2. *Other Authorized Personnel.* The Code Enforcement Inspector may be assisted by the Director, Building Official, or other personnel as the City Council may authorize.
3. *Appropriate Action.* In addition to the penalties and remedies provided in 1208.10, *Penalties and Remedies*, the Code Enforcement Inspector may institute on behalf of the City any appropriate action or proceeding to prevent, restrain, correct, or abate a violation of this PZC, or to prevent any illegal act, conduct, business, or use in or on subject premises.
4. *Right to Entry.* The Code Enforcement Inspector and Director are empowered to enter any building, structure, or premises in the City upon which a development or land use is located, as follows:
    a. Inspection. Entry shall be for the purpose of inspection to ensure compliance;
    b. Hours. Inspection shall be performed during business hours unless an emergency exists; and
    c. Permission. Inspection shall be made only after:
        i. Permission is granted by the owner or tenant; or
        ii. An order is given from a court of competent jurisdiction.

1208.09 Violations

A. **Examples of Violations.** Violations of this PZC subject to the enforcement remedies of this Article include but are not limited to the following:
1. *Development or Use Without, or Inconsistent with, a Permit or Approval.* Any activity that is not authorized by or is inconsistent with all of the permits, approvals, certificates, and authorizations this PZC requires, as set out in Chapter 1207, *Development Review Procedures*;
2. *Development or Use Inconsistent with this Code*. Any activity that is inconsistent with any applicable zoning, subdivision, or general regulation of this PZC, unless this PZC expressly provides an exception;
3. *Development or Use Inconsistent with Conditions*. Any activity that violates, by act or omission, any term, condition, or qualification the City places upon a required permit, certificate, rezoning, plan approval, or other forms of authorization that the City granted to allow the use, development, or other activity upon land or improvements of land;
4. *Making a Lot or Yard Nonconforming.* Any activity that reduces any lot area so that the yards or open spaces are smaller than that required by this PZC, a Final Plat, Site Plan Review, Master Site Plan, or Planned Unit Development, except in accordance with the procedural and substantive requirements of this PZC;
5. *Increasing Use Intensity.* Any activity that increases the intensity or density of use of any land or structure, except in accordance with the procedural and substantive requirements of this PZC;
6. *Removing, Defacing, or Obscuring Notice*. Any activity that removes, defaces, obscures, or interferes with any sign or notice required by this PZC; and
7. *Subdivision Plat Violation*. Any activity that conveys, transfers, or sells any land by reference to, exhibition of, or by other uses of a plat of a subdivision before the plat has been approved as provided in Article 07.06, *Platting Decisions*. Each lot, block, or part thereof constitutes a separate offense.

B. **Complaints.** Any person may file a written complaint to the Code Enforcement Inspector on a suspected violation of this PZC. The Code Enforcement Inspector shall record the complaint immediately, investigate, and take action as provided in this Article.

C. **Notice of Violation.**

1. *Issuance of Notice.* The Code Enforcement Inspector shall issue notice of a violation in writing by one of the following means:
   a. Personal Delivery. Personal delivery to the person or persons responsible, or by leaving the notice at the usual place of residence of the owner with a person of 16 years or older;
   b. U.S. Mail. Certified mail or first class mail, addressed to the person or persons responsible at a last known address. Service shall be deemed complete when a certified mail receipt is received or first class mail is not returned after 10 days of mailing; or
   c. Posting on Premises. Posting a copy of the notice form in a conspicuous place on the premises found in violation.
2. *Contents of Notice.* The notice shall contain:
   a. Address. The address or location of property where the violation is alleged;
   b. Violation Description. A description of the alleged violation with a reference of the section(s), subsection(s), or paragraphs(s) of this PZC and/or conditions of approval being violated;
   c. Required Actions. A statement of the action(s) that shall be taken to correct the violation;
   d. Timeframe. A timeframe that shall not exceed 14 days to correct the violation. The Code Enforcement Inspector may grant an extension if the property owner is diligently working towards compliance with this PZC. Persons with a cumulative total of more than three violations are not eligible for a time extension; and
   e. Contact Information. Contact information for a person or department who can answer questions about the violation notice.
3. *Exemption.* The Code Enforcement Inspector shall not be required to issue written notice and may continue the enforcement process if the violation is likely to create an imminent hazard to life or property.

D. **Successive Days and Cumulative Penalties.** Each and every day that the provisions of this PZC are violated shall constitute a separate and distinct offense.

E. **Affected Parties.** The owner or tenant of any full or partial building, structure, or premises and any architect, engineer, surveyor, builder, contractor, agent, or other person who commits, participates in, assists in, or maintains a violation may be found guilty of a separate offense and suffer the penalties provided in this Article.

F. **Correction.** Correction of the violation in the manner stipulated by the violation notice at any point during this enforcement process shall deem the notice null and void and enforcement activity shall cease.

1208.10 Penalties and Remedies

A. **Penalties.** For each separate offense as described in 1208.09, *Violations*, any affected parties violating any provision of this PZC shall be guilty of a misdemeanor and:

1. *Fines*. Be fined in an amount that is not less than 10 dollars, but not exceeding more than 100 dollars for each offense or the maximum specified by Ohio state law; If the violation(s) that are found to be willful offenses, then the fine shall be in an amount that is not less than 100 dollars, but not exceeding more than 200 dollars for each offense or the maximum specified by Ohio state law;

2. *Imprisonment.* Be imprisoned for not less than 10 days, but not exceeding six months; or
3. *Combination of Both.* A combination of fines and imprisonment as described above at the discretion of the court of competent jurisdiction.

B. **Remedies.**

1. *Non-Judicial Remedies.* The Director or another administrative review official (City Engineer, Chief Building Official) may enforce any violation of this PZC prior to and without judicial process by:
   a. Denying or Withholding Permits or Approvals. Denying or withholding permits, approvals, or other forms of authorization for failure to comply with the requirements of this PZC or those of a referral agency;
   b. Suspending Permits. Suspending any permits to allow for the correction of a violation or in response to a judgment of a court of competent jurisdiction;
   c. Temporarily Revoking Permits. Temporarily revoking permits for due cause to address an imminent danger to public health, public safety, or public or private property or to prevent irreparable harm.
   d. Revoking Permits and Approvals.
      i. Generally. Revoking permits, approvals, or other forms of authorizations that were approved if the administrative review official determines that:
         (1) There is a violation of any provision of this PZC;
         (2) The development approval was issued in error or based on false representation;
         (3) Upon the request of an outside agency with jurisdiction and due cause; or
         (4) There is a departure from the approved plans required under the permit, this PZC, or the City's construction requirements.
      ii. Notice. Written notice of revocation shall state a time frame to correct the violation.
      iii. Effect of Notice. No work or construction may proceed after service of the revocation notice except work necessary to correct a violation.
      iv. Failure to Correct. If the period to correct the violation lapses and arrangements acceptable to the administrative official that revoked the approval have not been made, the administrative review official may:
         (1) File litigation in a court of competent jurisdiction; or
         (2) Remove or correct such violation and place a lien upon the property or improvements to the property in an amount to cover all costs related to correction or abatement of the violation;
   e. Stopping Work. Stopping any or all construction activity necessary to halt, correct, or prevent a violation of this PZC by issuing a written stop-work order; and
   f. Cease and Desist Orders. Issuing a cease-and-desist order to close unlawful uses or to halt a violation of this PZC.
2. *Judicial Remedies.*
   a. Injunctive Relief and Abatement.
      i. In case any building is or is proposed to be located, erected, constructed, reconstructed, enlarged, changed, maintained, or used or any land is or is proposed to be used in violation of this PZC, or any amendment or supplement thereto, City Council, the law director, the Director, City Engineer, or any adjacent or neighboring property owner who would be especially

damaged by such violation, in addition to other remedies provided by law, may institute injunction, mandamus, abatement, or any other appropriate action or proceeding to prevent, enjoin, abate, or remove such unlawful location, erection, construction, reconstruction, enlargement, change, maintenance, or use.

ii. The law director shall, immediately upon any such violation having been called to his or her attention, institute injunction, abatement or any other appropriate action to prevent, enjoin, abate, or remove such violation. Such action may also be instituted by any property owner who may be especially damaged by any violation of this PZC.

b. Special Council. City Council may employ special counsel to represent it in any proceeding or to prosecute any actions brought under this section.

c. Cumulative and Not Exclusive. The remedy provided for herein shall be cumulative and not exclusive and shall be in addition to any other remedies provided by law.

C. **Other Necessary Actions.** Nothing contained within this Section shall prevent the City from taking such other lawful action as is necessary to prevent or remedy any violation including issuing a misdemeanor citation for a continuing code violation.

CHAPTER 1209 WORD USAGE

Article 09.01 Rules of Construction and Definitions

1209.01 Rules of Construction

For the purpose of this PZC, words and phrases shall have the meanings set forth in this Section:

A. **Intent.** All provisions, terms, phrases, and expressions contained in this code shall be construed according to stated purpose and intent of this code.

B. **City**. The word "City" means Monroe, Ohio.

C. **District**. The word “district” means zoning district.

D. **Mandatory versus Discretionary Terms.**

1. The words “shall”, "must", and "will" are always mandatory; and
2. The words “may” and “should” are discretionary.

E. **Conjunctions.** Unless the context clearly suggests the contrary, conjunctions shall be interpreted as follows:

1. “And” indicates that all connected items, conditions, provisions, or events shall apply; and
2. “Or” indicates that one or more of the connected items, conditions, provisions, or events shall apply.

F. **Tense and Number.** Words used in one tense (past, present, or future) include all other tenses, unless the context clearly indicates the contrary. The singular shall include the plural, and the plural shall include the singular.

G. **Building and Structure.** The word "building" or "structure" includes any part of the building or structure, and the word "building" includes the word "structure.”

