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**CITY OF MASON
ORDINANCE NO. 266**

PROPOSED TRACKED AMENDMENTS (1.5.2026)

AN ORDINANCE TO AMEND THE CITY CODE OF THE CITY OF MASON BY ADDING SECTION 94-153 TO CHAPTER 94 ZONING CREATING A NEW TECHNOLOGY INNOVATION (M-3) ZONING DISTRICT, AND UPDATING VARIOUS SECTIONS WITHIN THE CODE TO ALLOW FOR THE NEW M-3 ZONING DISTRICT

THE CITY OF MASON ORDAINS

1. Section 26-92 of Chapter 26, Fire Prevention and Protection, Article III. Outdoor Fires, Division 1, Generally, shall be amended to read as follows:

Sec. 26-92. Exceptions.

The prohibition of section [26-91](#) shall not be construed to prohibit burning in the M-1, M-2 and M-3 zoning districts when such burning is in compliance with the standards of section [94-151](#), section [94-152](#), and section 94-153, , respectively; nor to occasional wood fires in designated stoves and grills in city parks; nor to fires of charcoal or non-ash-producing fuel when used for the exclusive preparation of food for human consumption; nor to non-ash-burning fuels being used not less than 15 feet from combustible materials when used in adequate fire-resistant metal containers for the heating of building materials or for the warmth of workers.

2. Section 58-127 of Chapter 58, Signs, Article III. Requirements and Restrictions shall be amended to read as follows:

Section 58-127. On-premise signs.

(d) Manufacturing (M-1, M-2, and M-3) zoning districts.

(1) *Window signs.* Window signs shall be permitted up to a size equivalent to 20 percent of the total window pane area.

(2) *Freestanding on-premise signs.*

- a. Number. One freestanding on-premise sign shall be permitted per parcel. A second on-premise freestanding sign will be permitted if the subject parcel has frontage on more than one public street, provided there shall not be more than one sign on any single street.
- b. Height. The overall height of any freestanding sign shall not exceed 20 feet above grade.
- c. Area. The maximum allowable sign area shall not exceed the following:
 1. For signs with an overall height of ten feet or less, 42 square feet in area.
 2. For signs with an overall height exceeding ten feet, 24 square feet in area.
- d. Multiple business signs. Two or more businesses located on the same parcel of land shall be permitted to share a single freestanding sign identifying those individual businesses, provided said sign does not exceed 52 square feet in sign area and ten feet in height above grade.

(3) *Wall signs.*

- a. Number. One wall sign shall be permitted per ground level store. A second wall sign will be permitted if the subject tenant/owner is located in a ground level store front and has frontage on more than one public street, provided there shall not be more than one sign on any single street.
 - b. Area. Wall signs shall be permitted up to an aggregate size equivalent to one and one-half square feet of sign area for each one lineal foot of wall width.
 - c. Multi-tenant buildings.
 1. For ground level store fronts, the allowable sign area for each individual tenant sign will be determined based on the length of the outside wall that tenant unit occupies in accordance with the requirements of subsection (3)b.
 2. For tenants without store fronts, including all tenants not located on the ground floor, one sign per tenant shall be permitted not exceeding three square feet in sign area and located within 18 inches of the outside building entry door.
3. Section 58-129 of Chapter 58, Signs, Article III. Requirements and Restrictions shall be amended to read as follows:

Sec. 58-129. Off-premise signs.

Off-premise signs, including billboards, shall be permitted only in the C-2 General Commercial, M-1 Light Manufacturing, M-2 General Manufacturing and M-3 Technology Innovation zoning districts, and shall comply with the requirements listed in this section.

- (1) Off-premise signs located within 900 feet of a limited access highway interchange shall comply with the following:
 - a. Number. Not more than one off-premise sign shall be permitted on a single parcel, provided each off-premise sign shall be spaced a distance of 600 feet from another off-premise sign on the same side of a street or 300 feet from another off-premise sign on the opposite side of a street. Sign spacing shall be measured along a line parallel to the right-of-way of said street.
 - b. Height and area. An off-premise sign and its structure shall not exceed an overall height of 25 feet. The sign area shall not exceed 300 square feet.
 - c. Placement. An off-premise sign shall be setback at least 35 feet from a public or private road right-of-way and shall not be closer than 500 feet from the property line of a residentially zoned or used property.
- (2) Off-premise signs located farther than 900 feet from a limited access highway interchange shall comply with the following:
 - a. Number. Not more than one off-premise sign shall be permitted on a single parcel.
 - b. Height and area. An off-premise sign and its structure shall not exceed an overall height of ten feet. The sign area shall not exceed 40 square feet.
 - c. Placement. Setback standards shall be consistent with section 58-128(4).
- (3) For the purposes of this section, distance to a highway interchange shall be measured by a straight line drawn from the nearest point of the interchange right-of-way of an on or off ramp to the farthest point of the sign.
- (4) Illumination. Off-premise signs may be directly or indirectly illuminated. All indirectly illuminated signs shall be constructed, designed, installed and maintained so as to concentrate the illumination upon the sign surface. The light source shall not be visible beyond the property line of the site or from any public or private road right-of-way.
- (5) Clear vision area. Off-premise signs shall comply with the clear vision area described in section [94-172\(d\)\(3\)](#) in chapter 94 of this code and figure [100-103](#) in chapter 100 of this code.
- (6) Nothing contained in this ordinance shall permit a sign or sign structure that is otherwise prohibited by the State Highway Advertising Act of 1972, 1972 PA 106, or shall require or cause the removal of lawfully erected signs or sign structures permitted under said act.

4. Chapter 94, Zoning, Table of Contents, shall be amended to read as follows:

Article IV. Zoning District Regulations

Sec. [94-121](#). General intent and purpose, permitted uses, and dimensional regulations.

