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R-1 RESIDENTIAL DISTRICT.

Purpose; The R-1 Residential District is intended to accommodate low density residential development (up to 4.0 dwelling units per acre) and to preserve the single-family home character of the City's established neighborhoods. It is also intended to provide for areas of new low-density development and discourage concentrated development in parts of the City where topographic conditions dictate the preservation of open space.

1. Permitted Uses:
 - a. One-family detached dwellings, including factory-built homes.
 - b. Accessory uses as regulated by Chapter 2, General Regulations.
 - c. Automobile parking spaces as regulated by Chapter 8, Off-Street Parking Regulations and located on the same lot as the dwelling they are intended to serve.
2. Conditional Uses:
 - a. Cemeteries, churches, public and private schools, libraries and museums, public parks and recreational facilities, private swimming pools, private recreational areas, golf courses, outdoor tennis clubs and community or neighborhood recreation centers, subject to site plan approval by the Planning Commission.
 - b. Home occupations subject to the conditions of Chapter 4 Conditionally Permitted Uses.
 - c. Public utility buildings and accessory uses, excluding storage yards and transformer stations, when operating requirements necessitate the locating of such buildings within the district in order to serve the immediate vicinity.
 - d. Family swimming pools, subject to the conditions of Chapter 4 Conditionally Permitted Uses.
 - e. Publicly-owned buildings, subject to site plan approval by the Commission
3. Lot Regulations:
 - a. Minimum lot area: 10,500 sq. ft.
 - b. Minimum lot width (frontage): 80 ft.
 - c. Minimum yard requirements (setbacks):
 - i. Front Yard Setback: 35 ft.
 - ii. Rear Yard Setback: 30 ft.
 - iii. Side Yard Setback: 6 ft.
 - d. Maximum building height: 25 feet and 2 stories
 - e. Net density: 4.0 dwelling units per acre
 - f. Maximum ground coverage: 35%

R-2 RESIDENTIAL DISTRICT.

The R-2 Residential District is intended to provide for medium density one- and two-family residential development (up to 7.0 dwelling units per acre) to allow for areas in which less expensive housing may be constructed on smaller lots than in the R-1 District.

1. Permitted Uses:

- a. One-family detached dwellings, including factory-built homes.
 - b. Two-family dwellings.
 - c. Accessory uses as regulated by Chapter 2, General Regulations.
 - d. Automobile parking spaces as regulated by Chapter 8, Off-Street Parking Regulations, and located on the same lot as the dwelling they are intended to serve.
2. Conditional Uses:
- a. All uses conditionally permitted in the R-1 District shall be conditionally permitted in the R-2 District, subject to the conditions listed in R-1 Residential District for Conditional Uses or Codified Ordinance Section 1167.01(c)** and in Chapter 4 Conditionally Permitted Uses.
3. Lot Regulations:
- a. Minimum lot area: 8,700 sq. ft.
 - b. Minimum lot width (frontage): 60 ft.
 - c. Minimum yard requirements (setbacks):
 - i. Front Yard Setback: 30 ft.
 - ii. Rear Yard Setback: 25 ft.
 - iii. Side Yard Setback: 5 ft.
 - d. Maximum building height: 25 feet and 2 stories
 - e. Net density: 7.0 dwelling units per acre
 - f. Maximum ground coverage: 50%

MF MULTI-FAMILY RESIDENTIAL DISTRICT.

The MF Multi-Family Residential District is intended to provide for a mixture of one- and two-family residential uses with townhouses and multifamily apartments at a higher density than the other residential districts permit. This district is also intended to serve as a transition zone between lower density developments and the predominantly commercial sections of the City. The areas designated MF further recognize that many formerly single-family dwellings have been converted to apartments.

1. Permitted Uses:
 - a. One-family detached dwellings, including factory-built homes.
 - b. Two-family dwellings.
 - c. Multifamily and townhouse dwellings with a maximum height of twenty-five feet and two stories.
 - d. Accessory uses as regulated by Chapter 2, General Regulations.
 - e. Automobile parking spaces as regulated by Chapter 8, Off-Street Parking Regulations, and located on the same lot as the dwelling they are intended to serve.
2. Conditional Uses:
 - a. All uses first conditionally permitted in the R-1 District shall be conditionally permitted in the MF District, subject to the conditions listed in R-1 Residential District for Conditional Uses or Codified Ordinance Section 1167.01(c)** and in Chapter 4, Conditionally Permitted Uses.

- b. Nursery schools, day nurseries and day care centers (not as part of a church) subject to the conditions of Chapter 4 Conditionally Permitted Uses and subject to a site plan approval by the Planning Commission.
 - c. Family care homes and group care homes provided, however, that there be no more than one such home per block face.
 - d. Senior citizen housing complexes, subject to site plan approval by the Commission, which may contain such amenities as central dining facilities, recreational facilities, lounges and workshop areas. Minimum floor area per dwelling shall be 350 square feet, not including kitchen and sanitary facilities.
 - e. Nursing homes, rest homes and convalescent homes, subject to a site plan approval by the Commission.
 - f. Multifamily dwellings having a height of more than twenty-five feet and more than two stories with a maximum height of sixty feet and six stories subject to the procedures of Chapter 4 Conditionally Permitted Uses and subject to a site plan approved by the Commission.
 - g. Bed and breakfast establishment conditionally permitted by the Commission subject to ample parking for permanent residents and all guests, each room to have a minimum of 60 square feet for a single occupant and 50 square feet for each additional occupant. A conditional permit ceases upon sale or closure but may be transferred upon approval of the Commission.
3. Lot Regulations:
- a. One and Two-Family Dwellings
 - i. Minimum lot area: 7,000 sq. ft.
 - ii. Minimum lot width (frontage): 60 ft.
 - iii. Minimum yard requirements (setbacks):
 - 1. Front Yard Setback: 25 ft.
 - 2. Rear Yard Setback: 25 ft.
 - 3. Side Yard Setback: 5 ft.
 - iv. Maximum building height: 25 feet and 2 stories
 - v. Net density: 9.0 dwelling units per acre
 - vi. Maximum ground coverage: 50%
 - b. Multifamily and Townhouse Dwellings:
 - i. Minimum lot area: 10,000 sq. ft.
 - ii. Minimum lot width (frontage): 60 ft.
 - i. Minimum yard requirements (setbacks):
 - 1. Front Yard Setback: 25 ft.
 - 2. Rear Yard Setback: 25 ft.
 - 3. Side Yard Setback: 5 ft. and 12ft for 3 – 6 story buildings.
 - ii. Maximum building height: 25 feet and 2 stories; except for multifamily dwellings over 25 feet and 2 stories to a maximum of 60 feet and 6 stories as a conditionally permitted use.

- iii. Net density: Townhouse - 18.0 dwelling units per acre multifamily - 27.0 dwelling units per acre.
- iv. Maximum ground coverage: 50%
- v. Other requirements:
 - 1. The minimum distance between any two buildings shall be equal to the average height of the two buildings, but in no case shall be less than 25 feet.
 - 2. Whenever the side or rear yard of a townhouse or multifamily dwelling abuts an R-1 or R-2 District, the minimum side yard shall be at least 25 feet and the minimum rear yard at least 35 feet.

OS OFFICE SERVICE DISTRICT:

The OS Office Service District is intended to provide primarily for office uses located along major thoroughfares to provide a transition zone between residential and general business areas, and to allow for conversions of existing residential structures to office uses, recognizing that a mixture of residential and office uses, properly situated, can be beneficial to a neighborhood.

- 1. Permitted Uses:
 - a. One-family detached dwellings, including factory-built homes.
 - b. Two-family dwellings.
 - c. Multifamily dwellings and townhouse dwellings with a maximum height of twenty-five feet and two stories.
 - d. Office buildings for any of the following occupants: Executive, administrative, professional, accounting, writing, advertising, clerical, stenographic, sales, medical and dental (including clinics), real estate, banks, credit unions, savings and loan associations, loan companies, private clubs, lodges and fraternal organizations, and other office uses similar in character to the above permitted uses.
 - e. Publicly-owned buildings and public utility offices, not including storage yards or transformer stations.
 - f. Rest homes, convalescent homes and nursing homes.
 - g. Bed and breakfast establishments limited to a maximum of six guest rooms.
 - h. Accessory uses as regulated by Chapter 2, General Regulations.
 - i. Automobile parking spaces as regulated by Chapter 8, Off-Street Parking Regulations and located on the same lot as the dwelling they are intended to serve.
- 2. Conditionally Permitted Uses.
 - a. All uses conditionally permitted in the MF Multi-Family District shall be conditionally permitted in the OS District, subject to the conditions listed in R-1 Residential District for Conditional Uses or Codified Ordinance Section 1167.01(c)** and Multi-family District for Conditional Uses or Codified Ordinance Section 1167.03(c)** and Chapter 4 Conditionally Permitted Uses.
 - b. Barber shops and beauty shops.
- 3. Lot Regulations:

- a. Residential uses One- and two-family dwellings and multifamily dwellings shall meet the requirements of Codified Ordinance Section 1167.03(d) ** or the MF Multi-Family Residential District.
- b. Nonresidential uses. All office and other nonresidential uses shall meet the following requirements:
 - i. Minimum lot area: 10,000 sq. ft.
 - ii. Minimum lot width (frontage): 60 ft.
 - iii. Minimum yard requirements (setbacks):
 1. Front Yard Setback: 25 ft.
 2. Rear Yard Setback: 25 ft. except where the lot abuts an R-1 or R-2 District or a single or two-family dwelling, in which case the rear yard shall be 35 feet.
 3. Side Yard Setback: 10 ft., except where the lot abuts an R-1 or R-2 District, or a single or two-family dwelling, in which case the side yard so abutting shall be 20 feet, with a greenbelt to provide screening for the adjacent residential property.
 - iv. Maximum building height: 25 feet and 2 stories
 - v. Maximum ground coverage: 50%
 - vi. Other requirements: Where parking occupies part of the front yard, a landscaping plan shall be approved by the Zoning Administrator or Planning Commission.

B-1 NEIGHBORHOOD BUSINESS DISTRICT

The B-1 Neighborhood Business District is intended to provide uses which will serve the everyday convenience shopping and personal service needs of nearby residential areas. The uses in this district shall cater to the pedestrian shopper as well as those motorists traveling a relatively short distance to utilize these businesses.

1. Permitted Uses:
 - a. Personal service establishments including, but not limited to barber and beauty shops, Laundromats, dry cleaners, household repair shops (such as radio, television, shoe, appliance), tailor shops and photography studios.
 - b. Retail businesses having a useable floor area not exceeding 5,000 square feet, including, but not limited to grocery stores, food and beverage stores (including drive-throughs), liquor stores, meat markets, dairy stores, baked goods stores, florists, toy and gift stores, card and stationery stores, drugstores, dry goods, hardware stores, garden supply stores, clothing, apparel and variety stores. No single building used for retail businesses shall have a useable floor area exceeding 10,000 square feet. All storage of merchandise shall be completely within an enclosed building and none shall be displayed out of doors.
 - c. Bed and breakfast establishments limited to a maximum of six guest rooms.

- d. Office buildings as permitted in Office Services District, Codified Ordinance Section 1167.04(b) (4) ** and veterinary offices.
 - e. Public utility offices, telephone exchange buildings, transformer stations and substations, and publicly-owned buildings.
 - f. Multifamily and townhouse dwellings.
 - g. Accessory uses as regulated by Chapter 2, General Regulations.
 - h. Automobile parking spaces and loading areas as regulated by Chapter 8, Off-Street Parking Regulations.
 - i. Sales and service establishments with service being restricted to the serving and/or repairing of items sold, leased or rented by the establishment or similar items. Furthermore the servicing/ repairing shall be accomplished inside the structure with no negative affect on surrounding properties. The establishment shall have a useable floor area not exceeding 5,000 square feet. No single building shall have a useable floor area exceeding 10,000 square feet.
2. Conditionally Permitted Uses, All uses conditionally permitted in Office Services District and Codified Ordinance Section 1167.04(c) ** shall be conditionally permitted in the B-1 District.
 3. Area. Height and Bulk Regulations
 - a. Minimum yard requirements (setbacks):
 - i. Front Yard Setback: 25 ft.
 - ii. Rear Yard Setback: 25 ft., except where the lot abuts an R-1, R-2 or MF District, or a lot developed for residential use, in which case the rear yard shall be 35 feet.
 - iii. Side Yard Setback: No requirement on interior lot lines; where the lot abuts an R-1, R-2 or MF District, the side yard shall be 25 feet and a greenbelt shall be required to provide screening for the adjacent residential property.
 - iv. Maximum building height: 30 feet and 2 stories
 - v. Maximum ground coverage: 60%
 - vi. Other requirements, Where parking occupies part of the front yard, a landscaping plan shall be approved by the Zoning Administrator or Planning Commission.

B-2 GENERAL BUSINESS DISTRICT.

Purpose, The purpose of this district is to provide for more diversified business establishments which are not generally located adjacent to residential neighborhoods. The General Business District contains shopping areas which are community wide or regional in nature and should be served by State highways or at least four-lane streets.

1. Permitted Uses.
 - a. All uses permitted in B-1 Local Business District and Codified Ordinance Section 1167.05(b)**.
 - b. Department stores and supermarkets.
 - c. Newspaper printing and publishing.

- d. Furniture stores.
 - e. Preparation and processing of food and drink to be sold and/or consumed on the premises including bakeries, delicatessens, restaurants, ice cream parlors and taverns.
 - f. Commercial recreation facilities whose principal activity is located within an enclosed building such as: bowling alleys, billiard halls, skating rinks, tennis and racquet ball courts, health spas, fitness centers, video arcades and similar activities.
 - g. Post offices and similar governmental office buildings.
 - h. Hotels and motels.
 - i. Cultural and recreational establishments such as museums, civic centers, sports arenas and theaters.
 - j. Building materials dealers, heating and plumbing supplies, electrical supply stores, and hardware and farm equipment.
 - k. Electrical, furniture and miscellaneous repair shops.
 - l. Veterinary hospitals and dog and other animal kennels of a commercial nature.
 - m. Mini-warehouses and storage facilities for storage of vehicles and goods not involving regular truck traffic and only minimal loading and unloading.
 - n. Other uses similar in nature to the above uses.
 - o. Accessory uses as regulated by Chapter 2, General Regulations.
 - p. Automobile parking spaces and loading areas as regulated by Chapter 8, Off-Street Parking Regulations.
2. Conditionally Permitted Uses:
- a. Gasoline service stations and minor automotive repair subject to site plan approval by the Planning Commission and subject to the conditions listed in Chapter 4 Conditionally Permitted Uses.
 - b. New and used auto sales and major automotive service and repair, subject to a site plan approval by the Commission and to the conditions listed in Chapter 4 Conditionally Permitted Uses.
 - c. Automotive car washes subject to site plan approval by the Commission and to the conditions listed in Chapter 4 Conditionally Permitted Uses.
 - d. Funeral homes and mortuaries provided that adequate area is provided off the street for assembling vehicles to be used in funeral processions, and further provided such space is in addition to required off-street parking.
 - e. Light manufacturing/assembly businesses operated in existing structures subject to a site plan approval by the Commission and to the conditions listed in Chapter 4 Conditionally Permitted Uses.
 - f. All uses conditionally permitted in Neighborhood Business District and Codified Ordinance Section 1167.05(c)** shall be conditionally permitted in the B-2 District.
3. Area. Height and Bulk Regulations:
- a. Minimum yard requirements (setbacks):
 - i. Front Yard Setback: 30 ft.