H. **Gender.** The masculine shall include the feminine, and vice versa.

I. **Computation of Time**. In computing any period of time prescribed or allowed by this PZC, the date of the application, act, decision, or event, from which the designated period of time begins shall not be included. The last date of the period of time to be computed shall be included, unless it is a Saturday, a Sunday, or a legal holiday, in which case the period runs until the end of the next day which is not a Saturday, a Sunday, or a legal holiday as observed by the City of Monroe where the City administrative offices are closed for the entire day.

J. **Rounding of Percentages/Fractions.** If any regulatory formula in this PZC results in a non-whole number of an indivisible object or feature (for example, a bufferyard requiring 6.33 trees or a parking lot requiring 20.75 spaces), then the non-whole number shall be rounded to the nearest whole number (in the bufferyard case, 6 and in the parking lot case, 21).

K. **Lists and Examples.** Unless otherwise specifically indicated, lists of items or examples that use terms such as "including", "such as", or similar language are intended to provide examples, and not to be exhaustive lists of all possibilities.

L. **Illustrations, Tables, and Text.**

1. *Text.* The text material of this PZC controls over tables and illustrations in cases of inconsistency. Likewise, tables control over illustrations.
2. *Graphics.* Illustrations and photographs in this PZC are provided for illustrative purposes only.

M. **Public Officials and Agencies.** All public officials, bodies, and agencies to which references are made are those of the City of Monroe, unless otherwise expressly stated. Any office referred to in this PZC by title means the person employed or appointed by the City in that position, or their duly authorized representative, and includes any person designated to perform the duties of such office.

N. **Most Recent Version.** All references to other county, state, or federal regulations in this PZC refer to the most current version and citation for those regulations unless expressly indicated otherwise. If the referenced regulations have been repealed and not replaced by other regulations, requirements for compliance are no longer in effect.

O. **Technical Words.** Technical words and phrases not otherwise defined in this code that may have acquired a peculiar and appropriate meaning in law shall be construed and understood according to such meaning.

P. **Customary Usage.** Definitions not expressly prescribed in this PZC are to be construed in accordance with customary usage in municipal planning and engineering practices.

Q. **Delegation of Authority**. Whenever a provision appears requiring the head of a department or another officer or employee of the City to perform an act or duty, that provision shall be construed as authorizing the department head or officer to delegate the responsibility to subordinates, unless the terms of the provision specify otherwise.

R. **References to Other Regulations, Publications, and Documents.**

1. *Generally.* Whenever reference is made to an ordinance, statute, regulation, or document, that reference shall be construed as referring to the most recent edition of such regulation (as amended), ordinance, statute, or document, or to the relevant successor document, unless otherwise expressly stated.
2. *Reference to the Ohio Revised Code.* Whenever any provision of this code refers to or cites a section of the Ohio Revised Code (as amended), and that section is later amended or superseded, this code shall be deemed amended to refer to said amended section or the section that most nearly corresponds to the superseded section.
3. *Comprehensive Plan.* The words "Comprehensive Plan" refer to "Advance Monroe 2040" or the most recent version of the adopted Plan.

S. **Defined and Undefined Terms.**

1. *Defined Terms.* Terms defined in Section 1209.03, *Definitions*, are those having a special meaning relative to the purposes of this PZC.
2. *Undefined Terms*. All words not defined shall be construed according to the common and approved usage of American English, according to the Administrator, unless the context clearly indicates otherwise.

1209.02 Acronyms and Abbreviations

Table 1209.02, Meaning of Acronyms and Abbreviations

Abbreviation or Acronym	Meaning
--	when used in tables, indicates "no limit," "no restriction," or "not applicable" unless otherwise specified
AASHTO	American Association of State and Highway Transportation Officials
AC.	Acres
ADA	Americans with Disabilities Act

Table 1209.02, Meaning of Acronyms and Abbreviations	
Abbreviation or Acronym	Meaning
BFE	Base Flood Elevation
BMP	Best Management Practice
BZA	Board of Zoning Appeals
Commission	Planning Commission
Council	City Council
DU	Dwelling Unit
DU/AC	Dwelling Units Per Acre
FAA	Federal Aviation Administration
FCC	Federal Communications Commission
FT.	Feet
FEMA	Federal Emergency Management Agency
FHBM	Flood Hazard Boundary Map
FIRM	Flood Insurance Rate Map
FIS	Flood Insurance Study
GFA	Gross Floor Area
IN. or in.	Inches
LOS	Level Of Service
MAX.	Maximum
MIN.	Minimum
n/a or NA	Not Applicable
ODOT	The Ohio Department Of Transportation
OEPA	The Ohio Environmental Protection Agency
ORC	The Ohio Revised Code
PZC	Planning and Zoning Code
SF. or sq. ft.	Square Feet
SESC	Soil Erosion and Sedimentation Control
TIS	Traffic Impact Study

1209.03 Definitions

24-Hour Operation Adjacent to a Residential District or ~~Subdivision~~ Use means a business that operates any time after 10:00 PM or prior to 5:00 AM.

Aboveground Storage Tanks (ASTs) means an aboveground storage tank and the connected underground piping, underground ancillary equipment, and containment system, if any, used to store regulated substances.

Abutting or Adjacent means the land, lot, or property adjoining the property in question along a lot line or separated only by an alley, easement, or street.

Acceptance means consenting to receive something. In the case of this PZC, public entities will consent to receive for public use and benefit subdivision improvements that meet regulatory standards and have been approved by the appropriate authorities.

Access Any driveway or other point of entry and/or exit such as a street, road or thoroughfare, that connects to the general street system. Where two public roadways intersect, the secondary roadway shall be considered the access.

Access Control The regulation of the number, type and frequency of access points along a given roadway, and the design standards to which they should conform.

Access Level A numerical designation which defines the magnitude of access control.

Access Point See definition of "access."

Accessory Dwelling Unit (ADU) means a separate, complete dwelling unit that has its own kitchen, sleeping area, and full bathroom facilities. Accessory dwelling units may be contained within or added on to a principal dwelling, be part of an accessory building (e.g., attached to a garage), or the accessory dwelling unit may be a separate structure.

Active Park, Playground, or Recreational Facility means any park or recreational facility that requires grading of the land, construction of facilities, lighting, or is developed for ball fields, tennis courts, golf course, amusement parks, outdoor swimming pools, skate parks, disc golf, and other similar outdoor facilities.

Activity Area In relation to a use, an activity area is any area of a site where a principal use, accessory use, or temporary use takes place along with any associated activities excluding any open space or landscaping.

Adult Day Center means a nonresidential facility that provides a planned program of adult day services as defined in the Ohio Administrative Code, including social and recreational activities (not overnight) in a professional care setting for senior or functionally impaired adults.

Adult Family Home means a residence or facility, as defined and regulated in ORC Chapter 3722 that provides accommodations for three to five unrelated adults and provides supervision and personal care services to at least three of the unrelated adults.

Adult Group Home means a residence or facility, as defined and regulating in Chapter 3722 of the Ohio Revised Code, which provides accommodations for 6 to 16 unrelated adults and provides supervision and personal care services to at least 3 of the unrelated adults.

Airport, Landing Strip, Helipad, or Other Aircraft Facility means any area of land or water designed and set aside for the landing or take-off, storage, or maintenance of an aircraft and other aviation equipment.

Alley means a narrow roadway intended to provide access to the rear or sides of lots or buildings and not intended for through traffic.

Affected Parties means the owner or tenant of any full or partial building, structure, or premises and any architect, engineer, surveyor, builder, contractor, agent, or other person who commits, participates in, assists in, or maintains a violation.

Affirmative Finding means confirming or asserting something as true or valid.

Agricultural Building means a non-residential uninhabited structure for the storage of farm animals, implements, supplies, or products and is not open to the public. Examples include, but are not limited to barns, grain elevators, silos, coops, corrals, pens, private stables, greenhouses, but not retail greenhouses or structures for packaging agricultural products or agricultural processing activities.

Agricultural-Related Uses mean a use category primarily related to the raising of plants and associated enterprises. Uses include, but are not limited to floriculture, horticulture, row and field crops, viticulture, and orchard. This definition also includes other uses that the Director or their designee interprets to be functionally similar to a land use in this use category.

Amateur Radio Antennas means any transmitter, antenna, tower, or other apparatus designed for communications through amateur radio, also referred to as ham radio.

Animals, Domestic Any animal customarily kept by humans for companionship, including but not limited to dogs, cats, birds, rabbits, hamsters, mice, turtles, and the like.

Animals, Exotic Any cat, other than felis catus; any canine, other than canis familiaris, non-human primates; poisonous reptiles; alligators, crocodiles or lizards over two feet long; snakes over six feet long; bears; kangaroos; eagles; poisonous stinging insects; or arachnids.

Animals, Livestock All llamas, alpacas, and similar animals; all cattle or animals of the bovine species; all horses, mules, burros, and asses or animals of the equine species; all goats or animals of the caprine species; all swine or animals of the porcine species; all chickens and animals of the galliforme order; and all sheep or members of the ovine family.

Animal-Related Uses means a use category primarily related to the raising of animals and plants and associated enterprises. Uses include, but are not limited to, beekeeping, kennel, and stables. This definition also includes other uses that the Director or their designee interprets to be functionally similar to a land use in this use category.

Antenna means a system of electrical conductors that transmit or receive electromagnetic waves or radio frequency or other wireless signals. Such signals shall include, but not be limited to radio, television, cellular, paging, personal telecommunications services (PCS), microwave telecommunications and services not licensed by the FCC, but not expressly exempt from the City's siting, building and permitting authority.

Antique means 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 means 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.

Applicant means, unless otherwise specified, an owner of a property or an agent for the owner, including, a subdivider, developer, attorney, or similar representative, who has filed an application for development review pursuant to Chapter 1207, *Development Review Procedures*.

