

AN ORDINANCE CREATING NEW CHAPTER 1282, B-4A OFFICE PARK/RESEARCH DISTRICT, AND AMENDING SECTIONS 1234.05(b), 1274.02, 1274.05, 1298.09, 1298.10, AND 1298.11 OF TITLE SIX "ZONING CODE", PART TWELVE "PLANNING AND ZONING CODE" OF THE CODIFIED ORDINANCES OF THE CITY OF FAIRLAWN; AND REZONING APPROXIMATELY 14.8 ACRES OF REAL PROPERTY IN FAIRLAWN CORPORATE PARK ON CLEVELAND-MASSILLON ROAD FROM THE B-4 OFFICE PARK/RESEARCH DISTRICT TO THE B-4A OFFICE PARK/RESEARCH DISTRICT.

WHEREAS, the City of Fairlawn has created a B-4 Office Park/Research District zoning classification for certain real property in the Fairlawn Corporate Park located at the intersection of Cleveland-Massillon and Ridgewood Roads; and

WHEREAS, the Fairlawn City Council believes that it would advance the public health, safety and welfare to create a new, related Office Park/Research District (B-4A) in order to provide for future growth, economic development and employment opportunities in the Fairlawn Corporate Park; and

WHEREAS, the new B-4A Office Park/Research District zoning classification would apply to approximately 14.8 acres of land described more fully in Exhibit C to this Ordinance, which will be re-zoned from B-4 to B-4A.

NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE CITY OF FAIRLAWN, OHIO, THAT:

**Section 1:** Title Six "Zoning Code" of Part Twelve "Planning and Zoning Code" of the Codified Ordinances of the City of Fairlawn shall be amended to create a new Chapter 1282, B-4A Office Park/Research District as described in Exhibit A, which is attached hereto and made a part hereof.

**Section 2:** Sections 1234.05(b), 1274.02, 1274.05, 1298.09, 1298.10, and 1298.11 of Title Six "Zoning Code" of Part Twelve "Planning and Zoning Code" of the Codified Ordinances of the City of Fairlawn shall be amended to provide for B-4A Zoning Districts as described in Exhibit B, which is attached hereto and made a part hereof. All other Chapters of Title Six, "Zoning Code," shall remain unchanged.

**Section 3:** The parcel of land on Cleveland-Massillon Road in the Fairlawn Corporate Park, as described more fully in Exhibit C, which is attached hereto and made a part hereof, is hereby rezoned from B-4 to B-4A Office Park/Research District for the purpose of allowing for the use of the property for a specialty hospital.

**Section 4:** It is hereby found and determined that this legislation complies with Section 121.22, O.R.C. regarding notification of meetings and all deliberations of this Council pertaining hereto have been conducted in accordance therewith.

**Section 5:** This ordinance shall be in full force and effect from and after its adoption and approval by the Mayor or at the earliest period allowed by law.

Enacted: \_\_\_\_\_, 2019

\_\_\_\_\_  
Tonja K. Caldwell, Clerk of Council

\_\_\_\_\_  
Russell T. Sharnsky, President of Council

Approved: \_\_\_\_\_, 2019

Approval of the form and corrections:

\_\_\_\_\_  
Mayor William J. Roth, Jr., Mayor

\_\_\_\_\_  
R. Bryan Nace, Director of Law

**CERTIFICATION OF PASSAGE**

**CERTIFICATION OF POSTING**

I, Tonja K. Caldwell, Clerk of Council of the City of Fairlawn, Summit County, Ohio, do hereby certify that the foregoing Ordinance 2019-037 was duly and regularly passed at a Regular Meeting on \_\_\_\_\_, 2019.

This is to certify that on \_\_\_\_\_, 2019 the within ordinance was published by posting a true copy of the same in five public places within the City as prescribed in Section 222.03(a), Codified Ordinances of Fairlawn.

