

AMENDED ORDINANCE No. 07-045

Sponsor: Craig Hassinger

AN ORDINANCE TO AMEND SECTIONS 154.470, 154.471, 154.472, 154.473, 154.474, 154.475, 154.476, 154.477, 154.479, 154.481, 154.482, 154.483, 154.484, 154.485, 154.545, 154.546 AND 154.999 OF THE CODIFIED ORDINANCES OF THE CITY OF WADSWORTH TO ENACT SECTION 154.486 OF THE CODIFIED ORDINANCES OF THE CITY OF WADSWORTH AND TO REPEAL SECTIONS 154.478 AND 154.480 OF THE CODIFIED ORDINANCES OF THE CITY OF WADSWORTH TO MAKE VARIOUS CHANGES TO THE SIGN REGULATIONS AND PENALTY PROVISIONS IN THE ZONING CODE

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WADSWORTH, STATE OF OHIO:

Section 1. That sections 154.470, 154.471, 154.472, 154.473, 154.474, 154.475, 154.476, 154.477, 154.479, 154.481, 154.482, 154.483, 154.484, 154.485, 154.545, 154.546 and 154.999 of the Codified Ordinances of the City of Wadsworth are hereby amended and section 154.486 of the codified Ordinances of the City of Wadsworth is hereby enacted to read as follows:

§154.470 PURPOSE

The purpose of the sections relating to signs (§§154.470 through 154.486) is to promote the public health, safety and welfare by establishing standards and criteria for the design, construction, installation, maintenance, and operation of signs in the City of Wadsworth, which are subject to the provisions of this Section. More specifically, these sections are intended to:

- A. Enhance and protect the physical appearance of the municipality.
- B. To protect property values.
- C. Promote and maintain visually attractive, high value residential, retail, commercial and industrial districts.
- D. Promote the economic well being of the community by creating a favorable physical image.
- E. Ensure that signs are located and designed to:
 - 1. Provide an effective means of way-finding in the community.
 - 2. Afford the community an equal and fair way to advertise and promote its products and services.
 - 3. Reduce sign clutter and the distractions and confusion that may be contributing factors in traffic congestion and accidents and maintain safe and orderly pedestrian and vehicular environments.
 - 4. Afford businesses, individuals and institutions a reasonable opportunity to use signs as an effective means of communication.
- F. Provide review procedures that assure that signs are consistent with the City's objectives and within the City's capacity to efficiently administer the regulations.
- G. Prohibit all signs not expressly permitted these sections.

§154.471 RELATION TO BUILDING CODE

No provisions of the sections relating to signs (sections 154.470 through 154.486) shall nullify any provision of the residential or commercial building codes, except as to the specific definitions, prohibited locations and size limitation listed herein.

§154.472 APPLICATION OF SECTIONS 154.470 THROUGH 154.485

- A. The regulations contained in the sections relating to signs (§§154.470 through 154.486) shall apply to signs outside of the public right-of-way and on the property to which the standard or regulation refers, except when specifically stated otherwise. A sign may only be erected, established, painted, created or maintained in conformance with the standards, criteria, procedures, and other applicable requirements of these sections.
- B. Unless otherwise stated in these sections, all determinations, findings, and interpretations shall be made by the Zoning Inspector or his/her designee.
- C. The following signs and displays are exempt from these sections, except as noted in §154.483:
 - 1. Building addresses, sign plates and window and door graphics of three (3) square feet or less for any use; however, the area of such graphics shall be included in the determination of maximum window coverage and sign area allocation as noted in §154.483L.
 - 2. Any sign displaying a public notice, warning or other information required by a valid federal, state, or local law, ordinance, or regulation;
 - 3. Official flags of any nation or government;
 - 4. Official flags of a commercial or non-commercial organization, not exceeding 24 square feet;
 - 5. Any sign, banner, pennant, etc., located inside a building that is not attached to a window or door and is not legible from outside of the building in which it is located;
 - 6. Any work of art that does not display a commercial message;
 - 7. Any religious symbol that does not display a commercial message;
 - 8. Any traffic control sign, such as “STOP” or “YIELD,” located on private property that meets applicable governmental standards pertaining to such signs and does not display a commercial message.
 - 9. Signs erected by state or local government agencies, or their contractors, to facilitate the construction, maintenance, or operation of transportation facilities.
 - 10. Product dispensers and trash receptacles not displaying a commercial message or displaying a commercial message not exceeding three square feet.
 - 11. Holiday and community special event decorations that do not display a commercial message;
 - 12. Signs on athletic fields and scoreboards intended for on-premises viewing only.
 - 13. Non-commercial signs and messages not exceeding three square feet.

§154.473 GENERAL PROVISIONS, RULES OF MEASUREMENT AND DEFINITIONS

- A. Severability. The invalidation of any subsection, clause or phrase in the section on signs, by any court of competent jurisdiction shall not affect the validity of the remaining portions of the sections on signs.

- B. Non-Commercial Signs & Messages. Anywhere that the section on signs allows a commercial message to be displayed, a non-commercial message may be substituted.
- C. The following regulations shall control the computation and measurement of sign area and sign height:

1. Determining Sign Area

- a. "Sign area" is defined in §154.473C of this section.
- b. Where a sign has two or more faces, the area of all faces shall be included in determining the area of the sign, except where two such faces are placed back-to-back and at no point are more than 18 inches from one another. The area of the sign shall be taken as the area of one face if the two faces are of equal area or as the area of the larger face if the two faces are not of equal size.
- c. Architectural features that are part of the building are not considered signs and are exempt from these regulations provided that such features are clearly distinguishable from the sign display itself and the area of such architectural features do not exceed 100% of the area of the sign.
- d. For a sign that is framed, paneled, outlined, painted or otherwise prepared and intended to provide a background for a sign display, the area of the sign shall include the geometric shapes that encompasses the entire area of the sign including the background or frame.
- e. For a sign comprised of individual letters, figures, logos, icons or other design elements, which are mounted directly to a wall or similar surface of a building or other structure and which is not framed, outlined or otherwise displayed against a background as noted in §154.473A4, the sign area shall be calculated as the geometric area that encloses the extreme limits of the letters, figures, logos, icons or other design elements.

2. Special Provisions for Freestanding and Projecting Signs

- a. For freestanding and projecting signs, the sign area shall be computed by the measurement of one (1) of the faces when two (2) display faces are joined and are parallel or are within ten degrees (10°) of being parallel to each other and are part of the same sign structure. For any sign that has two display surfaces that do not comply with the above regulation, or has more than two display surfaces then each surface shall be included when determining the area of the sign.
- b. Architectural features that are part of a freestanding structure, including a solid base or other supporting structure, are not considered signs and are exempt from these regulations provided that the following conditions are met:
 - 1) The base or other sign support does not exceed a height of three (3) feet.
 - 2) The base or other sign support excludes all commercial messages, corporate colors, trademarks, logos and/or other elements designed to attract attention and function as signage.
 - 3) The area of all architectural features, including the solid base, does not exceed 100% of the area of the sign.
- c. The height of a freestanding sign shall be measured as the vertical distance from the uppermost point of the sign to the bottom of the sign, sign base or other support structure at the average grade immediately below the sign.

However, if the ground at the base of the sign has been augmented in a manner that adds height to the sign, sign height shall be measure to the average grade of the lot on which the sign will be located.

- d. The minimum required setback shall apply to all elements of the sign, including, frame, base and other architectural features.

D. Definitions. The following shall serve as definitions to terms which may be referred to within these sections relating to signs (sections 154.470 through 154.486):

1. *Architectural Feature.* Any construction attendant to, but not an integral part of the sign, which may consist of landscaping, building or structural forms that enhance the site in general; also, graphic stripes and other architectural painting techniques applied to a structure that serves a functional purpose, or when the stripes or other painting techniques are applied to a building provided such treatment does not include lettering, logos or pictures.
2. *Billboard* means a sign structure advertising an establishment, merchandise, event, service or entertainment which is not sold, produced, manufactured or furnished at the property on which the sign is located. See also *Sign, Off-Premise*.
3. *Building Wall* means any vertical surface of a building or structure (other than a pitched roof) that is integral to and could reasonably be constructed as part of the architecture of the building when a sign(s) is/are not being contemplated. Examples of building walls include but are not limited to: awnings, canopies, marquees, the vertical portion of gable roofs, parapets, mechanical penthouses, etc.
4. *Copy Area.* That portion of a sign face encompassing the letters, the space between letters, as well as other symbols, icons, illustrations or other graphic elements.
5. *Flag* means any fabric, banner or bunting containing distinctive colors, patterns or symbols, used as a symbol of a government, political subdivision, corporate or commercial entity, or institution. A corporate or commercial, or institutional flag may only display the name, trademark, or logo of the business or institution on the parcel and such flag may not be used for other business or advertising purposes.
6. *Graphic, Wall.* A type of building sign in which a logo, emblem, lettering, decal or other graphical element is etched, affixed or painted directly onto a building wall. See also, *Sign, Building*.
7. *Graphic, Window.* A logo, emblem, lettering, decal or other graphical element that is etched into or affixed onto a door or window. See also, *Sign, Window*.
8. *Item of Information.* A word, logo, icon, number, photograph, or other symbol or graphic used on a sign to convey a message or meaning.
9. *Negative Space.* The open space surrounding the copy area of a sign.
10. *Parcel.* One or more tracts of land exclusive of land dedicated as public thoroughfares, streets or alleys, under single ownership or control that may or may not be subdivided, improved or developed. The terms "lot" or "property" may also be used to refer to a parcel.
11. *Principal Street.* The street on which a property fronts. For corner lots, the longer of the two streets may be considered the principal street
12. *Sign* means any visual communication display, object, device, graphic, structure or part, situated indoors or outdoors, or attached to, painted on or displayed from a building or structure, in order to direct or attract attention to, or to announce or promote, an object, product, place, activity, person, institution, organization, or