Sec. [94-122](#). AG: Single-family agriculture district.

Sec. [94-123](#). RS-1, RS-2, RS-3: Single-family residential districts.

Sec. [94-124](#). R2F: Two-family residential district.

Sec. [94-125](#). RM: Multiple-family residential district.

Sec. [94-126](#). MH: Manufactured home park residential district.

Secs. 94-127—94-130. Reserved.

Sec. [94-131](#). O-1: General office district.

Sec. [94-132](#). O-2: Specialized office district.

Secs. 94-133—94-140. Reserved.

Sec. [94-141](#). C-1: Central business district.

Sec. [94-142](#). C-2: General commercial district.

Sec. [94-143](#). C-3: Local commercial district.

Secs. 94-144—94-150. Reserved.

Sec. [94-151](#). M-1: Light manufacturing district.

Sec. [94-152](#). M-2: General manufacturing district.

Secs. 94-153. M-3: Technology innovation district

Secs. 94-154—94-160. Reserved.

Sec. [94-161](#). PUD: Planned unit development district.

5. Section 94-61 of Chapter 94, Zoning, Article II. Zoning District Map and General Zoning Regulations, shall be amended to read as follows:

Sec. 94-61. Establishment of districts.

The following zoning districts are hereby established for the city:

AG district: Single-family agriculture district

RS-1 district: Low density single-family residential district

RS-2 district: Medium density single-family residential district

RS-3 district: High density single-family residential district

R2F district: Two-family residential district

RM district: Multiple-family residential district

MH district: Manufactured home park residential district

O-1 district: General office district

O-2 district: Specialized office district

C-1 district: Central business district

C-2 district: General commercial district

C-3 district: Local commercial district

M-1 district: Light manufacturing district

M-2 district: General manufacturing district

M-3 district: Technology innovation district

PUD district: Planned unit development district

6. Chapter 94, Zoning, Article IV Zoning District Regulations, shall be amended to add Section 94-153 M-3 Technology Innovation District as follows:

Sec. 94-153. M-3: Technology innovation district.

- (a) *Intent and purpose.* The purpose of this district is to provide an environment where large scale high technology uses and functions such as engineering, design, research and development, and data processing and computer centers can be located. Advances in technology have created uses which are related to industrial and office uses, but due to the number and size of structures involved may not be appropriate or function adequately in other districts. These uses are more intensive than traditional office uses, but they are less intensive than traditional industrial uses. To encourage uses particular to this district, development must be attractive with buffering between properties adjacent to the district and designed in a manner that is consistent with the character of surrounding areas. The district is intended for areas which are primarily undeveloped and for uses with limited visits by the general public.
- (b) *Uses permitted by right.*
- (1) Agriculture.
 - (2) Laboratories, offices and other facilities for basic and applied research, experimentation, testing, product design, technology development, consulting and business development.
 - (3) High technology service uses with the principal function of providing services including computer information transfer, communication, distribution, management, processing, administrative, laboratory, experimental, developmental, technical, or testing services.
 - (4) Data processing and computer centers, commonly referred to as data centers, including service and maintenance of electronic data processing equipment.
- (c) *Permitted accessory uses.*
- (1) Accessory uses and structures as defined in this chapter.
 - (2) Solar panels that are ground-mounted, on structures or over paved parking areas.
- (d) *Uses authorized by special use permit.* Any uses permitted in the M1 light manufacturing district and M2 general manufacturing district.
- (e) *Development standards.* Any use of land or structures in this district shall comply with the general development standards of section 94-121(c), however, when any of the general standards are in conflict with this section, the standards in this section shall supersede such general standards.
- (f) *Eligibility.* In order for property to be zoned M3, it must be included within a rezoning application pertaining to a minimum of three hundred (300) contiguous acres. Alternatively, a property will be so eligible if its acreage plus the acreage of contiguous property that is already zoned M3 will equal at least three hundred (300) acres. Properties separated by a public right-of-way shall be considered to be contiguous for purposes of this provision.
- (g) *Parcel dimensional requirements.*

- (1) *Minimum Parcel Area.* The minimum parcel size within the district shall be fifty (50) acres. This requirement may also be satisfied by a combination of contiguous parcels under common ownership of a minimum combined size of fifty (50) acres.
- (2) *Parcel Frontage.* All parcels shall abut a public street except where one of the following applies.
 - a. An adjacent parcel or parcels under common ownership with the subject parcel has frontage on a public street.
 - b. A legally binding perpetual vehicular access easement over an adjacent parcel or parcels with frontage on a public street that are not under common ownership with the subject parcel is placed on record with the county and provided to the city prior to preliminary site plan approval.
- (3) *Parcel width, depth.* All parcels shall have adequate width and depth to provide for setback distances as required by this chapter.
- (4) *Maximum Parcel Coverage.* The maximum parcel coverage by all structures shall be 60%.
- (h) *Building height.* The maximum building height shall be seventy (70) feet.
- (i) *Leisure Trails.* **In lieu of sidewalks required under the city code, p**Public leisure trails shall be constructed along the periphery of the district along public streets. The cost of installation and on-going maintenance of the leisure trail shall be the responsibility of the property owner.
 - (1) *Leisure trail construction.* Leisure trails shall be asphalt, constructed to city standards, and have a minimum width of eight (8) feet unless otherwise specified in the approved site plan.
 - (2) *Leisure trail location, route.* All leisure trails shall be located on the development property outside of the street right-of-way, except when the appropriate governing body approves location within the right-of-way. The route followed by a leisure trail is not required to be a straight line and shall be shown on the submitted site plan.
 - (3) *Leisure trail easement.* A public use easement shall be granted by the property owner to the city for the area encompassing a leisure trail located outside the street right-of-way completely encompassing the leisure trail from the street right-of-way to a line parallel to the right-of-way located no closer than one (1) foot from the edge of any portion of the trail.
- (j) *Public street right-of-way, easements.* The property owner shall dedicate property for right-of-way for public street construction and improvement to the city or county, as applicable, in compliance with relevant regulations as required by the approved site plan. The property owner shall grant easements to the city or county, as applicable, which are adjacent to the aforementioned rights-of-way to the minimum extent necessary, or as required by this section, to provide for access to, and the installation and maintenance of, street improvements, leisure trails, and/or utilities.
- (k) *Residential zoning district defined.* For the purposes of this section, the term “residential zoning district” shall refer only to those districts zoned specifically for residential uses and shall not include districts zoned for agricultural use.
- (l) *Setback, buffering, and screening requirements.*