\_\_\_\_\_  
Tonja K. Caldwell, Clerk of Council

\_\_\_\_\_  
Tonja K. Caldwell, Clerk of Council

**EXHIBIT A**

**CHAPTER 1282 B-4A OFFICE PARK/RESEARCH DISTRICT**

**1282.01 INTENT.**

(a) The B-4A Office Park/Research District and its regulations are established herein in order to achieve, among other, the following purposes:

- (1) To encourage the logical development of land for office uses in accordance with the objectives in the Comprehensive Plan.
- (2) To provide Office Park/Research Districts in appropriate and convenient locations to meet the needs of the City's expected future economy for research facilities and office uses.
- (3) To permit the construction and development of specialty hospitals and medical research facilities in the Office Park/Research District that do not conflict with nearby office uses in the B-4 zoning district.
- (4) To ensure the highest quality of development which protects existing development from incompatible building and site designs and thereby maximizes the long-term marketability of the undeveloped sites in this district.

**1282.02 B-4A USE REGULATIONS.**

(a) No building and land shall be used, or building designed, erected, altered, moved or maintained, in whole or in part, in the B-4A Office Park/Research District, except for the uses set forth in Schedule 1274.02 and the following regulations:

(b) Accessory Uses Permitted.

- (1) Incidental storage of materials within entirely enclosed building(s), when such materials are clearly accessory to the principal use.
- (2) Signs as regulated by Chapter 1298.
- (3) Off-street parking as required and set forth in Chapter 1284 of this Zoning Code.
- (4) Loading facilities as set forth in Chapter 1284 of this Zoning Code.
- (5) Cafeterias for specialty hospitals that provide food services to patients and visitors with a maximum square footage of 6,000 square feet. Outdoor seating associated with a cafeteria shall not exceed fifty percent (50%) of the indoor seating capacity of the cafeteria.

(6) Supporting services for specialty hospitals that comply with the following:

- A. Limited to the sale of products or services that are intended to primarily meet the needs of the patients of the specialty hospital use. These are limited to: Pharmacies and the sale of pharmaceuticals and durable medical equipment.
- B. Permitted only in a specialty hospital that has a minimum of twenty thousand (20,000) gross square feet.
- C. Shall not exceed five percent (5%) of the total floor area of the building and shall not exceed twenty percent (20%) of the first floor of a building.
- D. Customer entrance must be through the public entrances to the specialty hospital, and shall not be provided through separate exterior building entrances.
- E. Wholesale sales are not permitted directly from the premises.
- F. No exterior signs advertising the supporting services are permitted.
- G. If an existing specialty hospital that has already been approved and constructed in the B-4A zoning district becomes subject in the future to a federal or state mandate to provide emergency services, such specialty hospital shall have the right to provide such additional services upon obtaining approval from the Planning Commission.

(7) Supporting services for all other uses that comply with the following:

- A. Limited to the sale of products or services that are intended to primarily meet the needs of the employees or patrons of the office uses. These are limited to: coffee shops and the sale of sundries (i.e., newspapers, magazines, candy, snacks).
- B. Permitted only in an office building or specialty hospital that has a minimum of twenty thousand (20,000) gross square feet.
- C. Shall not exceed one thousand (1,000) square feet of floor area in any building.
- D. Customer entrance must be through the public entrances to the office building or specialty hospital, and shall not be provided through separate exterior building entrances.
- E. Wholesale sales are not permitted directly from the premises.
- F. No exterior signs advertising the supporting services are permitted.

(8) Restaurants and banks in compliance with the following:

- A. Permitted only in an office building or specialty hospital that has a minimum of forty thousand (40,000) gross square feet.
- B. Only one (1) restaurant and one (1) bank shall be permitted per building.
- C. The combined area of the bank and the restaurant shall not exceed ten percent (10%) of the total floor area of the building and shall not exceed thirty-five percent (35%) of the first floor of a building.
- D. Customer entrance shall be through the public entrances to the office building, and shall not be provided through separate exterior building entrances.
- E. Wholesale sales are not permitted directly from the premises.
- F. The nearest portion of any building with a restaurant shall be at least one hundred (100) feet from a Residential District boundary.
- G. Outdoor seating associated with a restaurant shall not exceed twenty-five percent (25%) of the indoor seating capacity of the restaurant.
- H. Exterior signs shall only be permitted when in compliance with Chapter 1298.

