

§ 150.229 SUPPLEMENTAL REGULATIONS; BUSINESS USES.

(A) Parking spaces shall be provided on the lot, or, as a special exception, within 300 feet thereof, as indicated in §150.193.

(B) Groups of uses requiring parking space may join in establishing a private parking area with capacity aggregating that required for each participating use.

(C) Loading and unloading berths shall be provided on the lot as indicated in §150.233, except that loading and unloading berths shall not be required for business uses which demonstrably do not receive or transmit goods or wares by truck delivery.

(D) One-half of an alley abutting the rear of a lot may be included in the rear yard, but the alley space shall not be included for loading and unloading.

(E) Where 25% or more of the lots in a block frontage are occupied by buildings, the setback of the buildings shall determine the location of the building line, except that this requirement shall not apply to business or uses in the B-3 District.

(F) Parking spaces and accessory uses are permitted in the required front yard in the B-1 and B-3 Districts, on lots where business is located.

(G) Dwellings which are located in buildings used for business uses are incidental to the business uses. (Ord. 1978-4, passed 3-21-78)

§ 150.230 SUPPLEMENTAL REGULATIONS; INDUSTRIAL USES.

(A) Each use shall provide one parking space for each 2 employees or combined employment of the 2 largest successive shifts, located on the same lot as the use, or, as a special exception, within 300 feet thereof.

(B) Groups of uses requiring parking space may join in establishing a private parking area with capacity aggregating that required for each participating use.

(C) Each use shall provide loading and unloading berths, located on the same lot as the use, as specified in §150.233.

(D) One-half of an alley abutting the rear of a lot may be included in the rear yard, but the alley space shall not be included for loading and unloading berths.

(E) The maximum height requirements may be increased if the portion of the building above the specified maximum height requirement is set back from the front lot line one foot for each 2 feet of additional height.

(F) In all districts permitting enclosed industrial use or open industrial use, it is

permissible to erect more than one principal building devoted to enclosed industrial use or open industrial use on a lot. (Ord. 1978-4, passed 3-21-78)

§ 150.231 SPECIFICATIONS FOR SURFACING PARKING AREAS.

All public parking area and all parking spaces required for business, or enclosed industrial or open industrial uses, and loading and unloading berths, shall be surfaced in accordance with the "Standard Specifications for Road and Bridge Construction," (latest issue) of the state highway commission.

(A) For passenger cars. The pavement shall be constructed with a minimum of 2-inch hot mixture asphalt surface on a 3-inch thick base course of crushed stone or equivalent, subject to approval of the city engineer.

(B) Trucks and heavy machinery. The pavement shall be constructed with a minimum of 3-inch hot mixture asphalt surface on a 4-inch thick base course of crushed stone or equivalent, subject to approval of the city engineer.

(C) Under severe loading conditions, or improper drainage conditions, the pavement structure design may be modified by the city engineer. (Ord. 1978-4, passed 3-21-78)

§ 150.232 OFF-STREET PARKING REQUIREMENTS.

(A) Residential uses. Two off-street parking spaces shall be provided for each dwelling unit.

(B) Business uses.

(1) Automobile services, except public parking area and open sales lot:

- (a) Filling station - one for each 200 square feet of floor area.
- (b) Public garage - one for each 200 square feet of floor area.
- (c) Sales room - one for each 125 square feet of floor area.
- (d) Automobile, truck, or trailer rental and sales area - one for each 125 square feet of floor area.
- (e) Automobile and truck repair - one for each 200 square feet of floor area.

(2) Business services, all uses - one for each 125 square feet of floor area.

(3) Clothing services, all uses - one for each 125 square feet of floor area.

(4) Equipment services, all uses - one for each 125 square feet of floor area.

(5) Food services, all uses - one for each 125 square feet of floor area.

(6) Personal services, all uses - one for each 125 square feet of floor area.

(7) Retail services, all uses - one for each 125 square feet of floor area.

(8) Business recreational uses:

(a) Billiard room - one for each 200 square feet of floor area.

