

ORDINANCE NO. 035-2023

AN ORDINANCE AMENDING MAUMEE CODIFIED ORDINANCE 1125.09, AMENDING ALLOWABLE USES IN THE C-3 UPTOWN COMMERCIAL DISTRICT, AND ORDINANCE 029-2022, AND DECLARING AN EMERGENCY

WHEREAS, the City of Maumee Planning Commission has proposed text changes to Codified Ordinance Section 1125.11 which is part of the City of Maumee Zoning Code;

WHEREAS, the Planning Commission conducted a public hearing on said proposed modifications as required by section 1105.08 of the Maumee Codified Ordinances;

WHEREAS, Council has reviewed and approves the recommended changes to the Zoning Code as set forth herein.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Maumee, Ohio, that:

SECTION 1. Codified Ordinance 1125.09 and Ordinance 029-2022 are hereby amended in part as follows:

**1125.09 C-3 UPTOWN COMMERCIAL DISTRICT.**

The C-3 Uptown Commercial District is designed to accommodate a variety of retail stores, office structures, service establishments and related activities to satisfy the convenience and service needs of the City residents and consumers beyond the corporate limits. The C-3 Uptown Commercial District contains structures of architectural and historical interest, which are of irreplaceable value to the City. As the name infers, the C-3 Uptown Commercial District is unique and represents the original core of the commercial district of the City. This district is intended to preserve and protect the unique character of the area by establishing certain standards and review procedures that will ensure harmonious development.

(a) Permitted Uses. Within the C-3 Uptown Commercial District, a structure or premises shall be erected or used only for the following purposes:

- (1) Bars and taverns.
- (2) Bed and breakfasts.
- (3) Clubs and lodges for private use.
- (4) Dwellings above the first floor.
- (5) Financial Institutions such as banks, savings and loans and credit unions, **with or** without drive in or drive-through facilities.
- (6) Manufacturing and processing incidental to a retail business conducted on the premises, provided such activities do not occupy greater than fifty (50) percent of the total floor area and conform to the performance standards outlined in paragraph (g) hereof.
- (7) Massage studios.
- (8) Messenger and telegraph service stations.
- (9) Museums and community centers.
- (10) Offices for governmental purposes, including police and fire stations.
- (11) Offices for professional services, trades or businesses, **provided the offices are not located on the first floor unless varied by a development agreement.**

(12) Publicly owned and operated parks, playgrounds and community centers; provided that no commercial enterprise or amusement park is conducted on the premises, except permitted temporary uses.

(13) Printing, binding, typesetting and publishing houses.

(14) Public libraries.

(15) Public or private parking lots and ramps.

(16) Public structures not otherwise defined and regulated by this code or parking areas erected, leased or used by any department of a municipal, county, state or federal government. However, no outdoor storage of equipment or materials is permitted.

(17) Indoor commercial recreational facilities.

(18) Restaurants and coffee shops with sit-down service without drive-in or drive-through facilities or delivery services in excess of one delivery vehicle.

(19) Small scale: retail centers, sales establishments, and service establishments.

(20) Retail stores and outlets similar in character to uses listed herein.

(21) Water, storm and sewage pumping stations.

(22) Schools; primary, intermediate and secondary; both public and private.

(23) Veterinary clinics, but no outdoor pens or runways and no boarding of animals.

(24) Accessory structures and uses.

(b) Conditional Uses. Refer to Chapter [1134](#) (Conditional Use Regulations) for the process of obtaining a conditional use permit. The following conditional uses may be approved, provided they meet the general standards found in Section [1134.03](#) (General Standards for Conditional Uses) and any listed specific conditions in Section [1134.08](#) (Supplemental Requirements for Specified Conditional Uses):

(1) Bus shelters.

(2) Place of religious worship.

(3) Dwelling: Single-family dwellings.

(4) Dwelling: Two-family dwellings.

(5) Dwelling: Multiple family dwellings.

(6) Electric and telephone substation towers.

(7) Gas regulator and meter stations.

(8) Nightclub.

(9) Parking Areas: Extension of parking into contiguous zoning district parking areas.

(10) Parking Areas: Joint use of an off-street parking area.

(11) Public utility control facilities or structures.

(12) Educational institutions.

(13) Theaters, cinemas, and similar places of amusement.

(14) Towers and transmitting equipment for radio and television substations.

(15) Vending machines in an outdoor location.

(16) Automobile Service Stations - fuel and convenience.