**1282.03 LOT AREA, WIDTH AND COVERAGE REQUIREMENTS.**

In the B-4A Office Park/Research District, all buildings and land shall abut a street for the required width. The minimum lot area and width and maximum lot coverage for each office, research facility, or specialty hospital shall be in accordance with the following Schedule 1282.03:

**Schedule 1282.03 – Lot Area, Width and Coverage Requirements**

| <b>Use</b>          | <b>Minimum Lot Area</b> | <b>Minimum Lot Width</b> |
|---------------------|-------------------------|--------------------------|
| Offices             | 2 acres                 | 75 feet                  |
| Laboratories        | 2 acres                 | 75 feet                  |
| Specialty Hospitals | 10 acres                | 300 feet                 |

**1282.04 SETBACK REQUIREMENTS.**

(a) Setbacks shall be provided for every principal and accessory building in the B-4A Office Park/Research District in accordance with the Schedule 1283.04 and this Chapter:

**Schedule 1282.04 - Setback Requirements**

| Use                        | Setback from Street R-O-W Line | Setback from Side Lot Line When Lot Adjoins |                          | Setback from Rear Lot Line When Lot Adjoins |                          |
|----------------------------|--------------------------------|---|--------------------------|---|--------------------------|
|                            |                                | Residential District                        | Non-Residential District | Residential District                        | Non-Residential District |
| Main or Accessory Building | 50 ft. (1)                     | 100 ft. (2)                                 | 25 ft.                   | 100 ft. (2)                                 | 25 ft.                   |
|                            |                                |   |                          |   |                          |
|                            |                                |   |                          |   |                          |
| Parking (4)                | 30 ft.                         | 40 ft.                                      | 10 ft.                   | 40 ft.                                      | 10 ft.                   |
| Loading                    | Not allowed in front yard      | (3)   | 25 ft.                   | (3)   | 25 ft.                   |

(1) Along I-77 the minimum setbacks for buildings and parking shall be ten (10) feet.  
 (2) See also Section 1283.06 Height Regulations.  
 (3) Not allowed on the side of a building facing a Residential District when such building face is within one hundred ninety-five (195) feet of a Residential District.  
 (4) A maximum of fifteen percent (15%) of the off-street parking provided shall be permitted between the front of the building and the street.

**1282.05 SUPPLEMENTARY SETBACK REQUIREMENTS.**

(a) **Front Setback.** Front setbacks shall be not less than that established in the above schedule unless shown otherwise on the Zoning Map. If a portion of the front yard is used for parking in accordance with the above schedule, a poured concrete curb or precast concrete barrier shall be erected or installed along the parking area line not less than the distance set forth above from the front property lines.

(b) **Side and Rear Setback.** Side and rear setbacks, where adjoining a Residential District, shall be provided as set forth in the above schedule and shall apply to all buildings, structures and parking and open yard uses.

(c) **Side Setback on Corner Lot.** Whenever a building is located on a corner lot, the width of the side setback on the side street shall be not less than fifty (50) feet. The parking setback from the side street shall be not less than thirty (30) feet.

(d) **Sidewalks.** In any Office Park/Research District, pedestrian walking paths shall be reasonably provided between principal buildings, from principal building to accessory uses, and from principal buildings to the edge of the property, in order to create a continuous pedestrian system throughout the Office Park/Research District, and to other adjacent and nearby facilities that reasonably expect pedestrian access. Paths shall be hard surfaced and not less than five (5) feet in width.

## **1282.06 HEIGHT REQUIREMENTS.**

(a) Principal buildings shall have a maximum height of four (4) floors provided that no part of the building including the roof exceeds sixty-five (65) feet. It is further required that the height of any principal building in any Office Park/Research District that is located between one hundred (100) feet and one hundred ninety-five (195) feet of property in a Residential District, which is either vacant or used for residential purposes, shall have a building height no greater than one-third (1/3) the width of that yard which adjoins such Residential District.