(b) Dancing academy - one for each 200 square feet of floor area.

(c) Tavern or nightclub - one for each 125 square feet of floor area.

(d) Sporting activities - one for each employee plus 2 per each unit facility.

(e) Indoor theater - one for each 6 seats.

(f) Bowling alley or roller rink - 3 for each lane plus one for each 6 spectator seats.

(9) Private club or lodge - space to accommodate 50% of the active membership at one space per each 3 members, or as determined by the board. The determination shall be based upon the expected number of parking spaces the particular type of business use would require to satisfy estimated peak parking load requirements.

(10) Motel/hotel - one for each 3 employees plus one for each unit.

(11) Other:

(a) Veterinary hospital for small animals - one for each 3 animals to be confined in temporary or permanent pens or cages.

(b) Kennel - one for each 3 animals to be confined in temporary or permanent pens or cages.

(c) Radio and television studios - one for each employee, plus one for each 6 seats in main auditorium.

(d) Newspaper publishing - one per employee on largest shift.

(e) Motor bus or railroad passenger station - one for each 3 employees plus one for each 10 seats in waiting room. Other retail uses in connection therewith shall provide one space or each 2 employees.

(f) Storage warehouse - one for each 3 employees or occupants. The maximum number of employees or occupants is to be used in determining spaces.

(g) Wholesale establishment - one for each 3 employees or occupants. The maximum number of employees or occupants is to be used in determining spaces.

(h) Any business use not specifically stated or implied - as determined by the board. The determination shall be based upon the expected number of parking spaces the particular type of business use would require to satisfy estimated peak parking load requirements.

(C) Industrial uses. Each use shall provide one parking space for each 2 employees or combined employment of the 2 largest successive shifts. (Ord. 1978-4, passed 3-21-78)

§ 150.233 LOADING BERTH REQUIREMENTS.

(A) Business Uses - Loading and Unloading Berths Required:

TYPE OF USE	GROSS FLOOR AREA (Square Feet)	LOADING & UNLOADING	BERTHS
<u>REQUIRED</u>			
Retail Stores,	3,000 to 15,000		1
Department Stores	15,001 to 40,000		2
Wholesale Establishments, Storage Uses and Other Business Uses	Each 25,000 Additional		1 Additional
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Office Buildings	100,000 or Less		1
	100,001 or 336,000		2
	Each 200,000 Additional		1 Additional

(B) Industrial Uses - Loading and Unloading Berths Required:

GROSS FLOOR AREA OF INDUSTRIAL USE IN SQUARE FEET REQUIRED	NUMBER	OF	BERTHS
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15,000 or Less	1		

15,001 to 40,000	2
40,001 to 100,000	3
Each 40,000 Additional (Ord. 1978-4, passed 3-21-78)	1 Additional

§ 150.234 CONTINGENT USES; OFF-STREET PARKING REQUIREMENTS.

- (A) Boarding or lodging house - one for each 3 occupants.
- (B) College or university - one for each 3 students and staff.
- (C) Home occupation - one additional.
- (D) Lodge or private club - one for each 125 square feet floor area of building.
- (E) Mortuary - one for each 6 seats in main auditorium.
- (F) Municipal or governmental building - one for each 125 square feet floor area of building.
- (G) Power substation or telephone exchange and public utility installation terminal facility - one per 2 employees or combined employment of 2 largest shifts.
- (H) Professional office in residence - 2 additional.
- (I) Educational institution - one for each 3 members of staff plus one for each 8 seats in auditorium.
- (J) Sewage treatment or disposal plant, and water treatment and distribution plant - one per 2 employees or combined employment of the 2 largest successive shifts.

§ 150.235 PROCEDURE FOR SITE PLAN REVIEW.

Site plan review shall be required for all multiple-family and nonresidential projects prior to the issuance of a building permit. This review will be carried out by the plan commission.

(A) Any applicant shall submit to the plan commission a sketch of the proposed project for a preliminary review.

