

City of Wapakoneta

ZONING

REGULATIONS



Chapters pertaining to M-3 Industrial District

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**CHAPTER 1282
“M-3” INDUSTRIAL DISTRICT**

Section 1282.01 Intent

The M-3 district is primarily reserved for intensive industrial uses that, because of their general nature, typically produce off-site impacts such as vibration, noise, odor or other impacts that may be objectionable or potentially hazardous to surrounding properties.

Section 1282.02 Principal Permitted Uses

The following uses are permitted as of right in the “M-3” District:

Residential Uses	Public and Semi-Public Uses	Commercial Uses
<ul style="list-style-type: none"> • None 	<ul style="list-style-type: none"> • None 	<ul style="list-style-type: none"> • Agriculture • Grain Elevators including the Drying, Milling, Mixing Purchase, Sale, Storage and Related Activities of Raw and Processed Agricultural Products • Heavy Industrial and Manufacturing • Light Industrial and Manufacturing • Motor Vehicle Major Repair • Motor Vehicle, Truck, Trailer and Farm Implement Sales and Service • Off-Street Parking Lots • Research and Development Facilities • Trucking, Carting, Express or Hauling Terminal or Transfer Establishments Including Vehicle Storage

Section 1282.03 Accessory Permitted Uses

In an “M-3” District, accessory uses, buildings or other structures customarily incidental to any permitted or conditionally permitted uses may be established, erected or constructed. Accessory uses may include the following and shall conform to the regulations of Chapter 1292, Supplementary Regulations unless otherwise noted:

- A. Accessory Uses and Structures
- B. Fences and Walls
- C. Office for Professional, Administrative or Businesses
- D. Outdoor Storage
- E. Satellite Dishes subject to
- F. Signs subject to Chapter 1286, Signs.

Section 1282.04 Conditional Permitted Uses

In an "M-3" District, the following uses shall be permitted only if specifically authorized by the Planning Commission in accordance with Chapter 1252, Administration, Enforcement and Penalty:

Residential Uses	Public and Semi-Public Uses	Commercial Uses
<ul style="list-style-type: none"> • None 	<ul style="list-style-type: none"> • None 	<ul style="list-style-type: none"> • Billboards and Outdoor Advertising Signs • Off-Street Parking Lots • Salvage, Scrap and Wrecking Operations, Junk Yards, Landfills, Resource Recovery, Recycling Facilities, Incinerators Fueled only by On-Site Generated Waste • Sexually Oriented Business

Section 1282.05 Lot Development Standards

The following development standards shall apply to lots located within the "M-2" District:

Minimum Lot Area	<ul style="list-style-type: none"> • 1 Acre
Maximum Lot Coverage	<ul style="list-style-type: none"> • 100%
Minimum Lot Frontage	<ul style="list-style-type: none"> • 100 Feet for all impervious surfaces for any use
Minimum Front Yard Depth from the Building Line	<ul style="list-style-type: none"> • 50 Feet
Minimum Side Yard Setback from the Building Line	<ul style="list-style-type: none"> • Principal Structure – 50 Feet; 100 Feet Sum of Side Yard Widths Unless Abutting a Residential District, then 100 Feet Residential Side • Accessory Structure – 20 Feet Unless Abutting a Residential District, then 50 Feet
Minimum Rear Yard Setback from the Building Line	<ul style="list-style-type: none"> • Principal Structure – 50 Feet Unless Abutting a Residential District, then 100 Feet. • Accessory Structure – None
Maximum Building Height	<ul style="list-style-type: none"> • Principal Structures - 75 Feet • Accessory Structures - 25 Feet

Section 1282.06 Minimum Off-Street Parking and Loading Requirements

Off-Street parking requirements shall be as regulated in Chapter 1284, Off-Street Parking and Loading.

Section 1282.07 Signage Requirements

Signage requirements shall be as regulated in Chapter 1286, Signs.

Section 1282.08 Landscape and Buffer Requirements

Landscape and Buffer requirements shall be as regulated in Chapter 1294, Screening and Landscaping.

CHAPTER 1284 OFF-STREET PARKING AND LOADING

Section 1284.01 Purpose

The purpose of this Chapter is to prevent or alleviate the congestion of the public street, to minimize any detrimental effects of parking lots on adjacent properties, to enhance lots with landscape elements for improved traffic circulation and visual amenities and to promote the safety and welfare of the public. To accomplish this purpose minimum requirements are established, while more landscaping may be included depending on site specific conditions.

Section 1284.02 Off-Street Parking Applicability

- A. Except in the B-3 District, all buildings and structures erected and all uses of land established after the adoption of this Zoning Code shall be provided with off-street parking and loading spaces as set forth in this section.
- B. The provisions of this section, except where there is change or enlargement of use, shall not apply to any existing building or structure.
- C. Whenever a building or structure constructed before the effective date of this Zoning Code is changed or enlarged, in floor area, number of employees, number of housing units, seating capacity, or otherwise, to create a need for an increase in the number of parking spaces, additional parking spaces shall be provided on the basis of the enlargement or change, provided that whenever a building or structure existing prior to the effective date of this Zoning Code is enlarged to the extent of fifty percent or more in floor area, number of employees, number of housing units, seating capacity, or otherwise, said building or structure shall then and thereafter comply with the full parking requirements set forth herein.
- D. Accessory off-street parking facilities in existence on the effective date of this Zoning Code, and located on the same lot as the building or use served, shall not hereafter be reduced below, or if already less than, shall not be further reduced below, the requirements for a similar new building or use under the provisions of this Zoning Code.