(b) Mechanical space for building equipment placed on the building roof may be allowed above the maximum height specified, provided such mechanical space and screening complies with the following:

- (1) Does not exceed fifteen (15) feet in height;
- (2) Complies also with subsection 1274.06(a)(1)(F);
- (3) Is adequately screened from view; and
- (4) Is approved by the Planning Commission.

## **1282.07 REQUIRED LANDSCAPING AND BUFFERING.**

Landscaping, screening, and buffering shall be provided in accordance with the provisions set forth in Chapter 1296, Landscaping, Screening, and Open Space Regulations, and the following:

(a) Screening of Accessory Uses. Accessory uses in any Office Park/Research District shall be screened according to the following standards:

(1) Dumpsters. Trash and/or garbage collection and service areas shall be enclosed on all sides by a solid wall or fence and a gate at least one (1) foot higher than the highest refuse container in the collection area if such area is not within an enclosed building or structure, but in no case shall the wall be less than six (6) feet in height. Such solid wall or fence shall be situated so as to screen the view of the collection area from adjacent roads and properties. Such screening shall be constructed of brick, decorative concrete, natural wood, or other durable, long-lasting material and should be the same as or similar to those utilized on the principal building(s). These enclosures are to be located at least five (5) feet from the property line, unless otherwise specifically regulated in this Code. Supplemental plant materials shall be provided at a minimum height of five (5) feet to effectively screen fifty percent (50%) of the wall. Protective steel bollards shall be placed to protect the enclosure from trucks.

(2) Loading and Service Areas. Each loading area shall be screened along any perimeter that faces a street right-of-way or adjoining property according to the screening requirements of Section 1296.06 (g)(1).

(b) Landscaping When Lot Abuts Cleveland-Massillon Road or Ridgewood Road. In addition to the landscaping, screening, and buffering requirements set forth in Chapter 1296, the Planning Commission shall have the discretion to require the installation of additional landscaping and/or mounding to ensure that the landscaping abutting Cleveland-Massillon Road or Ridgewood Road is consistent with the landscaping and mounding installed along Cleveland-Massillon Road or Ridgewood Road on any adjacent property in in the B-4 Zoning District.

#### **1282.08 DESIGN PLANS.**

(a) In order to carry out the intent and purpose of this chapter, the Planning Commission shall review site plans that have been prepared for specific areas in the B-4A District. Plans submitted for review shall include the Plan Submission Requirements in Chapter 1240. Such site plans shall be developed in accordance with the criteria set forth in this chapter and in any other applicable provisions of this Zoning Code.

(b) Such plans may designate locations for temporary streets or access ways for a limited period until streets or access ways will be constructed at locations to comply with the traffic control requirements of this Zoning Code and the City's Code of Ordinances. After such plans are duly approved by the Planning Commission and Council, they shall be construed as being a part of this Zoning Code and compliance therewith is required unless modifications are subsequently approved by the Planning Commission and Council.

**EXHIBIT B**

The following sections of Part Twelve, Title Six of the Fairlawn Codified Ordinances shall be amended to provide for the creation of an additional business zoning district, B-4A Office Park/Research District:

**1234.05 INTERPRETATION; DEFINITIONS.**

Section 1234.05(b) shall be amended to include the following additional definition for specialty hospitals:

**Specialty Hospital: A facility which provides accommodations and continuous services for the sick and injured, which includes but is not limited to surgical care, and has a minimum square footage of 40,000 square feet, but does not contain an emergency room or a helipad, except as provided by Section 1282.02(b)(6)(G) of the Zoning Code.**

All other definitions in Section 1234.05(b) remain unchanged.

**1274.02 USE REGULATIONS.**

Buildings and land shall be used and buildings shall be designed, erected, and altered, moved, or maintained in Business Districts only for the uses set forth in [Schedule 1274.02](#).