- (1) *Screening generally.* Whenever possible, trees, locally native woodland shrubs and other naturally occurring features shall be incorporated into a site plan. Given the possibility of natural features being relocated or removed, a greenway edge network shall be established along the periphery of the district. This greenway shall be located within the required setback area.
- (2) *Street and residential setback, buffering and screening.* The following minimum setback, buffering, and screening requirements shall apply to any structures and parking areas in a development that is adjacent to a public street right-of-way or adjacent to property outside of this district with a residential use or in a residential zoning district.
 - a. The minimum setback for buildings and structures shall be one hundred and fifty (150) feet. A berm shall be placed in the setback area along the district boundary in compliance with this section.
 - b. The minimum setback for parking areas shall be one hundred (100) feet.
 - c. ~~Where a condition described by one of the following subsections applies, T~~he minimum setback requirement for structures and parking areas to adjacent property outside of this district with a residential use or in a residential zoning district shall be fifty (50) feet ~~when said property is under common ownership of the subject property.~~
 - ~~1. The property with a residential use or in a residential zoning district is under common ownership of the subject property.~~
 - ~~2. The owner(s) of the property or properties with a residential use or in a residential zoning district sign an affidavit agreeing to waive the requirements of subsections (a) and (b) above and said affidavit is filed with the city.~~
 - d. *Berm requirements.* A required berm shall be placed along the district boundary inside any required fence in compliance with the following.
 1. *Berm height.* Berm height shall be a minimum of eight (8) feet and a maximum of ten (10) feet from the adjoining street grade at the edge of the pavement.
 2. *Berm landscaping.* Any required berm shall include a landscape buffer on the berm top and side facing a public street or adjacent property. The landscape buffer shall consist of a mixture of trees, including deciduous and evergreen trees as appropriate, shrubs, and natural grasses with no more than thirty percent (30%) of any single tree or shrub species. Trees and shrubs shall be placed in a manner to mix species of different types and heights along the berm scattered over the top and side of the berm. A written statement from a certified arborist or landscape architect shall be provided with site plan submittal to confirm an expectation that the planting mass achieves an opacity at full foliage of eighty percent (80%) and reaches a height of fifteen(15) feet above the berm grade on the date that is four (4) years after planting and that plant spacing is appropriate to support a healthy screen at plant maturity.
 - i) *Allowed berm trees.* No species other than those included in the list below may be planted on a berm without written permission of the tree commission.

Allowed Berm Tree Species		
Deciduous Trees		Evergreen Trees
Black Gum	Maple, Red	Fir
Ginko (non-fruiting varieties)	Maple, Sugar	Japanese Yew
Greenspire Linden	Oak, Pin	Juniper, Upright
Hackberry	Oak, Red	Leland Cypress
Hop Hornbeam	Oak, Shingle	Red Cedar
Japanese Pagoda Tree	Oak, White	Red Pine
Katsura Tree	Sweet Gum	Spruce, Black Hills
London Plane Tree	Thornless Cockspers Hawthorn	Spruce, Norway
Maple, Crimson King	Thornless Locust	White Pine
Maple, Hedge	Zelkova	

- ii) Minimum tree size at installation shall be no less than two and one half (2.5) inches in caliper for large deciduous trees, two (2) inches in caliper for ornamental deciduous trees, ten (10) feet in height for evergreen trees, and thirty (30) inches in height for shrubs. Caliper shall be measured six (6) inches above grade. Tree and shrub height at the time of installation and as expected four (4) years after planting shall be noted in the site plan submission.
 - iii) A natural grass mix requiring minimal mowing is to be seeded on the entire surface of a berm.
 - iv) The owner shall provide for appropriate maintenance of a berm and any required plantings and landscaping.
3. *Berm construction.* Berms are to be constructed as required by the berm standards in section 94-241(g) of this code, however, when any of said berm standards are in conflict with this section, the standards in this section shall supersede those berm standards.
- i) *Berm grading.* Berm grading may gradually undulate horizontally and vertically between the minimum and maximum heights required in this section.
 - ii) If minimum berm height requirements cannot be met around the entirety of the site, plantings that provide one hundred percent (100%) opacity at full foliage may be utilized to meet the screening requirements, however, this condition shall not exceed thirty percent (30%) of the required berm area.
 - iii) Breaks in, and/or tapering of, berms may occur at vehicular and pedestrian access points subject to the approved site plan.
4. *Access point screening.* Where a vehicular access point is adjacent to a parcel outside of this district with a residential use or in a residential zoning district, the combination of the access drive path design and a berm buffer in compliance with this section along the drive shall screen the view of structures and parking areas from the intersection of the drive

and the street. This screening requirement shall be waived if either of the following conditions apply:

- i) The parcel with a residential use or in a residential zoning district is under common ownership of the subject property.
- ii) The owner(s) of the parcel(s) with a residential use or in a residential zoning district sign an affidavit agreeing to waive the requirements of subsection (4) above and said affidavit is filed with the city.