- business or the like, by means of letters, words, model, banner, flag, pennant, insignia, device, designs, colors, symbols, fixtures, images, illuminations or representation used as, or which is in the nature of an announcement, direction, or advertisement.
13. *Sign (Display) Area*. Sign or display area shall mean the face of all the display area(s) of the sign and includes the entire area within a circle, globe, polygon or other geometric feature that encloses the extreme limits of the writing, representation, emblem, lettering or any figure of similar character, together with any frame or other material or color, which forms an integral part of the display or is used to differentiate such a sign from the background against which it is placed. The sign area shall be considered to be the largest area that any sign would project on a plane.
 14. *Sign, Aerial*. A balloon or other airborne flotation device, which is tethered to the ground, a building or other structure that directs attention to a business, commodity, service or entertainment conducted, sold or offered for sale.
 15. *Sign, Banner*. A type of temporary sign that is made of lightweight fabric or similar material with no enclosing framework that is mounted to a building or other structure at one or more edges.
 16. *Sign, Building*. A sign attached to any part of a building and including wall, awning, canopy, and projecting signs. A wall sign is a building sign that is parallel to and does not extend from the wall more than twelve (12) inches.
 17. *Sign, Changeable Copy*. A sign with letters, characters, or graphics that are not permanently affixed to the structure, framing, or background allowing the letters, characters or graphics to be modified periodically either manually or by electronic or mechanical devices. Such devices are also known as message boards or electronic message boards. Changeable copy signs may not be used to display commercial messages relating to products or services that are not offered on the property.
 18. *Sign, Construction* means a temporary sign identifying a project or facility during the time of construction. Such signs typically include the name of an architect, engineer and/or contractor for a building or project located on the parcel.
 19. *Sign, Directional* means a permanent sign that is intended to provide information to employees and customers regarding vehicular access to and from the site and/or to provide information regarding traffic flow throughout the site. See also *Sign, Exit or Entrance*.
 20. *Sign, Entrance or Exit*. A sign located at the driveway entrance or exit and intended to provide for safe access to and from a site.
 21. *Sign, Freestanding*. A sign supported from the ground and not attached to any building. A freestanding sign may be supported by one or more poles or a solid base. Pole signs and monuments signs are examples of freestanding signs.
 22. *Sign Illumination, External*. Lighting a sign from external sources that are not enclosed within the sign face itself. The source of illumination may be located on the exterior frame of the sign or on the wall or ground adjacent to the sign.
 23. *Sign Illumination, Internal*. Lighting a sign by electric, mechanical or other means where the source of illumination is located within the sign or sign panel and hidden from public view. Backlit panels, illuminated channel letters and signs made from neon tubing are examples of internally illuminated signs.
 24. *Sign Height*. As defined in §154.473B3.
 25. *Sign, Highway*. Any outdoor sign, advertising display, device, placard, poster or similar device designed or intended to provide a commercial message or other

- information, which is located along the frontage of and visible from a limited-access or controlled-access highway or the entrance or exit ramps thereto. See also *Billboard* or *Sign, Off-Premise*.
26. *Sign, Inflatable* means any inflatable shape or figure designed or used to attract attention to a business event or location. Inflatable promotional devices shall be considered to be temporary signs under the terms of this Section and where applicable, subject to the regulations thereof.
 27. *Sign, Instructional*. Any sign designed for on-premise viewing and used to instruct employees, customers or used as to matters of public safety or necessity. “No Parking”, “Fire Lane”, “Loading Zone” and signs identifying handicap accessible parking are examples of instructional signs.
 28. *Sign, Menu Board*. Signs used at business with drive-through facilities used to provide commercial messages, including but not limited to, merchandise and prices.
 29. *Sign, Merchandise or Advertising*. A type of temporary sign used to advertise a particular event, product or promotional activity. Such sign shall not exceed a display area of six (6) square feet. See also, *Sign, Temporary*.
 30. *Sign, Monument*. A freestanding sign that is mounted directly to the ground or is supported by a continuous solid base that is attached to the ground. The width at the top of the sign shall not exceed 120% of the base of the sign.
 31. *Sign, Off-Premise*. Any sign containing a message that is not related to the business or other activity that takes place on the parcel on which it is located. See also *Billboard*.
 32. *Sign Plate*. A building sign not exceeding three (3) square feet indicating the street number, the name of the person, business, profession or activity occupying the lot, building, or part thereof; or other information pertaining to the use on the lot. Sometimes known as an address sign.
 33. *Sign, Political* means any temporary sign displaying or advocating an idea, opinion or position on any social, cultural, religious or political issue and containing no commercial message.
 34. *Sign, Pole*. A freestanding sign that is supported attached to the ground by poles or other external support structures.
 35. *Sign, Portable* means any sign that is not permanently attached to the ground or other permanent structure, or a sign designed to be transported on wheels, skids, a bench, runners, brackets, or has a frame to which wheels, skids, runners, brackets, or similar mechanical devices can be attached to or support the sign. A portable sign also includes inflatable devices and mobile signs such as parked trailers or vehicles, which include signs which are visible from the public right-off-way unless such vehicle is used in the normal day-to-day operations of the business.
 36. *Sign, Projecting* means a sign that is attached to a building wall and extending perpendicular to or approximately perpendicular to the building wall by d twelve (12) inches or more beyond the face of the wall. Projecting signs are permitted only the Central Business Development (CBD) District.
 37. *Sign, Roof*. A sign, or any portion thereof, erected, constructed, or projecting upon or over the roof or parapet wall of any building whether the principal support for the sign is on the roof, wall or another structural element of the building.
 38. *Sign, “Sandwich Board”*. A moveable sign not permanently secured to the ground or surface upon which it is located. Such a sign is sometimes known as an

“A-Frame” or an inverted “T” sign, depending on its design. These signs may not exceed a height or width of 3 feet.

- 39. *Sign, Temporary* means a sign that is designed to be used only temporarily for a specific event, promotion and/or product and is not intended to be permanently attached to a building, structure or permanently installed in the ground. Temporary signs include but are not limited to, political signs, special event signs, merchandise advertising signs, for sale or for lease signs, mobile and other portable signs.
- 40. *Sign, Vehicular*. Any sign affixed to or located on a stationary vehicle which is parked in or is visible from a public right-of-way or private street unless such vehicle is used for transporting people or materials in normal day-to-day operations. Sometimes known as mobile sign.
- 41. *Sign, Wall*. See definition of *Sign, Building and Graphic, Wall*.
- 42. *Sign, Wind*. A display or series of displays, banners, flags, balloons or other objects designed to move when subjected to wind pressure.
- 43. *Sign, Window* means a sign that is applied or attached to a window or door, or a sign located near a window within a building for the purpose of being visible to and read from the outside of the building except for those signs that are not legible from beyond the building setback lines. See also, *Graphic, Window*.

§154.474 RESIDENTIAL DISTRICT SIGNS

- A. Permanent signs for all residential and nonresidential uses in residential districts shall be limited in number, area, height and setback based on the type of use, as set forth in Table A of section 154.486.
- B. Supplemental Standards for Signs in Residential Districts:
 - 1. Changeable Copy Signs. Freestanding signs for approved conditional, nonresidential uses may have up to 50% of the permitted sign area as set forth in Table A devoted to changeable copy subject to the following restrictions.
 - a. Changeable copy signs are not permitted to be part of a sign that is on a building.
 - b. Changeable copy signs may only be displayed on parcels with an area of one acre or greater and with 100 feet of frontage on an arterial or collector street.
 - c. Electronic or mechanical changeable copy signs are prohibited in residential districts.
 - 2. Multi-Occupant Facilities. When a freestanding sign is permitted on a site that has more than one occupant, it is the property owner’s responsibility to determine if the sign area shall be devoted to identification of the building(s), the anchor occupant, all occupants, or some combination thereof.
 - 3. Instructional signs as defined in §154.473D shall be permitted on lots devoted to a multi-family and nonresidential uses provided such signs comply with the following:

- a. Signs shall not be larger than necessary to serve the intended instructional purpose, but in no event shall any sign exceed a display area of two (2) square feet;
 - b. The number of instructional signs located on the site are the minimum needed to serve the intended instructional purpose;
 - c. The signs are not located or designed to be legible or serve to attract attention beyond the perimeter of the site.
 - d. The signs may not be affixed to the base or display area of an approved freestanding sign.
4. Sign Illumination. Only externally illuminated (“front” or “spot”-lit) signs are permitted in the Residential Districts.

§154.475 COMMERCIAL DISTRICT SIGNS

- A. Permanent signs in the CBD zoning district shall be limited number, area, height and setback as set forth in Table B of section 154.486. The total display area for all permanent free-standing, wall/building mounted and window graphics signs on any parcel within this district shall not exceed 300 square feet.
- B. Permanent signs in the C-1 and C-5 zoning districts shall be limited number, area, height and setback as set forth in Table C of section 154.486. The total display area for all permanent free-standing and wall/building mounted and window graphics signs on any parcel within these districts shall not exceed 540 square feet.
- C. Permanent signs in the C-3 and C-4 zoning districts shall be limited number, area, height and setback as set forth in Table D of section 154.486. The total display area for all permanent free-standing and wall/building mounted and window graphics signs on any parcel within these districts shall not exceed 550 square feet.
- D. Supplemental Standards for Signs in Commercial Districts:
 - 1. Changeable Copy Signs. Permanent freestanding signs may have up to 40% of the permitted sign area as set forth in Tables C and D devoted to changeable copy, subject to the following restrictions:
 - a. Changeable copy signs are not permitted to be part of a sign that is on a building or parcel that is used for any residential purposes.
 - b. Electronic or mechanical changeable copy signs are conditionally-permitted uses and not allowed unless the Planning Commission has issued a conditional zoning certificate.
 - 2. Multi-Occupant Facilities. When a freestanding sign is permitted on a site that has more than one occupant, it is the property owner’s responsibility to determine if the sign area shall be devoted to identification of the building(s), the anchor occupant, all occupants, or some combination thereof.
 - 3. Off Premise Signage. One off-premise, freestanding sign may be substituted in lieu of a “single-user” freestanding sign when all of the following conditions are met:

- a. The sign serves at least two businesses which are on adjoining properties but are part of planned commercial development that is interconnected via shared points of access and/or shared parking facilities, which has been approved and constructed under the provisions of a development agreement approved by the City.
 - b. The parcel on which the off-premise sign is located contains a land area of at least five (5) net acres.
 - c. The display area of the off-premise sign shall not exceed two square feet for each linear foot of building frontage on a principal street up to a maximum of seventy-five (75) square feet. The sign height shall not exceed fifteen (15) feet.
- 4. Instructional signs as defined in §154.473D shall be permitted provided such signs comply with the following:
 - a. Signs shall not be larger than necessary to serve the intended instructional purpose, but in no event shall any sign exceed a display area of two (2) square feet;
 - b. The number of instructional signs located on the site are the minimum needed to serve the intended instructional purpose;
 - c. The signs are not located or designed to be legible or serve to attract attention beyond the perimeter of the site.
 - d. The signs may not be affixed to the base or display area of an approved freestanding sign.
- 5. Sign Illumination.
 - a. Allowances for sign illumination in the commercial district are as noted in Tables B, C & D.
 - b. Freestanding signs adjacent to a residential district shall only be externally illuminated.