Section 1284.03 Off-Street Parking Maintenance

The duty to maintain all off-street parking areas shall be the joint responsibilities of the owner, operator and lessee of the use for where parking lots are required. Off-street parking areas shall be maintained in good condition without holes and free of all trash, abandoned or junk vehicles, weeds and other rubbish.

Section 1284.04 Off-Street Parking Plan Review

For any off-street parking area required under this Chapter, a plan shall be submitted with the application for a Zoning Certificate to the Zoning Administrative Officer to review for compliance with these regulations and for any other applicable regulations. Any such parking plan shall show the number of parking spaces, the arrangement of parking aisles, the location of driveway entrances, provisions for vehicular and pedestrian circulation, the location or typical location of sidewalks, wheel stops, lighting and curbs on or adjacent to the property, the location of utilities, barriers, shelters, and signs, the location of landscaped areas and the types and location of vegetation to be planted in them, typical cross sections of pavement, storm water drainage facilities, and any other relevant information requested by the Zoning Administrative Officer.

Section 1284.05 Off-Street Parking Location and Usage

The following regulations shall govern the location of off-street parking spaces and areas.

- A. Parking spaces for all detached residential uses shall be located on the same lot as the use which they are intended to serve.
- B. Parking spaces for commercial, industrial, public or institutional uses shall be located not more than 700 feet from the principal use. Parking lots farther than 700 feet from the principal use shall be subject to approval by the Board of Zoning Appeals.
- C. Parking spaces for apartments or similar residential uses shall be located not more than 300 feet from the principal building.
- D. When two or more uses are located within the same building or structure, off-street parking spaces equal in number to the sum of the separate requirements for each use shall be provided.
- E. All off-street parking spaces required by this chapter shall be used only for the parking of vehicles of occupants, patrons, visitors or employees and shall not be used for any kind of loading, sales, servicing or continuous storage of a vehicle for more than forty-eight hours.
- F. Off-street parking spaces may be located in any yard except the required front yard of the M-1 District.

Section 1284.06 Off-Street Parking Design

Every parcel of land hereafter used as a public or private off-street parking area, which is required to accommodate five or more vehicles, shall be developed and maintained in accordance with the following requirements:

A. Access

Each required off-street parking space shall have direct access to an aisle or driveway and all required off-street parking areas shall have vehicular access to a street or alley so designed to minimize interference with pedestrian and traffic movement.

B. Pavement and Drainage

In all R and B districts, all required off-street parking shall be paved with bituminous, concrete or other all-weather, dustproof surfacing and shall be provided with bumper guards or barrier curbs where needed to prevent encroachment onto sidewalks or into landscaped or areas used for screening.

No surface water from parking areas shall accumulate or drain over a public sidewalk. Interior landscaped areas may be used for surface drainage. The use of pervious asphalt or pavers for non-residential use is encouraged to prevent surface water runoff. Pervious asphalt or pavers for non-residential use shall be approved by the Planning Commission prior to installation.

C. Lighting

Fixed lighting shall comply with the provisions contained below and be so arranged to prevent direct glare of beams onto any public or private property or street. The following restrictions shall apply to any outdoor lighting located in any district or parcels where there are non-residential off-street parking spaces.

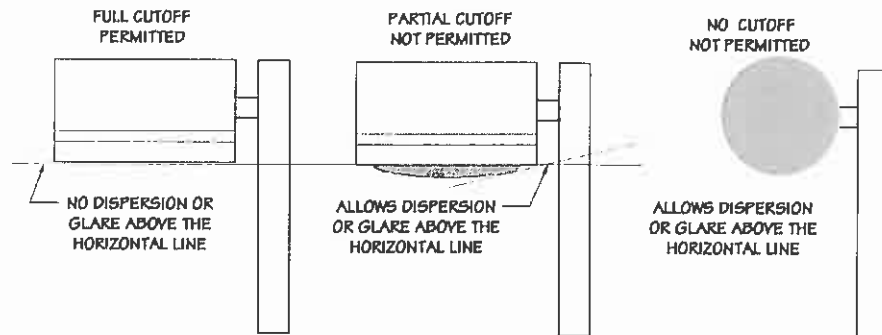
1. Lighting Plan Required

A lighting plan is required for any off-street parking and loading area lighting. The following information shall be submitted, as a minimum, in order to effectively evaluate the proposed lighting:

- a. Pole height or mounting height of lighting fixture;
- b. Type of luminaires;
- c. Site coverage;
- d. Uniformity including the maximum, average and minimum footcandles;
- e. Intensity at property line in footcandles.

2. Height of Lighting Structure

All outdoor lighting shall be designed, located, and mounted at heights no greater than twenty feet. A greater height may be authorized in any district by a Variance approved pursuant to, Chapter 1254, Board of Zoning Appeals. Cutoff and non-cutoff lights are illustrated below:



3. Illumination

All outdoor lighting shall be designed and located with a maximum illumination of 1.0 footcandles as measured at the property line.

4. Shielding

All outdoor lighting for non-residential uses shall be located, screened, or shielded so that adjacent lots located in residential districts are not directly illuminated.

5. Color and Glare

No outdoor lighting shall be of such an intensity or color distortion as to cause glare or to impair the vision of drivers or pedestrians.

D. Screening

All open off-street parking areas shall be effectively screened on each side adjoining or fronting on any property situated in a residential district, or any institutional premises, by a wall, fence or densely planted compact hedge, not less than five feet nor more than eight feet in height.