- ii. Rear Yard Setback: 30 feet, except where the lot abuts an R-1 or R-2 District, or a lot developed for a one- or two-family dwelling, in which case the rear yard shall be 40 feet.
- iii. Side Yard Setback: No requirement on interior lot lines; where the lot abuts an R-1, R-2 or MF District, No requirement on interior lot lines; where a lot to be used for business abuts an R-1 or R-2 District, or a lot developed for a one- or two-family dwelling, the side yard shall be 30 feet, with a greenbelt to provide screening for the adjacent residential property.
- iv. Maximum building height: 50 feet and 3 stories
- v. Maximum ground coverage: 70%
- vi. Other requirements, Where parking occupies part of the front yard, a landscaping plan shall be approved by the Zoning Administrator or Planning Commission.

CB CENTRAL BUSINESS DISTRICT.

The Central Business District is intended to be the center of business and commercial activity in the City and allows a multiplicity of business, retail, and office, public and residential uses to accommodate and encourage further expansion and renewal in the core business center of the City.

1. Permitted Uses.

- a. All uses permitted in Section B-2 General Business District or Codified Ordinance Section 1167.06(b) **.
- b. Multifamily dwellings subject to site plan approval by the Planning Commission.
- c. Accessory uses as regulated by Chapter 2, General Regulations.
- d. Automobile parking spaces as regulated by Chapter 8, Off-Street Parking Regulations.
- e. Microbreweries, in conjunction with a restaurant, where a significant portion of the beverage produced are for on premises consumption.

2. Conditionally Permitted Uses:

- a. All uses conditionally permitted under Section B-2 General Business District or Codified Ordinance Section 1167.06(c)** shall be conditionally permitted in the CB Central Business District.

3. Area. Height and Bulk Regulations:

- a. Minimum yard requirements (setbacks):
 - i. Front Yard Setback: There shall be no required front yard in the CB Central Business District. However, if parking is to occupy any part of the front yard of a lot, the parking layout and points of ingress and egress shall be approved by the Commission.
 - ii. Rear & Side Yard Setback: No requirement on interior lot lines; where the lot abuts an R-1 or R-2 District, the yard shall be 25 feet; where the lot abuts an MF District or multifamily use, the yard shall be 10 feet; where the lot abuts a single

or two-family dwelling, the yard shall be 15 feet with a greenbelt to provide screening for the adjacent residential property. Lots abutting any other district or use shall have no side or rear yard requirement.

- iii. Maximum building height: 60 feet and 6 stories for multifamily uses; no limitation on other uses.
- iv. Net Density: For multifamily dwellings, this shall be determined by the Commission; no limitations on other uses.
- v. Maximum ground coverage: 50% for multifamily uses; no limitation for other uses.
- vi. Other requirements, Where parking occupies part of the front yard, a landscaping plan shall be approved by the Zoning Administrator or Planning Commission.

I-1 LIMITED IMPACT INDUSTRIAL DISTRICT

The purpose of this district is to create and preserve areas where manufacturing and industrial uses which evidence no or very low nuisance characteristics may locate. The uses permitted are such that they will not have an undesirable or detrimental effect (including noise, odor, smoke, aesthetics, etc.) on adjacent residential or business districts. Nonindustrial uses which support or are adjuncts to industrial uses and are compatible with such uses are permitted within the district, particularly administrative, sales and service uses.

1. Permitted Uses.

- a. Industrial equipment sales and rentals, business equipment sales and services, research services and industrial administrative services.
- b. Warehouses and mini-warehouses, wholesale facilities, recycling centers, light manufacturing, construction trades, lumberyards and building materials, printing and publishing, industrial crafts, bakeries, storage and transfer facilities, motor freight garages, food processing, gasoline service stations, minor and major automotive repair.
- c. Uses similar in nature to the above uses.
- d. Accessory uses as regulated by Chapter 2, General Regulations.
- e. Automobile parking spaces as regulated by Chapter 8, Off-Street Parking Regulations.
- f. Publicly-owned buildings and public utility buildings, transformer stations, substations and transformer yards.

2. Conditionally Permitted Uses:

- a. Eating and drinking establishments, public parks, indoor and outdoor recreational facilities, private swimming pools, private recreational areas, golf courses, outdoor tennis clubs and community or neighborhood recreation centers, and commercial recreation facilities whose principal activity is located within an enclosed building such as: bowling alleys, billiard halls, skating rinks, tennis and racquetball courts, health spas, fitness centers, video arcades and similar activities, including baseball, football, and soccer facilities, all being subject to the site plan approval by the Planning Commission.

- b. All uses under B-2 General Business District or Codified Ordinance Section 1167.06(c) ** shall be conditionally permitted in the I-1 Industrial District.

3. Area. Height and Bulk Regulations

- a. Minimum lot area: 20,000 sq. ft.
- b. Minimum lot width (frontage): 100 ft.
- c. Minimum yard requirements (setbacks):
 - i. Front Yard Setback: 50 ft.
 - ii. Side and rear yards: any side or rear yard abutting any district other than R-1, R-2 or MF shall be a minimum of ten feet and meet all applicable provisions of the Ohio Basic Building Code. Any side or rear yard abutting an R-1, R-2 or MF District, or a single, two-family, multifamily or townhouse dwelling shall be a minimum of 100 feet.
 - iii. Maximum building height: 50 feet
 - iv. Other requirements, Parking is permitted to occupy part of any required front yard subject to site plan and landscaping plan approval by the Commission. Outdoor storage or activity areas shall be enclosed on all sides by an obscuring fence or wall at least six feet high.

I-2 GENERAL IMPACT INDUSTRIAL DISTRICT

The purpose of the I-2 District is to create and preserve areas where a full range of industrial uses with moderate to high nuisance characteristics may locate. Typically, these uses would be found at locations where large land acreages are available and where the impacts associated with unsightliness, noise, odor and traffic, and the hazards associated with certain industrial uses would not have an impact on residential or commercial areas.

1. Permitted Uses.

- a. All uses permitted in I-1 Limited Impact Industrial District or Codified Ordinance Section 1167.08(b) **.
- b. Automobile assembly and automobile tire manufacturing.
- c. Boiler shops, machine shops, structural steel, fabricating shops and metal working shops.
- d. Brewing or distilling of liquors.
- e. Brick, pottery and tile manufacturing.
- f. Cement, bituminous or asphaltic concrete mixing
- g. Coal and coke yards.
- h. Enameling or lacquering.
- i. Flour or grain mills
- j. Forge or foundry works.
- k. Linoleum, oil cloth or oil goods manufacturing.
- l. Meat packing, excluding the slaughtering of animals

- m. Paper, paperboard and pulp manufacturing.
 - n. Pickle, sauerkraut or sausage manufacturing.
 - o. Sewage disposal plants.
 - p. Stream plants.
 - q. Tool die, stamping and metal fabricating. Wire or rod drawing, nut, screw or bolt manufacturing.
 - r. Vinegar and yeast manufacturing.
 - s. Liquid and bottled gas manufacturing.
 - t. Plastics and synthetic resin operations.
 - u. Chemical and allied products.
 - v. Scrap metal storage and processing for manufacturing purposes on the same premises.
 - w. Automobile wrecking.
 - x. Accessory uses as regulated by Chapter 2, General Regulations.
 - y. Automobile parking spaces as regulated by Chapter 8, Off-Street Parking Regulations.
2. Conditionally Permitted Uses:
- a. Eating and drinking establishments, public parks, indoor and outdoor recreational facilities, private swimming pools, private recreational areas, golf courses, outdoor tennis clubs and community or neighborhood recreation centers, commercial recreation facilities whose principal activity is located within an enclosed building such as: bowling alleys, billiard halls, skating rinks, tennis and racquetball courts, health spas, fitness centers, video arcades and similar activities, including baseball, football, and soccer facilities, and correctional facilities subject to the conditions in Section 1183.03(m), all being subject to the site plan approval by the Planning Commission.
 - b. All uses conditionally permitted under I-1 Limited Impact Industrial District or Codified Ordinance Section 1167.08(b) ** shall be conditionally permitted in the 1-2 General Impact Industrial District.
3. Area. Height and Bulk Regulations
- a. Minimum lot area: 20,000 sq. ft.
 - b. Minimum lot width (frontage): 100 ft.
 - c. Minimum yard requirements (setbacks):
 - i. Front Yard Setback: 50 ft.
 - ii. Side and rear yards: Any side or rear yard abutting any district other than R-1, R-2 or MF shall be a minimum of 10 feet and meet all applicable provisions of the Ohio Basic Building Code. Any side or rear yard abutting an R-1, R-2 or MF District, or a single; two-family, multifamily or townhouse dwelling shall be a minimum of 150 feet.
 - iii. Maximum building height: 100 feet
 - iv. Other requirements, Parking is permitted to occupy part of any required front yard subject to site plan and landscaping plan approval by the Commission. Outdoor storage or activity areas shall be enclosed on all sides by an obscuring fence or wall at least six feet high.

SPECIAL ZONING DISTRICTS **

The Special Zoning District regulations are established in recognition of the fact that there are special uses which should be accommodated in the community but which, due to their nature, are not entirely compatible with uses permitted in the standard districts. The Special Zoning Districts also meet the needs of the Mansfield community for health services and affordable alternative housing, and promote the desirable goal of preserving the City's historical and cultural resources.

MH MOBILE HOME PARK DISTRICT

The MH Mobile Home Park District is established in order to provide alternative low cost housing to City residents and in recognition that mobile homes are of such a nature as to warrant individual consideration and regulations due to the unique demands they place upon the public health and welfare, and the requirements of location and development that generally are peculiar to these uses. It is the intent of this section to allow mobile homes to be suitably located and developed in unified areas having all necessary services and facilities comprehensively provided in accordance with a predetermined site plan. To this end, the site development and landscape design principles of this district, together with the provision of associated park and recreational facilities shall be an important consideration in achieving an attractive residential environment of sustained desirability that will promote stability, order and efficiency of the residential area.

1. Permitted Uses, Mobile home park developments developed in accordance with the following regulations and subject further to the review and approval of a site plan by the Planning Commission.
 - a. The mobile home park shall provide a twelve foot wide open space together with a six foot high greenbelt on those side or rear yards of the mobile home park which abut onto an R-1, R-2, MF, OS, B-1 or B-2 District. The greenbelt shall be a continuous, year around obscuring screen.
 - b. Access from mobile home parks to the nearest public thoroughfare shall be by means of a public right of way of not less than sixty feet in width. No access shall be permitted through an R-Residential District or MF Multi-Family District.
 - c. An adequate road and walkway system shall be provided through the park to serve each mobile home stand. Four-foot wide sidewalks shall be provided on each side of a road unless an internal sidewalk or walkway system is provided. The road and walkway systems shall be constructed in accordance with the improvement specifications of the Subdivision Regulations.
 - d. Each mobile home stand shall be served by a centralized sewer and water facility of the type approved by the State Department of Health.
 - e. Each mobile home stand shall be furnished with electrical power.
 - f. Each mobile home stand shall be equipped with individual trash receptacles adequately protected from spillage. The owner of the mobile home park shall be responsible for furnishing each lot with trash receptacles.

- g. The mobile home park shall further comply with any other County and State Health Department regulations and any other ordinances of the City.
 - h. Sufficient space shall be provided on the mobile home park site for the storage of mobile homes vacated for more than a thirty-day period, except due to temporary leave of absence. The storage area shall be provided with an obscuring screen. The area used for the storage of mobile homes shall be exclusive of any parks, public spaces or rights of way on interior roads and such space shall not be used for the sale or service of mobile homes.
 - i. A centralized radio or television tower, cable and/or satellite receiver shall be provided to service all of the mobile home units in the mobile home park development. Such tower or receiver shall be located at one corner of the parcel and shall be located at least twenty-five feet away from any lot line.
 - j. The occupant of each mobile home unit shall provide a continuous opaque skirting consisting of nonflammable material around the entire base of the mobile home. The skirting shall extend from the base of the mobile home unit to the finished grade of the mobile home stand.
 - k. Whenever possible, storage buildings shall be located away from the patio side of an adjoining mobile home unit.
 - l. Mobile home parks consisting of twenty acres or more shall provide minimum open space for recreational purposes equivalent to three percent (3%) of the net site area.
 - m. An office for the purpose of serving mobile home park tenants and selling/leasing mobile homes.
 - n. Accessory uses as regulated by Chapter 2, General Regulations.
 - o. Automobile parking spaces as regulated by Chapter 8, Off-Street Parking Regulations.
2. Conditionally Permitted Uses:
- a. All uses first conditionally permitted under the R-1 District shall be conditionally permitted in the MH District, subject to the conditions listed in R-1 Residential District or Codified Ordinance Section 1167.01(c)** and in Chapter 4 Conditionally Permitted Uses.
 - b. Convenience grocery stores and laundries intended to serve only residents of the mobile home park, subject to site plan approval by the Planning Commission.
3. Lot Regulations:
- a. Minimum lot area: 6,000 sq. ft.
 - b. Minimum lot width (frontage): 60 ft.
 - c. Minimum yard requirements (setbacks):
 - i. Front Yard Setback: 20 ft.
 - ii. Rear Yard Setback: 20 ft.
 - iii. Side Yard Setback: 15 ft.
 - d. Maximum building height: 25 feet and 2 stories
 - e. Net density: 7.0 dwelling units per acre
 - f. Minimum floor area: 600 sq. ft.

MH/R MOBILE HOME RESIDENTIAL DISTRICT

This district is established for the purpose of allowing mobile homes on individual lots or parcels of land, particularly in areas of the City where a substantial number of mobile homes already exist, and where additional mobile homes would not be detrimental to the character of the neighborhood. The intent of the district is to provide for a mixture of residential uses, including mobile homes.

1. Permitted Uses,
 - a. Any use permitted in the MF Multi-Family Residential District.
 - b. Mobile homes certified as meeting the Mobile Home Construction and Safety Standards of the Department of Housing and Urban Development, and constructed after 1978, located on an approved visible permanent foundation, with all wheels, hitches and chassis removed. Foundation and anchoring plans shall be submitted to, and approved by the Mansfield-Richland County Building Department. Each mobile home shall be properly connected to City water and sewer lines whenever feasible.
2. Conditionally Permitted Uses:
 - a. All uses conditionally permitted in the MF Multi-Family Residential District shall be conditionally permitted in the MH/R District, subject to the conditions listed in Multi-family District or Codified Ordinance Section 1167.03(c) and in Chapter 4 Conditionally Permitted Uses.
3. Lot Regulations:
 - c. One and Two-Family Dwellings
 - i. Minimum lot area: 7,000 sq. ft.
 - ii. Minimum lot width (frontage): 60 ft.
 - iii. Minimum yard requirements (setbacks):
 1. Front Yard Setback: 25 ft.
 2. Rear Yard Setback: 25 ft.
 3. Side Yard Setback: 5 ft.
 - iv. Maximum building height: 25 feet and 2 stories
 - v. Net density: 9.0 dwelling units per acre
 - vi. Maximum ground coverage: 50%
 - d. Multifamily and Townhouse Dwellings:
 - i. Minimum lot area: 10,000 sq. ft.
 - ii. Minimum lot width (frontage): 60 ft.
 - vi. Minimum yard requirements (setbacks):
 1. Front Yard Setback: 25 ft.
 2. Rear Yard Setback: 25 ft.
 3. Side Yard Setback: 5 ft. and 12ft for 3 – 6 story buildings.
 - vii. Maximum building height: 25 feet and 2 stories; except for multifamily dwellings over 25 feet and 2 stories to a maximum of 60 feet and 6 stories as a conditionally permitted use.

- viii. Net density: Townhouse - 18.0 dwelling units per acre multifamily - 27.0 dwelling units per acre.
- ix. Maximum ground coverage: 50%
- x. Other requirements:
 - 1. The minimum distance between any two buildings shall be equal to the average height of the two buildings, but in no case shall be less than 25 feet.
 - 2. Whenever the side or rear yard of a townhouse or multifamily dwelling abuts an R-1 or R-2 District, the minimum side yard shall be at least 25 feet and the minimum rear yard at least 35 feet.