(a) Uses Permitted By Right. A use listed in [Schedule 1274.02](#) shall be permitted by right as a principal use in a district when denoted by the letter “P” provided that all requirements of other city ordinances and this Zoning Code have been met;

(b) Conditional Uses. A use listed in [Schedule 1274.02](#) shall be permitted as a conditional use in a district when denoted by the letter “C”, provided the Planning Commission first makes the determination that the requirements of [Chapter 1287](#) have been met according to the procedures set forth in [Chapter 1241](#);

(c) Accessory Uses. A use listed in [Schedule 1274.02](#) shall be permitted as an accessory use in a district when denoted by the letter “A” provided that the requirements of all other City ordinances and this Zoning Code have been met.

| <b>Schedule 1274.02 - Business Districts</b>    |   |  |                                      |                                     |                              |
|---|---|--|--------------------------------------|-------------------------------------|------------------------------|
|   | <b>B-4 Office Park/ Research District</b> | <b>B-4A Office Park/ Research District</b> | <b>B-1 Limited Business District</b> | <b>B-2 Retail Business District</b> | <b>B-3 Business District</b> |
| <b>Office and Professional Services</b>         |   |  |                                      |                                     |                              |
| 1 Office, Administrative/ Business/Professional | P   | P  | P                                    | P                                   | P                            |
| 2 Offices, Medical/Dental                       | P   | P  | P                                    | P                                   | P                            |



|  | <b>B-4 Office Park/ Research District</b> | <b>B-4A Office Park/ Research District</b> | <b>B-1 Limited Business District</b> | <b>B-2 Retail Business District</b> | <b>B-3 Business District</b> |
|--|---|--|--------------------------------------|-------------------------------------|------------------------------|
| 3 Urgent Care  |   |  | C                                    | C                                   | C                            |
| 4 Banks  | A(b)                                      | A(b)                                       | C                                    | P                                   | P                            |
| 5 Hospitals  |   |  | C                                    |                                     |                              |
| 6 Specialty Hospitals  |   | P  |                                      |                                     |                              |
| 6 7 Laboratories - research and testing                                  | P   | P  | P                                    |                                     |                              |
| 7 8 Schools, Specialty/Personal Instruction                              | C   | C  | C                                    | C                                   | C                            |
| <b>Retail and Services</b>   |   |  |                                      |                                     |                              |
| 1 Retail establishments  |   |  |                                      | P                                   | P                            |
| 2 Service establishments - Personal                                      | A(a)                                      | A(a)                                       | A                                    | P                                   | P                            |
| 3 Restaurants - sit down   | A(b)                                      | A(b)                                       |                                      | C                                   | P                            |
| 4 Restaurants - counter service  | A(b)                                      | A(b)                                       | A                                    | C                                   | P                            |
| 5 Night Club   |   |  |                                      | C                                   | C                            |
| 6 Funeral homes, mortuaries  |   |  |                                      | C                                   | P                            |
| 7 Health Club  | A   | A  | C                                    | P                                   | P                            |
| 8 Drive-thru services  |   |  | C                                    | C                                   | C                            |
| 9 Outdoor display (such as landscaping materials and cemetery monuments) |   |  |                                      | A                                   | A                            |
| 10 Outdoor Storage   |   |  |                                      | C                                   | C                            |
| 11 Kennels   |   |  |                                      |                                     | C                            |
| 12 Day Care Facility, adult and/or children                              | C   | C  |                                      | P                                   | P                            |
| <b>Lodging</b>   |   |  |                                      |                                     |                              |
| 1 Hotels and motels  |   |  |                                      | C                                   | C                            |
| <b>Automotive/Transportation</b>   |   |  |                                      |                                     |                              |
| 1 Automobile sales and service   |   |  |                                      |                                     | P                            |
| 2 Vehicle Repair Garage  |   |  |                                      | C                                   | C                            |