§154.476 INDUSTRIAL DISTRICT SIGNS

- A. Permanent signs in the I-1 and I-2 industrial zoning districts shall be limited in number, area, height and setback as set forth in Table E of section 154.486. The total display area for all permanent free-standing, wall/building mounted and window graphics signs on any parcel within these districts shall not exceed 550 square feet.
- B. Supplemental Standard for Signs in Industrial Districts:
 - 1. Changeable Copy Signs. Permanent freestanding signs may have up to 30% of the permitted sign area as set forth in Table E devoted to changeable copy, subject to the following restrictions.

- a. Changeable copy signs are not permitted to be part of a sign that is on a building or parcel that is used for any residential purposes.
 - b. Electronic or mechanical changeable copy signs are conditionally-permitted uses and not allowed unless the Planning Commission has issued a conditional zoning certificate.
- 2. Multi-Occupant Facilities. When a freestanding sign is permitted on a site that has more than one occupant, it is the property owner's responsibility to determine if the sign area shall be devoted to identification of the building(s), the anchor occupant, all occupants, or some combination thereof.
- 3. Instructional signs as defined in §154.473D shall be permitted provided such signs comply with the following:
 - a. Signs shall not be larger than necessary to serve the intended instructional purpose, but in no event shall any sign exceed a display area of two (2) square feet.
 - b. The number of instructional signs located on the site are the minimum needed to serve the intended instructional purpose;
 - c. The signs are not located or designed to be legible or serve to attract attention beyond the perimeter of the site.
 - d. The signs may not be affixed to the base or display area of an approved freestanding sign.
- 4. Sign Illumination.
 - a. Allowances for sign illumination in the commercial district are as noted in Table F.
 - b. Freestanding signs adjacent to a residential district shall only be externally illuminated.

§154.477 AIRPORT (AP) DISTRICT SIGNS

Signs in the AP district shall be permitted only as approved by the Airport Zoning Commission. Such signs shall not interfere with air navigation.

§ 154.479 TEMPORARY SIGNS

- A. Allowances for temporary signs in Residential Districts shall be limited in type, number, area and location as set forth in Table F of section 154.486.
- B. Allowances for temporary signs in Commercial & Industrial Districts shall be limited in type, number, area and location as set forth in Table G of section 154.486.
- C. Supplemental Regulations for Temporary Signs:
 - 1. No temporary sign may be displayed more than ninety (90) calendar days per year.
 - 2. Banner signs shall be made of flame retardant materials suitable for exterior use.

3. Freestanding temporary signs may not be affixed to the base, poles or other support structure of an approved permanent freestanding sign nor shall they be located so as to interfere with pedestrian or vehicular traffic or limit sight distance.
4. Temporary signs at construction sites shall be removed within 15 days after construction is completed.
5. Signs placed within a public right of way are not permitted by this Zoning Ordinance and are subject to immediate removal.
6. Temporary signs shall not be illuminated.

§154.481 NONCONFORMING SIGNS

Any non-conforming sign that is removed, terminated, or discontinued for any reasons shall not be restored or replaced by any type of sign unless the sign is in conformance with 150% of the sign area and sign height regulations of this subchapter. For purposes of this section, sign face replacement shall constitute sign removal and the new sign face must comply with this subchapter. Refacing, repainting or otherwise repairing an existing non-conforming sign in order to exactly restore such damage or worn sign shall be exempt from review process described in §154.482B. A zoning certificate shall be required but no fee shall be charged for such sign face restoration.

§154.482 ZONING CERTIFICATE & DESIGN REVIEW PROCESS

- A. *Certificate Required.* All permanent signage and permanent window graphics and not identified as exempt in §154.472(C), for commercial, industrial, multifamily and other institutional uses shall require a zoning certificate from the City of Wadsworth prior to the installation of such signage.
- B. *Design Review Required.* All permanent signage and permanent window graphics and not identified as exempt in §154.472(C), for commercial, industrial, multifamily and other institutional uses shall be reviewed by the Architectural Design Committee (ADC) before the Zoning Inspector or his/her designee shall issue a zoning certificate for such signage. The ADC meeting schedule is established each calendar year and is available from the Building and Planning Department.
- C. *Exemptions from Architectural Design Committee (ADC) Review.* The following signs shall be exempt from ADC review and do not require a zoning certificate:
 1. Temporary signs and temporary window graphics. However, the Zoning Inspector or his/her designee shall have the right to designate the placement of all temporary and sandwich board signs in order to maintain pedestrian and vehicular safety.
 2. Instructional signs and signs necessary for public safety.
 3. Refacing, repainting or repairing an existing conforming sign in order to exactly restore such sign to its original condition.
 4. Replacing a panel on an existing conforming sign to reflect a change of ownership/new business name provided that the other graphical and design elements of the sign are not altered.

D. *Submission Requirements.* Applications for ADC review and a zoning certificate shall require the following items:

1. One completed Zoning Certificate Application.
2. Four (4) copies of a scaled site-plan showing:
 - a. Location and setbacks of all existing and proposed buildings, accessory structures and existing signs (building-mounted and free-standing),
 - b. Location and setback of all proposed signs (building-mounted & free-standing),
 - c. Existing and proposed easements for public and private utilities,
 - d. Landscaping associated with proposed free-standing signs.
3. Four (4) copies of scaled drawings of each proposed sign showing:
 - a. Sign dimensions, display area & overall height,
 - b. Supporting structure and/or sign base (including dimensions & height),
 - c. Proposed graphics & lettering (fonts, letter height, etc.),
 - d. Materials and colors of all sign faces, support structure and/or base, graphics & lettering,
 - e. Proposed sign illumination.
4. Four (4) copies of digitized photographs showing the building and site “before” and “after” the installation of the proposed signage.
5. Other pertinent data, including material and color samples, as may be deemed necessary by the Architectural Design Committee and/or the Planning Director for the proper application and enforcement of these regulations.

E. *Design Review Procedures.*

1. Applications submitted in accordance to the annual meeting schedule prepared by the Building and Planning Department shall be reviewed by the ADC at its next scheduled meeting.
2. The ADC shall review the application and recommend to the Zoning Inspector, in writing, whether such application shall be approved, modified or rejected. If the application demonstrates compliance with all applicable provisions of the zoning code, the ADC shall recommend approval and any recommendation to modify or reject the application shall reference a specific zoning code provision on which the recommendation is based. The ADC’s recommendations and requirements shall be followed by the applicant unless the applicant appeals the ADC’s decision to the City Planning Commission and the Planning Commission modifies or removes the requirements recommended by the ADC.
3. Upon completion of the review the Zoning Inspector shall issue a zoning certificate. However, a certificate may not be issued for one or more of the following reasons:

- The sign plan submitted with the zoning certificate application does not match the plan that the ADC recommended for approval;
 - The sign plans do not demonstrate compliance with the zoning district requirements;
 - The proposed location of a freestanding sign has been determined by the City Engineer or Director of Public Safety to create sight distance limitations; would be located within a public easement; or would otherwise interfere with a public utility.
4. If a permit application is denied, the applicant will be informed in writing as to the reason(s) and the denial may be appealed to the Board of Zoning Appeals as per §154.561(A) of this zoning ordinance.

F. *Design Criteria.* In reviewing a proposal for a sign permit, the Architectural Design Committee and the Planning Director shall consider the following:

- 1) *Zoning Compliance.* Signs shall demonstrate compliance with applicable regulations for the zoning district in which they are located along with all applicable supplemental regulations in §154.483.
- 2) *Public Safety.* Signs shall be designed and located so as not to pose a threat to public safety. Freestanding signs shall not interfere with sight distance along street frontages, conflict or otherwise interfere with utilities or utility easements nor interfere with pedestrian accessibility.
- 3) *Legibility.* The following standards are adopted to maintain legibility:
 - a. Freestanding and panel signs shall maintain a minimum negative space of not less than 50% of the sign area.
 - b. Lettering and graphics for all permanent signs shall maintain a minimum height of 3" except that signs in the CBD District directed primarily to pedestrian traffic may be less.
 - c. No permanent sign should contain more than 10 items of information.
 - d. Sign copy and negative space or other background shall be of sufficiently contrasting colors so as to be readily visible and legible from a public or private street.

§154.483 SUPPLEMENTARY REGULATIONS FOR ALL DISTRICTS

All signs regardless of zoning district or use type, including those identified as exempt in §154.472C are subject to the following regulations.

- A. No sign or outside lighting shall flash, be animated, rotate, or have the appearance of moving, except for electronic or mechanical changeable copy signs when in compliance with the applicable regulations in the sections relating to signs (sections 154.470 through 154.486).
- B. No sign shall contain pennants, banners, ribbons, streamers, strings of light bulbs, spinners, or similarly fixed or moving devices. Such attention-getting devices, which are similarly displayed, but not attached to or part of any sign displaying a commercial or non-commercial message are likewise prohibited.