E. Parking Space Dimension

A parking space shall have minimum rectangular dimensions of not less than:

1. Ten feet in width and twenty feet in length for ninety degree parking,
2. Ten feet in width and twenty-three feet in length for parallel parking, and
3. Ten feet in width and twenty feet in length for forty-five degree parking.

All dimensions shall be exclusive of driveways, aisles, and other circulation areas.

F. Driveway Dimension

Driveways (aisles) serving individual parking spaces shall not be less than:

1. Twenty-five feet wide for ninety degree parking,
2. Twelve feet wide for parallel parking,
3. Seventeen and one-half feet for sixty degree parking, and
4. Thirteen feet for forty-five degree parking.

These dimensions do not include any parking spaces.

G. Joint Use

Two or more nonresidential uses may jointly provide and use parking spaces when their hours of operation do not normally overlap, provided that a written agreement approved by the Board of Zoning Appeals shall be filed with the application for a permit.

H. Collective Use

The required off-street parking spaces for any number of separate buildings, structures or uses may be provided collectively on one lot, provided the total number of such spaces shall not be less than the sum of the requirements for the various individual buildings, structures or uses computed separately in accordance with the following requirements.

I. Spaces for the Handicapped

Parking spaces for handicapped individuals shall be provided in accordance with the provisions of the Ohio Basic Building Code and the Ohio Revised Code.

J. Maximum Number of Parking Spaces Permitted

In order to prevent excessive lot coverage, the artificial increase in air temperature, and surface water run-off, no minimum off-street parking space requirement in Section 1284.08, Off-Street Parking Space Requirements, shall be exceeded by more than fifteen (15) percent unless good cause can be shown by the applicant and approved by the Board of Zoning Appeals. Single Family Dwellings and Two Family Dwellings are exempt from this provision.

K. Parking of Inoperable or Abandoned Vehicles

The parking or storage of inoperable or abandoned vehicles is prohibited outdoors in all districts and as further provided herein. The location and duration or temporary parking or storage of an unlicensed operable vehicle may be approved by the Zoning Administrative Officer through the issuance of a Temporary Zoning Certificate on the basis of the adequacy of the parcel size, condition of the vehicle, visibility from other properties and absence of undue adverse impact on adjacent property or on the area as a whole.

Section 1284.07 Off-Street Parking Measurement for Number of Parking Spaces

Except as otherwise provided in this Section, off-street parking spaces for each new principal use on a lot shall be provided according to the units of measurement indicated for that use in Section 1294.08, Schedule of Off-Street Parking Requirements.

The following provision shall govern the computation of the number of off-street parking spaces required:

A. Fractions

When determination of the number of required parking spaces results in the requirement of a fractional space, any fraction $\frac{1}{2}$ or less shall be disregarded and any fraction over $\frac{1}{2}$ shall require one (1) parking space.

B. Bench Seating Calculation

In stadiums, sports arenas, churches and other places of assembly in which patrons or spectators occupy benches, pews or other similar seating facilities, each twenty-four inches (24") of such seating facilities shall be counted as one (1) seat for the purpose of determining the requirement for off-street parking facilities.

C. Use of "Maximum"

When parking spaces are required on the basis of the number of faculty, staff, students or employees, the maximum number present at any one time shall govern. The "maximum number" shall be the same as the "Maximum Occupancy" as identified on the Building Permit or as identified by the Fire Chief.

D. Interpretation

For uses not expressly listed in Section 1284.08, parking spaces shall be provided on the same basis as required for the most similar and restrictive listed use as determined by the Zoning Administrative Officer for that specific use based on the intended use, the location of such use and the expected patronage by individuals operating motor vehicles.

E. Floor Area Defined

For the purposes of applying "floor area", floor area shall be the sum of the gross leasable horizontal area of all floors of a building.

Section 1284.08 Off-Street Parking Space Requirements

SCHEDULE OF OFF-STREET PARKING REQUIREMENTS	
RESIDENTIAL USES	FORMULA
Accessory Apartment	One space for apartment in addition to the requirement for the single family dwelling.
Assisted Living, Nursing, Convalescent Home, & Rest Home	One space for each two beds.
Bed and Breakfast	Two spaces for owner + one space for each guest room.
Day Care, Child (In-Home)	See Single Family Detached Dwelling.
Group Home	One space for two beds + one space for every 400 square feet of gross floor area, excluding resident rooms.
Mobile Home Dwelling	Two spaces for each unit.
Multi-Family Dwelling	Two spaces for each dwelling unit for up to two bedrooms + one space for each 5 dwelling units for visitor parking.
Single Family Attached and Single-Family Detached Dwelling	Two spaces for up to three bedrooms.
Two Family Dwelling	Two spaces for up to three bedrooms Three spaces for four or more bedrooms
COMMERCIAL USES	FORMULA
Animal Hospital or Veterinary Establishment	Two spaces for each examination room + one space per each 200 square feet of laboratory and office floor area.
Banquet, Conference or Meeting Halls	One space for each three seats or one space per 75 sq. ft. of net banquet or meeting floor area where fixed seating is not available
Bar or Tavern	One space for every three seats or one space for each 100 sq. ft. of floor area, whichever is greater
Building Materials, Contractors Equipment Sales Yard	One space per 400 sq. ft. of net floor area
Car Wash, Automated	Five stacking spaces for each automated car wash lane.
Car Wash, Self Service	Two stacking spaces for each stall + two drying spaces for each stall
Commercial Entertainment	One space for each three seats or one space for each 100 sq. ft. of floor area.
Commercial Recreation	One space for each 50 sq. ft. of pool area One space for each 100 sq. ft. of outdoor playground area Five spaces for each trail head Six spaces for each tennis, racquet ball or handball court Ten spaces for each basketball court Twenty spaces for each baseball, softball or soccer field
Convenience Store (with gas pumps)	One space per 200 sq. ft. of net floor area + one space per pump + one space per employee
Day Care Facility, Child	One space per four children of licensed capacity + one space per employee