Application means the process by which the applicant submits a request for any type of development review or approval identified in Chapter 1207, *Development Review Procedures*. Applications include all written documentation, verbal statements, and representations, in whatever forms and quantities as required by the City.

Arboretum or Botanical Garden means facilities and/or land where a wide variety of plants are cultivated for scientific, educational, or ornamental purposes and typically open to the public.

Arterial, Major means a multi-lane roadway, usually divided by a raised median, that allows for access at at-grade public street intersections; provides mobility to traffic at moderate to high speeds, volumes and distances; and serves interregional, intercity and intracity travel demands.

Arterial, Minor means a multi-lane roadway that allows for access at at-grade public street intersections; restricts direct property access; provides access and mobility at moderate to high speeds and volumes in rural areas and low to moderate speeds and volumes in urban areas; and serves intercity, intracity and intracommunity travel demands.

Artisan/Micro-Manufacturing means the retail or business-to-business production of artisan goods that are produced in small quantities using small hand tools or light machinery including, but not limited to, 3-D printers or computer numerical control routers.

Automated Teller Machines (ATMs) An automated device that provides bank and financial institutional customers with cash withdrawal and other financial services without the need for a bank teller.

Automotive Body and Major Repair means any land, building, structure, or premises used for the general repair, rebuilding, reconditioning, body or fender work, framework, painting, coating, or the replacement of parts to automobile passenger vehicles.

Automotive Parts and Tire Sales means any building or land used for the sale of automobile passenger vehicle lubricants, tires, batteries, parts, and similar accessories for passenger vehicles.

Automotive Servicing means any land, building, structure, or premises used for the routine maintenance of automobile passenger vehicles and limited servicing of automobiles including, but not limited to, the sale and installation of oil, lubricants, filters, batteries, tires, brakes, belts, and other similar activities or for installing or repairing parts and accessories but not to include the activities of automotive body and major repair.

Automotive Sales, Leasing, or Rental means any premises on which three or more used or new automotive passenger vehicles are offered for sale, rental, or lease during any calendar year.

Automotive Sales and Services Use Category means a commercial use category characterized by direct sales of and service to automotive passenger vehicles, light and medium trucks, and other consumer motor vehicles such as motorcycles, boats, and recreational vehicles. Primary and accessory uses included in this use category can be found in 3.03(E), *Commercial Use Categories*.

Automotive Salvage, Impound, and Junkyards means any lot, building, structure, enclosure, premises or parts thereof used for the storage, keeping or abandonment of any worn-out, cast-off, impounded or discarded or abandoned article, material, vehicle, automobile and machinery or parts thereof, which is ready for destruction or sale or has been collected or stored for salvage; or other waste or discarded materials, articles, vehicles, automobiles and machinery or parts thereof, or vehicles or automobiles that are inoperable or incapable of movement by their own locomotion or power, or vehicles or automobiles without a valid current state registration and license plate issued to such automobile or vehicle and to the occupant, owner, purchaser, lessor, lessee or tenant of any lot, building or structure therein or thereon situated. Such use shall include automotive wrecking and storage.

Average Daily Traffic (ADT) means The annual average two-way daily traffic volume. It represents the total traffic for the year, divided by 365.

Awning means a shelter projecting from and supported by the exterior wall of a building constructed of non-rigid materials on a supporting framework. See also definition of "canopy."

Bank, Credit Union, or Other Financial Institution means any building, property or activity the principal use or purpose of which is the provision of financial services including, but not limited to, banks, credit unions, financial advisor services, stock brokerages, savings and loan institutions and mortgage companies. The term financial institutions shall not include a short-term loan establishment.

Basement means a portion of a building located partly underground but having half or more of its floor-to-ceiling height below the average grade of the adjoining ground.

Bed and Breakfast Establishments means a single-unit detached residence where sleeping rooms are offered for pay to transient guests for a period of stay of fourteen days or less in association with breakfast the next day.

Beekeeping means the establishment and maintenance by a person of one or more colonies of honeybees for either personal use or the production and sale of honey and honey-based products.

Block Face means all lots that have frontage on the same street as the subject lot between an intersecting street or other boundary.

Board of Zoning Appeals (BZA) means the City of Monroe Board of Zoning Appeals.

Brewery, Large means 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.

Brewpub means 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.

Buffer means an area of natural or planted vegetation adjoining or surrounding a land use and unoccupied in its entirety by any building structure, paving, or portion of such land use, for the purposes of separating, screening, and softening the effects of the land use. A buffer may include a wall, fence, or berm as provided in accordance with the provisions of 1204.21, *Bufferyard Landscaping*.

Building means any structure having a roof supported by columns or walls, used or intended to be used for the shelter or enclosure of persons, animals, or property.

Building, Accessory means a building or structure on the same lot with and of a nature and size customarily incidental and subordinate to a principal building.

Building or Structure, Detached Any freestanding building or structure not sharing common walls with another building.

Building, Principal means the building containing the principal uses on the lot.

Building or Lumber Yard means any land or buildings used primarily for the storage and sale of basic building materials and lumber that may be sold to the general public or contractors.

Building Code means the building code as adopted by the City of Monroe and codified in Part Fourteen - the Building and Housing Code of these Codified Ordinances.

Building Height means the vertical distance of a building or structure, measured in a manner established in Article 02.05, *Measurements and Special Allowances*.

Bus Terminal means a use or establishment devoted solely to the storage or parking of buses without receiving or discharging of passengers on the premises.

Canopy means a structure other than an awning made of cloth, metal, or other material with frames affixed to a building and/or carried by a frame supported by the ground. See also the definition of "awning."

Cemetery, Columbarium, Mausoleum, or Memorial Park means land used for the burial of the human dead and dedicated for cemetery purposes, including columbarium, crematories, mausoleums, mortuaries, and other buildings where funeral services may be held. This definition does not include the burial of animals or pets.

Chicken Coop means a structure for the sheltering of chickens.

Chicken Pen means an enclosure that is connected to and/or surrounding a chicken coop for the purpose of allowing chickens to leave the coop while remaining in an enclosed predator-safe environment.

Child Day Care Center means a nonresidential facility that is not the permanent residence of the licensee or administrator in which child care or publicly funded child care is provided for seven or more children at one time as defined in ORC Section 5104.01 *Child Care Definitions*, and in accordance with ORC Chapter 5104, *Child Day-Care*.

City means the City of Monroe, Ohio

City Council means the City Council of the City of Monroe

City Engineer means the City Engineer of the City of Monroe.

City Manager means the City Manager of the City of Monroe.

Clear and Convincing Evidence means the measure of proof that will produce a firm belief as to the allegation sought to be established.

Clerk of Council means the Clerk of Council of the City of Monroe

Collector, Minor means a three-lane roadway that allows for access at at-grade public street intersections, restricts direct property access, provides access and mobility at moderate speeds, and connects local or second-class collector streets to arterial roadways.

College, University, or Other Higher Educational Institution means any private or public post-secondary educational institution, including secretarial schools, colleges and universities, business schools, seminaries, or any other institution providing collegiate level curriculum.

Co-location The use of a tower or structure to support antennae for the provision of wireless services without increasing the height of the tower or structure.

Commercial Building means a structure designed and intended for the business of selling goods or services to the public, or for office or administrative purposes.

Commercial Impracticability or Commercially Impracticable means the inability to perform an act on terms that are reasonable in commerce, the cause or occurrence of which could not have been reasonably anticipated or foreseen and that jeopardizes the financial efficacy of the project. The inability to achieve a satisfactory financial return on investment or profit, standing alone, shall not deem a situation to be "commercially impracticable" and shall not render an act or the terms of an agreement "commercially impracticable."

Community Facilities Use Category means a public and civic use category characterized by uses of a public, nonprofit, or charitable nature providing social activities, worship, training, or counseling to the general public on a regular basis, without a residential component. Primary and accessory uses included in this use category can be found in 3.03(D), *Public and Civic Use Categories*.

Community Garden means a private or public facility for the cultivation of fruits, flowers, vegetables, or ornamental plants by more than one individual or group and may be divided into separate plots for cultivation by one or more individuals or may be farmed collectively by members of the group and may include common areas maintained or used by group members.

Comprehensive Plan means the complete plan, or any of its parts, serving as a guide for the development of the City of Monroe, prepared by the Planning Commission and adopted by City Council.

Condominium means a multi-unit dwelling or development containing individual owners' dwelling units and jointly owned and shared areas and facilities, which dwelling or development is subject to the provisions of a homeowners association and/or Ohio law.

Construction Dumpster means a container used for the temporary storage of rubbish or materials related to the related construction site or project.

Construction Trailer means a mobile home, trailer, or similar temporary structure that is used as an office or for storage in conjunction with a construction project.

Contractor Service, Equipment, and Storage Yard ~~**Contractor Yard**~~ means any land or buildings used primarily for the storage of equipment, vehicles, machinery (new or used), building materials, paints, pipe, or electrical components used by the owner or occupant of the premises in the conduct of any building trades or ~~or building~~ craft. This may also include landscaping and building maintenance facilities. This does not include uses exclusively for contractor offices and showrooms.~~.~~

Convenience Stores means a small-scale retail store used for the sale of goods used on an everyday basis by consumers including, but not limited to, pre-packaged food products, household items, newspapers and magazines. Such use does not include gasoline or automotive fuel sale or fast-food service.

Correctional Facility means a publicly or privately operated facilities housing persons awaiting trial or persons serving a sentence after being found guilty of a criminal offense.

Council means the City Council of the City of Monroe Ohio

County means Butler or Warren County, Ohio

Cultural Institution means public or private facilities used for display, performance, or enjoyment of heritage, history, or the arts. This use includes but is not limited to, museums, libraries, art performance venues, cultural centers, and interpretative sites but does not include "theaters."