- C. No permanent sign shall be located or project into a public right-of-way, except as noted in §154.475A.
- D. Electrical wiring serving free-standing signs must be underground.
- E. No permanent free-standing sign may be erected closer than 40 feet to any intersection with the exception of those signs incidental to the legal process and necessary to the public welfare or wall signs attached to the building or businesses closer than 40 feet to an intersection.
- F. All signs erected within 100 feet of any intersection must be constructed so as not to obstruct traffic sight lines.
- G. Signs shall comply with applicable commercial building and electric codes.
- H. Any sign permitted by this chapter which may show severe structural deterioration shall be replaced or removed at the owner's expense upon proper citation by the Zoning Inspector.
- I. All signs associated with a business which has vacated a premise must be removed within 60 days of the date the business ceases to operate on the premises.
- J. Plantings arranged so as to spell out a business or building identification, services offered or other commercial or non-commercial message will be considered a sign rather than landscaping and shall be subject to the area and height restrictions for freestanding signs in the zoning district in which they are located.
- K. All permanent window graphics and signs not identified as exempt in §154.472C shall require review and permit approval as per §154.482. Permanent and temporary window graphics and signs shall not cover more than 70% of the window area. The display area of permanent window graphics and signs shall be included when determining the total sign display area.
- L. Building signs shall not cover more than 30% of the wall area on which it is located and shall not exceed the area allocation as noted in Tables A through E.
- M. No permanent or temporary sign shall be located in such a manner as to obstruct sight distance along any public or private highway or otherwise create a public nuisance.

§ 154.484 PROHIBITED SIGNS.

The following signs are prohibited in the City of Wadsworth:

- A. Signs that exceed 250% of the sign area and/or 200% of the sign height requirements.
- B. Searchlights.
- C. Flashing, moving, animated, coursing, blinker, racer-type, intermittent, rotating, moving or revolving signs and/or devices, whirligig devices, inflatable signs and tethered balloons, pennants, ribbons, streamers, spinners, and other similar types of attention-getting devices except for changeable copy signs when in compliance with the applicable regulations in this Section.
- D. Balloon, inflatable or wind signs.
- E. Off-Premise commercial signs except as noted in §154.475.
- F. Portable signs.
- G. Roof signs.
- H. Vehicular signs.
- I. Other signs not expressly permitted by this section.

§ 154.485 PLANNED UNIT DEVELOPMENT SIGNS.

Signs for commercial uses that have been approved as part of a Planned Unit Development shall comply with the sign regulations for the C-1 & C-5 Commercial Districts as set forth in §154.475 and Table C of section 154.486.

154.486 TABLES RELATED TO SIGNS
Table A: Permanent Signs in Residential Use Districts

Use Type	Sign Types	Sign Quantity	Maximum Display Area per Sign (sq. ft.)	Height & Setback Requirements	Zoning Permit Required?	Design Review Required?
1,2 & 3 Family Residential Uses	▪ Building Signplate or House Number	2 per address	1.5	N/A	No	No
Multifamily Buildings	▪ Building Signplate or Street Address	1 per public entrance to building	3	N/A	No	No
Subdivisions, Condominium Associations, Planned Unit Developments or Multi-Family Projects	▪ Signs at Entrance to the Development	1 for each entrance from a public street	24	<ul style="list-style-type: none"> ▪ Maximum Height: 5' ▪ Minimum setback from a property line: 10' 	Yes	Yes
Conditionally-Permitted, Non-Residential Uses	▪ Building Signplate	1 per address or building	3	N/A	No	No
	▪ Building/Wall-Mounted Signs	The aggregate area of all building/wall-mounted signage on any building shall not exceed 2 square feet for each linear foot of building frontage on the principal street up to a maximum of 100 square feet per parcel.	50	N/A	Yes	Yes
	▪ Freestanding Sign	One	24	<ul style="list-style-type: none"> ▪ Maximum Height: 5' ▪ Minimum setback from a property line: 10' 	Yes	Yes

Table B: Permanent Signs in the CBD Use District

Sign Type	Allowable Sign Area	Illumination	Zoning Permit Required?	Design Review Required?
Sandwich Board Sign	<ul style="list-style-type: none"> 3 square feet with maximum height of 3 feet 	Prohibited	No	No
Building/Wall Signs	<ul style="list-style-type: none"> The aggregate area of all building/wall-mounted signage on any building shall not exceed 2 square feet for each linear foot of building frontage on the principal street up to a maximum of 300 square feet per parcel. 	External or internally illuminated channel or neon letters only. Internally illuminated panel signs are prohibited.	Yes	Yes
Awning Signs	<ul style="list-style-type: none"> One sign per awning. ½ square foot of area for each linear foot of awning length. Maximum projection from building wall: 5 feet. Minimum clearance above sidewalk: 8 feet. 	Prohibited	Yes	Yes
Projecting Signs	<ul style="list-style-type: none"> One sign per building with more than 25 feet of continuous frontage on a public street. Maximum display area: 9 sq. ft. Maximum projection from building wall: 5 feet. Minimum clearance above sidewalk: 9.5 feet. 	External or internally illuminated channel or neon letters only. Internally illuminated panel signs are prohibited.	Yes	Yes
Signs at Vehicular Entrances & Exits	<ul style="list-style-type: none"> One sign at each driveway Maximum display area per sign: 3 sq. ft. Maximum Sign Height: 3 feet 	Internal or External	Yes	Yes

Table C: Permanent Signs in the C-1 & C-5 Use Districts

Sign Type	Allowable Sign Area	Illumination	Zoning Permit Required?	Design Review Required?
Building/Wall Signs	<ul style="list-style-type: none"> ▪ The aggregate area of all building/wall-mounted signage on any building shall not exceed 2 square feet for each linear foot of building frontage on the principal street up to a maximum of 500 square feet per parcel. 	External or internally illuminated channel or neon letters only. Internally illuminated panel signs are prohibited.	Yes	Yes
Awning Signs	<ul style="list-style-type: none"> ▪ One sign per awning. ▪ ½ square foot of area for each linear foot of awning length. ▪ Maximum projection from building wall: 5 feet. ▪ Minimum clearance above sidewalk: 8 feet. 	Prohibited	Yes	Yes
Freestanding Signs	<ul style="list-style-type: none"> ▪ One sign per parcel. ▪ One square foot of sign area for each linear foot of building frontage on a principal street, up to a maximum of forty (40) sq. ft. ▪ Maximum sign height: 8 feet. ▪ Minimum setback from a private street or public right-of-way: 15 feet. 	External	Yes	Yes
Signs at Drive-Through Lanes	<ul style="list-style-type: none"> ▪ Maximum of two signs for a drive-through facility. ▪ Maximum Height: 6' ▪ Maximum Display Area: 20 s.f. per sign 	Internal or External	Yes	Yes
Signs at Vehicular Entrances & Exits	<ul style="list-style-type: none"> ▪ One sign at each driveway ▪ Maximum display area per sign: 3 sq. ft. ▪ Maximum Sign Height: 3 feet 	Internal or External	Yes	Yes

Table D: Permanent Signs in the C-3 & C-4 Use Districts

Sign Type	Allowable Sign Area	Illumination	Zoning Permit Required?	Design Review Required?
Building/Wall Signs	<ul style="list-style-type: none"> ▪ The aggregate area of all building/wall-mounted signage on any building shall not exceed 2 square feet for each linear foot of building frontage on the principal street up to a maximum of 500 square feet per parcel. 	Internal or External	Yes	Yes
Awning Signs	<ul style="list-style-type: none"> ▪ One sign per awning. ▪ ½ square foot of area for each linear foot of awning length. ▪ Maximum projection from building wall: 5 feet. ▪ Minimum clearance above sidewalk: 8 feet. 	Backlit or internally illuminated awnings are prohibited	Yes	Yes
Freestanding Signs	<ul style="list-style-type: none"> ▪ One sign per parcel. ▪ One square foot of sign area for each linear foot of building frontage on a principal street, up to a maximum of fifty (50) square feet. ▪ Maximum sign height: 15 feet. ▪ Minimum setback from a private street or public right-of-way: 15 feet. 	Internal or External	Yes	Yes
Signs at Drive-Through Lanes	<ul style="list-style-type: none"> ▪ Two signs for a drive-through facility. ▪ Maximum Height: 6' ▪ Maximum Display Area: 20 s.f. per sign 	Internal or External	Yes	Yes
Signs at Vehicular Entrances & Exits	<ul style="list-style-type: none"> ▪ One sign at each driveway ▪ Maximum display area per sign: 3 sq. ft. ▪ Maximum Sign Height: 3 feet 	Internal or External	Yes	Yes

Table E: Permanent Signs in the Industrial Use Districts

Sign Type	Allowable Sign Area	Illumination	Zoning Permit Required?	Design Review Required?
Building/Wall Signs	<ul style="list-style-type: none"> ▪ The aggregate area of all building/wall-mounted signage on any building shall not exceed 2 square feet for each linear foot of building frontage on the principal street up to a maximum of 500 square feet per parcel. 	Internal or External	Yes	Yes
Awning Signs	<ul style="list-style-type: none"> ▪ One sign per awning. ▪ ½ square foot of area for each linear foot of awning length. ▪ Maximum projection from building wall: 5 feet. ▪ Minimum clearance above sidewalk: 8 feet. 	Prohibited	Yes	Yes
Freestanding Signs	<ul style="list-style-type: none"> ▪ One sign per parcel. ▪ One square foot of sign area for each linear foot of building frontage on a principal street, up to a maximum of fifty (50) square feet. ▪ Maximum sign height: 15 feet. ▪ Minimum setback from a private street or public right-of-way: 15 feet. 	Internal or External	Yes	Yes
Signs at Vehicular Entrances & Exits	<ul style="list-style-type: none"> ▪ One sign at each driveway ▪ Maximum display area per sign: 3 sq. ft. ▪ Maximum Sign Height: 3 feet 	Internal or External	Yes	Yes