SCHEDULE OF OFF-STREET PARKING REQUIREMENTS	
Drive-In or Drive-Through Facility	One space per 100 sq. ft. of gross floor area if entirely drive-through. If drive-in facility, one space for each ordering space + one space per 100 sq. ft. of gross floor area
Display Room for Merchandise sold at Wholesale	One space per 300 sq. ft. of display floor area.
Financial Institution	One space per 250 sq. ft. of floor area + four stacking spaces for drive-in service window
Funeral Home or Mortuary	One space per 100 sq. ft. of parlor or chapel space or one per five seats, whichever is greater, but not less than 20 spaces
Grain Elevator	One space per 100 sq. ft. of office space associated with the facility
Hotel or Motel	One space per each room + one space for each employee + one space for each 100 sq. ft. of meeting area and/or restaurant space or bar/cocktail lounge.
Manufacturing Uses	One space for each 2 employees on the largest shift.
Mixed Uses	The sum of spaces of each use reduced by 15%.
Motor Vehicle Filling Station (without Convenience Retail)	Two spaces per each two fuel pumps + one space for each 50 sq. ft. of attendant facility.
Motor Vehicle Service Station	Two spaces per service bay (excluding the bay)+ two spaces for every two fuel pumps
Motor Vehicle Service Station and Body Shop	Three spaces per service bay (excluding the bay) + one space per vehicle used in operation of the service and one space for each 50 sq. ft. of waiting room area
Motor Vehicle, Truck, Trailer and Farm Implement Sales	One space per 300 sq. ft. of net floor area of the showroom.
Office (excluding medical)	One space per 400 sq. ft.
Office, Medical/Dental Clinic	One space per 200 sq. ft.
Outside Storage	Two spaces for the first 2,000 square feet + one space for each additional 2,000 square feet of outdoor storage area.
Personal Services	One space per 300 sq. ft. of gross floor area
Professional Services	One space per 300 sq. ft. of gross floor area + one space for each service vehicle parked on site
Research and Development Facility	One space per 300 sq. ft. of gross floor area
Restaurant	One space per 100 sq. ft. of gross floor area
Restaurant Drive-In	Five stacking spaces per lane
Restaurant, Fast Food	One space per 75 sq. ft. of gross floor area plus five stacking spaces for each drive-through window.
Retail Business	One space per 250 sq. ft. of net floor area
Salvage, Scrap and Wrecking Operations	Once space per each 50 sq. ft. of office gross floor area.
Self-Storage Warehouse Facility	Three spaces + one space per 100 individual storage units
Sexually Oriented Business	One space per each 200 sq. ft. of gross floor area.

SCHEDULE OF OFF-STREET PARKING REQUIREMENTS	
Trucking, Carting, Express, Hauling or Transfer Terminal	One space per 1,500 sq. ft of gross floor area + one space per facility vehicle
Warehouse	One space per 2,000 sq. ft. of warehouse floor area + additional space for office area as per office requirements
PUBLIC AND SEMI-PUBLIC USES	FORMULA
Club, Fraternity, Lodge or Similar Organization	One space per 100 sq. ft. of floor area
Community Center or Recreation Center	One space per 200 sq. ft. of floor area
Educational Institution (Pre K-8)	One space for every eight seats in any auditorium + two spaces for each classroom
Educational Institution (9-12)	One space for every ten students of design capacity + One space for every eight seats in any auditorium
Government Buildings	One space per 250 sq. ft. of floor area for administrative use + one space for each government vehicle parked on site One space per 500 square feet of indoor maintenance use
Hospital	One space per each bed + one space for each 500 square feet of administrative, office or laboratory space.
Library	One space per each 400 sq. ft. of floor area
Recreation Uses, Public	One space for each 50 square feet of pool area One space for each 500 square feet of outdoor playground area Four spaces per acre for unimproved recreation area Five spaces for each trail head Six spaces for each tennis, racquet ball or handball court Ten spaces for each basketball court Twenty spaces for each baseball, softball or soccer field
Religious Place of Worship	One space per five seats or bench seating in the main assembly area.
Vocational/Technical School	One space per employee + one space per two registered student capacity
University or College	One space per two employees + one space per four students

Section 1284.09 Off-Street Loading Requirements

A. Applicability

In any district, in connection with every building or part thereof hereafter erected and having a gross floor area of 10,000 square feet or more, which is to be occupied by manufacturing, storage, warehouse, goods display, retail store, wholesale store, market, hotel, hospital, mortuary, laundry, dry cleaning or other uses similarly requiring the receipt or distribution by vehicles of material or merchandise, there shall be provided and maintained, on the same lot with such building, at least one off-street loading space. In no case will loading or unloading be permitted within public rights of way or interfere with required parking areas.

B. Number of Loading Spaces Required

Off-street loading spaces shall be provided in accordance with the table below. Loading spaces shall not conflict with or overlap with areas used for parking.

Gross Floor Area of Structure (in square feet)	Number of Required Loading Spaces
0 – 10,000	0
10,001 – 50,000	1
50,001 – 100,000	2
100,001 – 200,000	3
200,001 – 400,000	4
Each additional 200,000 over 400,000	1 additional space

C. Dimensions

Each loading space shall be not less than twelve feet in width, fifty feet in length, and have fourteen feet of unobstructed height.