HS HEALTH SERVICES DISTRICT

The purpose of this district is to provide for an area in the City where a full range of health services and related uses are encouraged to develop and expand, and where greater efficiencies are achieved through the development of uses which are logically located in proximity to a hospital.

- 1. Permitted Uses,
 - a. Institutions for medical care, doctors' and physicians' offices, dentists' offices, hospitals, clinics, nursing homes, subject to site plan approval by the Planning Commission.
 - b. Dormitories for persons employed in the medical profession, subject to site plan approval by the Commission.
 - c. Multifamily and townhouse dwellings with a maximum height of 25 feet and 2 stories.
 - d. Accessory uses as regulated by Chapter 2, General Regulations.
 - e. Automobile parking spaces and loading areas as regulated by Chapter 8, Off-Street Parking Regulations.
- 2. Conditionally Permitted Uses:
 - a. Drugstores not exceeding 3,000 square feet in useable floor area and subject to site plan approval by the Commission.
 - b. Florists' shops subject to site plan approval by the Commission.
 - c. Publicly-owned and operated buildings subject to site plan approval by the Commission.
 - d. Multifamily dwellings having a height of more than 25 feet and more than 2 stories with a maximum height of 60 feet and 6 stories subject to the procedures of Chapter 4 Conditionally Permitted Uses and subject to a site plan approval by the Commission.
- 3. Lot Regulations:
 - a. Multifamily and townhouse dwellings shall meet the regulations of Multi-family District or Codified Ordinance Section 1167.03(d)** for multifamily and townhouse dwellings.
 - b. Nonresidential uses, including dormitories:
 - i. Minimum lot area: 10,000 sq. ft.
 - ii. Minimum lot width (frontage): 60 ft.
 - iii. Minimum yard requirements (setbacks):
 - 1. Front Yard Setback: 25 ft.

2. Rear Yard Setback: 25 ft., except where the rear lot line abuts an R-1 or R-2 District or a single or two-family dwelling, in which case the rear yard shall be 35 feet.
3. Side Yard Setback: 10 feet except where the lot abuts an R-1 or R-2 District, or a single or two-family dwelling, in which case the side yard so abutting shall be 20 feet.
- iv. Maximum building height: 60 feet and 6 stories. Any building exceeding 2 stories shall provide an additional 10 feet of front, side and rear yard setback for each additional story.
- v. Maximum ground coverage: 50%
- vi. Other requirements: Where parking occupies part of the front yard, a landscaping plan shall be approved by the Zoning Administrator or the Commission.

A AIRPORT DEVELOPMENT DISTRICT

The purpose of this district is to provide for and encourage the development of land at, and surrounding, Mansfield Lahm Airport, and to promote the development of appropriate land uses which would complement the airport and/or which could utilize the availability of airport services.

1. Permitted Uses,
 - a. Air passenger and freight terminal buildings.
 - b. Air national defense installations.
 - c. Air maintenance and repair installations when conducted wholly within a completely enclosed building.
 - d. Air control and weather facilities.
 - e. Hangar and aircraft parking facilities.
 - f. Public parks, public recreational facilities and publicly-owned and operated buildings.
2. Conditionally Permitted Uses
 - a. Restaurants and private clubs subject to the review and approval of the Airport Commission.
 - b. Motels and hotels subject to the review and approval of the Commission and subject to the following conditions:
 - i. Ingress and egress shall be provided so as not to conflict or adversely interfere with the traffic flow of interior or bordering roads serving the main uses or structures of the site.
 - ii. Each unit shall contain at least 200 square feet of floor area.
 - c. Any use with a principal function of basic research, design and pilot or experimental product development of aircraft or aircraft parts when conducted within a completely enclosed building. The proposed use shall further be subject to the review and approval of the Commission.
 - d. Any use listed as a permitted use under the I-1 Limited Impact Industrial District subject to the review and approval of the Commission. This review and approval of the

Commission is required only with respect to new structures, or to determine whether a potential user could adversely affect the usage or safety of the airport.

3. Lot Regulations:

- c. Maximum building height. The height regulations of the Airport District shall be regulated by the existing Mansfield Lahm Municipal Airport Zoning Resolution as adopted by the Richland County Commissioners.
- d. Minimum yard requirements:
 - i. Front yard: 50 feet
 - ii. Side and rear yards: Shall be equal to or exceed the average height of the various heights of the building masses. All side and rear yards abutting a residential district shall be provided with an open space of at least 100 feet in width. An eight-foot high obscuring fence or bufferyard shall be provided along those side and rear lot lines abutting a residential district.

PLANNED DEVELOPMENT DISTRICTS **

- 1. It shall be the policy of the City to promote progressive development of land and construction thereon by encouraging planned unit development to achieve:
- 2. A maximum choice of living environments by allowing a variety of housing and building types and permitting an increased density per acre and a reduction in lot dimensions, yards, building setbacks and area requirements;
- 3. A more useful pattern of open space and recreation areas and, if permitted as part of the project, more convenience in the location of accessory commercial uses and services;
- 4. A development pattern which preserves and utilizes natural topography and geologic features, scenic vistas, trees and other vegetation, and prevents the disruption of natural drainage patterns;
- 5. A more efficient use of land than is generally achieved through conventional development resulting in substantial savings through shorter utilities and streets;
- 6. A development pattern in harmony with land use density, transportation facilities and community facilities objectives of the comprehensive plan.

The City is also prepared to accept a greater population density in undeveloped areas than that reflected by present zoning provided the developer can demonstrate that any increment of public cost clearly attributable to increased densities shall be compensated for by the private amenities and public benefits to be achieved by the plan of development.

PLANNED OVERLAY DISTRICTS **

- 1. This chapter establishes a planning overlay which provides the means to incorporate in the Zoning Code development standards designed to implement Council-approved plans for special areas. Overlay standards and standards extracted from such approved plans, may increase, decrease or add conditions to the minimum development standards of the underlying district, but shall not include additions or deletions to permitted uses within such district.

2. The planning overlay provides a formalized method for implementing acceptable community plans through specialized standards intended to achieve physical development objectives in certain areas of the City. Such objectives transcend single parcel ownership and land use district boundaries and represent a need to establish, maintain, or change the character of development in a planning area.

CULTIVATION, PROCESSING, OR RETAIL DISPENSING OF MEDICAL MARIJUANA PROHIBITED IN ALL DISTRICTS.

1. Lot Regulations the cultivation, processing, or retail dispensing of medical marijuana shall be a prohibited use in all zoning districts within the City of Mansfield.
2. Use of property in violation of this Section shall constitute a nuisance.
3. In addition to other penalties provided by law, the Director of Law shall be authorized to institute civil proceedings in a court of competent jurisdiction to enjoin violations of this Section; for monetary damages arising from violations of this Section; and to take all actions necessary to secure enforcement of any injunction and collect upon any damage award, judgment, or fine in contempt levied in relation to a violation of this Section.

HISTORIC PRESERVATION **

To establish procedures whereby certain areas, places, sites, buildings, structures, objects and works of art shall be allowed that measure of protection afforded by a thorough study of alternatives to incompatible alterations or demolition before such acts are performed, so that the following objectives are reached:

1. Establishing a Historical Preservation Commission
2. Established duties of the Historical preservation Commission
3. Designating a Historical District or Listed Properties.
 - a. Sherman's Estate Historic District
 - b. The Boulevards Historic District
 - c. Central Park Historic District
4. Establishing Limitation on issuance of buildings and or demolitions.
5. Providing Certificates of Approval.
6. Establishing Permitted Uses
7. Establishing Penalties

GENERAL REGULATIONS

1. **ACCESSORY BUILDINGS AND USES:** Accessory buildings and uses as permitted in this Zoning Ordinance shall be subject to the following conditions:
 - a. An accessory building or structure attached to the principal building shall comply with the requirements of this Ordinance applicable to the principal building.
 - b. Detached accessory buildings shall not be located within any required side or front yard established for setback purposes.
 - c. Detached accessory buildings located within the rear yard shall not be less than eight feet from any side or rear lot line.
 - d. Within an R-1, R-2 or MF District, no accessory building shall exceed one story or twenty feet in height.
 - e. Accessory buildings located on a corner lot shall not be permitted to project beyond the minimum front yard depth facing both streets.
2. **TEMPORARY BUILDINGS AND STRUCTURES:** Temporary buildings for uses incidental to construction work shall be permitted for a period not to exceed eighteen months. Such temporary buildings shall be removed on order of the Zoning Administrator.
3. **PLANT MATERIALS:** Whenever, in this Zoning Ordinance, a buffer-yard with landscaping (greenbelt) is required, it shall be planted within one year from the date of issuance of a zoning certificate and shall reach a height of six feet within two years (unless a different height is stipulated) and shall thereafter be maintained in such a way as to provide a permanent screen to abutting properties. Screen materials shall not be planted within fifteen inches of a property line. Where plant materials are to be planted in two or more rows, they shall be staggered. All plant materials shall be properly cared for, maintained and replaced when necessary.
4. **FENCES AND SCREENING DEVICES**
 - a. Fences are permitted in any R, MF, OS, MH or MH/R District subject to the following conditions:
 - i. Fences shall not exceed six feet in height, measured from the surface of the ground.
 - ii. Fences may extend alongside lot lines beyond the front of the principal building, provided they do not extend into the right of way.
 - iii. Fences or parts of fences extending beyond the front of a principal building shall not exceed four feet in height and shall not obscure the view from adjacent properties.
 - iv. Fences may extend across any front yard parallel to the principal building provided they are not located within the right of way and that there is at least one permanent opening with a minimum width of four feet to provide emergency access to the building.
 - v. All fences shall comply with the requirements of Chapter 2, General Regulations, as it applies to fence installation and materials, but in no instance shall a fence contain barbed wire, electric current or a charge of electricity.

- vi. All fences and walls shall be constructed of materials approved by the Zoning Administrator as durable, weather resistant, rustproof and aesthetically pleasing.
- b. Permitted fences:
 - i. Open ornamental fence - Definition: A fence usually made of wood, constructed for its beauty or decorative effect and, when viewed at right angles, having not less than fifty percent (50%) of the area of its vertical plane, the area within a rectangular outline enclosing all parts of the fence in its plane, open to light and air. Permitted open ornamental fences are:
 - 1. "Rail" or "split rail fence" constructed of narrow, whole or split, wooden timbers placed horizontally between upright supporting posts.
 - 2. "Picket fence" means an open fence made of upright poles or slats.
 - ii. Privacy fence - Definition: A fence made to inhibit public view and provide seclusion and when viewed at right angles, having more than fifty percent (50%) of the area of its vertical plane, the area within a rectangular outline enclosing all parts of the fence in its vertical plane, closed to light or air. Permitted privacy fences are:
 - 1. "Basket weave" or "woven fence" means a fence made of interwoven strips or slats of flexible or semi-flexible material in which the pattern has the appearance of a plaited basket.
 - 2. "Louver" or "ventilating fence" means a fence made of a series of slats placed at an angle or positioned so as to provide air but to deflect light perpendicular to its vertical plane.
 - iii. Chain link fence - Definition: A fence usually made of metal consisting of loops or wire interconnected in a series of joined links.
 - iv. Stockade fence or palisade fence - Definition: A fence constructed with a row of large pointed stakes placed upright against each other having more than fifty percent (50%) of the area of its vertical plane closed to light or air.
- c. In any MF, OS, B, CB, HS or I District, any nonresidential or multifamily use shall provide an obscuring fence, wall or greenbelt in accordance with the following conditions:
 - i. The minimum height shall be six feet and the maximum height shall be eight feet.
 - ii. A fence or wall may extend beyond the front of the principal building or structure, provided it does not exceed four feet in height.
 - iii. Required fences or walls shall be located as close as possible to the property line except where such fence or wall interferes with underground utilities or surface water drainage conditions.
 - iv. Fences may extend across any front yard parallel to the principal building, provided they are not located within the right of way and that there is at least one permanent opening with a minimum width of four feet to provide emergency access to the building.

- v. All fences and walls shall be constructed of materials approved by the Zoning Administrator as durable, weather resistant, rustproof and easily maintained.
 - d. Permit Required. No person shall erect any fence or screening device without first obtaining a building permit and paying the required fee of thirty dollars (\$30.00) for said permit.
- 5. CORNER LOTS.
 - a. Corner lots in all districts shall be considered as having two front yards facing both streets. Corner lots shall be required to provide one front yard having the full depth generally required for that district with such full yard being the one which the front of the principal building faces.
 - b. The other front yard on a corner lot may be reduced up to thirty percent (30%) below that stated as the minimum front yard setback generally required in that district.
- 6. CORNER CLEARANCE
 - a. No structure, fence, wall, landscaping or any other obstruction to vision above a height of two and one-half feet from the established street grade shall be permitted within the triangle area at the intersection of any two street or alley right-of-way lines formed by a straight line drawn between such right-of-way lines at a distance along each line of fifteen feet measured from their point of intersection.
- 7. PRINCIPAL BUILDING
 - a. No more than one principal building shall be permitted on any lot within any R-1 or R-2 Residential District.
- 8. LOTS, YARDS AND OPEN SPACES
 - a. No space which, for the proposed building or dwelling group, has been counted or calculated as part of a side yard, rear yard, front yard or other open space required by this Zoning Ordinance may, by reason of change in ownership or otherwise, be counted or calculated to satisfy the yard or open space requirements of or for any other buildings. Parking of vehicles, trailers or motorcycles is prohibited in any front or side yard or front or side setback space or distance as defined in Codified Ordinance 1153.03.
- 9. PUBLIC AND PRIVATE ACCESS REQUIREMENTS
 - a. Every dwelling shall be located on a lot having frontage on a public or private street. In all new developments, public and private streets shall be in accordance with the minimum improvement standards set forth in the Subdivision Regulations.
- 10. APPROVAL OF SUBDIVISION PLATS
 - a. No proposed plat of a new subdivision shall hereafter be approved unless the lots within such plat equal or exceed the minimum lot area and width requirements set forth in the appropriate district of this Zoning Ordinance.

11. SIGN REGULATIONS

- a. All signs hereinafter erected shall comply with the Sign Ordinance of the City of Mansfield as it applies to location, size, use, height of structures, and setback from street right-of-way lines and lighting of signs.

12. DRAINAGE CHANNELS

- a. Drainage channels that exist within the City are essential for the maintenance of the health and general welfare of the people. Any encroachment upon or destruction of channels is a violation of this Zoning Ordinance. In order to provide for the proper development of property, the City Engineer shall decide what facilities are adequate to maintain the primary purpose of the drainage channel.

13. STORMWATER MANAGEMENT

- a. Any individual proposing to develop land for any purpose (other than a single lot for one-or two-family dwelling purposes) shall submit a storm water management plan for the City Engineer's review and approval prior to receiving a building permit or zoning certificate.

14. DISH ANTENNAS

- a. Dish antennas or similar satellite receiving stations used for reception of communication signals are permitted uses in any district as accessory structures as long as the distribution of signals is limited to receivers located on the same parcel or within the same project as the antenna. Dish antennas may only be located on the principal building or in the rear yard and shall meet all setback requirements for accessory structures.

15. PROHIBITED USES

- a. Any use not expressly or implicitly permitted in this Zoning Ordinance shall be prohibited, unless approved by the Planning Commission under the appeal procedure

16. INCONSISTENCIES

- a. In the event any of the requirements or regulatory provisions of this Zoning Ordinance are found to be inconsistent with one another, the more restrictive requirements shall be deemed in each case to be applicable.