Table F: Temporary Signs in Residential Use Districts

Use Type	Allowable Sign Types	Sign Area Allowance	Sign Quantity	Height, Location & Other Restrictions
1,2 & 3 Family Residential Uses	<ul style="list-style-type: none"> Freestanding Window Signs 	The aggregate area allowance for temporary signs shall not exceed one sq. ft. for each linear foot of building frontage on a principal street, up to a maximum of 32 sq. ft. per parcel.	The maximum number of signs displayed at a given time shall not exceed one sign for every 10 feet of lot frontage on the primary street.	<ol style="list-style-type: none"> No individual sign shall exceed an area of 24 sq. ft. Freestanding signs shall not exceed a height of 3', nor shall they be placed closer than 3' to a property line or another freestanding sign. Window signs shall not exceed the coverage requirements in §154.483L.
Multifamily Uses	<ul style="list-style-type: none"> Freestanding Window Signs 	The aggregate area allowance for temporary signs shall not exceed one sq. ft. for each linear foot of building frontage on a principal street, up to a maximum of 50 sq. ft. per parcel.	The maximum number of signs displayed at a given time shall not exceed one sign for every 10 feet of lot frontage on the primary street, up to 7 per parcel.	<ol style="list-style-type: none"> No individual sign shall exceed an area of 24 sq. ft. Freestanding signs shall not exceed a height of 3', nor shall they be placed closer than 3' to a property line or another freestanding sign. Window signs shall not exceed the coverage requirements in §154.483L.
Conditionally-Permitted Uses	<ul style="list-style-type: none"> Freestanding Window Signs Banners 	The aggregate area allowance for temporary signs shall not exceed one sq. ft. for each linear foot of building frontage on a principal street, up to a maximum of 50 sq. ft. per parcel.	The maximum number of signs displayed at a given time shall not exceed one sign for every 10 feet of lot frontage on the primary street, up to 7 per parcel.	<ol style="list-style-type: none"> No individual sign shall exceed an area of 24 sq. ft. A freestanding sign shall not exceed a height of 3' or placed closer than 3' to a property line or another freestanding sign. Banner signs shall be affixed to a building wall. Window signs shall not exceed the coverage requirements in §154.483L.
Vacant parcels	<ul style="list-style-type: none"> Freestanding 	<ul style="list-style-type: none"> Maximum area of 16 sq. ft. for parcels of one acre or less. Maximum area of 32 sq. ft. for parcels greater than one acre. 	One sign per property	No sign shall exceed a height of 8' nor be placed closer than 10' to a property line.
Parcel Under Construction	Freestanding	Maximum display area of 16 sq. ft.	One per parcel	Not to exceed a height of 8' and not placed closer than 3' to a property line.

Table G: Temporary Signs in Commercial & Industrial Use Districts

Zoning District	Allowable Sign Types	Sign Area Allowance	Sign Quantity	Height, Location & Other Restrictions
CDB District	<ul style="list-style-type: none"> ▪ Window Signs ▪ Sandwich Board Sign 	<ul style="list-style-type: none"> ▪ Window Signs: 3 sq. ft./sign maximum ▪ Sandwich Board Sign: 3 sq. ft. 	<ul style="list-style-type: none"> ▪ Window Signs: N/A ▪ Sandwich Board Sign: 1 	<ol style="list-style-type: none"> 1. Window signs shall not exceed the coverage requirements in §154.483L. 2. A sandwich board sign shall not exceed a height of 3' nor a width of 3'. Its location may require approval of the Planning Director so as to not interfere with pedestrian or vehicular safety. There shall be no time limit for the display of such sign.
All Other Commercial & Industrial Zoning Districts	<ul style="list-style-type: none"> ▪ Freestanding Signs ▪ Window Signs ▪ Banner Signs 	The aggregate area allowance for temporary signs shall not exceed two (2) sq. ft. for each linear foot of building frontage on a principal street, up to a maximum of 50 sq. ft. per parcel.	The maximum number of signs displayed at a given time shall not exceed one sign for every 10 feet of lot frontage on the primary street, up to 7 per parcel.	<ol style="list-style-type: none"> 1. No individual sign shall exceed an area of 24 sq. ft. 2. A freestanding sign shall not exceed a height of 3' or be placed closer than 3' to a property line or another freestanding sign. 3. Banner signs shall be affixed to a building wall. 4. Window signs shall not exceed the coverage requirements in §154.483L.
Vacant parcels	Freestanding	<ul style="list-style-type: none"> ▪ Maximum area of 16 sq. ft. for parcels of one acre or less. ▪ Maximum area of 32 sq. ft. for parcels greater than one acre. 	One per parcel	Sign shall not exceed a height of 8' and shall not be placed closer than 10' to a property line.
Parcels Under Construction in any Commercial or Industrial District	Freestanding	Maximum display area of 32 sq. ft.	One per parcel	Not to exceed a height of 8' and not placed closer than 10' to a property line.

§154.999 PENALTY

- A. Any person being an owner, lessee, tenant or occupant in possession of any land, building or other structure, who shall commit or permit a violation of Chapter 154 of the Codified Ordinances to exist on such premises is guilty of a minor misdemeanor and shall be fined not more than one hundred dollars (\$100) per offense. Each day during which such act, violation or omission shall be done, committed, omitted or continued shall constitute a separate offense, unless the violation is corrected within the time frame established in §154.585(B).
- B. If any person, who being an owner, lessee, tenant or occupant in possession any land, building or other structure has been previously convicted of the same violation of this section within two years from the date of the original violation, the violation shall be a misdemeanor of the first degree with penalties as specified in Section 130.99 of the Codified Ordinances. Each day during which such act, violation or omission shall be done, committed, omitted or continued shall constitute a separate offense.
- C. The court may require any person who is convicted of a violation of this code to make restitution for any or all damages caused by the violation or violations, including but not limited to, correction of all violations and payment of restitution to the City for expenses incurred in the enforcement of this Code.

§154.545 PERMITTED CONDITIONAL USES

- 1. Any of the following uses may be permitted as a conditional use if approved by the Planning Commission:
 - (1) Automobile dealers, not permitted in a residential district, CBD, C-1, C-4 and I-2 Districts, subject to § 154.546(B)(4), (21), (29).
 - (2) Apartments in C-1, C-3, and C-4 Districts, subject to § 154.546(B)(19).
 - (3) Automobile laundry (auto laundry of more than one stall or of the production-line type), not permitted in a residential and C-4 district, subject to § 154.546(B)(5), (20), (26).
 - (4) Hotel and motel, not permitted in a residential or industrial districts, subject to § 154.546(B)(4), (6) and (21).
 - (5) Cemetery, crematory, mausoleum, not permitted in a residential district, subject to § 154.546(B)(3), (6), (11), (22).
 - (6) Convenience stores, not permitted in an R District, subject to § 154.546(B)(32).
 - (7) Churches and other buildings for the purpose of religious worship, subject to § 154.546(B)(3), (4), (6), (10), (12).
 - (8) Clubs, lodges or fraternal organizations, not permitted in a residential district, subject to § 154.546(B)(3), (4), (11).
 - (9) Drive-in banking facilities, not permitted in a residential district, subject to § 154.546(B)(20).
 - (10) Drive-in restaurants, beverage sales and other similar uses, not permitted in a residential district, subject to § 154.546(B)(20).
 - (11) Funeral homes or mortuaries, not permitted in a residential district, subject to § 154.546(B)(21).

- (12) Gasoline service stations, not permitted in residential districts, subject to § 154.546(B)(13), (21), (24).
- (13) Government-owned and/or operated buildings and facilities, other than those listed in (14) below, subject to § 154.546(B)(4), (6), (7), (10).
- (14) Government-owned and/or operated parks, playgrounds and golf courses, etc., subject to § 154.546(B)(3), (4), (10).
- (15) Group dwellings for handicapped, subject to § 154.546(B)(31).
- (16) Home occupations, subject to § 154.546(B)(17).
- (17) Incineration of solid or liquid wastes, permitted in an I-2 district only, subject to § 154.546(B)(18).
- (18) Institution for higher education, subject to § 154.546(B)(3), (4) and (6).
- (19) Institutions providing medical services to humans, subject to § 154.546(B)(3), (4), (5), (7), (10), (35), (36), (37).
- (20) Multi-family dwellings, including apartments, in R-2 and R-3 districts and multi-family dwellings of four or more units in R-4 districts, subject to § 154.546(B)(2), (4), (5), (7).
- (21) Oil and gas wells and brine disposal sites, subject to §§ 154.420 through 154.445 and § 154.546(B)(27).
- (22) Manufacturing and processing establishments, permitted in a C-3 commercial district only, subject to § 154.546(B)(15).
- (23) Orphanage, child day-care center, nursery school, subject to § 154.546(B)(3), (4), (7), (10), and (30).
- (24) Private recreational facilities with or without structures in a residential district, subject to § 154.546(B)(3) and (4).
- (25) Parking (off-street and not required by §§ 154.405 through 154.409), including parking lots, decks and garages for commercial and industrial uses, in a residential district, subject to § 154.546(B)(3), (6), (7); and §§ 154.405 through 154.409.
- (26) Public, parochial and private schools, subject to § 154.546(B)(3), (4), (5), (10).
- (27) Public utility right-of-way and permanent structures, subject to § 154.546(B)(11), (21).
- (28) Rooming, lodging or boarding house, bed and breakfast, subject to § 154.546(B)(3).
- (29) Scrap material storage including the baling of scrap paper or rags and outside storage of used lumber and materials salvaged from wrecked structures, subject to § 154.546(B)(11), (18), (23).
- (30) Temporary building for use incidental to construction work, subject to § 154.546(B)(8) and (9).
- (31) Trailer camp, mobile home park, permitted in R-4 district only, subject to § 154.546(B)(3), (10), (14).
- (32) Two-family dwelling units, permitted in an R-1 District only. Subject to § 154.546(B)(2)(h).
- (33) Veterinary hospital or office, kennel, or any premise used for the business of raising, boarding or providing other services to non-farm domesticated animals, not permitted in a residential district, subject to § 154.546(B)(3) and (25).
- (34) Vehicles (accident-damaged), outside storage of, subject to § 154.546(B)(11) and (18).