(B) After reviewing the sketch plan with the applicant, the plan commission shall suggest any changes in the proposal deemed necessary in order to comply with the provisions of this zoning ordinance and the subdivision regulations.

(C) The applicant shall then prepare and submit proper plans of the project to the plan commission. Development plans shall be drawn to scale and shall show:

- (1) Location and size of main and accessory buildings.

(2) Location and size of yards, driveways, walks, parking areas, recreational areas, and other site improvements.

(3) Location and size of proposed storm drainage facilities.

(4) Location and dimensions of surrounding streets and nearby buildings.

(5) Proposed building plans.

(D) Three copies of the development plan should be submitted to the plan commission no less than 10 days before the next commission meeting.

(E) After reviewing the development plan, the commission may approve, conditionally approve, or disapprove the development plan.

(F) After approval of the site plan by the plan commission, a copy of the approved drawings, along with recommended additions or corrections, shall be signed by the officers of the commission and filed with the building inspector for future reference.

(G) The plan commission shall review with the building inspector to see that the specifications of the site plan are carried out. (Ord. 1978-4, passed 3-21-78)

#### § 150.236 SIGNS.

The purpose of this ordinance shall be to coordinate the type, placement, and physical dimensions of signs within the different zoning districts; to recognize the commercial communication requirements of all sectors of the business community; to encourage the innovative use of design; to promote both renovation and proper maintenance; to allow for special circumstances; to guarantee equal treatment under the law through accurate record keeping and consistent enforcement; to protect and promote property values of the community; and to improve the appearance and aesthetic quality of the community.

##### (A) Definitions

For the purposes of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section:

(1) AREA OF SIGN shall mean the area in square feet of the smallest, simplest, single geometric figure which encloses the area which forms the outside shape of the sign face.

(2) CLEAR VISION AREA shall mean the corner area of a property with frontage on two streets, twenty-five (25) feet back from the intersection right-of-way of those two streets, creating a triangular-shaped area where signage is prohibited to maintain a clear area for vision.

- (3) CONSTRUCTION SIGN shall mean any sign announcing the names of architects, engineers, contractors or other individuals or firms involved with the construction, alteration, or repair of a building project or announcing the character of the building enterprise or the purpose for which the project is intended.
- (4) DEVELOPMENT PARCEL shall mean a combined use of parcels and/or lots in singular and/or common ownership which has shared development characteristics, such as but not limited to parking, access, and/or service areas.
- (5) DIRECTION SIGN shall mean any sign which serves solely to designate the location or direction of any area or place.
- (6) DIRECTORY SIGN shall mean a sign which provides a listing of uses or tenants within a particular building or complex of buildings.
- (7) FACADE shall mean any face of a building which faces a street, private roadway, parking lot, or pedestrian walkway.
- (8) FLASHING SIGN shall mean any sign which flashes or appears to flash by a powered light source.
- (9) FREE-STANDING SIGN shall mean a sign that is erected on a frame, mast or pole which is not attached to building.
- (10) HEIGHT OF A SIGN shall mean the distance between the lowest grade level within two (2) feet of either side of a sign, and the highest part of the sign or its supporting structure.
- (11) LINEAL for purposes of this ordinance, shall mean a distance in any direction along frontage on both sides of a street and cross streets. This term shall not apply to signs located on parallel streets.
- (12) MARQUEE SIGN shall mean a sign designed and/or constructed as an integral part of a marquee or giving the appearance of being an integral part of a marquee. Marquee signs shall also include canopy and awning signs.
- (13) MOBILE SIGN shall mean a sign which is designed to be moved from one location to another, and is not permanently affixed to the ground or to a structure that is permanently affixed to the ground.
- (14) OFF-PREMISE SIGN shall mean any sign which identifies or directs attention to a product, service, or activity or business not conducted on the premises on which the sign is located.