AREA, YARD, HEIGHT AND USE EXCEPTIONS

The regulations and provisions of this Zoning Ordinance shall be subject to the following exceptions:

1. Permitted Height Exceptions:
 - a. No building shall be erected, converted, enlarged, reconstructed or structurally altered to exceed the height limit hereinafter established for the district in which the building is located, except that penthouses or roof structures for the housing of elevators, stairways, tanks, ventilating fans or similar equipment required to operate and maintain a building, and fire or parapet walls, skylights, towers, steeples, stage lofts and screens, flagpoles, chimneys, radio and television aerials, smokestacks, wireless masts, water tanks, windmills and similar structures may be erected above the maximum height limits established herein.
 - b. No such structure shall occupy more than twenty-five percent (25%) of the total roof area of the building or be used for dwelling purposes.
2. Essential Services. Essential services shall be permitted as authorized and regulated by any law of the State and other City ordinances, it being the intent of this Ordinance to exempt such essential services from the application of this Ordinance.
3. Agriculture. The use of any land, consisting of at least five acres for agricultural purposes or the construction or use for agricultural purposes of buildings or structures located on such land, shall be permitted in any zoning district and no zoning certificate shall be required for any such building or structure.
4. Dwelling Quarters in Nonresidential Districts. Within any nonresidential district, sleeping quarters of a watchman or caretaker may be permitted, providing such quarters are made a part and are attached as part of the main building or structure.
5. Projections into Yards.
 - a. Open, unenclosed and uncovered porches or paved terraces may project not more than ten feet within the minimum front or rear yard setback, but this shall not be interpreted to include or permit fixed canopies.
 - b. On a corner lot, such porches or terraces may not project into any front yard which has been reduced in accordance with Chapter 2, General Regulations.**
6. Voting Place. The provisions of this Ordinance shall not be construed so as to prohibit the temporary use of any property as a voting place in connection with a public election.
7. Access ways. For the purposes of this Ordinance, any walk, terrace or other pavement surfacing, including driveways providing access to rear yards or accessory structures, and not in excess of ten inches above the finished grade, shall not be considered to be a structure and shall be permitted in any required yard.
8. Established Setback Lines in Residential Districts.
 - a. In any residential district, where a uniform front yard setback line has been established or observed on one side of a street within one block or for a distance of 600 feet on both sides of a lot in question, by at least fifty percent (50%) of all property, according to front footage, and such established setback is more than that required by the Ordinance for that district, then no building construction or alteration shall extend beyond the established setback line.

- b. When the established setback line is less than required by the Ordinance, the Zoning Administrator may permit the construction or alteration to extend to the established setback line.
9. Construction. Nothing in this Ordinance shall be deemed to require any change in the plans, construction or designated use of any building upon which actual construction was lawfully begun prior to the adoption of this Ordinance, and upon which actual construction has been diligently carried on and provided further that such building shall be completed within one year from the date of passage of this Ordinance.
10. Railroad Rights of Way. For the purposes of this Ordinance, railroad rights of way shall be permitted as authorized and regulated by State and Federal laws, it being the intent of this section to exempt railroad rights of way from the application of this Ordinance. Buildings and structures intended to be constructed within railroad rights of way shall comply with the use, area and height regulations of the district in which they are located. Spur tracks shall be extended from the existing railroad right of way to adjacent industrial districts only when they are totally within an industrial district.
11. Exception to Yard Requirements. The yard requirements set forth in this Ordinance shall not apply to dwellings located above or as a part of commercial buildings.
12. Exception for One- and Two-Family Dwellings. Nothing in this Ordinance shall prohibit an existing one- or two-family dwelling from being altered, enlarged or reconstructed, regardless of the zoning district in which it is located, provided that a nonconforming structure does not have an increase in nonconformity. In addition, the Planning Commission shall have the power to permit the construction of a one- or two-family dwelling in any district, provided the character of the area is conducive to residential development and it will not adversely affect any surrounding business or industrial property.
13. Home Occupation in Residential Units. Regardless of the zoning district in which a dwelling unit is located, the occupant of that unit shall be permitted to have a home occupation as a conditionally permitted use in accordance with Chapter 4 Conditionally Permitted Uses.

CONDITIONALLY PERMITTED USES

The purpose of this chapter is to provide for a more detailed consideration of certain specified uses or activities with regard to their location, design, size, operation, intensity of use, generation of traffic, ingress and egress, compatibility with permitted uses and other factors. Uses possessing these unique characteristics are designated as conditionally permitted uses and are permitted through the issuance of a conditional zoning certificate with such conditions and safeguards attached as may be deemed necessary for the protection of the public safety and welfare.

1. Procedure:

- a. Application to Zoning Administrator, An application for a conditional zoning certificate shall be made to the Zoning Administrator on a special form provided for this purpose. An application fee as provided in Codified Ordinance Section [1155.04](#)** shall be submitted with the application.
- b. Data Required With Application. A site plan, plot plan or development plan of the entire property drawn at a scale of 1":20', and showing the location of all abutting streets, the location of all existing and proposed parking, landscaping, lot dimensions and points of ingress and egress.
- c. Site Plan Review. Whenever required by this Zoning Ordinance, the site plan shall be reviewed by the Planning Commission before a conditional zoning certificate is issued by the Zoning Administrator. Unless required by this Ordinance, the Zoning Administrator may review the site plan without submittal to the Commission and upon determination that all requirements have been met, shall issue the conditional zoning certificate. The Zoning Administrator, at his option, may submit the site plan to the Commission for its review and upon order of the Commission, shall then issue the certificate.
- d. Revocation of Conditional Zoning Certificates. The breach of any safeguard, condition or requirement of the Ordinance, Planning Commission or Zoning Administrator, shall constitute a violation of the Ordinance, and the Zoning Administrator may revoke such certificate.

2. CONDITIONAL ZONING REQUIREMENTS

- a. Intent. It is the intent of this section to permit certain home occupations as accessory uses in dwelling units, so long as they are clearly incidental and secondary to the use of the dwelling for residential purposes and do not change the character thereof or adversely affect the uses in the residential neighborhood of which they are a part. In general, a home occupation is an accessory use located and conducted so that the average neighbor, under normal circumstances, would not be aware of its existence.
- b. Permit exemption. Home occupations may be established without the resident obtaining a conditional zoning certificate.
- c. Permitted home occupation.
 - i. The following list of permitted home occupations is illustrative of the type and scale of use which can normally be conducted within the limits of the restrictions established in this section; however, there may be similar uses not specifically listed which meet the intent and regulations of this section, in which case they may be permitted at the discretion of the Zoning Administrator. Uses

on this list which do not comply with all regulations of this section shall not be permitted.

1. Artists, sculptors, photographers and home crafts, such as model making, rug weaving, lapidary work, wood working, artistic glass and metal work, pottery and ceramics.
 2. Authors, composers and musicians.
 3. Clerical and other similar business services.
 4. Dressmaking, millinery, seamstresses, tailoring, laundering, preserving and home cooking.
 5. State licensed "Type A" and "Type B" family day-care and baby-sitting services.
 6. Instruction in music, dance or other type of teaching, providing such teaching or instruction shall be limited to four pupils at a time.
 7. The office of a minister, rabbi, priest, sales representative, manufacturer's representative, accountant, architect, broker, consultant, contractor, engineer, insurance agent, lawyer, realtor or similar professional, provided that such home occupations do not involve the presence of more than one client vehicle at a time.
 8. The repair of small electrical appliances, typewriters, cameras or other similar small mechanical items.
- ii. The following list is illustrative of uses or scales of operation which are generally beyond the limits permitted for home occupations and therefore would normally be prohibited as home occupations.
1. Medical, dental or veterinary clinics and offices.
 2. Music, business, dancing, exercise, art or martial arts schools.
 3. Restaurants, taverns, or private clubs.
 4. Automobile, vehicle, lawn mower, trailer or boat repair; painting, sales or rental.
 5. Major appliance or large equipment repair.
 6. Upholstering and furniture refinishing.
 7. Retail antique or gift shops.
 8. Tourist homes or rooming houses.
 9. Retail or wholesale distribution or sales of household goods or food products.
 10. Barber and beauty shops.
- d. Performance standards for home occupations.
- i. No persons other than family members residing on the premises shall be employed in the home occupation.
 - ii. The home occupation shall occupy no more than twenty-five percent (25%) of the total floor area of the dwelling unit.
 - iii. There shall be no exterior evidence of the conduct of the home occupation, except outdoor play space for child care.

- iv. There shall be no structural modifications of the residence or garage, such as a separate entrance, or construction of accessory structures not customarily residential in nature.
 - v. There shall be no exterior storage of goods, equipment or materials, and no emission of glare, noises, sounds, odors or vibrations.
 - vi. There shall be no interference with radio or television receivers or fluctuation in line voltage caused by the operation of electrical or mechanical equipment.
 - vii. There shall be no more than one sign on the premises and it shall not exceed two square feet and shall be attached to the dwelling.
 - viii. There shall be no paving or modification of the front yard for parking purposes other than the customary space used for a driveway.
 - ix. Traffic generated by a home occupation shall not exceed on any continual basis the average volume normally expected for a residence in a residential neighborhood, which for the purposes of this section, means up to ten trips per day
 - x. An attached or detached garage may be used for the home occupation provided no modifications are made to the garage and that the garage can at all times accommodate the number of vehicles for which it was designed.
 - xi. There shall be no retail or wholesale sales of goods on the premises, except for those goods which are produced on the premises.
- e. Churches and Other Building for the Purpose of Religious Worship; Libraries and Museums.
- i. All structures shall be located at least thirty feet from all side and rear property lines.
 - ii. Buildings of greater than the maximum height allowed in a given district are permitted provided that front, side and rear yards are increased above the minimum required yard setback by one foot for each foot the building exceeds the maximum height allowed.
 - iii. Wherever the off-street parking is adjacent to land developed for one- or two-family residential purposes, a continuous and obscuring year-round greenbelt six feet in height shall be provided along the sides of the parking area adjacent to the residential development.
 - iv. All points of ingress and egress shall be located no closer than seventy-five feet from the intersection of two major or collector thoroughfares, measured from the street right-of-way line.
 - v. Points of ingress and egress shall be available only from major or collector thoroughfares and shall not be available.
 - vi. Lighting shall not shine directly onto adjacent properties.
- f. Cemeteries as references to Chapter 4 Conditionally Permitted Uses.
- i. All structures and activity areas shall be located at least twenty feet from all property lines.

- ii. All points of ingress and egress shall be located no closer than seventy-five feet from the intersection of two major or collector thoroughfares, measured from the street right-of-way lines.
 - iii. Points of ingress and egress shall be available only from major or collector thoroughfares and shall not be available from any local residential street.
- g. Public and Private Schools.
 - i. All structures shall be located at least thirty feet from side and rear property lines.
 - ii. All points of ingress and egress shall be located no closer than seventy-five feet from the intersection of two major or collector thoroughfares, measured from the street right-of-way lines.
 - iii. A minimum of 150 square feet of outdoor play area shall be provided and maintained for each child, separate from any required parking areas. Total outdoor play space shall have a minimum area of 5,000 square feet.
 - iv. Lighting shall not shine directly onto adjacent properties.
- h. Private Swimming Pools, Private Recreational Areas, Golf Courses, Outdoor Tennis Clubs and Similar Uses
 - i. All structures and activity areas shall be located at least fifty feet from all property lines.
 - ii. All points of ingress and egress shall be located no closer than seventy-five feet from the intersection of two major or collector thoroughfares.
 - iii. Points of ingress and egress shall be available only from major or collector thoroughfares and shall not permit vehicular access from any local residential street, except for pools and recreation areas intended to serve primarily residents of the adjacent properties.
 - iv. Lighting shall in no way impair safe movement of traffic on any street or thoroughfare. Lighting shall be shielded from adjacent properties.
 - v. All parking areas and activity areas adjacent to residential development shall be screened from such development by a six-foot high obscuring fence or landscaping.
 - vi. All front, side and rear yards shall be landscaped in trees, shrubs and grass.
 - vii. Loudspeakers which cause a hazard or annoyance shall not be permitted.
- i. Family Swimming Pools (Recessed or Elevated).
 - i. "Family swimming pool (recessed or elevated)" means an artificial body of water, with a controlled water supply over twenty-four inches in depth or 180 square feet of surface area, used or intended to be used by the owner thereof, his lessees or invitees, without charge.
 - ii. The depth of water therein and irregularities of the bottom shall be clearly indicated.
 - iii. Lighting, if any, shall be so arranged and shaded so as to reflect light away from adjoining properties and streets.

- iv. Commercial undertakings entailing sales of food, drinks or other merchandise within the enclosure of any such pool are prohibited.
 - v. The pool or yard in which it is located shall be completely surrounded by a fence not less than five feet nor more than six feet high to prevent easy access from adjoining properties.
 - vi. The pool shall only be located in the rear yard with all components including deck areas, located at least ten feet from all property lines. No pool shall cover more than ten percent (10%) of the total lot area.
 - vii. Pools which are no longer usable shall be filled in or torn down and removed.
 - viii. Permit fees required. A new building fee of eighty dollars (\$80.00) shall be charged. Miscellaneous electric fees of fifty-five dollars (\$55.00) shall be charged. A zoning inspection fee of forty-five dollars (\$45.00) shall be charged. All fees must be paid prior to pool installation.
- j. Public Utility Structures
- i. All structures and activity areas shall be located at least fifty feet from all property lines.
 - ii. Parking areas shall be screened from adjacent residential properties by a six-foot high obscuring fence or landscaping.
- k. Nursery Schools, Day Nurseries, Day-Care Centers. A minimum of 150 square feet of outdoor play area shall be provided and maintained for each child, separate from any required parking areas. Total outdoor play space shall have a minimum area of 5,000 square feet and shall be screened from any adjoining lot in any residential district by a fence or landscaping.
- l. Gasoline Service Stations and Minor Automotive Repair.
- i. Points of ingress and egress shall be located no less than seventy-five feet from a street intersection, measured from the street right-of-way lines or from adjacent residential districts.
 - ii. The minimum lot area shall be 20,000 square feet and so arranged that ample space is available for motor vehicles which are required to wait.
 - iii. Underground storage tanks shall be located not less than fifty feet from any R or MF District or from the lot line of any adjacent residential or multifamily development.
 - iv. Vehicles shall be stored outside the City right of way.
 - v. All buildings and vehicle storage areas shall be screened from adjacent residential uses by an obscuring fence or greenbelt in accordance with Chapter 2, General Regulations.
 - vi. All repairs shall be done within an enclosed building.
- m. New and Used Auto Sales, Major Automotive Service and Repair.
- i. Lighting shall in no way impair safe movement of traffic on any street or thoroughfare. Lighting shall not shine directly onto adjacent properties.

- ii. The lot shall be provided with a permanent, durable and dustless surface, and shall be graded and drained so as to dispose of all surface water accumulated within the area.
 - iii. Ingress and egress to outdoor sales areas shall be at least seventy-five feet from any street intersection, measured from the street right-of-way lines.
 - iv. No repair or refinishing shall be done outside of enclosed buildings.
 - v. Vehicles shall be stored outside the City right of way.
 - vi. All buildings and vehicle storage areas shall be screened from adjacent residential uses by an obscuring fence or greenbelt in accordance with Sections Chapter 2, General Regulations.
- n. Automotive Car Washes.
- i. All buildings and activity areas shall be located at least fifty feet from all property lines.
 - ii. Points of ingress and egress shall be at least seventy-five feet from any street intersection, measured from the street right-of-way lines.
 - iii. Stacking space shall be provided outside the public right of way for the storage of at least forty motor vehicles.
- o. Light Manufacturing/Assembly in Existing Structures. Upon review of a site plan and an operating plan and approval by a majority of the members of the Planning Commission, an existing structure in a B-2 District may be conditionally permitted for light manufacturing purposes. For purposes of this conditionally permitted use, the term "light manufacturing" means primarily the assembly of products, but little or no manufacturing or processing of raw materials. In determining whether to grant such conditionally permitted use, the Planning Commission shall determine that the use as described in the application shall have no more than a minimum undesirable or detrimental impact upon adjacent properties used for residential or business purposes by reason of noise, odor, smoke, or other effects of such operation. No conditionally permitted uses hereunder shall be allowed unless the following conditions are met:
- i. The use shall be confined to an existing structure.
 - ii. All manufacturing, processing and assembly of products shall be done inside the enclosed structure.
 - iii. The application shall specifically describe the type and nature of manufacturing, processing and assembly activities to be performed on the property, and shall be accompanied by an operating plan which shall describe the hours of proposed operation, the type of equipment and machinery to be used, the number of employees, the amount of traffic to be generated, a description of any hazardous or toxic substances to be stored and used, the nature and quantity of materials and products to be stored outside the building, and any other relevant information concerning the proposed business. No change in the type or nature of such manufacturing processing and/or assembly activities shall be made, except upon approval of the Planning Commission.