(3) *Construction Site Setup.* During any phases of construction there shall be a minimum fifty (50) foot setback for parking areas, material laydown and storage tanks and a minimum one hundred (100) foot setback for trailers, structures, buildings, and related items necessary for the construction of improvements. All construction site setup areas shall be screened so that they are not visible from a public street or adjacent property outside of this district with a residential use or in a residential zoning district.

(4) *Non-street, non-residential setback and screening.* The required minimum setback from, and screening along, district boundary lines that are not adjacent to a public street right-of-way or to property outside of this district with a residential use or in a residential zoning district shall comply with the following subsections.

- a. *Setback.* A minimum setback of fifty (50) feet for buildings, structures, service areas, loading areas, and parking areas.
- b. *Screening.* Multiple staggered rows of a mix of trees, locally native shrubs and natural grasses shall be planted along the boundary of the district within the setback area. The screen design shall satisfy the requirements for berm landscaping, except that no berm is required, in section 94-153(l)(2)(d)(2) for species selection and placement, opacity and height above grade, minimum tree size, site plan submittal requirements, maintenance, and professional confirmation that the design will meet requirements.
- c. A natural grass mix requiring minimal mowing is to be seeded within the screen planting area.
- d. The owner shall provide for appropriate maintenance of the screen planting area and any required plantings.

(5) *Existing natural screening.* Where the overall height and opacity requirements noted above can be met by preserving and/or supplementing existing tree stands or forested areas, the berm and landscaping requirements of this section may be modified or waived by the approval authority.

(6) *Adjacent parcel outside district.* If an adjacent parcel outside of this district has a residential use or is in a residential zoning district and there is an intervening public street between the residential property and this district, the residential property shall be considered to be adjacent.

(7) *Interior Setbacks.* There shall be a zero minimum building and parking area setback requirement from interior parcel lines within this district when the parcels on each side of a parcel line are under common ownership. When adjoining parcels are not under common ownership, the minimum setback requirements shall be fifty (50) feet for structures and twenty (20) feet for parking areas.

- (8) *Phasing of buffering and screening.* Required berms and landscaping shall be installed prior to any above grade construction of a structure. This requirement shall not apply to temporary structures intended only for support of construction.

(m) *Fencing.*

- (1) *Exterior rail fence.* A four (4) rail fence shall be installed by the owner along the periphery of the district abutting a public street for the entire length of the frontage on the street, subject to required breaks for vehicular and pedestrian access. The fence shall be as straight as possible and located on the development property a minimum of two (2) feet from the easement for a leisure trail. The owner will be responsible for maintenance and repair of the fence. The fence shall be constructed as follows:

- a. Fence shall be constructed of wood, vinyl or other suitable exterior grade material. All construction shall be in accordance with verifiable industry standards. A fence system around a district shall be of the same design and materials for the entirety of the district.
- b. Fence height to the top of the top fence rail shall be fifty-four (54) inches from grade and uniform along the entire length of the fence within a tolerance of plus or minus one (1) inch. Variations in fence height shall be gradual.
- c. The distance from the top of the top fence rail to the bottom of the bottom rail shall be forty-two (42) inches. Fence rails shall be evenly spaced.
- d. All fasteners shall be of a material, and/or include a coating, specified for exterior use.
- e. All visible elements of the fence shall be white in color and the color shall match substantially among all elements.
- f. *Wood fence.*
 1. Fence rails shall be one (1) inch by six (6) inch nominal dimension by sixteen (16) foot long treated rough sawn poplar. Fence rails shall be located on the street facing side and aligned with the top of the post.
 2. Fence posts shall be six (6) inch by six (6) inch nominal dimension southern yellow pine wood posts treated for below ground installation of sufficient length to allow post sinking below the frost line and result in the required fence height. The top of each post shall be flush with the top of the top fence rail.
 3. Posts shall be installed vertically on sixteen (16) foot centers except where a shorter fence section is required to terminate the fence at the required location.
 4. Fence rail joint covers shall be one (1) inch by six (6) inch nominal dimension treated rough sawn poplar. The covers shall be forty-two (42) inches long and centered on each post. The covers shall be vertical and aligned with the top of the top fence rail and bottom of the bottom fence rail.
 5. All exposed wood shall be appropriately primed and painted with exterior grade paint.

- g. *Vinyl fence.*

1. Fence rails shall be one and a half (1.5) inches by five and a half (5.5) inches and of appropriate length for post spacing. Rails shall be securely anchored into posts.
2. Fence posts shall be five (5) inch by five (5) inch vinyl of sufficient length to allow post sinking below the frost line and result in the required fence height.
3. Posts shall be installed vertically on eight (8) foot centers at minimum except where a shorter fence section is required to terminate the fence at the required location.
4. Fence vinyl posts shall terminate two (2) inches above the top of the top rail prior to cap installation. Post caps shall be glued in place.

h. Alternate fence material.

1. An alternate material other than wood or vinyl may be used at the discretion of the site plan approval authority.
2. The site plan applicant shall provide sufficient information to allow the approval authority to determine if the alternate fence material will be sufficiently durable and allow for a fence design consistent with the requirements for wood or vinyl fence.

(2) *Interior fencing.* Any security fencing or other fencing shall be located behind a required perimeter berm. No fencing shall be installed on a required perimeter berm.

(n) Outdoor storage and hazardous materials.

(1) *Outdoor Storage.* Outdoor storage of materials, equipment, and supplies shall be permitted. Outdoor storage areas for these items are not required to be screened if located to not be visible from a public street right-of-way or from ground level at a distance of two hundred (200) feet from any perimeter boundary line of a parcel that is not under common ownership. Otherwise, such outdoor storage areas shall be fully screened to a height of eight (8) feet. Outdoor storage areas, whether screened or unscreened, shall comply with minimum setback requirements in this section.