Day Care Facilities Use Category means a public and civic use category characterized by uses providing care, protection, and supervision for at least 17 children or adults on a regular basis away from their primary residence. Care is typically provided to a given individual for fewer than 18 hours each day, although the facility may be open 24 hours each day. Primary and accessory uses included in this use category can be found in 3.03(D), *Public and Civic Use Categories*.

Day Care Home, Type B (1-6 children) means a permanent residence of the provider in which childcare is provided for one to six children at one time and in which no more than three children are under two years of age at one time. In counting children for the purposes of this division, any children under six years of age who are related to the provider and who are on the premises of the type B home shall be counted; or as defined in the Ohio Revised Code.

DBH means diameter-at-breast-height. DBH is used to measure the caliper of a tree trunk at the specific height of 4.5 feet above the ground.

Dedication means the setting apart of land or interests in land for use by the municipality or public by ordinance, resolution, or entry in the official minutes as by the recording of a plat.

Director of Development (Director) means the City of Monroe's Director of the Development Department or designee charged the administration of the PZC. See 1206.01, *Director of Development*, for duties and responsibilities.

Dog Park means an area of land designated for domesticated dogs to exercise, play, socialize, and other activities without a leash.

Domestic Abuse or Transient Shelter means a facility providing supportive services including temporary housing for clients that are unhoused and/or victims of domestic violence.

Drive-Through Facility, Freestanding means facility whose only use is transacting business with customers located in a motor vehicle during such business transaction.

Drive-Through Facility, Principal Use Associated means an establishment that encourages or permits customers to receive services, or obtain goods while remaining in their motor vehicles from a portion of a building, typically a restaurant but, shall not include a vehicle washing establishment, vehicle fueling, or automobile servicing use.

Driveway means a private way, other than a street or alley, that provides access to one lot of record for the use of vehicles and pedestrians.

Drop-Off Box means a small collection facility where recyclable materials, clothing, or household goods are purchased or accepted from the public. Typical uses include neighborhood recycling stations and thrift store collection trucks.

Dry Cleaning and Laundry Drop-Off/Pick-Up Only means an establishment where the public can drop off and pick up laundry for washing or dry cleaning where the actual washing or dry cleaning of the laundry takes place off-site.

Dry Cleaning or Laundry Plant means a facility where garments and other fabric materials may be laundered or dry cleaned.

Duplex means a residential use divided into two separate dwelling units that are on the same lot. Duplexes may be configured side-by-side or stacked.

Dwelling means a building or portion thereof used exclusively for residential purposes, including single-unit, two-unit, and multi-unit dwellings, but not including hotels, motels, tents, recreational vehicles, cabins, or boarding or lodging houses.

Dwelling Unit means a single unit of one or more rooms providing complete, independent living facilities for one or more persons including permanent provisions for living, sleeping, eating, cooking, and sanitation but not including a tent, cabin, hotel, motel recreational vehicle, or other temporary or transient structure or facility. This definition does not include a mobile home or recreational vehicle, camping equipment, or a manufactured home.

Easement A grant by the property owner of the use of a strip of land by the public or a person for specified purposes.

Educational Facilities Use Category means a public and civic use category characterized by public and private schools at the elementary, middle, or high school level that provide basic academic education. Also includes colleges and other institutions of higher learning that offer courses of general or specialized study leading to a degree usually in a campus ~~selling~~setting. Primary and accessory uses included in this use category can be found in 3.03(D), *Public and Civic Use Categories*.

Electric Vehicle (EV) Charging Station means a public or private parking space(s) served by battery charging equipment with the purpose of supplying electrical power for charging plug-in electric vehicles by three levels of charging:

A. Level-1. Connects directly to a standard 120V alternating current (AC) residential outlet, capable of supplying 6—16 Amps depending on the capacity of a dedicated circuit

B. Level-2. Utilizes 208V to 240V alternating current (AC) power supply between 6 and 80 Amps, providing a significant charging speed increase over Level-1 charging.

C. Level-3. Utilizes 400V to 900V direct current (DC) power supply between 80 and 400 Amps, providing the fastest charging speeds. Also known as DC fast chargers or Supercharger.

Emergency Services means facilities used by organizations that respond to and deal with emergencies when they occur, especially those that provide police, ambulance, and firefighting services.

Emergency Room, Freestanding means a facility that provides emergency medical services that is not attached to a hospital and is located at a place outside a regular hospital campus.

Entertainment Device means any mechanical, electronic, video, or digital device that is capable of accepting anything of value, directly or indirectly, from or on behalf of the person, for the purpose of playing a game, viewing a video display, hearing an audio transmission, or reading entries or outcomes from any other kind of device. An "entertainment device" does not include any vending machines, juke boxes, audio books, video players, or any other device that gives anything of value where the only value given, directly or indirectly, is a video or audio transmission. This definition does not include "video lottery terminals".

Entertainment Device Arcade means an establishment where four or more entertainment devices are kept for use by the public or by persons other than the owner of the devices, where persons give anything of value to access the use of the entertainment devices or the premises, and the person may be given anything of value by the operator, whether the giving occurs on or off the premises or at the same time or a later time. Entertainment device arcades may include or be referenced to as internet cafes, cybercafes or lounges, internet sweepstakes, video sweepstakes, video gaming arcades, electronic gaming operations, or other similar establishments. This definition does not include "video lottery terminals"

Entertainment and Recreation, Indoor Use Category means a commercial use category characterized by generally commercial uses, varying in size, providing daily or regularly scheduled recreation-oriented activities in an indoor setting. Primary and accessory uses included in this use category can be found in 3.03(E), *Commercial Use Categories*.

Entertainment and Recreation, Outdoor Use Category means a commercial use category characterized by generally commercial uses, varying in size, providing daily or regularly scheduled recreation-oriented activities in an outdoor setting. Primary and accessory uses included in this use category can be found in 3.03(E), *Commercial Use Categories*.

Event Hall or Conference Center means a facility or building available for lease by private parties that may include kitchen facilities for the preparation or catering of food, the sale of alcoholic beverages for on-premises consumption during scheduled events not open to the public, and/or outdoor gardens, decks, or reception facilities.

FAA means the Federal Aviation Administration or its duly designated and authorized successor agency.

Farmers Market means 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 secondhand goods) dispensed from booths located on site.

Farm Product means 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.

FCC means the Federal Communications Commission or its duly designated and authorized successor agency.

Fence means an artificially constructed barrier of wood, masonry, stone, wire, metal, or other manufactured material or combination of materials erected to enclose, screen, or separate areas.

Fence, Chain Link means a fence of heavy steel wire woven, vinyl, or plastic to form a diamond-shaped mesh. See Figure below.

Illustrative Example of a Chain Link Fence

Fence, Split Rail means an open fence that is typically constructed from wood which includes horizontal timbers split lengthwise into rails to form a barrier. See Figure below.

Illustrative Example of a Split Rail Fence

Flea Market means buildings or open areas in which sales areas or stalls are set aside or rented and which are intended for use by two or more individuals or by educational, religious, or charitable organizations to sell articles that are either homemade, homegrown, handcrafted, old, obsolete or antique.

Floor Area means the sum of the gross horizontal areas of each floor of the principal building measured from the exterior faces of the exterior walls or from the centerline of common walls separating two buildings. The "floor area" of a building shall include all livable spaces including the basement floor area when more than one-half of the basement height is above the finished lot grade level at the front of the building; interior balconies and mezzanines; enclosed porches. Garages shall not be included in the floor area of a structure.

Footcandle means a unit of illumination produced on a surface, all points of which are one foot from a uniform point source of one standard candle

Fraternal Organizations means a building or portion thereof or premises owned or operated by a corporation, association, or group of persons for a social, educational, or recreational purpose, but not primarily for profit or to render a service which is customarily carried on as a business.

Frontage Buildout means the percentage of a building façade that is generally parallel to, facing, or oriented toward a street and that lies within the minimum and maximum front or side setback area allowed and shall include a principal building, with active uses or colonnades.

Funeral Home means any dwelling or establishment used and occupied by a professional licensed mortician for human burial preparation and funeral services.

Garage, Detached means an accessory building primarily intended for and used for the enclosed storage or shelter of private motor vehicles of the owner or occupant of the principal building that is detached from the principal building.

General Industrial Services means establishments primarily engaged in rendering services to office, business, or industrial establishments on a fee or contract basis, such as advertising and mailing; building maintenance; employment services; management and consulting services; protective services; office equipment rental and leasing; commercial research; development and testing; photo finishing; machine repair, and personal supply services.

Government Facilities Use Category means a public and civic use category characterized by offices, storage, maintenance, and other facilities for the operation of local, state, or federal government. Primary and accessory uses included in this use category can be found in 3.03(D), *Public and Civic Use Categories*.

Government Administration Office means an office used by local, state, federal, or other governmental entities.

Greenhouse or Nursery means an establishment used for the growing, storage, and sale of legal garden plants, shrubs, trees, or vines open to the general public for retail or wholesale sales.

Grade means the average level of the finished surface of the ground adjacent to the sign, building, or other structure being measured.

Grass means a species of perennial grass grown as permanent lawns or for landscape purposes

Gravel Surface Parking Lots means an area designated for the parking or temporary storage of vehicles that is surfaced with gravel or other types of crushed stone to create a temporary parking surface.

Grocery Store means a retail establishment where most of the floor area is devoted to the sale of perishable, processed, and prepackaged food products for home preparation and consumption, which typically also offers other home care and personal care products, and which are substantially larger and carry a broader range of merchandise than convenience stores.

Ground Cover means a plant growing less than two feet in height at maturity that is grown for ornamental purposes. Ground covers are used as an alternative to grasses. On slopes, ground covers control erosion while eliminating the maintenance of mowing on hillsides. Ground covers also provide permanent covering of open ground to prevent erosion and/or create visual appeal.