- iv. No expansion of a building occupied by a business operating pursuant to a use conditionally permitted hereunder shall be expanded, except upon review of a site plan and approval by a majority of the members of the Planning Commission.
 - v. All lighting used on the subject premises shall be shielded from residential districts and uses.
 - vi. All outside storage areas shall be screened from adjacent residential and business uses by an obscuring fence or greenbelt in accordance with Sections Chapter 2, General Regulations.
 - vii. Such other conditions as the Planning Commission may impose to protect the adjacent and neighboring properties from any adverse effects of the proposed conditionally permitted use, including hours of operation.
- p. Correctional Facility. Upon review of a site plan and an operating plan and approval by a majority of the members of the Planning Commission, a parcel and land in an I-2 District may be conditionally permitted for correctional facility purposes. In determining whether to grant such conditionally permitted use, the Planning Commission shall determine that the use as described in the application shall have no more than a minimum undesirable or detrimental impact upon adjacent properties used for residential or business purposes by reason of noise, odor, smoke, or other effects of such operation. No conditionally permitted uses hereunder shall be allowed unless the following conditions are met:
- i. The I-2 District in which a correctional facility is conditionally permitted shall be located north of Route 30 and east of the easterly most railroad right-of-way of Ashland Railway and beginning at the point said railroad leaves the City limits, the western corporation limits of the City.
 - ii. The correctional facility shall be located no closer than 1000 feet from another correctional facility. Such distance shall be measured on a straight line without regard to intervening structures or objects, from the closest exterior wall of the structure in which each facility is located.
 - iii. The application shall specifically describe the type and nature of type of correctional facility to be operated on the property, the name and address of the governmental agency or nonprofit entity which will be operating said facility, and shall be accompanied by an operating plan which shall describe the maximum number of residents to be housed there at any one time, the types of criminal offenses committed by the residents to be housed there, the minimum number of staff persons and employees to be at the facility at all times, the types of onsite programs to be conducted on the premises, when and under what circumstances the residents will be permitted to leave the premises and the means of transportation to be available to them, the amount of traffic to be generated, and any other relevant information concerning the operation of the proposed facility. No change in the type or nature of such facilities activities shall be made, except upon approval of the Planning Commission.

- iv. Such other conditions as the Planning Commission may impose to protect the adjacent and neighboring properties from any adverse effects of the proposed conditionally permitted use.

NONCONFORMING USES

Within the districts established by this Zoning Ordinance or amendments that may later be adopted, there exist lots, structures and uses of land and structures which were lawful before this Ordinance was passed or amended, but which would be prohibited, regulated or restricted under the terms of this Ordinance or future amendment. Council declares that nonconforming uses and structures are incompatible with permitted uses in the districts involved and shall not be enlarged, expanded or extended, nor shall they be used as grounds for adding other structures or uses prohibited by this Ordinance.

1. **NONCONFORMING LOTS OF RECORD:** In any district permitting residential uses, one-family and two-family dwellings may be erected on any single lots of record existing at the effective date of adoption or amendment of this Zoning Ordinance, even though such lot fails to meet the requirements for minimum area and/or width that are applicable in the district, providing that the yard setbacks and other requirements not involving the area and width of the lot shall conform to the regulations for the district in which such lot is located.
2. **NONCONFORMING USES OF LAND, BUILDINGS OR STRUCTURES:** The lawful use of any land, building or structure existing at the effective date of adoption or amendment of this Zoning Ordinance may be continued although such use does not conform with the regulations of this Ordinance, providing the following provisions are met:
 - a. A nonconforming use shall not be extended, enlarged or increased to occupy a greater area of land than was occupied at the effective date of this Ordinance. The extension of a lawful use to any portion of a nonconforming structure which existed prior to the enactment of this Ordinance shall not be deemed to be the extension of such nonconforming use.
 - b. Whenever a nonconforming use has been discontinued for a period of two years or longer, such discontinuance shall be considered as conclusive evidence of an intention to abandon the nonconforming use. At the end of such two-year period, any subsequent use of land shall conform to the provisions of this Ordinance for the district in which such land is located.
 - c. Nonconforming uses established after the effective date of this Ordinance shall be declared as illegal nonconforming uses and shall be discontinued within twenty days following the date of inspection by the Zoning Administrator or any of his deputies.
 - d. Any nonconforming use may be changed to another nonconforming use of the same or a more restrictive classification than the existing use upon approval by the Planning Commission. The Commission may attach any conditions to the new use which it deems necessary to safeguard the public health, safety or welfare.

- e. Where a nonconforming use of a building or structure exists, the voluntary removal or voluntary destruction of the building or structure shall eliminate the nonconforming status of the land.
3. NONCONFORMING STRUCTURES: A lawful structure existing at the effective date of adoption or amendment of this Zoning Ordinance may be continued although such structure does not conform to the area, height or yard provisions of the district in which it is located, providing the following provisions are met:
 - a. Enlargements. A nonconforming structure may not be added to or enlarged unless the additions or enlargements are made to conform to the regulations of the district in which it is located.
 - b. Relocation. A nonconforming structure shall not be moved to any other lot or to any other portion of the lot on which it is presently situated unless as a result of the move, the structure shall conform to the regulations of the district in which it will be located after the move.
 - c. Enlargements. A nonconforming building or structure, except for a two-family dwelling or a multifamily or townhouse dwelling, which is damaged or partially destroyed by any reason to the extent of not more than fifty percent (50%) of its value at that time, may be restored without increase in nonconformity, and the occupancy or use of such building, structure or part thereof, which existed at the time of such partial destruction, may be continued or resumed, provided such restoration is started within a period of one year and is diligently prosecuted to completion. In the event such damage or destruction exceeds fifty percent (50%) of the value of such nonconforming building or structure, no repair or reconstruction shall be made unless every portion of such building or structure is made to conform to all regulations for new buildings and structures in the district in which it is located. A nonconforming two-family dwelling or a nonconforming multi-family or townhouse dwelling which is accidentally or involuntarily damaged or destroyed may be restored without increase in nonconformity, such as size, setbacks, location, height, density, occupancy, use or otherwise, which existed at the time of such damage or destruction, provided such restoration to be commenced is started within a period of one year and is substantially completed within two years.
4. REPAIRS, MAINTENANCE AND CONSTRUCTION:
 - a. Nothing in this Zoning Ordinance shall prevent the strengthening or restoring to a safe condition any building or structure or part thereof declared to be unsafe by an official charged with protecting the general health, safety and public welfare of the community.
 - b. Ordinary repairs and the replacement of nonbearing walls, fixtures, wiring or plumbing may be done on any building or part thereof devoted to a nonconforming use provided the size of the building is not increased.
 - c. Nothing in this Ordinance shall prohibit the completion or construction and use of a nonconforming building, structure or use for which a zoning certificate has been issued prior to the effective date of adoption or amendment of this Ordinance, provided construction is commenced within thirty days after the issuance of such certificate; and

that the entire building or structure is completed within one year from the date the certificate was issued.

5. LEGISLATIVE USE VARIANCE: Any land or building for which a legislative use variance was granted by Council prior to the effective date of adoption of this Zoning Ordinance may continue to exist as a use variance, provided, however, that in the event of discontinuance of the use for thirty days or change in ownership, future use of the land or building shall meet the regulations for the district in which it is located.

JUNK YARDS

1. DEFINITIONS.

- a. "Junk" means old or scrap copper, brass, rope, rags, batteries, paper, rubber, junked, dismantled or wrecked automobiles or parts thereof, iron, steel and other old or scrap ferrous or nonferrous materials which are not held for sale for remelting purposes to an establishment having facilities for processing such materials.
- b. "Junk yard" means an establishment or place of business, other than an establishment having facilities for processing iron, steel or nonferrous scrap and whose principal product is scrap iron and steel or nonferrous scrap for sale for remelting purposes, which is maintained or operated for the purpose of storing, keeping, buying or selling junk, or for the maintenance or operation of an automobile graveyard, except an establishment or place where automobiles, wrecked or otherwise, are held or impounded for a period not to exceed ninety days exclusively for storage, repair or resale without alteration.
- c. "Fence" means an enclosure at least six feet in height, constructed of nontransparent material, and maintained so as to obscure the junk in the enclosure from the ordinary view of persons passing upon the State, County, Township and City roads in this City.

2. FENCES REQUIRED.

- a. Any person operating or maintaining a junk yard within 1,000 feet of a State or County road or within 300 feet of a Township or City street, road or highway, prior to the effective date of this section, shall have one year thereafter to erect a required fence if such junk yard is not obscured by natural objects.
- b. If, after the effective date of this section, by reason of annexation of area to the City, an existing junk yard becomes situated within the City as a zoning nonconforming user, such junk yard, if situated within 1,000 feet of a State or County road or within 300 feet of a Township or City street, road or highway, shall have one year thereafter to erect a required fence if such junk yard is not obscured by natural objects.

3. CONSTRUCTION REQUIREMENTS.

Any fence constructed under this chapter shall be neatly constructed, shall be nontransparent, shall be kept in good order and repair, and no advertisement shall be permitted thereon other than the name and the nature of the business conducted therein.

4. INJUNCTION.

Whenever the Law Director is of the opinion that a junk yard is being operated or maintained in violation of any provision of this chapter, he may apply, in the name of the City, to a court of

competent jurisdiction, alleging the violation complained of and praying for an injunction or other proper relief. In such a case the court may order such junk yard abated as a nuisance or make such other order as may be proper. An action brought under this section shall not be deemed to be a bar to a prosecution under Codified Ordinance Section 1347.99**.

5. PENALTY.

Whoever violates any provision of this chapter is guilty of a misdemeanor of the first degree.

COMMUNICATION TOWERS

1. Notwithstanding Section Codified Ordinance 1153.03 (37)** excepting "essential services" from the provisions of this chapter, this communication tower regulation is intended to preserve the opportunity for improved services and technological advances from such consumer oriented public services and at the same time preserve the quality of life in residential areas close to tower installations including to protect the health and safety of residents from possible adverse impacts of emissions including noise; to protect the visual quality and natural beauty of the community, and to provide guidelines for zoning compliance to protect the general welfare, health and safety of the City's residents.
2. "Communications tower" means a structure, 35 feet or higher, that is intended for commercial transmitting, receiving or relaying television, radio, telephone or other communications.
3. "Communication distribution system" includes broadcast antennae for wireless telephone, AM and FM, microwave and television systems.
4. PERMIT PROCESS
 - a. No communication tower over thirty-five feet in height above grade shall be installed or constructed in the City without first obtaining a special permit for same from the Planning Commission.
 - b. The Commission shall approve, disapprove, or approve with conditions a special permit for a communication tower over thirty-five feet in height based on a site plan to be submitted by the applicant as prescribed by the Commission. In making its decision, while upholding the purpose of this section, the Commission shall consider that the proposed tower and attendant installation be subject to the following:
 - i. Sited so that all reasonable alternatives for tower placement have been clearly and convincingly demonstrated so that the installation will minimize the visual intrusion of the tower.
 - ii. Shared with other users to minimize the proliferation of towers within the City, including the presentation of evidence demonstrating that consideration was given to co-locating the communication devices and related equipment on nearby pre-existing towers and that such co-location was rejected due to one of the following reasons:
 1. Adequate space was not available on any nearby tower.
 2. No nearby tower could be structurally reinforced to accept such co-location at a reasonable cost.
 3. Interference with existing signal devices was unacceptable and could not be shielded at a reasonable cost.

4. Good faith negotiations with the owner(s) of existing towers could not produce a satisfactory agreement.
 5. Any other justifiable reason acceptable to the City Planning Commission.
 - iii. Detailed in a site plan to include complete structure locations and setbacks.
 - iv. Located to minimize the visual impact at base elevation of the proposed structure by a comprehensive landscape plan.
 - c. Plans submitted for proposed towers shall show conformance with the following development standards:
 - i. Minimum setback from all property lines to the tower and all accessory buildings shall be a distance equal to the height of the tower; provided, however, in zones designated "industrial" by these Codified Ordinances, setbacks may be determined from the property lines of contiguous owners to the applicant's property with the written approval of such contiguous property owners. Setback shall be defined as the distance from the property line to the nearest portion of the structure(s).
 - ii. Underground wiring to the site shall be required.
 - iii. Equipment, mobile or immobile, not used in direct support of the transmission or relay facility, shall not be stored or parked on the site except in connection with a repair or maintenance being made to the installation.
 - iv. Obsolete or unused facilities shall be removed within twelve (12) months of ceasing operation.
 - v. Plans shall provide for a six foot high obscuring fence around the structure and located as close to the structure as possible while still allowing adequate room for maintenance, temporary vehicle parking, etc.
 - vi. Towers shall be designated and constructed to the extent allowable by law so that they do not utilize a strobe light.
 - d. Applicants shall notify all adjoining landowners of a proposed communication tower installation and of any hearings before the Planning Commission prior to obtaining a special permit from the Planning Commission.
 - e. The following are exempt from the special provisions of this section:
 - i. Amateur radio installations operating in accordance with Federal Communications Commission Rules and Regulations part 97.
 - ii. Telephone poles which are part of a communication distribution system for telephone wires.
 - F. A non-refundable fee of one hundred fifty dollars (\$150.00) shall be paid to the City Planning Commission for review of each application for a special permit for a communication tower. A building and electrical permit must be applied for prior to erecting a tower. The fee for the building and electrical permits is in addition to the Planning Commission fee.

OFF-STREET PARKING REGULATIONS

1. Purpose: The purpose of this section is to require off-street parking spaces and loading spaces for all land uses sufficient in number to accommodate all vehicles which will be congregated at a given location at a given point in time by drivers and passengers who use or occupy the facility for which the parking space is provided; to the end that on-street parking will be diminished, traffic and pedestrian safety enhanced, property values stabilized and the general welfare promoted.
2. General Regulations: In all districts, except the Central Business District, in conjunction with the erection or enlargement of every building or structure, off-street parking space shall be provided with adequate access to each space. In connection with all permitted uses, off-street parking spaces shall be provided before a certificate of occupancy shall be issued, and shall further be constructed in accordance with the following regulations:
 - a. Any area once designated as required off-street parking shall never be converted, changed or occupied by another structure or use of land until equal facilities are provided elsewhere.
 - b. Land area designated for off-street parking shall be used solely for the parking of vehicles and no commercial repair work, storage or service of any kind shall be conducted on any part of such parking lot.
 - c. Any use not specifically mentioned shall provide off-street parking facilities in accordance with the requirements established for a use which is similar in nature.
 - d. For a change of occupancy where the parking demand is increased and where no new construction requiring a building permit is anticipated, but a zoning certificate is required, the Zoning Administrator shall review the parking requirements of the proposed use. Two copies of a parking plan shall be submitted to the Zoning Administrator showing the entire property, the means of ingress and egress, location of buildings, parking spaces, landscaping and any other proposed facilities. If the plan conforms to the intent and provisions of this section, the Zoning Administrator shall approve copies, keeping one on file and returning the other to the property owner.
 - e. The Planning Commission may grant a variance to the requirements of this section where joint use is made of parking facilities, providing the operating hours of such uses do not overlap.
 - f. Required off-street parking facilities shall be located on the same lot as the structure or use served, except that a parking facility providing the sum of parking spaces required of several uses may be provided contiguous and in common to the several structures and uses served.
3. Minimum Number of Off-Street Spaces Required:

(1) Residential Uses.