- (15) ON-PREMISE SIGN shall mean any sign which identifies or directs attention to a product, service, activity or business conducted on the premises on which the sign is located.
- (16) PROJECTING SIGN shall mean a sign other than a wall sign which is attached to and projects from a structure or building face and does not project above the roof line or the cornice wall.
- (17) SIGN shall mean any identification, description, symbol, illustration or device which is in view of the general public and which identifies or directs attention to a person, place, product, service, activity, institution or business.
- (18) TOP ROOF LINE shall mean the principle top edge of the roof of a building.
- (19) WALL SIGN shall mean any sign attached or affixed to the wall of a building which projects no more than twelve (12) inches from said wall surface.

(B) Requirement of Permit

An Improvement Location Permit shall be required before the erection, construction, placing or locating of all signs regulated by this ordinance, except as otherwise exempted in this Chapter. The property owner or legal representative shall be responsible for establishment of property boundaries of real estate involved.

(C) Maintenance and Removal

All signs, including, but not limited to, those signs for which permits are required, shall be maintained in a good state of repair, including placement of defective parts, painting, cleaning and other acts required for the maintenance of said sign.

The zoning superintendent or building inspector shall have the right of entry in order to inspect all signs for compliance with the provisions of this ordinance.

When any sign is not maintained within the provisions of this ordinance or determined otherwise unsafe, the zoning superintendent or building inspector, or their authorized representative, shall send written notice to the owner of the property on which the sign is located to remove, repair or alter the sign. If said sign is not removed, repaired, or altered within ninety (90) calendar days, the zoning superintendent or building inspector, or their authorized representative, can cause the sign to be removed, repaired, or altered at the expense of the owner of the property in accordance with the provisions of this Chapter and as set forth

under 33.83.

(D) Miscellaneous Provisions

- (1) No sign or part thereof shall be erected or maintained except in conformance with the provisions of this Chapter;
- (2) Signs may be illuminated by an external light source, provided that the source shall be effectively concealed from view. The illumination of any sign shall not exceed 300 feet lamberts as measured by any point on the property line upon which the sign is located.
- (3) No sign shall blink or flash, nor be illuminated by any device so as to appear to blink or flash;
- (4) No sign shall be erected upon, maintained in, encroach upon or overhang any public right-of-way or Clear Vision Area without the approval of the Board of Zoning Appeals, except as expressly provided in this Chapter and State and Federal law as amended. However, all other applicable standards of this Chapter shall apply.
- (5) The area of a V-type sign not exceeding an angle of sixty degrees (60°) is calculated on one face of the sign only;
- (6) No sign shall be painted on or attached to rocks, trees, or any other natural object, except monument signs;
- (7) Sign regulations for uses permitted by the Board of Zoning Appeals, and/or non-conforming uses shall be as follows:
  - (a) Pursuant to the restrictions and regulations for the signs in the district which located, or
  - (b) A wall and/or free standing sign of up to thirty-two (32) square feet in area. A free standing sign shall neither exceed seven (7) feet in height nor have a side yard setback of less than eight (8) feet and front setback of not less than ten (10) feet from right-of-way.

This sub-section shall not have precedent over any direct stipulations imposed by the Board of Zoning Appeals.

(E) ON PREMISE SIGNS IN RESIDENTIAL DISTRICT

- (1) Signs are permitted, subject to the following regulations:
  - (a) In R-S, R-1, R-2 and R-H Districts, a sign advertising a home occupation

shall not exceed eighteen inches by twenty-four inches and shall not be illuminated and shall be located not less than five feet from the front lot line. There shall be not more than one such sign for each dwelling.

- (b) For multiple family dwellings, i.e. more than a two family dwelling, a sign may not be more than thirty-two square feet in area, providing it indicates only the name and address of the development. Such signs may be located in the front yard not less than five feet from the front lot line, nor closer than eight feet to any side or rear lot line; nor project higher than seven feet above the curb level. (Ord. 2006-9 passed 11-08-2006)
- (c) In R-S, R-1 and R-2 Districts only, illuminated, nonflashing school and church-bulletin signs are permitted subject to the following regulations: there shall be not more than one sign per lot, except that on a corner lot 2 signs - one facing each street, shall be permitted. No sign structure shall exceed 48 square feet in area, nor be closer than 8 feet to any side and rear lot line; not less than 5 feet to the street right-of-way; nor project higher than 7 feet above curb level.
- (d) In R-S, R-1, and R-2 Districts only, illuminated , nonflashing signs are permitted for development parcels and subdivisions. No sign structure shall exceed 48 square feet in area; and not less than 5 feet to the street right-of-way; nor project any higher than 7 feet above the curb level.