(2) *Hazardous Materials.* Due to the nature of the permitted uses in this district, hazardous waste and materials storage and processing is anticipated. When such storage and/or processing are desired:

- a. The nature of the storage and processing shall be described in a detailed written statement that shall be submitted as part of an application for site plan review. This statement shall also provide details regarding the safety measures and protocols that are proposed to prevent the migration of any hazardous materials outside of designated containment areas and procedures that will be implemented upon the occurrence of an event that does, or has the potential to, damage the environment, persons, or property. This information shall be provided so that relevant city departments and public safety providers will have notice of the presence of these storage and processing operations.
- b. All such storage and/or processing shall comply in all respects with local, state and federal law and regulations, and shall not be undertaken until such time as all necessary permits are received and copies of the same are provided to the city.

- c. No such storage and/or processing shall occur within two hundred (200) feet of any perimeter boundary of a parcel that is not under common ownership,
- d. If such storage or processing is undertaken outside of a structure, all exterior areas where these activities are occurring shall be surrounded by a masonry wall that is at least ten (10) feet in height, but only if the activities are wholly or partially visible from an adjacent public street right-of-way or adjacent property outside this district with a residential use or in a residential zoning district. Building facades may be used to meet this requirement. Any gates or doors shall include enhanced security features to ensure that unauthorized individuals cannot gain access to the area.

(o) *Utilities.*

- (1) *Electric utilities.* All new electrical utilities installed on the development site rated below sixty-nine (69) kV shall be underground. Electric utilities related directly to substation infrastructure, regardless of rating, are not required to be underground.

(2) *Standby generators.* Generators shall be operated only for the purpose of performing periodic testing and exercising as allowed under this section or for the purpose of supplying electricity during an emergency disruption in supply from the normal electricity supplier. Under no circumstances shall any generator be operated for the purpose of supplying electricity for ongoing operations except during an emergency disruption in supply.

(3) *Water and sewer utilities.*

a. All structures in the district used or designed for human occupancy shall connect to the city water supply system. All structures in the district in which sanitary sewer originates shall be connected to the city sanitary sewer system.

b. Each user of city water and sanitary sewer utilities in this district shall enter into a water and sanitary sewer utilities use agreement with the city. The use agreement shall stipulate, at minimum, the minimum required real taxable value, the methodology for establishing the cost of service, requirements of the user to ensure there is no negative impact to the sustainable operation of the utilities, maximum allowable water usage, minimum number of years the user commits to purchasing utility services, and the following:

1. The use agreement shall require, to the extent allowed by law, that the cost of any improvements to the city water and/or sanitary sewer systems necessary to serve the user shall be the responsibility of the property owner.

1.2. The use agreement shall require the user to post an appropriate bond or similar financial assurance sufficient to cover the full cost of decommissioning or removal of any elements of the water and/or sanitary sewer systems when such decommissioning or removal is deemed by the city to be necessary to maintain sustainable continued operation of the water and/or sanitary sewer systems upon termination of the use or substantial reduction in demand for services. The requirements of this subsection shall expire twenty (20) years from the date occupancy is approved.

(p) *General architectural standards.*

- (1) *Building construction.* Traditional materials including wood, stone, brick, concrete, aluminum, metal, glass, stucco, or cementitious fiberboard shall be used for exterior construction of all buildings. The use of reflective or mirrored glass on a building facade, or advanced fabric structures or similar type structures, shall be prohibited. Mirrored glass may be used for windows and entrance door areas.
- (2) *Roof-Mounted Equipment.* Complete screening of all roof-mounted equipment shall be required on all four (4) sides with materials that are consistent and harmonious with the building's façade and character. Such screening shall be provided in order to screen the equipment from off-site view and to buffer sound generated by such equipment. Solar energy systems shall be excluded from the requirements of this section to the extent the requirements prevent or limit functionality and/or accessibility to direct sunlight.
- (3) *Loading docks.* Loading docks shall have the same degree of finish as a main entry unless the dock is not visible from a public right-of-way or adjacent property outside of this district with a residential use or in a residential zoning district.
- (4) Landscaping and/or the use of existing vegetation shall be utilized where appropriate to enhance the aesthetics of any building visible from a public right-of-way.

(q) *Environmental regulations.*

- (1) Any use of land or structures in this district shall comply with the environmental regulations of section 94-177 of this code however, when any of the environmental regulations are in conflict with this section, the standards in this section shall supersede such environmental regulations.
~~Statements in writing that such uses comply or will comply with this section may be required by the approving body at the time of site plan approval.~~
- (2) *Noise.* Subject to the requirements of this section, no noise shall be produced that is objectionable due to intermittence, beat frequency or shrillness.
 - a. Subject to allowances in this section, noise levels from ~~normal routine~~ operations shall not exceed sixty-five (65) decibels (dBA) at an adjacent street right-of-way or ~~the~~ boundary of adjacent property outside of this district ~~during normal operation.~~
 - b. *Periodic testing or exercising of equipment.* Noise levels up to eighty (80) decibels (dBA) at an adjacent street right-of-way or ~~the~~ boundary of adjacent property outside of this district are allowed during ~~only~~ periodic testing or exercising of equipment. Such testing or exercising shall not occur more often than once monthly for up to a total of fifteen (15) minutes with the exception that such testing shall be allowed for a duration of up to a total of sixty (60) minutes twice per year. If approved in advance by the city manager for each occurrence, the sixty (60) minute events may be allowed up to two (2) additional times per year. Any testing or exercising shall be allowed only between the hours of ~~98~~:00 a.m. and 4:00 p.m. on a weekday.
 - c. *Pre-development and post-development noise studies.* The site plan review applicant will be responsible for ~~the cost of providing~~ pre-development and post-development noise studies ~~at along each~~ an adjacent street right-of-way ~~and/or~~ boundary of adjacent property outside of this district to establish a pre-development noise baseline and to verify the post-development noise level emitted during ~~routine normal~~ operations. The pre-development and post-development noise studies shall include evaluation of noise at various locations ~~along each street right-of-way and property boundary~~ and during ~~daytime (7:00 a.m. to 10:00 p.m.) and~~