- (35) Planned Unit Development, subject to §§ 154.030 and 154.031.
- (36) Public rental storage buildings (mini-warehousing) in C-3 and Industrial Districts subject to § 154.546(B)(33).
- (37) Senior housing and care facilities, permitted in residential districts only, subject to § 154.546(B)(34).
- (38) Wireless telecommunications facilities, subject to §§ 154.495 through 154.506.
- (39) Hospitals, providing medical services to humans, subject to § 154.546(B)(3), (4), (5), (7), and (10).
- (40) Large commercial developments, in a C-3 district only, subject to § 154.546(B)(4), (6), (10), (21) and (38).
- (41) Electronic or mechanical changeable copy signs in commercial and industrial districts only, subject to §§ 154.546(B)(39).

§154.546 CONDITIONALLY PERMISSIBLE USES, REGULATIONS.

(A) The Planning Commission, prior to the issuance of a conditional zoning certificate, shall establish by clear and convincing evidence that the intent and purposes of the following specific regulations that apply to specific conditional permissible uses for each use district have been met and satisfied by the applicant requesting such zoning certificate.

(B) In the specific regulations hereinafter detailed, the word "shall" denotes therein that the regulation is a mandatory requirement. In the specific regulations hereinafter detailed, the word "should" denotes therein that the regulation should, under normal use and land occupancy conditions, be met and satisfied prior to the issuance of a conditional zoning permit but may be waived by the Planning Commission if the general standards of § 154.544(B) are not violated.

(1) The following conditions apply to all conditional permissible uses:

(a) Loudspeakers which cause a hazard or annoyance shall not be permitted.

(b) No lighting shall constitute a nuisance and shall in no way impair safe movement of traffic on any street or highway; no lighting shall shine directly on adjacent properties.

(c) Signs, subject to §§ 154.470 through 154.485.

(d) Parking and loading, subject to §§ 154.405 through 154.409.

(e) All conditional uses must comply with the district requirements within which it is located unless specifically exempt by this chapter.

(f) All quasi-public uses such as, but not limited to, churches, schools, and other similar places of worship or instruction to be residential district shall have a minimum lot requirement of 80,000 square feet. The use shall also comply with all other requirements of the district in which it is located.

(g) No conditional use will be permitted which is not compatible with adjacent uses.

(2) Multi-family housing in R-2, R-3 and R-4 Residential Districts. The area and height regulations may be varied provided that the net residential density will not be less than:

(a) Land area requirement per dwelling unit:

District	Area Required
R-2	8,500 sq. ft.
R-3	6,000 sq. ft.
R-4	4,356 sq. ft.

For parcels which are located in an R-4 District and are directly contiguous to commercial districts, the Planning Commission may permit a minimum lot area of 2,240 square feet per dwelling unit for a maximum density of 18 units per acre. Actual density shall be determined by the Planning Commission. Directly contiguous is defined as having a common boundary with the commercial district and on the same side of the street as the commercial district.

(b) Minimum living floor area requirements per dwelling unit:

District	Square Feet Required
R-2	1,000
R-3	800
R-4	720

(c) Multi-family dwellings containing over five living units may have some units in the sizes and percentages as described below:

District	Maximum Percentage of Total Units	Minimum Living Floor Area Square Feet
R-2	30	800
R-3	30	750
R-4	50	560

(d) Multi-family housing in R-2, R-3 and R-4 Residential Districts must meet the minimum lot depth, width and setback requirements of the residential district in which it is located.

(e) The Planning Commission shall use the following guidelines when considering required open space:

1. Site developments shall include a minimum of 30% of the net area as open space. Such net area shall equal gross acreage minus all road right-of-way dedication and minus all public lands dedication or sale and minus all private land dedication or sale;

2. No impervious surfaces shall be considered part of the required open space;

3. Area between buildings or between buildings and paved areas or any area which is 25 feet or less shall not be considered open space for the purpose of this section;

4. Water bodies may not be included as more than 30% of the required open space at the discretion of the Planning Commission depending on the utility of the water body as a recreational asset to the development;

5. All open space areas must be defined by survey or metes and bounds on all preliminary plans along with a defined building footprint and other impervious surface areas including driveways, parking areas, sidewalks so that such open space is clearly accounted for in terms of acres of open space.

(f) Such uses must be properly landscaped to be harmonious with surrounding residential uses. Where appropriate the Planning Commission may require a buffer zone up to 50 feet between the multi-family structure and the adjoining residential property line.

(g) Condominium developments shall require approval of condominium documents including the original declaration and all amendments by the Planning Commission for required maintenance and easement documents. Minimum setback from a private street shall be 25 feet for all condominium developments.

(h) Two-family dwellings in R-1 Districts shall be subject to the following requirements:

1. Minimum lot area: 15,000 square feet;
2. Minimum lot width at building line: 100 feet
3. All lots shall conform to all other area and height regulations as outlined in § 154.097 that are not specifically addressed by provisions of this section.

4. Two-family dwellings shall not constitute more than 20% of any subdivision or any phase of any subdivision.

5. In all new subdivisions, all lots or parcels designated as two-family residential lots shall be so designated on the preliminary and final plats. If such designation is not made, all lots shall be restricted to single-family residential use only.

- (3) All structures and activity areas should be located at least 100 feet from all property lines. The Planning Commission may reduce the distance to no less than ten feet where appropriate.

- (4) All points of entrance or exit should be located no closer than 200 feet from the intersection of two major thoroughfares; no closer than 100 feet from the intersection of a major thoroughfare and a local or collector thoroughfare or two local or collector thoroughfares. Such ingress and egress shall be provided as approved by the Planning Commission in order to assure safety for pedestrian and vehicular traffic.

- (5) Such structures should be located on a collector or major thoroughfare.

- (6) Such developments should be located on major thoroughfares or at intersections of major and/or collector thoroughfares.

- (7) Such developments should be located adjacent to nonresidential uses such as churches, parks, industrial, or commercial districts.

- (8) Any temporary structures must be indicated as such on site plans submitted to the Planning Commission for approval.

- (9) Such structures shall not be continued as permanent structures. The period of continuance shall be set by the Planning Commission.

- (10) The extension of all utility services and other required infrastructure should be at the developer's expense.

- (11) Site locations should be preferred that offer natural or man-made barriers that would lessen the effect of intrusion into a residential area.

- (12) Such structures should be located adjacent to parks and other nonresidential uses such as schools and shopping facilities where use could be made of joint parking facilities.

- (13) Such uses shall be permitted under the following conditions:

- (a) All activities, except those required to be performed at the fuel pumps, shall be carried on inside a building; if work is performed on a vehicle, such vehicle shall be entirely within a building.

- (b) No more than two driveway approaches shall be permitted directly from any thoroughfare and shall not exceed 30 feet in width at the property line.

- (c) If the property fronts on two or more streets, the driveways shall be located as far from the street intersection as practicable.

- (d) At least a six-inch high pedestrian safety curb shall be installed along all street right-of-way lines except at driveway approaches.

- (14) It is the intent of this subsection to permit mobile home parks that house only independent mobile homes, and such mobile home parks should be located adjacent to commercial or industrial districts or on major thoroughfares. The area shall be in one ownership or, if in several ownership's, the application

shall be filed jointly by all of the owners of the properties included in the plan. The following conditions shall apply:

(a) In addition to the other requirements of this subsection, the application shall include any other data the Planning Commission may require.

(b) Each boundary of the park must be at least 200 feet from any permanent residential building outside the park, and separated there from by a natural or artificial barrier.

(c) The park shall be graded to be well drained.

(d) Trailer spaces shall be a minimum of 3,000 square feet for each space and at least 40 feet wide and clearly defined.

(e) There shall be at least a 20 foot clearance between trailers. No trailer shall be closer than 20 feet from any building within the park or ten feet from any property line bounding the park.

(f) Each mobile home space shall provide 200 square feet of parking space and shall abut upon a driveway of not less than 20 feet in pavement width, which shall have unobstructed access to a public thoroughfare. All paving unobstructed access to a public thoroughfare. All paving shall meet the requirements of city street standards and lighted at night with electric lamps of not less than 175 watt mercury vapor or 100 watt high pressure sodium, each spaced at intervals of not more than 100 feet.

(g) Each park may provide service buildings to house laundry, storage facilities and offices. Construction shall meet the standards of the Building Code. Walkways not less than two feet wide, and paved, shall be provided from the trailer spaces to the service buildings.

(h) An electric outlet supplying at least 110 volts shall be provided for each trailer space.

(i) Each mobile home space shall be provided a water tap at least four inches above the ground to supply pure and adequate water for drinking and domestic purposes.

(j) Each mobile home space shall be provided a trapped sewer at least four inches in diameter which connects with a centralized disposal system.

(k) Adequate garbage and rubbish cans shall be provided not further than 300 feet from any mobile home space.

(l) Each park shall be equipped at all times with adequate fire extinguishing equipment as determined by the Fire Department.

(m) No pets shall run at large or commit any nuisance within the limits of any mobile home park.

(n) The permitted, or a duly authorized attendant or caretaker shall be in charge at all times to keep the mobile home park, its facilities and equipment in a clean, orderly, and sanitary condition, free from any condition that will menace the health of any occupant or the public or constitute a nuisance.

(15) Such establishments shall be devoted primarily to selling their output at retail on the premises and employing not more than ten persons on the premises at any one time.

(16) Such uses shall contain no sign for advertising its use.

(17) Such uses shall be secondary in importance to the use of the dwelling for dwelling purposes. The Planning Director shall have the administrative discretion to not require Planning Commission review of an application if, upon completion of required application materials, the Planning Director determines that the proposed home occupation would meet the general and specific standard for home occupations and the use does not involve

customer, client or materials delivery type activity at the dwelling. An example of such a use that would potentially meet such standards would be: computer based businesses where clients communicate through telephones or computers with no additional traffic at the dwelling other than typical residential traffic.

(a) Such uses shall be conducted by the occupant with no additional employees.

(b) Such occupations shall be carried on entirely within the dwelling and not in an accessory building; however, the garage may be used provided that the home occupation does not preclude the storage of the number of vehicles for which the garage was designed.

(c) The conducting of their home occupation shall not occupy more than 30% of the floor area of only one story.

(d) The proposed use shall not constitute primary or incidental storage facilities for a business, industrial, or agricultural activity conducted elsewhere.

(e) No activity, materials, goods or equipment indicative of the proposed use shall be visible from any public way or adjacent property.