D. Location

1. In M-1, B-1, and B-2 Districts, such loading space may not occupy any part of any required yard. In M-2, M-3 and B-3 Districts, such loading space may occupy any part of any required yard.
2. No such space shall be located closer than fifty feet to a lot in any R District, unless wholly within a completely enclosed building or unless enclosed on all sides by a wall or suitable fence not less than six feet in height.

E. Surface

All loading spaces shall be graded and provided with a durable and dustless hard surface of asphalt, Portland cement, concrete, or other suitable materials capable of withstanding 1,000 pounds per square inch (psi).

F. Drainage

Individual stalls shall be graded to drain so as to dispose of all surface water within the loading area in accordance applicable stormwater regulations. No surface water from loading areas shall be permitted to accumulate or drain over a public sidewalk.

G. Screening

All operations, materials, and vehicles in any loading space that are visible from public streets or from residential districts shall be screened. The screening material, upon installation, shall be at least six feet (6') in height, 100 percent opaque.

CHAPTER 1286 SIGNS

Section 1286.01 Purpose

It is the purpose of these sign regulations to:

- A. Permit the use of signs as a means of communication in the City;
- B. Maintain and enhance the City's natural and manmade environment;
- C. Encourage a safe, attractive and healthy economic environment;
- D. Minimize the possible adverse effects of signs on nearby public and private property; and
- E. Enable the fair and consistent enforcement of these sign regulations.

The purpose as stated above is based on the following findings concerning signs:

- A. That excessive signs can create dangerous traffic conditions and, as such, are detrimental to the public health, safety and general welfare of the City.
- B. That businesses and other institutions located along public and private streets have a need to identify themselves and their activities to motorists and pedestrians by means of signs.

Section 1286.02 Compliance Required

No sign shall be permitted in any district except as specifically provided in this chapter.

Section 1286.03 Signs in Public Rights-Of-Way; Temporary Signs; Illumination

- A. Except as provided in this Section, no sign shall be placed in any public right of way, except publicly owned signs, such as traffic control signs and directional signs and no sign shall be posted on any public utility poles, on any park trees or street trees as defined by Section 1028.01 of the Codified Ordinances, or to any publicly owned sign posts or hydrants.
- B. Temporary signs not exceeding fifty square feet in area, announcing special public or institutional events, the erection of a building, the architect, the builders or contractors, may be erected for a specific pre-designated time period and shall be promptly removed when they have fulfilled their function.
- C. Self-standing garage sale signs not exceeding two feet by three feet may be placed in the tree lawn for one day prior to the date of the sale and shall be removed by one day after the date of sale. The sign may not be displayed more than 5 days and must have the dates for the sale clearly marked.
- D. Realty directional arrows and open house signs are permitted in the City right-of-way if the realty business obtains an annual permit to place such signs. This type of sign must be placed as near as possible to existing City sign posts so no additional maintenance to the area of the sign is required. The fee for such a permit is established by ordinance by City Council, per year, and can be obtained at the City Engineering Department.
- E. At a business property where the City right-of-way adjoins the front of a building, the business may place a sandwich board type sign or any self-standing signs (referred to as ground sign boards in other Ordinances) for the purpose of daily advertising. The sign may

be no larger than 4 feet in height and 2½ feet in width. Such a sign may be placed on the sidewalk in front of the business's building during business hours and must be placed so that the sign does not restrict pedestrian traffic. The business accepts all liability of the sign. A permit is required for each such sign. The fee for such a permit is \$25.00 per year and can be obtained at the City Engineering Department.

- F. Signs shall not be illuminated in any manner which causes undue distraction, confusion or hazard to vehicular traffic.
- G. Lighting used to illuminate a sign shall be shielded from residential properties.

Section 1286.04 Signs Permitted in All Districts

- A. One sign non-illuminated temporary real estate sign, advertising the sale, rental or lease of the premises on which it is maintained and not over twelve square feet in aggregate area, shall be permitted on any lot. Such signs shall be removed at such time as the premises are sold, rented or leased.
- B. Professional nameplates and signs shall not exceed two square feet in area.
- C. Signs denoting the name and address of the occupants of the premises shall not exceed two square feet in area.
- D. Signs or bulletin boards customarily incidental to places of worship, libraries, museums, social clubs or societies shall not exceed twenty-four square feet in area and shall be located on the premises of such institution.

Section 1286.05 Business Signs

Permitted sign types include wall mounted and ground mounted signs. Business signs shall be permitted in connection with any legal business or industry when they are located on the same premises and if they meet the following requirements:

- A. All faces of all signs shall have an aggregate surface size no greater than five square feet for each foot of width of the principal structure on the premises.
- B. Signs shall not project over public right-of-way.
- C. Signs shall conform to the height requirements of the district in which they are located, except that when they are within 1,500 feet of the right-of-way of an Interstate highway, they may be erected at a height not to exceed 125 feet above ground level.

Section 1286.06 Billboards; Outdoor Advertising Signs and Structures

- A. Outdoor advertising signs and structures, where permitted, shall be set back twenty feet from the intersection of any established right-of-way line of any street or highway, except that at the intersection of any State or Federal highway, with a major or secondary street, the setback of any outdoor advertising sign or billboard shall not be less than 100 feet from the established right of way of each such highway or street.
- B. No such billboard, sign or advertising structure shall be permitted which faces the front or side lot line of any lot in any Residential District within twenty feet of such lot line.