Group Living Use Category means a residential use category characterized by the residential occupancy of a structure by a group of people that does not meet the definition of Household Living. Tenancy is usually arranged on a monthly or longer basis. Generally, Group Living structures have a common eating area for residents, and the residents may receive care or training. Caregivers may or may not reside on site. Primary and accessory uses included in this use category can be found in 3.03(B), *Residential Use Categories*.

Guard Shack means a station house or checkpoint area for security staff to monitor the coming and going of a nonresidential operation. Guard shacks are also known as security guard booths.

Hauling Service, Express means a service dedicated to the rapid and time-sensitive transportation of small to medium-sized packages and parcels, typically within a limited geographic area. This service may involve:

- Same-day or overnight delivery;
- Specialized handling of fragile or valuable items;
- Limited storage facilities; or
- Utilizing smaller vehicles, such as vans or light trucks.

Hauling Service, Freight means a service focused on the large-scale transportation of goods, including:

- Full truckload (FTL) and less-than-truckload (LTL) shipments;
- Long-distance and regional transport;
- Wide variety of cargo types, including palletized goods, machinery, and bulk materials; and
- May require extensive storage facilities and utilize a variety of vehicles, including semi-trucks, trailers, and flatbeds.

Heavy Industrial Use Category means an industrial use category characterized by uses engaged in the manufacturing, assembly, or processing of chemicals, animal products, and metals, the activities of which are likely to have characteristics that discourage adjacency to residential uses. Factory production and industrial yards are located here. Sales to the general public are rare. Primary and accessory uses included in this use category can be found in 3.03(F), *Industrial Use Categories*.

Height (Wireless Telecommunications Facilities) means the distance measured from the pre-existing grade level to the highest point on the tower or structure, even if said highest point is an antenna or lightning protection device.

Homeless Meal Provider means, in accordance with Chapter 5101:4-1 of the Ohio Administrative Code, an authorized public or private establishment (e.g., soup kitchen, temporary shelter), which provides meals on a regular basis to homeless persons, as determined by the county agency.

Home Occupation means any occupation, profession, activity or use located entirely within a residential building, or an accessory building, which use is accessory, incidental, and secondary to the use of the building for dwelling purposes and does not change the essential residential character or appearance of the building.

Hospital or Outpatient Center means an institution providing health services primarily for human in-patient medical/surgical care for the sick or injured, or overnight stays of a predominantly short-term nature, and including related facilities such as laboratories. The use may also include outpatient departments, training facilities, central service facilities, and staff offices that are an integral part of the facility and goes beyond general care typically administered within a doctor's office. This definition does not include freestanding emergency rooms or urgent care centers.

Hotel or Motel means a building or portion thereof used for providing lodging for transient guests and operated for profit which may provide additional services such as restaurants, meeting rooms and recreational facilities.

Household Living Use Category means a residential use category characterized by the residential occupancy of a dwelling unit by a household on a month-to-month or longer basis in structures with self-contained dwelling units, including kitchens. Primary and accessory uses included in this use category can be found in 3.03(B), *Residential Use Categories.*

Impervious Surface means any hard-surfaced, man-made area that does not readily absorb or retain water, including but not limited to buildings, roofs, parking and driveways, sidewalks, and pavement.

Institutional Care Facility means any facility for the elderly, infirm, or individuals requiring rehabilitation or treatment for addiction, mental health disorders, or physical infirmities, in which three or more unrelated individuals may stay on a predominantly intermediate or long term basis, and where inpatient care and living accommodations are provided in exchange for compensation from any source. Institutional care facilities include, but are not limited to, nursing homes, assisted living facilities, hospices, addiction treatment facilities, mental health treatment facilities, inpatient physical rehabilitation facilities, convalescent homes, or similar uses. Institutional care facilities shall not include hospitals, medical offices, medical or dental clinics, urgent care centers, outpatient physical rehabilitation centers, or similar institutions devoted primarily to the diagnosis and treatment of the sick or injured without a component of predominantly intermediate or long-term stays.

Internal Illumination means the illumination of a sign, awning, or canopy, by an artificial source of light which is completely enclosed within the sign cabinet.

Kennel means a lot, building, structure, enclosure or premises whereon or wherein four or more dogs or cats are maintained, boarded, bred, kept or cared for, in return for remuneration, or are kept for the purposes of sale, or are groomed, trained or handled for others.

Landfill, Construction and Demolition Debris means the disposal of nonbiodegradable waste resulting from road building, construction, remodeling, repair, or demolition of structures or is typically associated with land clearing operations.

Landfill, Sanitary/Solid Waste means the disposal by abandonment, dumping, burial, burning, or other means and for whatever purpose, of garbage, sewage, trash, refuse, junk, discarded machinery, vehicles or parts thereof, of any kind that may be in solid, liquid, or gaseous form.

Landscaping means the improvement of a lot, parcel, tract of land, or portion thereof, with grass, shrubs, and trees. Landscaping may include pedestrian walks, flower beds, trees, shrubs, and ornamental objects such as fountains, statuary, and other similar natural and artificial objects. Refer to Article 04.05, *Landscaping, Screening, and Buffering*.

Light, Cutoff An artificial outdoor light source designed to ensure that no light is directly emitted above a horizontal line parallel to the ground.

Light Industrial Use Category means an industrial use category characterized by uses engaged in the manufacturing, assembly, or processing of industrial, business, or consumer goods, usually from basic finished inputs such as metal, stone, glass, plastic, or rubber. Contractors and building maintenance services and similar uses perform services off-site. Few customers, especially the general public, come to the site. Primary and accessory uses included in this use category can be found in 3.03(F), *Industrial Use Categories*.

Light, Non-Cutoff An artificial outdoor light source designed to allow light to be directly emitted above a horizontal line parallel to the ground.

Live-Work Unit means a dwelling unit that is combined with an integrated workspace that is principally used by one or more of the residents of the dwelling unit. The living area is located above or behind the workspace which is secondary or accessory to the primary residential use.

Loading Area means an off-street space or berth for the loading or unloading of freight carriers on the same lot as the structure they serve.

Luminarie means a complete lighting unit consisting of one or more lamps, together with the components designed to distribute the light, to position and protect the lamps, and to connect the lamps to the electrical power supply; also called the lighting fixture. Luminarie shall not include the light pole used to support the luminarie.

Manufactured Home means a structure, constructed on or after June 15, 1976, in compliance with the rules and definitions of the United States Department of Housing and Urban Development (HUD), transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities for occupancy. The term "manufactured home" does not include recreational vehicles.

Maximum Extent Possible means that no feasible and prudent alternative exists, and all possible efforts to comply with the regulation or minimize the potential harm or adverse impacts have been undertaken. Economic considerations may be taken into consideration.

Medical or Dental Clinic or Office means an office or clinic uses concerned with the diagnosis, treatment, and care of human beings related to medicine or dental. This definition does not include hospitals or convalescent homes.

Medical or Dental Laboratory means a laboratory where tests are performed on biological specimens in order to obtain information about the health of a patient or a facility that is used for the express purpose of the design, fabrication, and repair of dental and optical goods.

Microbrewery or Microdistillery or Microwinery means an establishment where no more than 15,000 barrels of beer, wine, spirituous liquor, or another alcoholic beverage is manufactured annually on the premises for distribution, retail, or wholesale, on or off-premise.

Mixed Use Building means a building that contains both business and residential uses within the same structure.

Mobile Home means 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. This definition does not include manufactured home.

Mobile Food Vending means 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).

Multiplex means a residential use divided into three to six dwelling units on a single parcel. Units may have either private or shared access and may be arranged in a variety of configurations, including back-to-back, side-to-side, or over-under.

Multi-Unit means a residential use that is divided into six or more separate dwelling units on a single parcel. Ownership may be in the form of fee-simple ownership of the entire parcel or in the form of a condominium. This definition does not include townhouses.

Nameplate A non-illuminated identification sign giving only the name, address and/or occupation of an occupant or group of occupants.

Nonconformity means a use, lot, structure, building, sign, lighting, or other site element that does not comply with the provisions of this PZC. Refer to Article 08.01, *Nonconformities*.

Nonprofit Organization means 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.

Nursery School or Pre-school means a facility with certified teachers that provide regular academic training for children who are not old enough to attend kindergarten.

ODOT means the Ohio Department of Transportation

OEPA means the Ohio Environmental Protection Agency

Office means a building or portion of a building wherein services are performed involving predominantly administrative, professional, and clerical operations.

Office Use Category means a commercial use category characterized by uses conducted in an office setting and generally focusing on business, professional, or financial services. Primary and accessory uses included in this use category can be found in 3.03(E), *Commercial Use Categories*.

Official Zoning Map means the Official Zoning Map of the City of Monroe, Ohio.

ORC The Ohio Revised Code.

Ornamental Shrub means a deciduous shrub with visual appeal through flowers, fruit, leaf color, or fall colors.

Open Space Open areas, including parks, nature areas, playgrounds, and trails. This does not include holding ponds, streets, driveways, or vehicular use areas.

Open Space, Formal Formal open space is a generally planned and structured area that includes formally designed landscape plantings, activity areas, or is otherwise usable by the residents or occupants of the applicable development. The space is regularly maintained and may include streetscape furnishings (e.g., benches, lighting, and sculptures), recreational improvements (e.g., playground, swimming pool, tennis courts), and street improvements.

Outdoor Bulk Storage means the storage of any item outside of an enclosed structure that is not accessible to the general public. This includes but is not limited to garden supplies, building supplies, plants, materials stored in crates, boxes, or shipping containers; lumber yards; pipe; contractor's equipment; and other similar uses.

Overnight Accommodations Use Category means a commercial use category characterized by uses with bedroom and bathroom units arranged for short-term stays of less than 30 days for rent or lease. Primary and accessory uses included in this use category can be found in 3.03(E), *Commercial Use Categories*.