One- and two-family dwellings, mobile homes on individual lots	2 per dwelling
Multi-family and townhouse dwellings	1 per each efficiency unit 1 ½ per each one-bedroom unit 2 per each two or more bedroom unit

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Mobile home parks	2 for each mobile home site and 1 for each employee of the mobile home park
Senior citizens housing	1 per each dwelling unit
Family and group care homes	In addition to the requirements of subsection (c)(1)A. hereof, a care home shall provide 1 space for every 4 residents
(2) <u>Business Uses.</u>	
Planned shopping center	3-1/2 per 1,000 square feet of gross building floor area
Retail establishments	1 for each 300 square feet of usable floor area
Business and professional offices (except those listed in subsection (c)(2)D. hereof) and banks.	1 for each 100 square feet of usable floor area
Doctors' and dentists' offices	3 for each 100 square feet of usable floor area in waiting rooms and 1 for each examining room or dental chair. If located within a shopping center or mixed use center, the appropriate shopping center requirements apply unless this use exceeds 10% of the gross floor area of the shopping center.
Establishments for the sale and consumption on the premises of food, alcoholic beverages or refreshments	3 for each 100 square feet of usable floor area
Indoor movie theaters	1 for every 3 seats plus 1 for every 2 employees
Furniture stores, appliance stores, hardware stores, showrooms for building, plumbing and electrical supplies, repair shops	3 for every 800 square feet of usable floor area plus 1 for every 2 employees
Gasoline service stations	1 for each bay and 1 for each gasoline pump
Dance halls, lodges, skating rinks, private clubs, assembly halls and other similar uses without fixed seating	1 for every 2 persons allowed within the maximum occupancy load
Laundromats and coin-operated dry cleaners	1 for every 2 machines
Hotels and motels, bed and breakfast establishments	1 for every sleeping room and 1 for each employee
Motor vehicle sales and service establishments	1 for every 200 square feet of usable floor area and 2 for each service bay
Funeral homes and mortuary establishments	15 for each chapel room or parlor
Bowling alleys	4 for each bowling lane plus 1 for each employee plus the minimum requirements for subsection (c)(2)E. hereof
Miniature golf courses	2 for each hole, plus 1 for each employee
Billiard parlors, sports and amusement centers	3 for every 200 square feet of usable floor area.
Beauty parlors and barber shops	3 for each service chair
Day care centers	1 for each employee plus 1 10' x 20' passenger loading space for every 4 children licensed by the State
(3) <u>Industrial Uses</u>	
Industrial, research, storage and transfer facilities	1 per employee for the largest two consecutive shifts
Wholesale establishments	5 plus 1 for each employee in the largest working shift
(4) <u>Institutional and Recreational Uses.</u>	
Business and technical schools	1 for each teacher, employee and administrator, plus 1 for every 2

	students
Elementary and junior high schools	1 for each teacher, employee and administrator plus 1 for every 3 seats in the auditorium or 6 feet of benches in the gymnasium, whichever is greater
Senior high schools	1 for each teacher, employee and administrator and 1 for every 50 students, plus the auditorium/gymnasium requirements in subsection (c)(4)B. hereof.
Churches, temples and other places of religious worship	1 for every 6 feet of benches or 1 for every 3 seats based on maximum seating capacity
Auditoriums, stadiums, exhibition halls, assembly halls and similar uses	1 for every 3 seats or 6 feet of benches, temporarily or permanently installed, plus 1 for each employee
Hospitals and nurses' training schools	1 for each bed and 1 for each employee and doctor registered with the hospital
Convalescent homes, children's homes, homes for aged	1 for every 3 beds plus 1 for each employee
Golf courses	4 for every hole and 1 for each employee
Private and Municipal swimming pools, tennis clubs, fitness centers, racquetball clubs and other similar uses.	1 for every 2 family members and for every 2 individual memberships

4. Supplementary Parking Space Requirements for Specific Uses.

a. One- and two-family dwellings

- i. The required number of off-street parking spaces shall be provided on the same lot as the building which they are intended to serve.
- ii. Where an alteration has been made to a one-family or two-family dwelling so that it has been changed to a multiple-family dwelling, off-street parking may occupy the rear yard only after a parking plan layout showing drives, aisles and parking spaces has been approved by the Planning Commission.

b. Multifamily and townhouse dwellings

- i. No more than thirty-five percent (35%) of the area of any required minimum distance between buildings shall be devoted to off-street parking, drives, aisles and maneuvering lanes.
- ii. Ingress to and egress from a parking lot within a multiple-family development shall not be across land zoned R-1 or R-2 or developed for one- or two-family dwellings.
- iii. Each entrance to and exit from any off-street parking lot shall be located at least forty feet away from adjacent property zoned R-1 or R-2 or developed for one- or two-family dwellings.

c. Business and office uses.

- i. Off-street parking may be permitted to occupy part of the front yard after a plan for parking, drives, aisles and landscaping has been approved by the Planning Commission. A minimum front yard setback of ten feet exclusive of drives and aisles shall be maintained between the street right of way and the nearest point of the parking lot.
- ii. An off-street parking facility shall be located on the same lot or within 200 feet of the building it is intended to serve. The maximum distance of 200 feet shall

be measured from the nearest point of the building to the nearest point of the off-street parking lot.

- iii. Ingress to and egress from a parking lot or loading area for an office or business use shall not be across land zoned R-1 or R-2, or developed for one- or two-family dwellings.
- iv. Each entrance to and exit from any off-street parking lot shall be located at least forty feet away from adjacent property zoned R-1 or R-2 or developed for one- or two-family dwellings.

d. Industrial uses

- i. Off-street parking shall be permitted within the required front yard setback. Off-street parking may be permitted in the side and rear yard, subject to a site plan approval by the Planning Commission for the layout of drives, maneuvering lanes and parking spaces.
- ii. Ingress to and egress from a parking lot serving an industrial building shall not be across land zoned or developed for residential uses.

5. Off-Street Parking Space Layout and Standards. All parking facilities shall be laid out, constructed and maintained in accordance with the following regulations:

- a. Plans for the layout of off-street parking shall be prepared in accordance with the minimum requirements stated in the following schedule:

<u>Parking Angle at Base Line (degrees)</u>	<u>Parking Width</u>	<u>Space Length (ft.)</u>	<u>Maneuvering Lane Width (Ft.)</u>
45	8'4"	20	16
60	8'6"	20	20
90	9'	20	24

- b. Up to thirty percent (30%) of the required number of parking spaces may be sized for compact cars. Compact car spaces shall be at least eight feet in width and sixteen feet in length, and shall be clearly marked, "COMPACT CARS ONLY."
- c. Access into all parking spaces shall be through means of maneuvering lanes. Backing directly from a parking space onto a street is prohibited.
- d. Parking areas shall be of useable shape, improved with bituminous, concrete or equivalent surfacing materials, to provide a permanent, durable and dustless surface, and graded and drained as to dispose of all surface water accumulation.
- e. Entrance and exit driveways shall be clearly limited and adequately defined to reduce traffic conflicts.
- f. All lighting used to illuminate such parking areas shall be arranged so as to direct lighting away from adjacent residential properties, and no open light sources such as flood-lights or the stringing of light bulbs shall be permitted.
- g. Parking lots provided for multifamily, townhouse, office, business or industrial uses which abut onto a one- or two-family dwelling or R-1, R-2, MH or MH/R District, shall be provided with a continuous and obscuring fence or a greenbelt or wall, a minimum of six feet and a maximum of eight feet in height measured from the parking lot's surface, on

those sides abutting the R-2, R-2, MH or MH/R District or the one- or two-family dwelling. When such parking lots are in the front yard, the lots shall be screened from adjacent residential uses/districts by a greenbelt or fence four feet in height, approved by the Zoning Administrator. No such landscaping or fence shall extend into the street right of way.

- h. Landscaping. In order to facilitate absorption of storm water in parking areas for multifamily, townhouse, office, business or industrial uses, and to provide an attractive parking lot layout, the following provisions shall apply:
 - i. A strip of grass or landscaping materials at least five feet wide, excluding curbing, shall be provided between street right-of-way lines and parking lots and between side and rear lot lines and parking lots. This shall be in addition to any grass strip between the street and sidewalk.
 - ii. In addition to perimeter landscaping required in subsection (e)(9)A. hereof, parking lots of five spaces or more shall provide grass or landscaped areas interior to the parking lot covering, at a minimum, five percent (5%) of the total parking area.
 - iii. All plant materials shall be maintained free from physical damage or injury arising from lack of water, chemical damage, insects and diseases. Planting areas shall be kept free from weeds, debris and undesirable materials which may be detrimental to safety, drainage or appearance.

OFF-STREET LOADING AND UNLOADING

All retail and wholesale stores, warehouses, supply houses, buildings devoted to manufacturing, trade, hotels and motels, hospitals or other buildings where large amounts of goods are received or shipped shall provide loading and unloading space adequate to handle the volume and frequency of truck traffic to the building or shopping center, and to avoid undue congestion and interference with public use of City streets. This requirement shall not be applicable to the Central Business District.

1. Each required loading space shall be not less than ten feet wide and fifty feet long with a clearance of no less than fourteen feet in height.
2. Loading dock approaches shall be provided with a pavement having an asphaltic or Portland cement binder so as to provide a permanent, durable and dustless surface.
3. Loading space shall be provided as area additional to off-street parking spaces and shall not be considered as supplying off-street parking space.
4. All loading and unloading spaces for business and industrial uses shall be provided in accordance with the following ratio of spaces to floor area:

<u>Gross Floor Area (sq. ft.)</u>	<u>Number of Required Loading-Unloading Spaces</u>
0 - 14,999	1
15,000 - 24,999	2
25,000 - 39,999	3
40,000 - 59,999	4
60,000 - 79,999	5
80,000 - 100,000	6
For each additional 100,000	1

5. New and used car agencies: New and used car agencies shall provide one loading and unloading space fifteen wide and fifty feet long for each 10,000 square feet of uncovered sales area up to a maximum of four spaces for delivery rigs.

SIGNS

1. The following rules of construction shall apply to the provisions of this chapter:
 - a. The particular shall control the general.
 - b. In case of any difference of meaning or implications between the provision of this chapter and any caption or illustration, the provisions shall control.
 - c. The word "shall" is always mandatory and not discretionary. The word "may" is permissive.
 - d. Words used in the present tense shall include the future; and words used in the singular numbers shall include the plural, and the plural the singular, unless the context clearly indicates the contrary.
 - e. The phrase "used for" includes "arranged for", "intended for", "maintained for" or "occupied for".
 - f. Unless the context clearly indicates the contrary, where a regulation involves two or more items, conditions, provisions or events connected by the conjunction "and", "or", the conjunction shall be interpreted as follows:
 - i. "And" indicates that all connected items, conditions, provisions or events shall apply.
 - ii. "Or" indicates that the connected items, conditions, provisions or events may apply.
 - iii. "Either/or" indicates that the connected items, conditions, provisions or events shall apply singly but not in combination.
 - g. Terms not herein defined shall have the meaning customarily assigned to them.
2. Sign Definitions:
 - a. "Approved combustible material" means wood or materials not more combustible than wood and approved plastics.
 - b. "Approved plastics" includes slow-burning plastics such as cellulose, acetate or other plastics of no greater combustibility, as approved by the Fire Chief of the City.
 - c. "Billboard" means a sign used to advertise a business, commodity, or service which is conducted elsewhere than on the premises on which the billboard is located. Billboards may have an engineered structural frame, in accordance with the Ohio Basic Building Code, or may be a pole sign or wall sign type.
 - d. "Building Superintendent" or "Superintendent" means the Superintendent of the Bureau of Buildings, Inspections, Licenses and Permits or other person authorized to administer and enforce the provisions of this chapter.
 - e. "Building setback line" means a line defining the minimum front, side and rear yard setback requirements established in the Zoning Ordinance of the City, and in which no building or structure may be located, except as otherwise provided herein.

- f. "Curbline" means a line at the face of the curb nearest to the street or roadway. In absence of a curb, the curbline shall be established by the Engineering Department of the City.
- g. "Display surface" means the area made available by the "sign structure" for the purpose of displaying the advertising message.
- h. "Incombustible material" means any material which will not ignite at or below a temperature of 1,200 degrees Fahrenheit, during an exposure of five minutes, and which will not continue to burn or glow at that temperature.
- i. "Licensed sign erector" means any person, firm or corporation who has registered with the City in accordance with Codified Ordinance Chapter 1333** and who is qualified to erect and service all types of signs covered by the provisions of this chapter. The word "qualified" shall be construed to mean any person who has had at least two years proven experience in erecting signs under a licensed sign erector's control, and under regulations which are equivalent of this chapter.
- j. "Marquee" means any board or awning of permanent construction attached to and projecting from the exterior wall of a building over public property.
- k. "Off-premise sign" means a sign used to advertise a business, commodity, or service located off the premises on which the sign is located. Off-premise signs may have an engineered structural frame, in accordance with the Ohio Basic Building Code, or may be a pole sign or wall sign type.
- l. "Projections" means the total distance by which a sign extends over public property and beyond the face of a building or beyond the building setback line.
- m. "Sign" means any card, cloth, paper, metal, painted glass, wood, plaster, stone, plastic or other material of any kind or character whatsoever which shall be used to attract attention to any object, product, place activity, person, institution or organization or business. The term "place" includes the erecting, construction, posting, painting, printing, tacking, nailing, gluing, stacking, carrying or fastening or making visible in any manner whatsoever. For the purpose of this chapter the word "sign" shall not include the flag, pennant or insignia of any government, religious or educational organization. A "sign" shall include the following types:
 - i. "Combination sign". A sign which incorporates any combination of the features of a pole sign, projecting sign and a roof sign.
 - ii. "Electric sign". Sign containing electrical wiring which has characters, letters, figures, designs, faces or backgrounds illuminated by incandescent or fluorescent lamps or luminous tubes attached as part of the sign. For the purposes of this chapter "electrical signs" shall not include signs illuminated by an exterior light source.
 - iii. "Electronic message display sign". A changeable copy electric sign that utilizes a computer generated message or some other electronic means of changing copy.
 - iv. "Pole sign". A sign wholly supported by a sign structure placed in the ground.
 - v. "Projecting sign". A sign other than a wall sign which projects from and is supported by a wall of a building or structure.