Section 1286.07 Measurement of Signs

The following standards shall be used to determine the area and height measurements for all signs in the City:

- A. The area of a sign shall be computed by means of the smallest square, circle, rectangle, triangle, or combination thereof that will encompass the exterior display limits of a sign. Frames and structural members not bearing advertising matter or which are not an integral part of the sign message shall not be included in the computation of surface area (See illustrations on following page).
- B. The sign area for a sign with more than one face shall be computed by adding together the area of all sign faces visible from any one point.
- C. In the case of irregularly shaped three dimensional signs the area of the display surface shall be measured on the plane of the largest vertical cross Section.
- D. The height of a sign shall be determined by measuring the vertical distance between the top part of the sign to the elevation of the ground beneath the sign prior to construction, excluding additional elevation added by creation of berming or mounding. If the grade prior to construction can not be determined, the elevation of the base of the sign shall be computed using the elevation of the nearest point of the crown of a public street or the grade of the land at the principal entrance to the principal structure on the premises, whichever is lower.

2. The satellite dish shall be of one color and shall not contain any advertising other than that of the manufacturer or system.
3. The satellite dish apparatus shall be properly maintained to prevent both unsightly and unsafe conditions.

Section 1292.16 Outdoor Bulk Storage and Display in Commercial and Industrial Districts

The following regulations shall apply to outdoor bulk storage or displays in commercial and industrial districts:

- A. The outdoor storage or display of bulk goods including retail and seasonal items such as firewood, landscaping materials, bagged materials and mulch shall be controlled by the following regulations:
 1. The outdoor storage or display of merchandise, inventory or materials shall not interfere with required off-street parking or the safe and unobstructed use of vehicular or pedestrian access ways or walkways or block any natural drainage.
 2. The outdoor storage of merchandise, inventory or materials shall not be located in any required yard area within the lot nor shall it be visible from the public right-of-way.
 3. Outdoor storage areas shall be required to be fully screened with an opaque fence or wall not to exceed six feet in height. Such fence shall be constructed out of a material that is similar in nature to the principal structure on the lot or painted in similar color of the principal structure on the lot.
 4. All permitted outdoor storage or display shall be maintained in a neat and orderly fashion.
 5. As part of an outdoor display, only a sample of materials, to properly identify the merchandise for sale on the premises, shall be permitted. The remaining materials, if not stored indoors, shall be considered outdoor storage, subject to the regulations of this Section.
 6. Outdoor storage or display locations shall be approved by the Zoning Administrative Officer upon the application of the record owner of the property.
- B. Applications for outdoor storage or display areas shall be on a form provided by the Zoning Administrative Officer and shall be submitted with a site plan depicting the location of the said storage or display areas with supporting documentation indicating the impact of the storage or display area on the property as a whole. The Zoning Administrative Officer may request the specific review and approval of the Planning Commission on any application. The review and approval of the Board of Zoning Appeals may be requested by any applicant whose application has been rejected or modified by the Zoning Administrative Officer or Planning Commission, which request must be made in writing and must be made within 30 days of such rejection or modification.

Section 1292.17 Outdoor Storage in Residential Areas

The outdoor storage of materials in a residential district shall not be permitted in the front yard for more than 48 hours. Outdoor storage shall be located behind the front building line of the dwelling and shall be stored in an orderly manner (e.g. stacked) and shall remain free of stagnant water, weeds and vermin. The City may require the screening of items stored outdoors on a case by case basis.

Section 1292.18 Junk Storage

The accumulation and/or storage of junk vehicles, disabled or inoperative machinery and equipment, dismantled parts of vehicles, machinery or equipment, discarded appliances and furnishings, other junk and debris, shall be prohibited except when stored within a completely enclosed building or structure.

Section 1292.19 Portable Storage Units**A. Purpose**

The purpose of these regulations is to regulate the use and location of portable storage units. These units are typically known by the names: PODS (Portable On Demand Storage Units), SAM (Store and Move), SmartBox USA, and UNITS. These types of units are typically used for moving, temporary storage during construction and other purposes as may be listed below.

B. Definition

For the purposes of this Section, the term "portable storage unit" shall mean any rentable or leasable enclosed unit of durable construction or material, generally eight feet in width by eight feet in height by 7 to 16 feet long, designed for temporary storage, which can be transported by truck, left on site or are filled and removed and stored at a central location.

C. General Regulations

Portable storage units may be permitted as a temporary use in any zoning district as follows:

1. Location and Timeframe**a. Temporary Use for New Construction**

Portable storage units are to be removed within three calendar days after the unit is no longer necessary or construction is complete, whichever is sooner.

b. Moving and Relocating in Residential Districts

1. If used by an occupant of a property for moving or relocating, a portable storage unit shall only be located on a paved surface on the property (e.g. driveway) for a period of not more than seven days or for a period of fourteen total days in any 365 day period.
2. Portable storage units shall not be located any closer to an adjacent property than the required minimum side or rear yard setback for accessory uses in the district the unit is located.

c. Commercial and Industrial Districts

1. Portable storage units shall not be permitted in any commercial or industrial district for temporary or permanent on site storage unless expressly permitted by the Board of Zoning Appeals.
2. When permitted, a portable storage unit shall only be located on a paved surface on the property for a period of time as determined by the Board of Zoning Appeals.
3. Portable storage units shall not be located any closer to an adjacent parcel than the required minimum side or rear yard setback for accessory uses in the district that the unit is located.