Parking, Commercial Use Category means a commercial use category characterized by facilities that provide parking not accessory to a primary use, for which a fee may or may not be charged. Primary and accessory uses included in this use category can be found in 3.03(E), *Commercial Use Categories*.

Park-and-Ride Facility means a facility designed for parking automobiles, the occupants of which transfer to public transit to continue their trips.

Parking Garage means a structure providing vehicular parking spaces along with adequate drives and aisle, for maneuvering, so as to provide access for entrance and exit for the parking of more than two vehicles.

Parking Lot means a surface level facility providing vehicular parking spaces along with adequate drives and aisle, for maneuvering, so as to provide access for entrance and exit for the parking of more than two vehicles.

Parks and Open Areas Use Category means a public and civic use category characterized by uses focusing on natural areas consisting mostly of vegetation, passive or active outdoor recreation areas, or community gardens, and having few structures. Primary and accessory uses included in this use category can be found in 3.03(D), *Public and Civic Use Categories*.

Passenger Terminal Use Category means a public and civic use category characterized by uses providing facilities for the takeoff and landing of airplanes and helicopters, and terminals for taxi, rail, or bus service. Primary and accessory uses included in this use category can be found in 3.03(D), *Public and Civic Use Categories*.

Passive Parks, Open Space, and Natural Areas means any park or recreational facility where there is no grading of the land, the construction of facilities, lighting, or development of ball fields with the exception that passive parks, recreational facilities, and natural areas may include the development of trails and sidewalks.

Patio Home means a dwelling type that is a detached or semi-detached unit (e.g., attached by a common wall to another dwelling unit) for a single-unit, with one dwelling unit from ground to roof. Each dwelling unit's lot is fully enclosed by a wall located at the lot line, creating a private yard, referred to as a patio, between the house and the wall. All living spaces, such as living rooms, dens, and bedrooms, face into the yard or patio. Patio homes may also be referred to as garden homes, villas, or zero-lot-line dwellings.

Person means any individual, corporation, government agency, government official, business trust, partnership, two or more persons having a joint interest, or any other legal entity.

Pharmacy means a business where prescription and over-the-counter drugs, medicines, and other various items are dispensed and sold.

Planning Commission means the City of Monroe Planning Commission, also known as the City of Monroe Planning and Zoning Commission.

Place of Public Assembly means an enterprise in which people assemble for civic, educational, religious, or cultural purposes. This use contains event facilities, meeting halls, fraternal organizations, places of worship, performing arts facilities, public uses, and private clubs. This use does not include residential buildings.

Porches or Decks means an enclosed or unenclosed surface area attached to a building, that is not used for livable space but that is elevated above the ground.

Post Office means a facility operated by the United States Postal Service for the transmission of mail.

Primary or Secondary Educational Institution means any public or private facility that provides a curriculum of primary, elementary, secondary or college preparatory academic instruction, including kindergartens, elementary schools, junior high schools/middle schools, and high schools.

Product Assembly means the process of combining individual components into a finished product. This can be done manually, using tools and equipment, or by robots and other automated machinery.

Product Processing means the processing of transforming raw materials into finished products. This can involve a variety of different steps, such as shaping, cutting, joining, and finishing. Product processing can be done using a variety of different methods, including machining, casting, forming, and welding.

Garage, Private means a building primarily intended for and used for the enclosed storage or shelter of private motor vehicles of the owner or occupant of the principal building.

Public and Civic Building means a structure that serves a public or quasi-public purpose and is owned or operated by a government entity or non-profit organization. These buildings are intended to provide essential services and facilities to the community, facilitate public interaction and engagement, and contribute to the overall quality of life.

Examples of public and civic buildings include:

- Government buildings: City halls, courthouses, police stations, fire stations, libraries
- Educational facilities: Public schools, universities, community colleges
- Cultural institutions: Museums, art galleries, theaters, performance venues
- Community centers: Recreation centers, senior centers, youth centers
- Transportation facilities: Public transit stations, airports, bus terminals
- Hospitals and healthcare facilities
- Public utilities: Power plants, water treatment plants, sewage treatment plants

Public Community Center means a public building that can be used for a gathering spot of community members that may have kitchen facilities, meeting rooms, or indoor recreational facilities.

Racetrack, Animal Racing means land, area, or facility that is used for racing animals either in competition against the clock or other animals.

Raising of Crops means the principal use of land for agricultural purposes including, but not limited to, raising of crops, horticulture, floriculture, and viticulture and the necessary accessory uses for parking, treating or sorting the products; provided, however, that the operation of any such accessory uses shall be secondary to that of the normal agricultural activities. Buildings occupied as residences by persons engaged in agricultural operations shall not be considered to be used for agricultural purposes.

Raising of Exotic Animals means any land, building, or other facility for the breeding or caring of any animal which is foreign and generally not indigenous to the State of Ohio.

Raising of Livestock means the principal use of land for the raising and caring of livestock. This includes necessary buildings and structures which shall be used for agriculture, raising and caring for livestock and animal and poultry husbandry including necessary accessory uses for parking, treating or sorting the products; provided, however, that the operation of any such accessory uses shall be secondary to that of the normal agricultural activities. Buildings occupied as residences by persons engaged in agricultural operations shall not be considered to be used for agricultural purposes.

Recovery Housing means, in accordance with ORC Chapter 340, *Alcohol, Drug Addiction, and Mental Health Services*, housing for individuals recovering from drug addiction that provides an alcohol and drug-free living environment, peer support, assistance with obtaining drug addiction services and other drug addiction recovery assistance.

Recreation Trail means a public trail that is used for hiking, bicycling, horseback riding, canoeing, or other nonmotorized forms of recreational travel and that may connect with parks, forests, wildlife areas, nature preserves, scenic rivers, or other places of scenic or historic interest.

Regulated Substances Chemicals and mixtures of chemical which are health hazards. Materials packaged for personal or household use as food or drink for man or other animals are not regulated substances. Regulated substances shall include, but are not limited to:

- Chemicals for which there is scientific evidence that acute or chronic health effects may result from exposure, including carcinogens, toxic and highly toxic agents, reproductive toxins, irritants, corrosives, sensitizers, hepatoxins, nephrotoxins, neurotoxins, agents which act on the hematopoietic system, and agents which damage the lungs, skin, eyes, or mucous membranes.
- Mixtures of chemicals which have been tested as a whole and have been determined to be a health hazard.
- Mixtures of chemicals which have not been tested as a whole but which contain any chemical which has been determined to be a health hazard and which comprises 1% or greater of the composition on a weight per unit weight basis, and mixtures of chemicals which include a carcinogen in the mixture of one tenth of 1% or greater of the composition on a weight per unit weight basis.
- Components of a mixture prepared within the Wellhead Protection Area in cases where such components are health hazards but comprise less than one tenth of 1% of the mixture on a weight per unit weight basis if carcinogenic, or less than 1% of the mixture on a weight per unit weight basis if non-carcinogenic.
- Petroleum and non-solid petroleum derivatives (except non-PCB dielectric fluids).

Religious Place of Worship means an institution that a congregation of people regularly attends to participate in or hold religious services, meetings, and other activities, including buildings in which the religious service of any denomination are held.

Research and Development Facility means a building in which scientific research, investigation, testing or experimentation is conducted, but not including the manufacturing or sale of products, except as incidental to the main purpose of the laboratory.

Residential Recreational Facility means recreational equipment for the use of residents of the related subdivision, apartment, or other residential units. Facilities may include but are not limited to, small structures in trees, swings, slides, monkey bars, trampolines, play enclosures, ball courts, and similar facilities.

Resource Extraction Use Category means an industrial use category characterized by activities that extract minerals and other solids and liquids from land on which the use is established. Primary and accessory uses included in this use category can be found in 3.03(F), *Industrial Use Categories*.

Restaurant, Delivery Only means a food service establishment that prepares and sells food solely for delivery to off-premises locations. This type of establishment does not have any seating or facilities for on-site consumption of food. These restaurants may also be known as "ghost kitchens", "dark kitchens", "cloud kitchens", "shared kitchens", or "virtual kitchens".

Restaurant, ~~Drive-Through or~~ Drive-in means a restaurant which does not contain a dining room but where it is intended that patrons consume food within their vehicles while parked on the lot where the restaurant is located.~~a public eating and drinking establishment that, in addition to providing service inside the restaurant, also provides services to customers in vehicles who either drive up to a window or station or drive through to the building for purchases. Take-out only restaurants are not included this definition.~~

Restaurant, Standard means a public eating or drinking establishment where the patrons consume foods and beverages while seated at tables or counters located on the premises.

Restaurant, Takeout Only means a food service establishment that prepares and sells food for customers to take away and consume off-premises. This type of establishment has limited seating or waiting areas, but no facilities for full-service dining.

Restaurants Use Category means a commercial use category characterized by establishments that prepare and sell food and beverages for on-premises or off-premises consumption. Primary and accessory uses included in this use category can be found in 3.03(E), *Commercial Use Categories*.

Retail Fuel Sales means an establishment where vehicular fuel, stored only in underground tanks, is offered for sale to the public or where charging stations are made available for the charging of vehicles.

Retail Repair, Sales, and Service Use Category means a commercial use category characterized by companies or individuals involved in the sale, lease, or rental of new or used products, or providing personal services or repair services to the general public. Primary and accessory uses included in this use category can be found in 3.03(E), *Commercial Use Categories*.

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

Sexually Oriented Business See definition of "Sexually Oriented Business" in Section 860.02 of the Business Regulation and Taxation Code of the City's Code of Ordinances.