- vi. "Pylon sign". A sign within an enclosed base where the base appears to be an integral part of the sign and set in concrete slab with the superstructure enclosed giving the appearance that the sign is placed upon the ground.
 - vii. "Roof sign". A sign which is attached to roof framing, walls and/or columns of a building or structure on which the entire advertising display is above the roof level of a building or structure.
 - viii. "Wall sign". A sign attached to or erected against the exterior wall of a building or structure, or which is an integral part of the building or structure, with the exposed face of the sign in a plane parallel to the plane of such wall of the building or structure.
 - ix. "Awning/Canopy sign". A sign in which letters or logos are applied to a canopy or awning.
 - n. "Sign structure" means the supports, uprights, braces and framework used to support any of the types of signs as defined in this chapter. A sign structure may be a single pole and may be an integral part of a building or other structure.
 - o. "Temporary sign" means a sign made of cloth, plastic, wood or other approved material which is not permanently attached to a building or which is temporarily anchored into or onto the ground or a sign which directs attention to a special sale or event at the same location where the sign is placed, such as "changeable letter sunflower signs".
 - p. "Safety strip" means a strip of land parallel to and abutting a public dedicated street, controlling the access onto the property, and located between the edge of the sidewalk and the curb.
3. No sign shall be erected, converted, enlarged, reconstructed, structurally altered or arranged for any purposes other than in accordance with the provisions of this chapter. A sign which was erected before the adoption of this chapter shall not be rebuilt or relocated without conforming to the provisions of this chapter.
4. The provisions of Codified Ordinance Section 1339.03** shall not apply to the following types of signs:
- a. Temporary Signs.
 - i. Real estate signs not over ten square feet in area which advertise only the sale, rental or lease of the premises upon which the sign is located.
 - ii. Bulletin boards not over twenty square feet in area for public, charitable or religious institutions when such bulletin board is located on the premises of such institutions.
 - iii. Signs denoting the architect, engineer or contractor, when placed upon work under construction, and not exceeding forty square feet in area.
 - iv. Advertising copy or message on a painted, printed or changeable letter sign.
 - v. Repainting, cleaning or repair maintenance which does not involve an alteration or change in the structural members of the sign or an increase in the total advertising area of the sign.

- vi. Any sign denoting only the name and profession of an occupant in a commercial building, public institution, other building or dwelling and not exceeding three total square feet in area.
 - vii. Projecting signs not more than one and one-half total square feet in area.
 - viii. Non-electric signs six square feet or less which are mounted on a building or six square feet or less mounted in the ground with a maximum height of six feet.
- b. Temporary Signs which require a permit:
- i. "Sunflower" or other rented changeable letter signs.
 - ii. Any other temporary sign not covered under Paragraph (a).
- c. General Provisions.
- i. All temporary signs under paragraph (a) which promote a special sale or event may be placed not more than thirty (30) days before the initial date of the sale or event and shall be removed not more than five (5) days after such special sale or event. Temporary signs requiring a permit shall be placed not more than thirty (30) days from date of permit and shall be removed not more than five (5) days after the expiration of such permit.
 - ii. No banners or pennants shall be allowed unless used as a temporary business/announcement sign.
 - iii. All temporary signs which existed prior to the date of the revised ordinance shall be removed within 30 days of the date that this new ordinance is adopted.
 - iv. All temporary signs shall further comply with the provision of Codified Ordinance Section 1339.23**.
- d. Historic Preservation. Signs and marquees which (1) maintain and enhance the distinctive character of historical areas and properties, or (2) safeguard the heritage of the City by preserving sights, structures or portions thereof which reflect elements of the City's cultural, social or architectural heritage, upon application to and approval by the Chief of the Bureau of Buildings, Inspections, Licenses and Permits and the City Engineer as to the applicant's proposed location, construction and erection thereof.
5. SIGN PERMIT REQUIRED: Before erecting, converting, enlarging, reconstructing, structurally altering or rearranging any sign, application shall be made in writing upon a form furnished by the Bureau of Buildings, Inspections, Licenses and Permits of the City. The application shall include the following information:
- a. Name and address of the property owner and the licensed sign erector.
 - b. The location by street and number, dimensions, height and design of the sign.
 - c. Plans showing the definite dimensions, method of construction, installation and support.
 - d. Substantiating evidence that the sign erector is licensed, as defined in Codified Ordinance Section 1339.02**.
 - e. Another pertinent data as may be required by the Bureau to determine and provide for the enforcement of the chapter.
 - f. No fee shall be charged for the replacement, rehung, or redisplay of a sign face which constitutes a conforming use. However, application for permit and a drawing must still

be submitted to inform the Bureau of such change. If the sign structure is altered a permit will be required.

- g. A letter of consent from and signed by the owner of a building or parcel of land shall be submitted at the time of the application for all off-premise billboard signs.

6. ERECTION REQUIREMENTS FOR ALL SIGNS.

- a. Loads, allowable stresses and materials for all signs shall be as follows:

- i. Pressure. For the purposes of determining wind pressure all signs shall be designed and constructed to withstand wind pressures specified in Codified Ordinance Section 1112.0** of the Ohio Basic Building Code as may be amended from time to time.
- ii. Projected Exposed Area. The exposed area subjected to wind pressure shall be the total area of all parts of the sign including structural framing on a plane perpendicular to the direction of the wind. In determining the stress in any member the wind shall be assumed to flow from the horizontal direction, and from that inclination from the vertical (but not to exceed twenty degrees above or below the horizontal) which produces the maximum stress in that member.
- iii. Allowable Stresses and Materials. In all signs the allowable stresses, materials and details of design shall render all signs safe to person, property and the movement of traffic along all streets and public thoroughfares. All signs shall be designed, constructed and installed in conformity with the provisions of this chapter and applicable statutes of the State. All signs shall be supported by sign structures which are made of wood, concrete or steel, designed and constructed to resist wind pressures and dead and lateral loads in accordance with the following specifications:
 - 1. For steel sign structures. American National Standards Institute, Inc. Building Code requirements for structural steel. Secondary members in contact with or directly supporting the facing may, in all types of signs, be formed of light gauge steel, provided such members are designed in accordance with the Light Gauge Steel Design Manual of the American Iron and Steel Institute.
 - 2. For wood. National Design specifications for Stress Grade Lumber and its fastenings, recommended by the National Lumber Manufacturers Association.
 - 3. The working stress of chains, wire, ropes and steel guy rods and their fastenings shall not exceed one-quarter of their ultimate strength.

7. APPROVED PLASTICS FOR SIGNS.

Approved plastics as defined and approved by the Bureau of Buildings, Inspections, Licenses and Permits may be used as the display surface material and for the letters and decorations and facings on signs and outdoor display structures provided that the structure on which the plastic is mounted or installed is noncombustible.

8. APPROVED MATERIALS FOR TRIM.

Nonstructural trim may be made of metal, wood or approved plastics or any combination thereof. Facings, letters and decorations of all types of signs may be made of metal or approved plastics. Facings, letters and decorations of signs other than electric signs may be made of wood.

9. SIGNS NOT TO CONSTITUTE A TRAFFIC OR SAFETY HAZARD

No sign shall be erected at the intersection of any street or public way in such a manner as to obstruct free and clear vision or at any location where by reason of the position, shape or color it may interfere with, obstruct the view or be confused with any authorized traffic sign, signal or device; or which makes use of the words "stop", "look", "drive in", "danger" or any other word, phrase or symbol in such a manner as to interfere with, mislead or confuse the movement of traffic on any street or public way.

Signs shall be erected, constructed or maintained so as not to obstruct any fire escape, window, door or other opening; or so as to prevent free passage from one part of a roof to any other part thereof. No sign shall be attached in any form, shape or manner to a fire escape, or shall be so placed as to interfere with an opening which is required for legal ventilation.

10. CLEARANCE FROM HIGH VOLTAGE POWER LINES

- a. Signs shall be located not less than six feet horizontally or twelve feet vertically from overhead electric conductors which are energized in excess of 750 volts. "Overhead conductors", as used in this chapter, means any electrical conductor, either bare or insulated, installed above the ground, except such conductors as are enclosed in iron pipe or other material covering of equal strength.
- b. Projection over Alleys. No sign or sign structure shall project into any public alley below a height of fourteen feet above grade, nor project more than twelve inches where the sign structure is located fourteen feet to sixteen feet above grade. The sign or sign structure may project not more than thirty-six inches into the public alley where the sign or sign structure is located more than sixteen feet above grade.

11. SIGNS PROHIBITED ON PUBLIC PROPERTY; EXCEPTION.

No sign or sign structure shall be placed or constructed directly upon a sidewalk, curb, safety strip, street, alley or any other public property. Notwithstanding the foregoing, however, real estate open house directional signs complying with specifications furnished by the City shall be permitted to be placed within the public right of way if they are placed so as not to obscure traffic or constitute a safety hazard and subject to the following restrictions:

- a. Signs shall be installed only on the day of the open house between the hours of 12:45 p.m. and 5:45 p.m.;
- b. Only one directional sign shall be permitted at any street intersection;
- c. If the property owner adjacent to the public right of way objects to the placement of a sign in front of his property, the sign shall be removed; and same shall assume full responsibility and liability for any and all losses, damages and injuries which may arise in any manner whatsoever, whether anticipated or unanticipated, from the placement or presence of such sign in the public right of way.

12. R RESIDENTIAL DISTRICTS AND MF MULTI-FAMILY DISTRICTS

- a. Permitted Types of Signs. The following signs are permitted in all R Residential Districts and MF Multi-Family Districts.
 - i. Temporary signs including and limited to:
 - 1. Real estate signs advertising the development of the premises upon which it stands or pertaining to the sale, lease or rent of a particular building property or premises upon which it is displayed.
 - 2. Bulletin boards for churches, schools, community centers or other public or institutional building.
 - 3. Name plates denoting the name of a residence or the name and occupation for a "home occupation" as defined in the Zoning Ordinance. No permit required.
 - 4. Signs incidental to legal process and necessary to the public safety or welfare.
 - 5. One identification sign indicating the name and address of a multi-family apartment building or development. Such signs shall not exceed forty square feet. These signs shall not be internally illuminated; however, illuminating the face of the sign with an external source is permitted providing it does not create a glare on adjacent properties or create a traffic hazard. The light source shall be screened so it is not visible from the street.
 - b. General Provisions
 - i. Signs shall not be located closer than fifteen feet to any lot within an R Residential District.
 - ii. If such signs are illuminated, indirect lighting only shall be used, the source of light shall not be visible from any street and no flashing or intermittent illumination shall be employed.
 - iii. Any all sign, electric sign, pole sign and projecting sign shall be designed in accordance with all other provisions of this chapter, governing the location, construction and size of such signs.
 - c. Prohibited Types of Signs. Billboard/off-premise signs are prohibited in R Residential and MF Multi-Family Districts, or any property developed for residential use. Any other signs not listed in paragraph (a), "Permitted Types of Signs" are also prohibited.

13. B-1 BUSINESS DISTRICT AND OS OFFICE SERVICE DISTRICTS

- a. Permitted Types of Signs. The following types of signs are permitted in all B-1 Business Districts and OS Office Service Districts.
 - i. Temporary signs as permitted in an R Residential District.
 - ii. Any of the following types of signs which are designed to advertise a business or service conducted on the premises, or products, merchandise or commodities stocked or sold on the premises:
 - 1. Wall sign
 - 2. Electric sign
 - 3. Pole sign

4. Projecting sign
 5. Awning/Canopy signs.
 6. Electronic message display sign.
- b. General Provisions.
- i. Signs shall not be located closer than fifteen feet to any lot within an R Residential District.
 - ii. If such signs are illuminated, indirect lighting only shall be used, the source of light shall not be visible from any street and no flashing or intermittent illumination shall be employed.
 - iii. Any wall sign, electric sign, pole sign and projecting sign shall be designed in accordance with all other provisions of this chapter, governing the location, construction and size of such signs.
14. B-2 AND CB CENTRAL BUSINESS DISTRICTS AND I INDUSTRIAL DISTRICTS
- a. Permitted Types of Signs. The following types of signs are permitted in all B-2, CB Central Business Districts and I Industrial Districts.
- i. Temporary signs
 - ii. Any of the following types of signs which are designed to advertise a business or service conducted on or off-premise, or products, merchandise or commodities stocked or sold on or off-premise:
 1. Wall sign
 2. Electric sign
 3. Pole sign
 4. Projecting sign
 5. Roof Sign
 6. Combination sign
 7. Pylon sign
 8. Awning/Canopy signs.
 9. Electronic message display sign.
- b. General Provisions
- i. Signs shall not be located closer than twenty-five feet to any lot within an R Residential District.
 - ii. All signs shall be designed in accordance with all other provisions of this chapter governing the location, construction and size of such signs.
 - iii. On premise signs shall not be located closer than fifteen feet (15') to any lot within an R Residential District.
 - iv. Off-Premise signs shall comply with the following:
 1. Wall mounted off-premise signs shall be limited to only one per block face for each direction of travel and one per building. Block faces shall not include alleys.
 2. All off-premise pole signs or other ground supported signs shall be spaced no closer than 250 feet to any other off-premise sign along or across the street right-of-way.

3. All off-premise signs shall be spaced no closer than 250 feet to any lot zoned R-1, R-2 or developed for 1 or 2 family, measured along the right-of-way.
4. No lot developed for 1 or 2 family in a B-2, CB or I zoned district shall be permitted to erect an off-premise sign.
- v. All signs shall be designed in accordance with all other provisions of this chapter governing the location, construction and size of such signs.

15. ROOF SIGNS.

- a. Location. No roof sign shall have a surface exceeding 300 total square feet or five percent (5%) of the total roof area of the combined building on the site, or have its highest point extended more than a distance equal to the sign's longest horizontal dimension but in no case shall the height exceed fifty feet above the roof.
- b. Construction.
 - i. Every roof sign shall be thoroughly secured to the building by iron or other metal anchors, bolts, supports, rods or braces. When erected upon buildings which are not constructed entirely of fireproof material the bearing plates of such sign shall be fastened or attached directly upon the masonry walls and intermediate steel columns in the building or structure. No roof sign shall be supported or anchored to a wooden framework of a building or other structure.
 - ii. Roof signs, including the uprights, supports and braces thereof, shall be constructed of noncombustible materials, provided, however, that facings, figures, decorations, and structural trim thereof may be made of combustible materials approved by the Superintendent and Fire Chief.
- c. Erection.
 - i. Roof signs shall be thoroughly secured and anchored to the frame of the building over which they are constructed and erected so that they will safely sustain wind pressures as specified in Section 1339.06.
 - ii. No roof sign shall be erected in a manner which prevents free passage from one part of the roof to any other part thereof.
 - iii. Roof signs shall have a passage clear of all obstructions under or around and immediately adjacent to all roof signs exceeding a height of five feet above the level of the roof. Such passages shall be not less than three feet wide and four feet high measured from the level of the roof. If the roof sign is mounted or placed at right angles to the face of the building, such passageway shall be within twenty feet of the building face.

16. WALL SIGNS.

- a. Location. No wall sign shall be permitted to extend more than twelve inches beyond the building face and shall not project beyond the ends or top of the building wall to which it is attached.
- b. Construction.
 - i. Wall signs attached to exterior walls of solid masonry or concrete shall be safely and securely attached to same by metal anchors, bolts or lead expansion

anchors of not less than three eighths inch in diameter and shall be imbedded to manufacturer's required depth for device used.

- ii. Wall signs attached to wood walls may be supported by lag screws of not less than one-quarter inch in diameter, but must be of a size and length to support the load involved.
- c. Erection. No wall sign shall be erected so as to prevent free ingress to or egress from any door, window or fire escape.

17. PROJECTING SIGNS.

- a. Location. Within any B-2 or CB Business District projecting signs shall be placed at least eight feet above the public right-of-way over which it is erected and shall not project to a point less than two feet from the curb line of any street or alley. In every B-1 Business District projecting signs shall be at least nine feet above the public right-of-way over which it is erected and shall not project to a point less than 2' from the curb line of any street or alley.
- b. Construction.
 - i. All projecting signs shall be constructed of metal or other equally noncombustible material. Approved plastics may be approved for use.
 - ii. Every projecting sign shall be securely attached to the building, wall or structure by iron or metal anchors, bolts, supporting chains, stranded cables or steel rods. Projecting signs shall be adequately supported by guy wires of the size stock specified below to resist dead loads and wind loads:

Nominal Size of Guy Wire Stock to be Used	Approx. Breaking Load of Standard Strength Stranded Cable	Lift Load Per Lift Guy	Allowance Sign Area Per Wind Guide	Threaded Stock Allowable of Equal Strength of Tension (inch)	Minimum Thickness of Rolled Stock Used
1/8	540	90	6		1/8
3/16	1150	190	12	5/16	3/16
7/32	1550	260	17	3/8	
1/4	1900	320	22	3/8	1/4
5/16	1200	530	35	7/16	
3/8	4250	710	48	5/8	
7/16	5700	950	63	5/8	5/16

- iii. Holes for threaded stock used in anchorage should be at least six inches to eight inches apart. Anchorage should be completely through wall material and secured on inner side of walls, or expansion shields may be used of equal strength and firmly secured. Welded anchorage to a building girder or floor beam is preferred where possible, for the larger signs. Special care should be taken to install firm anchorages.