nighttime (10:00 p.m. to 7:00 a.m.) hours, various times of day, including during times of normal peak operational load as well as during times of non-peak normal operation post-development. Noise studies shall be performed and evaluated pursuant to current appropriate standards and methodologies established by the International Organization of Standards (ISO) as approved by the city engineer. The city shall select the noise study provider. - If pre-development noise levels along any right-of-way or property boundary exceed the maximum prescribed in subsection (a) above for normal operation, the normal operation noise levels post-development along said right-of-way or boundary shall not exceed the levels measured in the pre-development noise study.

- d. Ground mounted mechanical equipment, including blowers or generators, shall be enclosed in sound absorbing walls to the extent possible to the greatest practical extent possible and designed to attenuate noise heard on adjacent properties outside of this district.
- e. Ground mounted mechanical equipment, including blowers and generators, shall be located, to the greatest practical extent possible, as far as practical from an adjacent public street right-of-way or the boundary of an adjacent parcel property outside of this district with a residential use or in a residential zoning district and, to the extent possible, located within the interior of the building layout to minimize noise heard on surrounding properties.
- f. The use of external loudspeakers is prohibited.

(3) *Outdoor lighting.*

- a. No lighting fixture shall be placed more than twenty-four (24) feet above the ground.
- b. No lighting shall exceed twenty-five percent (25%) more than the light level recommended by the most recently published applicable ANSI/IES Lighting Standard at the time of installation.
- c. All luminaires emitting more than 1,000 lumens shall be fully shielded in such a manner that no light is emitted, either directly or indirectly, at or above a horizontal plane running through the lowest light-emitting part of the luminaire.
- d. No luminaires shall exceed a correlated color temperature of 3000 K.
- e. Luminaires activated by motion detection shall automatically turn off or return to the dimmed state no more than five (5) minutes after activity is no longer detected.
- f. Any of the lighting requirements of this section may be waived if compliance with the requirement would result in violation of applicable state or federal law or it is demonstrated that waiver of the requirement is necessary for security or public safety purposes. A waiver shall be issued at the discretion of the zoning official.

(4) *Vibration.* Ground mounted mechanical equipment shall be mounted on a vibration dampening platform or other suitable device to decouple the equipment from transferring vibration to the ground. Pre-development and post-development studies of ground vibration along each adjacent street right-of-way and boundary of adjacent property outside of this district shall be conducted to establish a pre-development vibration baseline and to verify the post-development vibration level emitted during routine operations. Vibration studies shall be conducted by a provider selected by the city and the cost shall be the responsibility of the applicant. The pre-development and post-development vibration studies shall include evaluation of ground vibration at various locations along each street right-of-way and property boundary and during daytime (7:00 a.m. to 10:00 p.m.) and nighttime (10:00 p.m. to 7:00 a.m.) hours. Vibration studies shall be performed and evaluated pursuant to current appropriate standards and methodologies established by the International Organization of Standards (ISO) as approved by the city engineer. Post-development ground vibration levels shall not exceed pre-development levels.

(r) Development agreement. The property owner shall enter into a development agreement with the city incorporating the requirements of the following subsections and record the same in the office of the county register of deeds. The development agreement shall be a binding covenant upon all future owners, operators, and tenants of the property and shall be executed and recorded prior to issuance of a building permit.

(1) The terms and conditions of final site plan approval.

(2) The terms and conditions of any water and sanitary sewer utilities use agreement.

(s) Violations. Any violation of a provision of this section 94-153 shall be designated as a civil infraction.

7. Section 94-173 of Chapter 94, Zoning, Article V. Supplemental Regulations, shall be amended as follows:

Sec. 94-173. Supplemental use regulations.

(d) *Wireless telecommunications towers and antennas.....*

(13) *Uses permitted by special use permit.* No wireless communications facilities other than those permitted by administrative review by subsection [94-173\(d\)\(12\)](#) of this chapter shall be permitted except subject to the granting of a special use permit after review and approval by the planning commission pursuant to article VI of this chapter, subject to the general standards applicable to a special use permit as set forth at subsection [94-191\(f\)](#), the goals set forth at subsection [94-191\(a\)](#), and the following additional standards:

a. Location criteria.

1. Facilities shall be sited to minimize views to the extent reasonably possible from residential areas or the public right-of-way.
2. Support structures will be located in all geographic districts to minimize their view from neighboring properties and public rights-of-way.
3. Mounted wireless communication facilities are permitted in all districts except single-family and two-family districts, except that roof-mounted antennas are not permitted in any residential district.
4. Monopoles and similar support structures are permitted as a principle or accessory use only in the M-2 general manufacturing district, the M-3 technology innovation district, and those portions of the M-1 light manufacturing district, and those commercial districts lying south of a line created by Kipp Road extended and north and west of lines created by North Street and Buhl Street extended.
5. Monopoles not to exceed 150 feet in height are also permitted in the C-1 central business district by special use permit, provided the structure is located on publicly-owned property and is constructed and maintained for joint use by three or more users, at least one of which shall be a local or state governmental agency operating communication facilities for public safety services as defined under the Homeland Security Act.
6. Monopoles and similar support structures are prohibited in parks, school grounds or other areas heavily trafficked by children.
7. Lattice or guyed towers or antennas or similar structures are prohibited in all districts.