Self-Service Storage Use Category means a commercial use category characterized by uses providing separate storage areas for personal or business use designed to allow private access by the tenant for storing or removing personal or business property. This definition does not include bulk storage or storage of explosive or hazardous materials. Primary and accessory uses included in this use category can be found in 3.03(E), *Commercial Use Categories*.

SESC means Soil Erosion and Sedimentation Control

Single-Unit Attached Home means a residential use that is divided into separate dwelling units that share at least one a common wall with an abutting unit. For the purposes of this Code, a townhouse dwelling is not considered a single-unit attached home.

Single-Unit Detached Home means a residential use designed as a single residential dwelling unit located on its own lot and not attached to any other dwelling. This definition does not include a patio home, manufactured home, or mobile home.

Shooting Range, Indoor means 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 joint police district.

Shooting Range, Outdoor means 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.

Short-Term Loan Establishment means an establishment providing loans to individuals that charges an annual percentage rate and requires the loan to be paid in full in less than one year. This term does not include a loan offered or made to a person based on the person's anticipated federal income tax refund.

Short-Term Rental means a residential dwelling unit(s) that is rented out for compensation on a temporary basis for a period of less than 30 consecutive days.

Sign, Abandoned means an abandoned sign is a sign which no longer identifies or advertises a bona fide business, lessor, service, owner, product or activity, and/or for which no legal owner can be found.

Sign, Access means a small permanent sign located near driveway access points and/or at the intersection of internal access drives.

Sign, Animated or Moving means any sign or part of a sign which changes physical position by any movement or rotation or which gives visual impression of such movement or rotation.

Sign Area means the entire display area of a sign including the advertising surface located on one or more sign faces and any framing, trim and molding, but not including the supporting structure as measured pursuant to Section 1214.04: Computations.

Sign, Banner means a sign made of flexible material that can be attached to a building or into the ground.

Sign, Canopy means any sign that is a part of or attached to a canopy or awning.

Sign, Changeable Copy Sign means a sign designed so that the characters, letter or illustrations can be changed or rearranged manually or electronically without altering the sign display surface. May also be known as readerboards. See also the definition of "electronic message center."

Sign, Directory means any sign on which the names and locations of occupants or the use of a building is given, typically associated with offices and places of public assembly uses.

Sign Face means the area or display surface used for the message.

Sign, Feather means a vertical portable sign that contains a harpoon-style pole or staff driven into the ground for support or supported by means of an individual stand.

Sign, Flashing means any sign which contains an intermittent or flashing light source, or which includes the illusion of intermittent or flashing light by means of animation or any externally mounted intermittent light source.

Sign, Freestanding means any sign supported upon the ground by a monument, pedestal, pole, bracing, or other permanent measure and not attached to any building. See also the definition of "monument sign" and "pole sign."

Sign, Governmental means any temporary or permanent sign erected and maintained pursuant to and in discharge of any governmental function, or required by any law, ordinance or governmental regulation.

Sign, H-Frame means a single or double-sided free standing Sign on a rigid or semi-rigid material affixed to a steel or metal frame with a base intended to be pushed into the ground.

Sign, Hanging means a projecting sign that is suspended from an overhang, canopy, marquee, or awning, or from a mounting attached directly to the building wall.

Sign Height means the vertical distance to top of sign structure as measured pursuant to Section 1202.11, *Measurements*.

Sign, Illegal A sign which does not meet the requirements of this chapter and which has not received legal nonconforming status.

Sign, Illuminated means a sign with an artificial light source incorporated internally or externally for the purpose of illuminating the sign.

Sign, Menu Board means any signage pertaining to items, goods, or services offered by a drive-through business.

Sign, Monument means a permanent freestanding sign other than a pole sign, not attached to a building, that is placed upon or supported by the ground independently of any other structure, typically on a monument or pedestal structure.

Sign, Mural means a wall sign that consists exclusively of paint applied to the wall of a building or alternate surface without application of any other material or framing.

Sign, Nonconforming means any sign which was erected legally prior to the adoption of this code, but which does not comply with subsequently enacted sign restrictions and regulations or a sign which does not conform to the sign code requirements.

Sign, Off-Premise (Billboard) means a sign that directs attention to a business, commodity, service or entertainment conducted, sold or offered at a location other than the premises on which the sign is located.

Sign, On-Premise means a sign that directs attention to a business, commodity, service or entertainment conducted, sold or offered one the same lot, site, or property where the sign is located.

Sign, Permanent means a sign permitted by this resolution to be located on the premises for an unlimited period of time and designed to be permanently attached to a structure or the ground.

Sign, Pole Mounted means a permanent freestanding sign supported by one or more uprights, poles or braces placed in or upon the ground surface and not attached to any building.

Sign, Portable means sign that is not permanently affixed to the ground, a building or other structure, but usually anchored or secured to a trailer, vehicle, or frame capable of being moved from place to place. Such signs include, but are not limited to, signs designed to be transported by means of wheels, menu and sandwich board signs and signs attached to or painted on a vehicle parked and visible from the public right-of-way, unless such vehicle is used in the day-to-day operations of the business.

Sign, Projecting means a sign that is affixed perpendicular to a building or wall and extends more than eighteen inches beyond the face of such building or wall and the lowest point of which sign is not less than ten feet above the sidewalk or ground level.

Sign, Pylon means a freestanding sign other than a pole sign permanently affixed to the ground by supports, but not having the appearance of a solid base.

Sign, Roof means a sign erected or maintained in whole or in part upon, against or directly above the roof or parapet line of a building.

Sign, Sandwich Board means an "A-frame" shaped sign that identifies or advertises a place of business and that consists of two sign boards that are hinged together at the top.

Sign, Snipe means a sign that is tacked, nailed, posted, pasted, glued, or otherwise attached to trees, poles, stakes, fences, or to other objects.

Sign, Temporary means a sign that is neither permanently anchored to the ground, nor permanently affixed to a structure, nor mounted on a chassis, and/or is intended for a limited period of display.

Sign Temporary for Special Event means a sign directing attention to a special event directly associated with the owner of the property on which the sign is located.

Sign, Wall A sign attached directly to an exterior wall of a building and which does not extend more than eighteen inches from nor above the roof line or beyond the limits of the outside wall, with the exposed face of the sign in a plane parallel to the building wall.

Sign, Window A sign attached to, in contact with, placed upon or painted on the window or door of a building which is intended for viewing from the outside of such building. This does not include merchandise located in a window.

Sign, Yard means a freestanding sign made of lightweight materials such as cardboard or vinyl that is supported by a frame, pole, or other support structure placed directly in the ground without foundation or other anchor.

Sign, Subdivision Entry means a sign identifying a recognized subdivision, condominium complex, or development.

Small Box Discount Retail Store means a retail store of between 5,000 and 15,000 square feet that dedicates less than 15 percent of shelf space to fresh or fresh frozen foods and produce and sells at retail an assortment of physical goods, products or merchandise directly to the consumer, including food or beverages for off-premise consumption, personal grooming and health products, household goods and other consumer products with the majority of items being offered for sale at lower than the typical market price. Small box discount retail stores do not include retail stores that contain a prescription pharmacy; sell gasoline or diesel fuel; or primarily sell specialty food items (e.g. meat, seafood, cheese, or oils and vinegars).

Small Wind Energy Conversion Systems means a wind energy conversion system consisting of a wind turbine, a tower, and associated control or conversion electronics. SWETs shall have a rated capacity of not more than 60 Kilowatts, be intended primarily to produce energy for on-site power consumption and reduce the need to purchase utility power from the grid, and have the ability to sell power back to the grid.

Social Services Facilities Use Category means a public and civic use category characterized by uses that primarily provide treatment of those with psychiatric, alcohol, or drug problems; transient housing related to social service programs; or housing for individuals legally confined. Primary and accessory uses included in this use category can be found in 3.03(C), *Public and Civic Use Categories*.

Solar Farm means a utility-scale commercial facility that converts sunlight into electricity, whether by photovoltaics (PV), concentrating solar thermal devices (CST), or various experimental solar technologies, for the primary purpose of wholesale or retail sales of generated electricity.

Stable, Private See "Agricultural Building"

Stable, Public means a structure for the keeping of horses and ponies that is used by the general public either free of charge or for remuneration purposes as a commercial establishment.

Substance Abuse Treatment Center means a specialized inpatient unit, hospital, or other institution that is licensed to provide 24-hour care and has as its primary function the diagnosing and treating of patients with substance use disorders.

Swimming Pools, Community means a water-filled enclosure, permanent or portable, that is designed, used, and maintained for swimming or bathing in a community setting at a business property (e.g., a hotel) or as part of a residential development.

Swimming Pools, Private A water filled enclosure, permanently or portable, that is designed, used and maintained for swimming or bathing by the residents, tenants, or occupants of the subject property.

Telecommunications means the transmission and/or reception of audio, video, data, and other information by wire, radio frequency, light, and other electronic or electromagnetic systems.

Telecommunications Equipment means any antennas, satellite dishes, and other communications devices and/or equipment that are used for transmitting, receiving, or relaying communication signals, except as such equipment has been preempted from regulation by the Telecommunication Act of 1996.

Telecommunication Site See definition for "wireless telecommunications facilities"

Telecommunications Structure means a structure used in the provision of services described in the definition of "wireless telecommunications facilities."

Theater means any building or part of a building used for showing motion pictures (i.e. films and movies) or for live or pre-recorded comedic, dramatic, dance, or musical performances. Such use may include a lobby area and refreshment stand for the patrons.

Tower means any structure that is designed and constructed primarily for the purpose of supporting one or more antennas, including self-supporting lattice towers, guy towers, or monopole towers. The term includes radio and television transmission towers, microwave towers, common-carrier towers, cellular towers, and alternative tower structures. The term shall exclude hobby-related communications facilities located in residential districts (i.e. amateur radio antennas, etc.).