The above load table is recommended for various sizes of guy wire and for hardware of equivalent strength. Where the sign contractor stocks a certain size of wire, multiple guys may be used for heavier sign or for signs of larger allowable areas.

- iv. Minimum size steel in all double face projecting signs shall be 1-1/2 by 1-1/2 by 1/8 inch angle. All double face projecting signs shall have an angle iron frame completely around the edge of the sign. The heavier angles are for the main horizontal supports, and the smaller angles are for the vertical members and for bracing. Should a projecting sign involve more than one section; each section will be considered separately.
- v. Approval for the use of metal supports other than steel must be obtained from the Bureau of Building, Inspections, Licenses and Permits. A stress analysis showing the adequacy of the materials must be submitted to the Bureau.

18. ELECTRIC SIGNS.

- a. Location. The placement or location of electrical signs shall be subject to the regulations for that type of sign.
- b. Construction.
 - i. Electrical signs shall be constructed in accordance with the Standards for Electrical Signs of the National Electrical Code adopted under Chapter 1325.
 - ii. Electrical signs shall be constructed of noncombustible materials, provided, however, that facings, letters, figures, decorations and structural trim thereof may be made of approved plastics.
 - iii. No electrical signs shall be erected or installed without prior ground inspection by the electrical inspector.

19. ELECTRONIC MESSAGE DISPLAY SIGNS.

- a. Electronic message display (EMD) signs shall be permitted, subject to the requirements of Section 1339.18 and the following restrictions:
 - i. Display must remain on for a minimum of ten (10) seconds.
 - ii. No moving, flashing, scrolling or other forms of animation or illusion of the same, including, but not limited to rolling or exploding letters.
 - iii. Only one EMD per site.
 - iv. Letters and/or numbers not to exceed twenty-four (24) inches in height.
 - v. EMDs shall not operate at brightness levels of more than three-tenths (.3) foot-candles above ambient light, as measured by a foot-candle meter.
 - 1. Brightness shall be measured as follows: At least 30 minutes past sunset, use a foot-candle meter to record the ambient light reading for the area while the digital display of the sign is either off or displaying all black copy. Turn on the digital display of the sign to full white copy and take another reading. If the difference is three-tenths (.3) foot candles or less, the brightness is properly adjusted. The reading should be taken with the foot-candle meter aimed directly at the digital sign at the appropriate distance.

- a. A sign measuring between zero (0) and one hundred (100) square feet is to be measured from one hundred (100) feet from the sign.
- b. A sign measuring between one hundred and one (101) and three hundred and fifty (350) square feet is to be measured from one hundred and fifty (150) feet from the sign.
- c. A sign measuring between three hundred and fifty-one (351) and six hundred and fifty (650) square feet is to be measured from two hundred (200) feet from the sign.
- d. A sign measuring between six hundred and fifty-one (651) and one thousand (1000) square feet is to be measured from two hundred and fifty (250) feet from the sign.
- e. A sign measuring over one thousand (1000) square feet is to be measured from three hundred and fifty (350) feet from the sign.

20. COMBINATION SIGNS.

- a. Location. Each part of a combination sign shall be subject to the regulations for that type of sign.
- b. Instruction. All supports of combination signs shall be placed in or upon private property and shall be securely built, constructed and erected in accordance with the provisions for construction of a projecting sign if a combination sign includes any of the features of a projecting sign or in accordance with the provisions for construction of a pole sign where a combination sign includes any of the features of a pole sign.

21. POLE SIGNS.

- a. Location. Pole signs shall not exceed a height of sixty feet measured from the finished grade of the ground where the sign is placed. Any sign exceeding sixty feet shall be subject to review and approval of the Zoning Board of Appeals. All pole signs shall be supported by a metal or steel pole of not less than nine feet high measured between the base line of such sign and the ground level.
- b. Erection. All pole signs shall be designed to withstand the wind pressure load requirements as provided in Section 1112 of the Ohio Basic Building Code as may be amended from time to time. No pole sign over 20' high is to be erected until the excavation for foundation or foundations has been inspected by the authorized officer of the Bureau of Buildings, Inspection Licenses and Permits. The structural integrity of all signs less than 20' high are the sole responsibility of the sign erector.

22. MARQUEES.

- a. Location. No portion of a marquee shall be less than ten feet above the level of the sidewalk nor shall it extend farther than twenty-four inches from the curb line.
- b. Construction. Marquees shall be supported solely by the building or structure to which they are attached and no columns or posts shall be permitted as support thereof. The framework of any marquee shall be designed and constructed in compliance with the Ohio Basic Building Code as may be amended from time to time.

- c. Erection. All frames and supports shall be on metal and designed to withstand the wind pressure requirements as provided in Section 1112 of the Ohio Basic Building Code as may be amended from time to time.

23. PYLON SIGNS.

- a. Location. Pylon signs shall not exceed a height of forty feet measured from the finished grade of the ground where the sign is placed.
- b. Erection. No pylon sign is to be erected until the excavation for foundation or foundations has been inspected by the authorized officer of the Bureau of Buildings, Inspections, Licenses and Permits.

24. ADMINISTRATION AND ENFORCEMENT.

Any firm, business or person who discontinues a business, vacates the premises or moves his place of business to a new location shall be required to remove all real estate signs, political signs, Christmas tree signs and any other signs or advertising media from the premises the firm, business or person has vacated. All signs and sign structures shall be removed from the premises within thirty days from the date such premises are to be vacated.

If the Superintendent finds that any firm, business or person has failed to comply with the provisions of Section 1339.16 he shall give immediate written notice to the firm, business or person for whom the sign was erected or to the property owner of the vacated premises upon which the sign is located. If the firm, business or person fails to remove or dismantle the sign so as to comply with the provision of this section within ten days after such notice, such sign may be removed by the Superintendent at the expense of that person.

25. REMOVAL OF UNSAFE AND UNLAWFUL SIGNS

If the Superintendent finds that any sign is unsafe or hazardous, or has been constructed or is being maintained in violation of the provisions of this chapter, he shall give immediate written notice to the person for who or by whom the sign is erected or to the owner of the property upon which the sign is located. If the person fails to remove, repair or alter the sign so as to comply with the provisions of this chapter within ten days after such notice, such sign may be removed, repaired or altered by the Superintendent at the expense of that person. The Superintendent may cause any sign which is of immediate peril to persons or property, or erected or placed in violation with the provision of this chapter to summarily be removed without notice.

26. NONCONFORMING SIGNS.

The provisions of Section 1339.23 through 1339.24 shall be applicable to all signs and provided further, that any sign which is at any time found to be unsafe or insecure or which is an immediate peril to person or property shall be removed, repaired or altered in accordance with Sections 1339.23 and 1339.24, provided, however, that if a nonconforming sign is replaced by another sign, such replacement sign must conform with the provisions of this chapter; likewise, a nonconforming sign which is removed or altered so as to substantially change the size, appearance or nature of the sign, must conform to the provision of this chapter.

27. SIGN FEE SCHEDULE.

Fees for the issuance of permits for signs as provided for in Section 1339.05 shall be collected by the Superintendent in advance of issuing a permit. The amount of such fees shall be as follows:

- a. Any sign 10 sq. ft. or less: \$55.00
- b. Any sign more than 10 sq. ft.: \$80.00 + \$1.00/10 sq. ft.
- c. Any sign more than 10 sq. ft. \$50.00 + \$1.00/10 sq. ft. and more than 20' in height
- d. All new electronic message display and new illuminated signs shall require an electrical permit; this shall be obtained at the time of the sign permit application. Electrical permit fees shall be in the amount of \$135.00.
 - i. Exception: Any replacement or erection of an electrical sign which has power available at the immediate location of the sign and does not require the extension of new conduit shall pay \$80.00 for the electrical inspection of the hook-up.
- e. Marquees shall be reviewed as a "building addition" and shall require building and electrical permit fees relating to the size of the marquee.

28. SIGN ERECTOR'S REGISTRATION.

In order to operate within the City, a sign erector shall be registered with the Bureau of Buildings, Codes and Permits in accordance with the requirements of Chapter 1333.

SIDEWALKS, CURBS AND DRIVEWAYS

1. SIDEWALKS

- a. WIDTH OF CERTAIN SIDEWALKS REGULATED: On the following streets, devoted to the purposes of business, the sidewalks hereafter constructed shall occupy the entire width of such streets between the curb line and the property line: Main Street from First Street to Olive Street; Park Avenue West from Mulberry Street to Main Street; North Park Street; South Park Street; Diamond Street from First Street to Fifth Street; Third Street from Mulberry Street to Franklin Avenue; Fourth Street from Mulberry Street to Diamond Street; Fifth Street from Mulberry Street to Elm Street; Mulberry Street from Sixth Street to Spring Mill Street. On all other streets the sidewalks shall be not less than five feet in width.
- b. GRADING: All sidewalks hereafter constructed on any public street or highway shall be so laid that the top surface of the walk shall, at all points, coincide with the line described as follows: Beginning at the curb line with the established curb grade as determined by the City Engineer, thence extending to the property line, at right angles to the curb lines, with a rise of three-sixteenths of an inch to the foot; provided, that at street intersections where the grade of the intersecting street prevents compliance with the above provisions, the walk shall be laid under the direction and to the acceptance of the City Engineer. Before beginning the construction of any sidewalk, the owner, agent or contractor shall have the City Engineer or his assistants indicate the established grade by grade stakes.
- c. CONSTRUCTION PERMITS REQUIRED: No person shall construct any sidewalk, curbing or gutters without having first obtained from the Bureau of Buildings, Licenses, Inspections and Permits a permit to do so, which permit shall be in the possession of the person

actually engaged in doing the work; it shall be exhibited for inspection at any time upon demand of any member of the Bureau or the Police Division.

- d. CONTENTS OF PERMIT: A separate permit shall be issued for each improvement and shall be printed or written. It shall contain the name of the owner or contractor, a specific designation of the property abutting the proposed improvement, a statement of the width, slope or fall and the location of the pavement, curbing or gutter; it shall also designate the materials to be used in the construction of such improvement. All such permits shall have printed thereon the requirements of this chapter with reference to the construction of sidewalks, shall be signed by the Building Superintendent and shall expire thirty days after the date of issue. For any permit issued hereunder, the applicant shall pay a fee of five dollars (\$5.00) for every 100 feet, or fraction thereof, of pavement, curbing or gutter to be constructed or repaired under such permit.
 - e. CONSTRUCTION CONTROLLED: No sidewalk, curbing or gutter shall be constructed or repaired except in strict accordance with the requirements of this chapter, and any sidewalk, curbing or gutter not so constructed or repaired shall be taken up and replaced so as to conform thereto at the expense of the owner of the real estate abutting thereon.
 - f. CONSTRUCTION SPECIFICATIONS: All sidewalks on any public street shall be constructed in compliance with the specifications and requirements determined by the Director of Public Service.
 - g. STEPS PROHIBITED ON SIDEWALKS: No person shall erect or cause to be erected on any pavement or sidewalk of the City any stairway, step, porch or any projection extending over or upon such pavement or sidewalk. Provided, when the width of the sidewalk exceeds ten feet, steps may be erected thereon which shall occupy not over three feet of the width of such sidewalk.
2. UNSAFE STREETS AND ENTRANCES
- a. No owner, occupant or person having control of any premises within the City shall deposit, or permit to remain, upon any sidewalk or entranceway to any building, structure or premises, any combustible trash, refuse or garbage, or any waste material, glass, grass clipping, leaves, or other articles which may do injury to any person, animal or property, or any material which may be harmful to the pavement thereof.
 - b. No owner, occupant or person having control of any premises within the City shall deposit or cause such combustible trash, refuse, garbage, waste material, glass, grass clippings, leaves, articles or material, to be deposited or swept onto a street or gutter.
 - c. VAULTS, AREAS AND CELLARWAYS: No person owning or occupying any premises shall construct or maintain any vault, area or cellarway opening in or upon or from any sidewalk or pavement unless and until permission therefor has been obtained from the Bureau of Buildings, Inspections, Licenses and Permits, and such vault, area or cellarway shall be covered with a strong iron grate or metal plate firmly embedded in a rim or frame of iron, level with the sidewalk or pavement. All such vaults, areas and cellarways shall be constructed of brick, stone or concrete.

3. DRIVEWAY REGULATIONS.

No person shall construct a driveway or driveways as a means of ingress or egress to property within the City except as follows:

- a. Thirty-five feet maximum width measured at the point the driveway becomes a constant width.
- b. Seventy-five feet maximum width measured at the edge of the street pavement or at the curb line.
- c. Fifty-foot minimum distance from the edge of a driveway to the edge of the pavement or the curb line of the other street at an intersection.
- d. Fifty percent (50%) maximum frontage occupied by driveways as measured at the property line.

4. CURB CUTS.

- a. Permit Required. No curb shall be changed or removed in conjunction with the construction of a driveway and no driveway on or across a public street or public right of way or public property shall be repaired or installed without first having a written permit from the Bureau of Buildings, Inspections, Licenses and Permits. This section shall not apply when the work is done by City forces or under a contract administered by the City, or when the curb cut is made with respect to property for which a permit for new building construction has been issued.
- b. Application. An applicant for a permit under this section shall file with the Bureau of Buildings, Inspections, Licenses and Permits an application containing the following information:
 - i. Name and address of the owner or agent in charge of the property abutting the proposed work area;
 - ii. The name and address of the party doing the work;
 - iii. Location of the work area;
 - iv. Attached plans showing details of the proposed alterations;
 - v. Estimated cost of the alteration;
 - vi. Such other information as the Bureau shall find reasonably necessary to the determination of whether a permit should issue hereunder.
- c. Fee. The permit fee shall be thirty dollars (\$30.00) for each curb cut; provided, however, when sidewalks, driveways or streets are being altered or repaired simultaneously with a curb cut, a deposit shall be made of twenty dollars (\$20.00) per lineal foot of the total curb cut length which deposit shall be refunded upon final inspection and approval of the work.
- d. Standards for Issuance of Permit. The Bureau of Buildings, Inspections, Licenses and Permits shall issue a permit under this section when it is determined that:
 - i. The plans for the proposed operation have been approved by the City Engineer's office, to whom they shall be forwarded by the Bureau within a reasonable time after receipt thereof.
 - ii. The work shall be done according to the standard specifications of the City for public work of like character.

- iii. The operation will not unreasonably interfere with vehicular or pedestrian traffic, the demand and necessity for parking spaces, and the means of egress to and from the property affected and adjacent properties.
 - iv. The health, welfare and safety of the public will not be unreasonably impaired.
 - e. Inspection of Work. All work shall be subject to inspection by the City during its performance and upon its completion.
 - f. Permit Expiration. A permit issued under this section shall expire for work not started within thirty days or completed within sixty days after the date of issuance thereof, and a new permit shall be required before beginning or completing the work.
5. PENALTY.

Whoever fails to get a permit as required under this chapter or otherwise violates any provision of this chapter is guilty of a misdemeanor of the fourth degree. A separate offense shall be deemed committed each day on which a violation occurs or continues.