8. Section 94-222 of Chapter 94, Zoning, Article VII. Site Plan Review and Landscape Standards shall be amended as follows:

Sec. 94-222. Uses subject to site plan review.

The uses of land and structures listed in this section shall receive final site plan review and approval in accordance with this article prior to the granting of a building permit or a certificate of occupancy.

- (1) Uses in the O-1, O-2, C-1, C-2, C-3, M-1, M-2, and M-3 zoning districts.

- (2) Uses in the planned unit development district.
- (3) Multiple-family dwelling uses.
- (4) Uses permitted by special use permit.
- (5) Platted subdivisions (refer to chapter 74).
- (6) Site condominium developments.
- (7) Public and governmental facilities.
- (8) Off-premise signs.
- (9) Grading and filling in any district which alters the flow of surface water to or from the property.

9. Section 94-225 of Chapter 94, Zoning, Article VII. Site Plan Review and Landscape Standards shall be amended as follows:

Sec. 94-225. Preliminary site plan review and approval.

- (a) *Intent, purpose, consideration concurrent with final site plan.* All uses of land and structures which are subject to the requirements of this article shall receive preliminary site plan review and approval prior to the submission of a final site plan unless the zoning official determines that concurrent preliminary and final site plan review and approval will promote the general welfare of the city. The standards for both preliminary and final site plan review and approval in this article shall be applied when concurrent consideration is allowed. The planning commission may require separate preliminary and final site plan review and approval for any plan subject to consideration by the commission.
- (b) *Preliminary site plan application.* The owner or designated agent shall file an application requesting preliminary site plan review and approval with the zoning official. The application shall be accompanied by the information required in this section and be accompanied by the appropriate fees as established by resolution of the city.
- (c) *Preliminary site plan application requirements.* All applications for preliminary site plan review and approval shall comply with the basic required submittal standards of subsection [94-225\(d\)\(1\)](#) of this chapter. The additional required submittal standards of subsection [94-225\(d\)\(2\)](#) of this chapter shall be satisfied by any application for preliminary site plan review and approval involving the following uses of land or structures.
 - (1) Planned unit development.
 - (2) Planned residential development.
 - (3) Site condominium development.
 - (4) Public and government facility.
 - (5) Any use in the M-1, M-2, or M-3 zones.
 - (6) Hotel or motel.
 - (7) Multiple-family with 12 or more units.
 - (8) Community commercial center.
 - (9) Any use involving one or more structures that occupy, either individually or collectively, more than 15,000 square feet of gross floor area.
 - (10) Other uses as determined by the designated site plan approval body, except that for such other uses, at the sole discretion of the designated site plan approval body, specific requirements of subsection 94-225(d)(2) of this chapter may be waived.

10. Section 94-292 of Chapter 94, Zoning, Article IX. Off-Street Parking and Loading Regulations shall be amended as follows:

Sec. 94-292. General off-street parking and loading requirements.

- (h) *Location of parking areas.* All off-street parking areas shall be located on the same lot, or on the adjacent premises in the same district as the use they are intended to serve, with the following exceptions:

- (1) Uses in the C-1 district. There shall be no off-street parking space requirements in the C-1 district for those uses which require 20 or less off-street parking spaces. Uses requiring more than 20 off-street parking spaces shall have their parking requirement determined by the planning commission. In making such a decision, the planning commission shall consider the availability of both public and private parking spaces.
- (2) Uses in C-2 and C-3 districts. Parking on the premises or within 400 feet.
- (3) Uses in M-1, M-2, and M-3 districts. Parking on the premises or within 800 feet.

11. Table 100-1. Lot Dimension Regulations of Chapter 100 Reference Tables and Figures shall be amended as follows:

TABLE 100-1. Lot Dimensional Regulations.

Refer to footnotes listed after table 100-2 of this chapter.

Zoning District and Ordinance Section	Minimum Lot Size (sq. feet)	Minimum Lot Width (feet)	Minimum Lot Area Per Principal Structure (sq. feet)	Minimum Front Yard Setback (feet)	Minimum Side Yard Setback (feet)	Minimum Rear Yard Setback (feet)	Maximum % of Lot Coverage by all Structures
AG Sec. 94-122	30,000	225	30,000	30	15	40	15
RS-1 Sec. 94-123	12,000	90	12,000	30	15	40	30
RS-2 Sec. 94-123	9,600	75	9,600	25	10	35	30
RS-3 Sec. 94-123	8,500	65	8,500	25	(1)	35	35
R2F Sec. 94-124	8,500	65	8,500	25	(1)	35	35
RM Sec. 94-125	8,500	65	8,500(2)	25	15	35	35
MH Sec. 94-126	20 acres	-	5,500(10)	15	10	15	35
O-1 Sec. 94-131	8,500	60	-	25	10(3)	35	35
O-2 Sec. 94-132	12,000	90	-	60(11)	15	40	30
C-1 Sec. 94-141	-	20	-	-	-	-	-
C-2 Sec. 94-142	20,000	100	-	50(11)	10(3)	10(3)	50
C-3 Sec. 94-143	20,000	100	-	50(11)	10(3)	10(3)	50
M—1 Sec. 94-151	60,000(13)	200(13)	-	50(11)	10(3)	20	50(12)
M—2 Sec. 94-152	60,000(13)	200(13)	-	60(11)	20	20	50(12)
M—3 Sec. 94-153	See Sec. 94-153	See Sec. 94-153	See Sec. 94-153	See Sec. 94-153	See Sec. 94-153	See Sec. 94-153	See Sec. 94-153

PUD Sec. 94-161	-	-	-	-	-	-	-
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12. Table 100-2. Building Dimensional Regulations of Chapter 100 Reference Tables and Figures shall be amended as follows:

TABLE 100-2. Building Dimensional Regulations.