(F) ON PREMISE SIGNS IN BUSINESS AND INDUSTRIAL DISTRICTS

Nonflashing but illuminated business signs with no moving parts, awnings, and marquees are permitted, subject to any regulations set forth elsewhere in the ordinances of the city, and the following:

- (1) Where a sign is illuminated by light reflected upon it, direct rays of light shall not beam upon any part of any existing residential building nor into a residence district, or into a street. A sign in direct line of vision of any traffic signal shall not have red, green, or amber illumination.
- (2) The gross surface area in square feet of all on-premise signs on a lot shall not exceed 3 times the lineal feet of frontage of the lot, and for lots fronting on more than one street, only the established front lot line shall be considered as frontage of the lot.
- (3) Any sign affixed to a building shall not project therefrom nearer than 2 feet from the abutting street right-of-way line. A leading edge of a ground sign shall be not nearer than 5 feet from the nearest street right-of-way line and not nearer than 5 feet from a side or rear lot line.
- (4) A sign affixed to a building shall not project higher than the building height, and a sign projecting more than 12 inches from a building wall

shall have its lowest level not less than 10 feet above the grade below it. A ground sign shall not project higher than 30 feet above the grade below it.

- (5) In a unified shopping center or industrial park, in single ownership or control, one additional sign may be erected; the sign shall not exceed 150 square feet in area. The leading edge of the sign shall not be less than 5 feet from the front lot line; its bottom edge shall be at least 10 feet above the level of the ground; and its overall height shall not exceed 30 feet above the curb level.
- (6) Unilluminated “for sale,” “for rent,” and other such temporary signs are permitted, subject to the following: there shall be not more than one sign per lot, except that on a corner lot 2 signs, one facing each street, shall be permitted. No sign shall exceed 48 square feet in area; nor be closer than 5 feet to any side and rear lot line, and 5 feet to the front lot line; nor project higher than 7 feet.

(G) OFF-PREMISE SIGNS

- (1) Definition: An OFF-PREMISE sign is a sign which communicates the availability of goods, services, and ideas not necessarily available on the premises on which the sign is located.
- (2) Permitted Zoning Districts: Off-Premise signs shall be permitted in the following zoning districts: B-3, I-1, I-2; nor be located within 300 feet of a residential district.
- (3) Permitted Sizes: The maximum size of an Off-Premise sign shall be 300 square feet per sign face, and no more than one face per side.
- (4) Permitted Heights: The maximum height of an Off-Premise sign above the road grade from which the sign is to be viewed shall not exceed 30 feet. No Off-Premise sign shall be less than 10 feet from grade level to bottom of sign.
- (5) Separation: The distances between lawfully erected Off-Premise sign structures shall be a linear measure taken along right-of-way lines on the side of the street on which the sign is to be located.

- (a) Separation of one Off-Premise to another Off-Premise sign shall be 1,500 lineal feet.
  - (b) The separation requirement stated in item (a) need not be met where a physical obstruction exists which prevents viewing two Off-Premise sign structures at the same time.
- (6) Set Back: The perpendicular distance from the right-of-way line to the leading edge of an Off-Premise sign structure shall be 25 feet from the front property line or 55 feet from the center of the street, whichever is greater.

Non-Conforming Use: All permanently attached or affixed Off-Premise signs legally existing prior to the date of this ordinance 2000-04 , but no longer conforming to the provisions of this ordinance, shall be regarded as legal non-conforming signs and may be continued, subject to being properly repaired and maintained as well as meeting the conditions set forth in this ordinance. (Ord. 2000-4, passed 3-21-00)