2. Prohibitions

- a. No portable storage unit shall be used for human or animal occupation.
- b. Portable storage units larger than those identified in 1292.19 B., Definition, shall be prohibited in the City unless expressly permitted by the Board of Zoning Appeals.
- c. Only one portable storage unit shall be permitted on the property at any time.
- d. No portable storage unit shall be located in a public right-of-way.
- e. No electrical or plumbing service shall be connected to or provide in the portable storage unit.

3. Units must be Secured

Portable storage units shall be fully secured at all times including the use of a locking device on the door to prohibit unauthorized entry into the unit.

4. Public Nuisance

The placement of any portable storage unit shall be located in such a manner on any property as not to create a public nuisance such as creating a motor vehicle visibility issue or storing hazardous materials.

CHAPTER 1294 SCREENING AND LANDSCAPING

Section 1294.01 Purpose

The purpose of this Chapter is to provide minimum standards involving the development of land to:

- A. Provide attractive views from roads and adjacent properties;
- B. Screen from view visually undesirable uses;
- C. Require screening between incompatible land uses;
- D. Protect the health, safety and welfare of the community through the reduction of noise, air and visual pollution, and headlight glare.

Section 1294.02 Applicability

This chapter shall apply to new property development and any collective substantial expansion of existing structures, *except* for single family detached dwellings and two family dwellings. Substantial expansion of existing structures shall be defined based on the criteria established below:

<i>When Existing Structure is....</i>	<i>A Substantial Expansion is...</i>
0 - 1,000 Sq. Ft.	100% or Greater
1,001 - 10,000 Sq. Ft.	50% or Greater
10,001 - 25,000 Sq. Ft.	40% or Greater
25,001 - 50,000 Sq. Ft.	30% or Greater
50,001 Sq. Ft. and larger	20% or Greater

Section 1294.03 General Requirement for Submission

Any property to which this chapter applies shall submit a Screening or Landscaping Plan to the Zoning Administrative Officer as part of the Zoning Certificate process. Screening or Landscaping Plans shall be prepared by a nursery or by a design professional practicing within their areas of competence. The Plan shall contain the following information:

- A. Plans must be at a reasonable scale to identify all proposed screening or landscaping improvements and shall include the following minimum information:
 1. North arrow and scale.
 2. The name of applicant/owner.
 3. The name, address and phone number of the person or firm responsible for the preparation of the Screening or Landscape Plans.
 4. The dates the plans are submitted or revised.
 5. All existing and proposed buildings and other structures, paved areas, planted areas, utility poles, fire hydrants, light standards, signs, fences and other permanent features to be added and/or retained on the site.
 6. All existing plant material to be removed or retained and all new screening or landscaping materials to be installed.

7. All existing and proposed streets, sidewalks, curbs and gutters, railroad tracks, drainage ditches and other public or semi-public improvements within and immediately adjacent to the site.
 8. All property lines and easements.
 9. Any other information which is deemed appropriate by the Zoning Administrative Official.
- B. Typical details shall be shown for the planting of the types of trees, shrubs and ground cover within the screening or landscaped area.

Section 1294.04 Approval

- A. No site or development plan required under this Zoning Code shall receive final approval unless a Screening or Landscaping Plan has been submitted and approved when required by this Chapter.
- B. No final approval of the Zoning Certificate shall be granted unless the following criteria are fully satisfied with regard to the approved Screening or Landscape Plan:
1. Such plan has been fully implemented on the site; or
 2. Such plan, because of seasonal conditions, cannot be implemented immediately, but has been guaranteed by a postponed improvement agreement between the developer and the City.
- C. The Zoning Administrative Official may request the review and approval of the Planning Commission at any time during the review and approval process.

Section 1294.05 Landscaping and Screening Standards

- A. Maintenance of Screening and Landscaped Areas

All screening and landscaping materials shall be installed and maintained according to accepted nursery industry procedures. The owner of the property shall be responsible for the continued property maintenance of all landscaping materials, and shall keep them in a proper, neat and orderly appearance, free from refuse and debris at all times and shall remove all noxious, invasive, or poison type plants. All unhealthy or dead plant material shall be replaced within one (1) year, or by the next planting period, whichever comes first. Violation of these installation and maintenance provisions may be grounds for the Zoning Administrative Officer to:

1. Find the owner of the property in violation of the conditions of the Zoning Certificate;
2. Require replacement of the landscape material; or
3. Institute legal proceedings to enforce the provisions of this Code.

- B. Screening and Landscape Establishment

Once a screened or landscaped area has been approved by the Zoning Administrative Officer and established by the owner, it may not be used, disturbed or altered in anyway that would decrease its landscape or screening effectiveness unless approved by the Zoning Administrative Officer.

C. Screening Requirement

In order to provide protective screening and buffers for residentially zoned areas that are adjacent to nonresidential areas, the Zoning Administrative Officer may require a wall, fence or open space to be provided by any newly developed or substantially expanded nonresidential property if the nonresidential property is not already sufficiently screened.