Refer to footnotes listed after this table.

Zoning District and Ordinance Section	Maximum Height Principal Structure (feet)	Maximum Height Accessory Structure (feet)	Minimum Floor Area Per Dwelling Unit (sq. feet)	Minimum Width Principal Structure (feet)	Minimum Internal Height Principal Structure (feet)
AG Sec. 94-122	35(4)	25(5)	1,200(6)	24	7.5
RS-1 Sec. 94-123	35	25(5)	1,200(6)	24	7.5
RS-2 Sec. 94-123	35	25(5)	1,000(6)	24	7.5
RS-3 Sec. 94-123	35	25(5)	800(6)	24	7.5
R2F Sec. 94-124	35	25(5)	800(6), (7)	24	7.5
RM Sec. 94-125	35	15	(7)	-	-
MH Sec. 94-126	-	15	-	-	-
O-1 Sec. 94-131	45	15	-	-	-
O-2 Sec. 94-132	15	15	-	-	-
C-1 Sec. 94-141	45(14)	15	-	-	-
C-2 Sec. 94-142	45	15	-	-	-
C-3 Sec. 94-143	45	15	-	-	-
M-1 Sec. 94-151	40(8)	40	-	-	-
M-2 Sec. 94-152	45(8)	45	-	-	-
M-3 Sec. 94-153	See Sec. 94-153	45	-	-	-
PUD Sec. 94-161	35	(9)	(7)	-	-

13. Table 100-4. Landscape Buffer Classification Matrix of Chapter 100 Reference Tables and Figures shall be amended as follows:

Table 100-4. Landscape Buffer Classification Matrix.

Subject Property Zoning	AG	RS (all)	R2F	RM	MH	O-1	O-2	C-1	C-2	C-3	M-1	M-2	PUD
AG	na	na	na	na	na	na	na	na	na	na	na	na	na
RS (all)	na	na	na	na	na	na	na	na	na	na	na	na	na
R2F	na	na	na	na	na	na	na	na	na	na	na	na	na
RM	B	B	B	A	B	B	B	B	B	B	B	B	B
MH	C	C	C	C	A	C	C	C	C	C	C	C	C
O-1	B	B	B	B	B	A	A	A	A	A	A	A	B
O-2	B	B	B	B	B	A	A	A	A	A	A	A	B
C-1	na	na	na	na	na	na	na	na	na	na	na	na	na
C-2	B	B	B	B	B	A	A	A	A	A	A	A	B
C-3	B	B	B	B	B	A	A	A	A	A	A	A	B
M-1	D	D	D	D	D	C	C	C	C	C	B	B	C
M-2	D	D	D	D	D	C	C	C	C	C	B	B	C
M-3 (see sec. 94-153)	-	-	-	-	-	-	-	-	-	-	-	-	-
PUD	B	B	B	B	B	B	B	B	B	B	B	B	B

14. Table 100-5. Parking Space Requirements of Chapter 100 Reference Tables and Figures shall be amended as follows:

Table 100-5. Parking Space Requirements.

Land Use	Required Parking Spaces
Single Family Dwelling	2 per dwelling unit
Two-Family Dwelling	1.4 per dwelling unit for efficiency and one-bedroom units 2 per dwelling unit for two or more bedroom units
Multiple Family Dwelling	1.4 per dwelling unit for efficiency and one-bedroom units 2 per dwelling unit for two or more bedroom units
Rooming house	2 per dwelling unit, plus 1 per rooming unit
Hotel, Motel	1 per bedroom
Convalescent Home	0.33 per bed
Hospital	0.33 per bed
Medical Clinic	2 per treatment room
Auditorium, Church, Stadium	0.33 per seat based upon total seating capacity
Elementary and Middle Schools	0.33 per seat based upon total seating capacity of auditorium or gym, whichever is largest
High School and College	1 per 100 sq. ft. UFA
Library, Museum, Post Office	1 per 100 sq. ft. UFA
Golf course	4 per golf hole
Tennis club	4 per court
Dance Hall, Pool Hall, Video Arcade, Lodge, Private Club	1 per 100 sq. ft. UFA in main meeting room or club room
Bowling Alley	5 per bowling lane
Professional Offices, Banks	1 per 200 sq. ft. UFA
Doctor, Dentist, other medical office	1 per 100 sq. ft. of waiting area, plus 1 per exam room or dentist chair
General Offices	1 per 200 sq. ft. UFA
General Retail, General Services, Super Markets, Food Stores	1 per 150 sq. ft. UFA
Barber Shop, Hair Salon	2 per barber chair
Automobile Service Station	2 per service stall
Drive-in Restaurant	6 per 100 sq. ft. UFA
Restaurant, Tavern	1 per 50 sq. ft. UFA
Funeral Home, Mortuary	4 per 100 sq. ft. UFA
Industrial, Warehouse, Wholesale	0.33 per 100 sq. ft. UFA
Self-serve Laundry	1 per 2 washing machines
Auto Repair, Auto Collision Repair	1 per 200 sq. ft. UFA
Day Care Facilities	1 per 10 children
Foster Care Facilities	1 per 3 residents
Data Center	1 per employee (maximum employee shift)

Effective Date. This ordinance shall become effective 20 days after adoption and upon publication.

The foregoing Ordinance was moved for adoption by Council Member _____ and supported by Council Member _____, with a vote thereon being: YES () NO (), at a regular meeting of the City Council held pursuant to public notice in compliance with the Michigan Open Meetings Act, on the ____ day of _____, 2026. Ordinance No. 266 declared adopted this ____ day of _____, 2026.

Russell W. Whipple, Mayor

Sarah J. Jarvis, City Clerk
City of Mason, County of Ingham, State of Michigan