(17) Hotels that meet the standards set forth in **Chapter 1137 Hotel, Motel and Extended Stay Hotel Operation and Standards** and the following:

**Hotels and Extended Stay Hotels/Motels shall be required to enter into a Development Agreement prior to the issuance of a Zoning Permit or Site Plan approval. The following requirements must be contained in the Development Agreement:**

**A. Minimum of three (3) stories.**

**B. Must have a flat roof with a minimum parapet height of four (4) feet or one (1) foot higher than the tallest roof top equipment, whichever is higher. When rooftop equipment is replaced, the parapet height will need to be extended to one foot higher than the rooftop equipment being replaced, or additional screening to block the view of the replaced equipment may be added with approval of the City.**

**C. Minimum staffing 24/7 of two (2) persons, with one person always at the front desk.**

**D. Maximum height for light poles of eighteen (18) feet above grade with all lighting fixtures facing downward.**

**E. Interior connectivity to closest public sidewalk or trail.**

**F. Covered entrance for vehicle loading and unloading.**

**G. No on-site parking of semi-trailers.**

**H. No exterior vinyl materials or vinyl windows.**

**I. No Hotel or Extended stay Hotel/Motel shall be converted to another use.**

**J. Other than in rooms licensed and permitted for Extended Stay by the State of Ohio and the City of Maumee, no person shall remain as a guest on the property in excess of thirty (30) consecutive days, and no person shall be permitted to change rooms or re-register as a guest without having vacated the property for a minimum of five (5) days, or one-hundred and twenty (120) hours.**

**K. A maximum occupancy of four (4) adults per guest room.**

**L. No maintenance of vehicles in the parking area. No vehicles shall remain on-site with flat tires, expired or no registration, in any state which renders them illegal to operate on a public road, or inoperable.**

**In addition to the above requirements, the City Administrator may require additional supplemental requirements as part of the Development Agreement including, but not limited to, the following:**

**A. Minimum of four (4) stories for Extended Stay Hotels/Motels.**

**B. Minimum overall height.**

**C. Balconies supported by the building structure on a minimum of twenty-five (25) percent of the total rooms.**

**D. Exterior patio/seating area secluded by screening and landscaping.**

**E. Laundry equipment in all rooms.**

**F. Interior countertops and vanities must be hard-surfaced material and non-stainable due to liquids or heat (i.e., granite).**

**G. Landscaping in addition to that required in Chapter [1145](#).**

(c) Lot Size and Yard Area Requirements. Minimum lot size and yard area requirements as set forth in Section [1125.14](#) shall apply to all structures hereafter erected, relocated, reconstructed or structurally altered within the C-3 Uptown Commercial District.

(d) Minimum and Maximum Floor Area Requirements and Bulk Regulations. Minimum floor area requirements and bulk regulations as set forth in Section [1125.14](#) shall apply to all structures hereafter erected, relocated, reconstructed or structurally altered within the C-3 Uptown Commercial District.

(e) Off-Street Parking, Loading and Storage Regulations. Off-street parking, loading and storage regulations as set forth in Chapter [1141](#) shall apply to all uses established within the C-3 Uptown Commercial District.

(f) Signs Permitted. Signs shall be permitted in the C-3 Uptown Commercial District in accordance with Chapter 1143.

(g) Performance Standards. Performance standards established in Section 1125.07 shall apply to uses established within this district.

SECTION 2. Section 1125.09 of the Maumee Codified Ordinances, Ordinance 029-2022 and any ordinances, parts of ordinances or the chapters of the Zoning Code in conflict herewith are hereby amended and repealed in part to reflect the foregoing changes;

SECTION 3. This ordinance is declared to be an emergency measure immediately necessary to preserve the public interest and for the health, safety and welfare of the citizens of the City of Maumee, and more specifically to allow for the immediate update of the Zoning Code so as to allow these changes to the Zoning Code to be modified in a timely manner and modify certain provisions in the Maumee Code which will be a benefit for the citizens of Maumee, wherefore this ordinance will go into immediate effect upon its adoption by Council.

SECTION 4. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council, and any of Council's committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements of the Charter of Maumee, Ohio.


Motion to declare an emergency:      Fiscus                              Seconded:    MacDonald  
Yeas    7      Nays    0  
Motion to Pass:                              Fiscus                              Seconded:    MacDonald  
Yeas    7      Nays    0  
Passed: October 4, 2023

  
\_\_\_\_\_  
Mayor.

ATTEST:

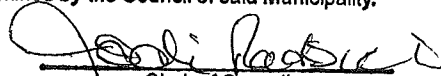
  
\_\_\_\_\_  
Municipal Clerk.

Approved as to form by:

  
\_\_\_\_\_  
Law Director.

**CERTIFICATE OF POSTING**

I, Clerk of Council of the Municipality of Maumee, Ohio, do hereby certify that Ordinance/Resolution No. 035-2023 was duly posted on 10-5-23 and remained posted for a period of fifteen days thereafter, in not less than five of the most public places in the municipality as determined by the Council of said Municipality.

  
Clerk of Council

Date: Oct-20, 2023