Townhouse means a residential use divided into in a series of units that are attached horizontally in a linear arrangement under a common roof with a common exterior wall and separated from one another by single partition walls without openings from basement to roof. Each unit of a townhouse includes a separate walk-up access from the street or common open space. This definition includes rowhouses. For the purposes of this Code, a single-unit attached dwelling is not considered a townhouse.

Trailer means a vehicle without motive power, designed to be towed by a passenger automobile but not designed for human occupancy, and may include items such as a utility trailer, boat trailer, or snowmobile trailer.

Tree, Canopy means a tree that has an expected height at maturity greater than 40 feet and which produces significant shade because it has a crown that is oval, round, vase-shaped, or umbrella-shaped.

Tree, Damaged or Diseased means a tree with a split trunk, broken tops, heart rot, insect or fungus problems that will lead to imminent death, undercut root systems that put the tree in imminent danger of falling, lean as a result of root failure that puts the tree in imminent danger of falling, or any other condition that puts the tree in imminent danger of being uprooted or falling into or along a stream or onto a structure.

Tree, Deciduous means, generally, a tree that loses all of its leaves for part of the year. Sometimes called a broad-leaf tree or a hardwood tree.

Tree, Evergreen means a tree that remains green throughout the year.

Tree, Ornamental means a deciduous tree species that has a canopy spread at maturity of at least 15 feet but no greater than 30 feet. These trees possess a branching structure and crown form that are generally considered visually appealing, often with multi-stemmed or irregular forms, weeping or cascading habits, or distinctive foliage or flowers. Some examples include crab apple, redbud, dogwood, and Japanese maple.

Truck, Heavy-Duty means any motor vehicle (including buses) having a GVWR of greater than 8,500 pounds, or curb weight of more than 6,000 pounds, or that has a basic vehicle frontal area in excess of 45 square feet, (40 CFR 86.1803-01).

Truck Stop means a use or establishment used for a business, service, or industry involving the maintenance, servicing, storage or repair of commercial vehicles and/or semi-trailer trucks. Such uses may also include areas for a restaurant, lodging and trucking brokerages.

Truck Terminal means a use or establishment devoted solely to the dispatch, storage, and/or parking of semi-trailer trucks, trucks, or trailers unrelated to the movement of goods or materials stored in facilities located on the premises.

Truck, Trailer, or Equipment Sales, Leasing, or Rental means an establishment that uses any building or land for the display, sale, leasing, or rental of heavy-duty trucks, vans, or other equipment in operable condition, such as farm equipment, utility trailers, and construction equipment but does not include semi-trailer trucks or semi-trailers. See definitions for heavy-duty truck and trailer.

Underground Storage Tank (UST) means an underground storage tank and the connected underground piping, underground ancillary equipment, and containment system, if any, used to store regulated substances.

Unenclosed Patios means uncovered, non-enclosed outdoor hard-surfaced areas that are no higher than 18 inches above the ground. This shall not mean the same as porches or decks.

Upper Floor Residential means residential dwelling units located on the upper floors of a building where the first floor of the building is used for nonresidential purposes.

Urgent Care Center means a walk-in clinic focused on the delivery of medical care for minor illnesses and injuries in an ambulatory medical facility outside of a traditional hospital-based or freestanding emergency department.

Use Any purpose for which a lot, building, or other structure, or a tract of land may be designated, arranged, intended, maintained, or occupied; or any activity, occupation, business, or operation carried on or intended to be carried on in a building or other structure or on a tract of land.

Use, Accessory means a use or building on the same lot with, and of a nature and intensity customarily incidental and subordinate to, those of the main use or building.

Use, Ancillary means a use incidental to and customarily associated with a specific principal use and which is located on the same parcel or lot.

Use, Principal means the use in which premises are devoted and the primary purpose for which the premises exist.

Use, Temporary means a use, structure, or building permitted to exist for a limited period of time for use during construction, during special events, or for other permitted circumstances as established in 1203.08, *Temporary Uses and Structures*.

Utilities Use Category means a public and civic use category characterized by public or private infrastructure. Primary and accessory uses included in this use category can be found in 3.03(D), *Public and Civic Use Categories*.

Vape Shop means a retail establishment that primarily sells, in any combination, of electronic cigarettes, liquid nicotine products, electronic cigarette accessories, hookahs and related products, or other smoking devices and accessories. A grocery store or similar retail use that sells tobacco products or tobacco paraphernalia as an ancillary sale is not included in this definition.

Vehicular Use Area means the entire paved area that encompasses all parking spaces, loading areas, stacking spaces, and the access drives that provide access to those spaces but that does not include the entry drive or driveway with no direct access to a parking space, stacking space, or loading space.

Vehicle Washing Establishment means a facility for the washing or cleaning of vehicles and may be:

- a single unit type with a single bay or a group of single bays with each bay to accommodate one vehicle only where a person uses a high-pressure hose to wash the vehicle by hand;
- an automated single unit type that has a single bay to accommodate one vehicle at a time; or
- a tunnel unit type that allows washing of multiple vehicles in a tandem arrangement while moving through the structure.

Veterinary Office (Without Boarding) means a facility used for the care, grooming, diagnosis, and treatment of sick, ailing, infirm, or injured animals, and those who are in need of medical or surgical attention, and may include overnight accommodations in a wholly enclosed building on the premises only for treatment, observation and/or recuperation. Such use shall not include any kennels for the purposes of boarding but may include kennel space for the ongoing medical care of animals related to a veterinarian's office.

Video Lottery Terminal (VLT) means a device approved by the executive director of the Ohio state lottery for use by a video lottery sales agent in connection with the sale of video lottery games that is connected to a video lottery central monitoring system and that is played by a video lottery participant in accordance with ORC Chapter 3770. This definition does not include "entertainment device arcades."

Vocational or Trade School means a specialized instructional school operating for or not for profit that provides on-site training of business, commercial, and/or trade skills. Does not include driving school or training for commercial vehicles.

Warehouse means a business establishment primarily engaged in the storage of merchandise, goods, and materials. This definition does not include "self-storage facilities."

Warehousing and Freight Movement Use Category means an industrial use category characterized by uses involved in the storage or movement of goods for themselves or other firms. Goods are generally delivered to other firms or the final consumer with little on-site sales activity to customers. Primary and accessory uses included in this use category can be found in 3.03(F), *Industrial Use Categories*.

Waste-Related Use Category means an industrial use category characterized by uses involving receiving solid or liquid wastes from others for transfer to another location and uses that collect sanitary wastes or that manufacture or produce goods or energy from the composting of organic material. Primary and accessory uses included in this use category can be found in 3.03(F), *Industrial Use Categories*.

Wellhead Protection Area The area as defined by the official Wellhead Protection Areas Delineation Study approved by the City.

Wholesale Business means an establishment for the sale of merchandise to business establishments, institutional uses, or to other wholesalers. Wholesale business uses may also mean acting as an agent or broker in the buying or selling of merchandise but not selling to the general public.

Wholesale Trade Use Category means an industrial use category characterized by uses involving the sale, lease, or rental of products to industrial, institutional, or commercial businesses only. The uses emphasize on-site sales or order-taking and often include display areas. Businesses may or may not be open to the general public. Products may be picked up on-site or delivered to the customer. Primary and accessory uses included in this use category can be found in 3.03(F), *Industrial Use Categories*.

Wireless Telecommunications Facilities means a "telecommunications tower" and "tower" and "telecommunications site" and "personal wireless facility" and means a structure, facility or location designed, or intended to be used as, or used to support, antennas or other transmitting or receiving devices. This includes, without limit, towers of all types and kinds and structures that employ camouflage technology, including but not limited to structures such as a multi-story building, church steeple, silo, water tower, sign or other structures that can be used to mitigate the visual impact of an antenna or the functional equivalent of such, including all related facilities such as cabling, equipment shelters and other structures associated with the site. It is a structure and facility intended for transmitting and/or receiving radio, television, cellular, paging, 911, personal telecommunications services, commercial satellite services, microwave services and services not licensed by the FCC, but not expressly exempt from the City's siting, building and permitting authority, excluding those used exclusively for the City's fire or police or exclusively for private, noncommercial radio and television reception, private citizen's bands, amateur radio and other similar noncommercial telecommunications where the height of the facility is below the height limits set forth in this chapter.

Yard means an open space on the same lot with a building unoccupied and unobstructed by any portion of a structure from the ground upward, except as otherwise provided in this code. See Section 1204.05(A): Measurements, Computations, and Exceptions for rules of measurement and determination for all yard types.

Yard, Front means a yard extending across the front of a lot between the side lot lines, and being the minimum horizontal distance between the front lot line and the main building or the extension thereof, not including the usual steps and entryway.

Yard, Rear means a yard extending across the rear of a lot, measured between the side lot lines, and being the minimum horizontal distance between the rear lot line and the main building or the extension thereof, not including the usual steps and entryway.

Yard, Side A yard located between the main building and the side lot line and extending from the front yard line to the rear yard line.

Zero Lot Line means a residential use that consists of a single residential dwelling unit located on its own lot and is shifted to one side of the lot immediately against or approximately against an interior side lot line. Patio homes are a type of dwelling that may be zero-lot-line. This definition does not include a single-unit detached home, manufactured home, or mobile home.

Zoning District, Base means the zoning district established for each property that includes any of the residential and business zoning districts established and detailed in Chapter 1202, *Zoning Districts and Dimensional Standards*. A base zoning district may also be referred to as the underlying base zoning district in cases where a property is subject to an overlay zoning district.

Zoning District, Overlay means an additional zoning district that may be overlaid on a property, in addition to the base zoning district. An overlay district establishes additional standards and/or restrictions for development above and beyond the base zoning district. There may be more than one overlay zoning district on each property.

Zoning District, Residential means the zoning districts described in Article 02.02, *Residential Districts*, where residential uses are the primary principally permitted use.