(f) No signs are permitted for home occupations.

(g) The proposed use shall not generate noise, odor, fumes, smoke, or vehicular or pedestrian traffic in an amount which would tend to depreciate or change the residential character of the neighborhood in which the proposed use is located.

(18) Such uses are permitted in an I-2 District only and shall be conducted not closer than 500 feet from any residential district. Where the I-2 District abuts upon, but is separated from, an R District by a street, the width of the street may be considered as part of the required setback. The construction, operation and maintenance of such uses shall be such that they will not be hazardous, noxious or offensive due to the emission of odor, dust, smoke, cinders, gas, fumes, noise, vibration, refuse matters, or water-carried wastes.

(19) Such uses shall be above the first floor and shall not be detrimental to or in any way detract from the primary purpose or function of CBD, C-3 or C-4 Districts. Each dwelling unit shall have a minimum living floor area of 550 square feet per family. Two off-street parking spaces shall be provided for each dwelling unit as regulated in §§ 154.405 through 154.409. Density of such development shall generally not exceed 18 units per acre unless approved by the Planning Commission.

(20) Locations where such use abuts a residential district or residential use shall also meet the following requirements:

(a) There shall be no driveway entering or exiting such premises within 75 feet of a residential district.

(b) Such uses shall be properly landscaped to be harmonious with adjacent residential uses, and such landscaping shall be maintained in a neat and orderly condition at all times. A buffer zone along the entire length of the common boundary between the commercial use and the residential use shall be maintained not less than ten feet in depth. This buffer zone shall be landscaped with grass, shrubbery or trees, as approved by the Commission. The erection of a visual screen may be required by the Planning Commission along the entire length of the common boundary.

(c) The architectural design of such buildings and appurtenances shall be in general conformity with adjacent development and subject to approval by the Planning Commission.

(d) One-way traffic circulation in the parking area should be provided, with entrance and exit driveways clearly marked so as to be visible from the street.

(21) Such uses should be landscaped to be harmonious with surrounding uses, especially if adjacent to residential uses.

(22) Any proposed new cemetery shall be used for cemetery purposes only and shall meet the following requirements:

(a) Only memorial park cemeteries having grave markers flush with the surface of the ground shall be permitted. "Marker" refers to a plaque with the name of the deceased.

(b) Except for office uses incidental to cemetery operation, no business or commercial uses of any kind shall be permitted on the cemetery site.

(c) Minimum area required for a cemetery site shall be 40 acres.

(d) A building of brick and/or stone, solid and/or veneered, shall be provided if storage of maintenance equipment and/or materials is to be necessary.

(e) Pavement width of driveways shall be at least 20 feet (ten feet per moving lane).

(f) Drives shall be of usable shape. Improved with bituminous, concrete or equivalent surfacing and so graded and drained as to dispose of all surface water accumulation within the area.

(g) Pavement is to be installed as development progresses and as indicated on the final plans approved by the Planning Commission.

(h) Sufficient parking space shall be provided so as not to deter traffic flow within the cemetery.

(i) Area drainage and/or sanitary facilities are subject to approval by the City Engineer prior to the issuance of a conditional use permit.

(j) Only signs as allowed in § 154.470 through 154.485 are permitted.

(k) Adequate screening with shrubs, trees or compact hedge shall be provided parallel to property lines adjacent to or abutting residential dwellings. Such shrubs, trees and hedges shall not be less than two feet in height and must be maintained in good condition.

(l) Provisions shall be made for landscaping throughout the cemetery.

(m) Location of cemetery buildings and all other structures shall conform to front, side and rear yard building lines of the particular district in which it is located.

(n) No grave sites shall be located within 100 feet of the right-of-way lines of any publicly dedicated thoroughfare.

(o) A grave site shall not be within 200 feet of an existing residence unless the owner of such residence gives his written consent.

(p) Guarantees shall be made that the cemetery will be developed as proposed on the plans approved by the Planning Commission and the City Engineer. Guarantees shall be in a form approved by the Planning Commission and may be one of the following:

1. A performance bond of \$25,000 for cemeteries of 40 acres. An additional \$5,000 shall be required for each ten acres over 40 acres or for each ten acres added at a later date. The amount of the bond will be reduced annually, and by an amount that will leave the balance of the bond proportional to the portion of the cemetery not developed to the specifications of the plans approved by the Planning Commission and the City Engineer.

2. Other methods as might be worked out by the Planning Commission, Council, developers and their legal advisors.

(q) A trust fund of an amount set by the Planning Commission shall be established by the cemetery developers for the perpetual maintenance of the cemetery grounds. The trust fund shall be established before any burial spaces are sold or used and shall be held and invested by a financial institution mutually agreed upon by the developers and Planning Commission. A percentage of the money from the sale of each burial space shall be put into the maintenance trust fund. The percentage shall be an amount set by the Planning Commission. Interest yielded by the fund shall be applied toward the maintenance of the cemetery grounds.

(23) Scrap yards shall have front, side and rear setbacks of at least 150 feet. At least a 40-foot wide strip in the 150-foot setback shall be planted for camouflaging purposes according to the following specifications:

(a) The 40-foot wide strip shall be planted with pine, Norway spruce or other plants of similar screening value.

(b) Trees shall be planted on a staggered pattern with no more than ten feet between trees.

(c) The 40-foot wide planting strips shall be so located as to achieve the greatest screening or camouflaging effect, and no visual openings shall exist. A minimum area of five acres shall be required for a use proposed under this category.

(24) All signs, streamers, announcements, flags, and other attention and/or advertising devices not specifically permitted under §§ 154.470 through 154.485 of this chapter are prohibited.

(25) Veterinary offices:

(a) There shall be no burial or incineration of animals on the premises.

(b) All activities shall be conducted within a totally enclosed and air conditioned building.

(c) Animals treated shall be those ordinary household pets capable of being cared for entirely within the confines of a dwelling unit.

(d) Trash storage areas shall be screened from view of adjacent dwellings. All parking areas and driveways shall be separated from adjacent dwellings by a landscaped strip at least five feet wide. The landscaped strip shall be improved with shrubs, hedges, trees, or a decorative fence to screen paved areas from adjacent dwellings.

(e) No animals shall be kept overnight on the premises.

(26) Automatic automobile laundry. Auto laundry of more than one stall or of the production-line type shall be required to provide 15 off-street parking spaces per auto laundry unit.

(27) Oil/gas wells are prohibited in C-1, C-3 and C-4 Districts and in any residential district which has a density of four or more built residential units to the acre, or on any property which has been subdivided to a density of four or more residential units to the acre, within the drilling unit.

(28) Parking lots, decks, or garages adjoining a residential district must be a minimum of 20 feet from the property line. Surface parking lots must provide a ten foot buffer strip of materials approved by the Planning Commission. Parking decks and garages must be of a design compatible with the adjacent area.

(29) A setback of 20 feet shall be required for all activities, including parking of any vehicle or trailer.

(30) All uses must demonstrate compliance with the following conditions:

(a) General Provisions

1. Prohibited in a C-4 district but allowable in an Industrial District when associated with an approved permitted or conditionally permitted use.
2. Outside play areas shall be enclosed by a fence with a minimum height of 4' for the protection & control of children.
3. The site shall be designed to provide a drop off/pick-up location that provides for vehicular stacking so as not to impede traffic flow on or off the site.
4. In addition to complying with the parking requirements in §154.408(B), each site shall also provide short term parking for child drop-off/pick-up in the amount of 1.25 parking spaces for each 1,000 sq. ft. of gross floor area, with a minimum of six (6) spaces required.
5. All uses shall provide evidence of licensure by the appropriate State agency prior to the issuance of a City of Wadsworth Occupancy Certificate.

(b) Provisions for Uses in Residential Districts

1. The use is allowed only when located on an arterial street or when associated with an existing and approved conditional use for a public facility.
2. All structures shall be designed in a similar fashion to the adjacent residential structures so as to be compatible with neighboring residential structures in terms of scale, materials and building form.
3. Minimum lot size shall be 20,000 sq. ft.
4. All structures shall maintain 25' setbacks from side property lines and a 50' setback from the rear property line.
5. A landscape buffer of at least 15' in width shall be maintained along the shared property lines of adjacent properties containing a residential use. The buffer should consist of either a decorative privacy fence at least 4' in height or be mounded and planted with shrubs, trees or other acceptable planting materials at least 3' in height at the time of installation or some combination of both, which the Planning Commission determines meets the intent of this requirement.
6. Parking lots shall be located in a manner which least impact the adjacent properties. However, in no instance shall a parking lot be closer than 10' to a property line or 15' when adjacent to a residential use.

(31) Group dwellings for the handicapped must meet the following conditions:

(a) A minimum of 250 square feet of usable floor space designated as living area for each occupant.

(b) One hundred square feet of bedroom space must be provided for each occupant with no more than two persons occupying one bedroom.

(c) All activities, programs and other events shall be adequately and properly supervised so as to prevent any disturbance or nuisance to surrounding properties or to the community in general.

(d) There must be at least 400 square feet of outdoor open space for each occupant of the group dwelling.

(e) Such facilities should not be located on major thoroughfares or at intersections of major streets.

(f) Such facilities must meet all local and state health requirements.

(32) Convenience stores may sell self-service gasoline but the number of islands and hours of operation may be restricted by the Planning Commission.

(33) Public rental storage buildings (mini-warehouses) are subject to the following conditions:

(a) All items must be stored within an enclosed building. No outside storage of any kind shall be permitted.

(b) All such structures shall be enclosed by a fence to prevent unauthorized access.

(c) All such facilities shall be landscaped and screened from adjacent properties.

(d) Loading and unloading space shall be located in the side and rear areas only.

(e) The facility shall be provided with outside lighting and such lighting shall not shine and create a nuisance on adjacent properties.

(f) Storage shall be limited to personal property only such as household items, yard and garden equipment, vehicles, boats, trailers, campers and other recreational vehicles. Commercial storage of goods to be processed, assembled, packaged or stored for use in any manufacturing, wholesaling or retailing operation shall not be permitted.

(g) The Planning Commission may require that a resident manager be provided.