Screening shall be in accordance with the following:

1. Screening areas shall be provided for the purpose of minimizing the visual and noise impact between incompatible land uses by improving the aesthetic and functional quality of new development.
2. Where vegetative and/or topographic conditions already provide a natural screen and buffer prior to development of properties in question, every effort shall be made to retain such conditions in good maintenance. In such cases, additional screening may not be required by the Zoning Administrative Officer, provided that provision is made for maintenance of such areas.
3. The Zoning Administrative Officer may waive the requirement for a wall, fence or greenbelt if equivalent screening is provided by existing or planned parks, parkways, recreation areas or by topography or other natural conditions found on the subject property.
4. Screening Standards

WHEN...	IS PROPOSED TO ABUT...	A MINIMUM SCREENING OF...
Any commercial or office land use	Any Residential District	A. If proposed; a wall or fence should be five to seven feet in height and placed near the nonresidential property line. The area between such wall or fence and the property line shall be treated with plantings to form a permanent landscaped area.
Any industrial land use	Any Residential or Business District	
		or
Any multi-family land use	Any Single Family Residential District	B. If proposed; a strip of open space along the property line at least ten (10) feet in width should be established. Such greenbelt shall be planted and maintained with evergreens such as spruce, pine or firs at least six (6) feet in height or a hedge at least five (5) feet in height, tightly situated so as to provide an effective and permanent visual buffer. The portion of the landscaped area not covered by plantings shall be kept in a neat and orderly appearance.
Any institutional land use (including assisted living facilities, educational institutions and religious places of worship)	Any Single Family Residential District	

D. Materials for Screening and Landscaping

1. Walls and Fences

When walls or fences are used to fulfill screening requirements, they shall be detailed on the plan. They are to be of weather-proof materials. This includes pressure treating or painting of lumber if it is not redwood or cedar and using aluminum or galvanized hardware. Chain link fences with or without wooded or synthetic slat material shall not be permitted when used to satisfy screening requirements.

2. Plants

All plants are to be healthy upon planting. Plant materials used in conformance with the provision of this Section shall conform to the standards of the American Association of Nurserymen and shall have passed any inspection required under State regulations. Trees and plant materials should be species indigenous to Zone 6 of the United States Department of Agriculture Plant Hardiness Zone Map. Trees shall be balled and burlapped or in containers. Shrubs, vines and ground covers can be planted as bare root as well as balled and burlapped or containers.

a. Deciduous Trees

Deciduous trees shall have a minimum caliper of at least two and one half (2½) inches conforming to acceptable nursery industry procedures at the time of planting. If deciduous trees are to be used for screening purposes, additional materials listed in this Chapter must be used to create a dense buffer.

b. Evergreen Trees

Evergreen trees shall be a minimum of six feet in height at the time of planting when used for screening purposes when adjacent to a Residential District. Evergreen plantings used for screening shall be planted so as to provide an effective, dense screen upon the time of planting. The height at installation of the planting shall be measured from the level of the planting surface of the evergreen base.

c. Shrubs and Hedges

Shrubs and hedges shall be at least five feet in height at the time of planting. All shrubs and hedges shall be designed to provide an effective, dense screen and mature height of at least six feet within two years after the date of the final approval of each planting. The height at installation of the planting shall be measured from the level of the surface of the plant base at the edge closest to the screening.

d. Grass or Ground Cover

Grass shall be appropriate for the soil type. In swales or other areas subject to erosion, solid sod, erosion reducing net or suitable mulch shall be used and nursegrass seed shall be sown for immediate protection until complete coverage otherwise is achieved and shall be reviewed by the Auglaize Soil and Water Conservation District. Grass sod shall be clean and free of weeds and noxious pests or diseases. Ground cover shall be planted to provide seventy-five (75) percent complete coverage after two growing seasons.

3. Mounds

Mounds made of soil may be used for screening purposes. A difference in elevation between areas requiring screening does not constitute an earth mound. Mounds shall conform to the following standards:

- a. The maximum side slope shall be three horizontal to one vertical (3:1) and the design shall be reviewed by the Zoning Administrative Officer to ensure that proper erosion prevention and control practices have been utilized.
- b. Berms and earth forms shall be designed with physical variations in height and alignment throughout their length.
- c. Landscape plant material installed on berms and earth forms shall be arranged in an irregular pattern to accentuate the physical variation and achieve a natural appearance.
- d. The Plan shall show sufficient detail, including a plan and profile of the berm or earth form, soil types and construction techniques to demonstrate compliance with the above provisions.
- e. Berms and earth forms shall be located and designed to minimize the disturbance to existing trees located on the site or adjacent thereto.
- f. For adequate sight distance for points of ingress and egress, no part of any berm which is elevated more than thirty-six inches above natural grade shall be located within twenty feet of any right-of-way or property line.
- g. Adequate ground cover shall be used and maintained to prevent erosion of the mound.

Section 1294.06 Screening and Landscaping for Off-Street Parking Areas

Screening and Landscaping for off-street parking areas shall be as established in Section 1284.06 D, Screening.

Section 1294.07 Screening for Dumpsters and Trash Handling Areas

Screening for dumpsters and trash handling areas shall be as established in Section 1292.13, Dumpsters and Trash Handling Areas.

Section 1294.08 Easements, Right-of-Way, and Setbacks

Required screening and landscaping may be placed wholly or partially in utility or other easements providing all requirements of this Chapter can be fulfilled and approval is granted by the holder of the easements, in writing.

In no case, however, shall screening or landscaping be established so as to block the sight distance at street or drive intersections. Ground cover and trees with at least six (6) feet of limbless trunk shall be permitted within the sight distance triangle. In the case of a street intersection, the sight triangle shall consist of the area between points twenty (20) feet along both intersecting streets from their respective edge of pavements.

Section 1294.09 Modifications

The Board of Zoning Appeals shall have the authority to modify or waive any of the aforementioned requirements in this Chapter in considering an individual site with respect to changes in elevation, environmental impact, durability of plant material, aesthetic appeal, and any other factor that will provide a compatible screen or buffer with the surrounding property or neighborhood at the time of application.