(h) Such structures shall meet all applicable city and state building and fire regulations.

(i) Individual building size shall not exceed 250 feet in length and 40 feet in width. There shall be a minimum of at least 25 feet between buildings.

(j) Interior drives shall have one-way circulation and shall be paved as required by the City Engineer. Interior drives may serve as a travel lane and a parking lane in such case the travel lane shall be at least 15 feet wide and the parking lane at least ten feet wide.

(k) Minimum parking spaces required shall be at least one for each ten storage cubicles (based on estimated maximum number, plus two for manager's office, if provided.)

(34) (a) All uses must be categorized under one of the following uses based on definitions contained in 1., 2., and 3. below.

(b) Any structure which proposes a mixed use occupancy of more than one of the following uses must meet all regulations independently of the other uses and associated regulations.

1. Senior citizen housing. Independent apartments detached or attached or condominium living in which all activities including sleeping, eating and meal preparation take place in one dwelling unit. Patrons of this use generally sign leases for an extended period of time, more than 30 days. This use is generally classified under the R-2 classification of the Ohio Basic Building Code. It is the intent of this subsection to permit appropriately located senior citizen housing developments and allow for a variation in density and parking regulations. The area proposed shall be in single ownership, or if in several ownership's, the application shall be filed jointly by all of the owners of the properties included in the plan.

2. The following conditions and standards shall apply:

a. The development should be located within convenient walking distance of shopping and community facilities.

b. The density of the development shall not exceed 30 dwelling units per acre in the R-4 Residential District and not exceed eight dwelling units per acre for R-2 and 12 dwelling units per acre for the R-3 Residential Districts

and not exceed five units per acre for R-1 Districts. Senior housing in R-1 Districts shall only include single- family detached dwellings. Final density of the development may be established by the Planning Commission to conform with adjacent developments. Design of structures in such developments should avoid flat roofs to conform to other residential development. The Planning Commission should avoid clusters of such developments and provide open space between such projects when possible. Individual project size should be limited to no more than 100 units.

c. No dwelling unit in the development shall include more than two bedrooms.

d. Size of units: the number of one and two bedroom units within any development shall be determined by the Planning Commission.

e. Minimum size of units: one bedroom, 540 square feet; two bedroom, 700 square feet.

f. Occupancy shall be for persons in compliance with Federal Fair Housing guidelines per the Fair Housing Act of 1988 24 CFR part 14, Section 100.304, all updates and amendments inclusive.

g. Minimum parking shall be 1.5 space per dwelling.

2. Congregate living. Independent living facility in which common shared facilities for eating are provided in a central place and the occupants have independence and are generally classified as ambulatory and capable of self preservation in times of emergency. Such facilities may include therapeutic and related services; however, no personal care services through owner provisions or contract services shall be permitted.

a. Congregate living facilities shall meet the following resident which meets all of the following criteria:

i. A single-occupancy room shall have a minimum of 160 square feet and a multiple-occupancy room shall have a minimum of 110 square feet per occupant. Bedroom space shall be wall-to-wall floor space, exclusive of closets and adjoining bathrooms. No bedroom shall provide sleeping space for more than three residents.

ii. There shall be at least three feet between beds. No furniture shall block any doorway.

iii. Bedrooms shall be separated from halls, corridors, and other rooms by permanent floor-to-ceiling walls. Temporary partitions shall not be used to separate resident bedrooms. All bedrooms shall have doors and shall be well-lighted and dry.

iv. A bedroom shall not be used as a passageway to other rooms and shall not be more than 50% below average grade level.

b. Each facility shall provide a minimum of 50 square feet of communal space per person, exclusive of kitchens, bathrooms, bedrooms utility rooms, closets and hallways.

c. Each facility shall provide a minimum of 20 square feet of eating area space per person exclusive of all other spaces.

d. Each facility shall provide a minimum of 50 square feet of individual, secured, walk-in storage area per resident exclusive of all other spaces.

e. Each facility shall include a minimum of 300 square feet of exterior recreation area per person exclusive of all paved areas.

f. Occupancy shall be for persons in compliance with Federal Fair Housing guidelines per the Fair Housing Act of 1988 24 CFR Part 14, Section 100.304, all updates and amendments inclusive.

g. Minimum parking shall be 1.5 spaces per dwelling unit.

3. Rest home/nursing home/ adult care facility/adult day care facility. Facilities in which personal care services are provided for daily living needs and/or skilled nursing care is provided on a continuous basis. Such facilities shall meet the following standards:

a. Passive recreation areas shall not include kitchens, bathrooms, bedrooms, utility rooms, storage rooms, closets or hallways or exterior paved areas. A minimum of one half of required passive recreation area shall be indoor space.

No. of Occupants	Sq. ft. per Occupant
1-5	350
6-10	300
over 10	275

b. Sleeping area shall be wall-to-wall floor space exclusive of closets and bathrooms and no bedroom shall provide sleeping space for more than three residents.

No. of Persons per room	Square Feet per person
1	160
2 or 3	110

c. Parking area should be in the rear of the building. The need for and type of screening or parking lot will be determined by the Planning Commission. Parking required is one space per two beds.

(c) All senior housing care facilities must meet the following regulations:

1. All facilities shall be approved by the Ohio Department of Health as required and provide evidence compliance with Ohio Department of Health on an annual basis to the city.

2. All applications for the above uses shall demonstrate compliance with the Ohio Basic Building Code and all applicable state laws. All applications for the above uses must provide evidence of the use classification approved by the local building administrator regarding the Ohio Basic Building Code.

3. The gross floor area shall not exceed 50% of the total site area.

(35) Such uses, when located in residential zones, and where appropriate, shall be designed in a similar fashion to the adjacent residential development with respect to building scale and type of building materials and design. Landscaping screening shall be maintained adjacent to residential development with shrubs, trees or some combination in an area not less than 15 feet from a property line with residential development adjacent. Such landscape screening shall be a minimum of three feet in height at time of installation and must be maintained in good condition. Parking lots shall be located in a manner which least affect the adjacent residential development.

(36) Such uses, when located in residential zones, shall only be permitted on major thoroughfares.

(37) Such uses, when in existence prior to adoption of subsection (36) shall be permitted to expand only after conditional zoning review and approval by the Planning Commission.

(38) The following regulations shall apply to large commercial developments:

(a) The Planning Commission may require setbacks in excess of the C-3 District minimum yard requirements for any structure or activity area.

(b) All subdivisions of land shall comply with the city's Subdivision Regulations, comprehensive planning documents and applicable zoning district regulations.

(c) The floor area ratio shall not exceed 30%.

(d) Outdoor sales and storage areas shall be identified on the site plan. Such areas shall be enclosed in a manner approved by the Planning Commission and shall not encroach into a yard setback, parking area or fire lane. For the purposes of determining the floor area ratio (FAR), outdoor sales and storage areas shall be included as part of the floor area of all structures.

(e) The use of trailers for auxiliary or seasonal storage shall be prohibited.

(f) Design considerations.

1. All site design features, including but not limited to, architectural elevations, light fixtures, signage and landscaping shall be reviewed and approved by the Architectural Design Committee prior to Planning Commission approval of a conditional zoning certificate. Design features that promote safe pedestrian access should be encouraged.

2. All refuse disposal areas and containers shall be screened by a solid enclosure with a height no less than six feet, constructed of wood, masonry or other equivalent material as approved by the Architectural Design Committee.

(g) Special studies.

1. In cases where a difference in professional engineering opinion exists, the Planning Commission may cause the traffic impact analysis, as required by § 154.077, to be reviewed by an independent traffic engineer chosen by the city and the cost of such independent review shall be borne by the developer.

2. The Planning Commission may require a Community Impact Study to determine the development's impact on the community. The following list is indicative, but not all-inclusive, of the type of information to be provided on a CIS. The actual information to be provided shall be determined by the Planning Commission.

a. Local economy: Project description and target market area, estimate of full-time equivalent jobs provided and location of proposed employment base.

b. Impact on infrastructure and utilities: Estimates of anticipated water demand; sanitary effluent generated; electric usage; and other utility demands as requested.

c. Bibliography identifying persons, organizations and other sources consulted in the preparation of the CIS.

(h) All projects shall demonstrate compliance with Zoning Code requirements pertaining to landscaping, site plan requirements, off-site impacts, off-street parking and signage as found in this chapter.

(39) The following regulations apply to electronic & changeable copy signs:

1. Such signs are permitted only on lots which front an arterial thoroughfare.
2. The lot on which such sign is proposed shall have a minimum frontage of 200' on an arterial thoroughfare and a minimum lot area of 40,000 square feet.
3. Signs must be set back at least 15' from the front property line. A greater distance may be required in order to maintain adequate sight distance.

4. No sign may be closer than 200' to a 1, 2 or 3 family dwelling or another electronic or mechanical changeable copy sign as measured perpendicularly to the face of the sign.
5. Messages may not change more that four (4) times per minute and must otherwise demonstrate compliance with the provisions of the zoning district in which it is located and with the provisions of §154.483.
6. Full motion video is prohibited.

Section 3. That existing sections 154.470, 154.471, 154.472, 154.473, 154.474, 154.475, 154.476, 154.477, 154.478, 154.479, 154.480, 154.481, 154.482, 154.483, 154.484, 154.485, 154.545, 154.546 and 154.999 of the Codified Ordinances of the City of Wadsworth are hereby repealed.

Section 4. That this ordinance shall be effective at the earliest time permitted by law.

Passed: _____

President of Council

Attest: _____

Clerk of Council

Approved: _____

Mayor

1st Rdg. _____

2nd Rdg. _____

3rd Rdg. _____

Passed: yes _____ no _____

Vote: aye _____ nay _____

Immediate Effect: yes _____ no _____

CERTIFICATE OF PUBLICATION

I, Tammy Guenther, Clerk of Council of the City of Wadsworth, State of Ohio, do hereby certify that the foregoing ordinance was duly published in *The Gazette* on _____ and _____, which is for two consecutive weeks as required by section 731.21 of the Ohio Revised Code.

Tammy Guenther
Clerk of Council
City of Wadsworth