|  | <b>B-4 Office Park/ Research District</b> | <b>B-4A Office Park/ Research District</b> | <b>B-1 Limited Business District</b> | <b>B-2 Retail Business District</b> | <b>B-3 Business District</b> |
|--|---|--|--------------------------------------|-------------------------------------|------------------------------|
| 3 Automobile Service Station   |   |  |                                      | C                                   | C                            |
| 4 Car wash   |   |  |                                      | C                                   | C                            |
| 5 Park and Ride Facility   |   |  |                                      | C                                   | C                            |
| 6 Gasoline Station   |   |  |                                      | C                                   | C                            |
| <b>Entertainment/Recreation</b>  |   |  |                                      |                                     |                              |
| 1 Commercial recreation, Indoors   |   |  |                                      | C                                   | C                            |
| 2 Commercial Recreation, Outdoors  |   |  |                                      | C                                   | C                            |
| 3 Membership Clubs   |   |  |                                      | C                                   | C                            |
| <b>Community Facilities/Other</b>  |   |  |                                      |                                     |                              |
| 1 Cultural Institutions  | C   | C  | C                                    | C                                   | C                            |
| 2 Utility substation/distribution facility, indoor & outdoor   | C   | C  | C                                    | C                                   | C                            |
| <b>Accessory Uses</b>  |   |  |                                      |                                     |                              |
| 1 Storage  | A   | A  | A                                    | A                                   | A                            |
| 2 Signs  | A   | A  | A                                    | A                                   | A                            |
| 3 Off-street parking   | A   | A  | A                                    | A                                   | A                            |
| 4 Loading  | A   | A  | A                                    | A                                   | A                            |
| 5 Parking garages  | A   | A  |                                      | C                                   |                              |
| 6 Cafeterias and lunch rooms   | A   | A  |                                      |                                     |                              |
| 7 Backup generators  | A   | A  | A                                    | A                                   | A                            |
| 8 Outdoor display  | A   | A  | A                                    | A                                   | A                            |
| 9 Supporting services(a)   | A   | A  |                                      |                                     |                              |
| 10 Portable Storage Container  |   |  |                                      | C                                   | C                            |
| (a) As further regulated by Subsection <a href="#">1283.02</a> (b)(5)  |   |  |                                      |                                     |                              |
| (b) As further regulated by Subsection <a href="#">1283.02</a> (b)(6)  |   |  |                                      |                                     |                              |
| P = Use permitted by right; C = Conditional use; A = Accessory use; Blank cell = Use not permitted in district |   |  |                                      |                                     |                              |

**1274.05 B DISTRICT AREA REQUIREMENTS.**

(a) Minimum open space within all B Districts shall not be less than indicated in [Schedule 1274.05](#). Required open space shall meet the conditions in Section [1296.09](#), and may be met by either Type A or Type B open space types.

| <b>Schedule 1274.05</b>                                    |                            |   |
|--|----------------------------|---|
| <b>Minimum open space requirements for all B Districts</b> |                            |   |
| <b>District</b>  | <b>Type A Open Space</b>   | <b>Type B Open Space</b>                                      |
| B-1  | 30% Site Area Gross        | 1 s.f. of open space per 10 s.f. of building footprint        |
| B-2  | 30% Site Area Gross        | 1 s.f. of open space per 10 s.f. of building footprint        |
| B-3  | 30% Site Area Gross        | 1 s.f. of open space per 10 s.f. of building footprint        |
| B-4  | 30% Site Area Gross        | 1 s.f. of open space per 10 s.f. of building footprint        |
| <b>B-4A</b>  | <b>30% Site Area Gross</b> | <b>1 s.f. of open space per 10 s.f. of building footprint</b> |

**1298.09 GROUND SIGNS.**

(a) Maximum Number, Area, Height and Minimum Setback of Permanent Ground Signs.

- (1) In All Districts.
  - A. Signs shall be set back a minimum of six (6) feet from any public right-of-way and ten (10) feet from any side lot line.
  - B. The height of a ground sign shall in no case have the top of the sign more than six (6) feet above the established grade line.
- (2) In M, B-1, B-2, and B-3 Districts.
  - A. The area of any permanent ground sign shall not exceed one-half (1/2) square foot of sign face per lineal foot of the building's primary frontage or forty (40) square feet, whichever is lesser.
  - B. A maximum of one (1) ground sign per lot fronting on a public right-of-way is permitted, except when the lot, not adjoining a residentially zoned district, has frontage on more than one (1) right-of-way, a ground sign is permitted on each right-of-way. When a second (2nd) ground sign is permitted by this section the allowable area shall not exceed one-fourth (1/4) square foot per foot of building's secondary frontage or forty (40) square feet, whichever is lesser.
  - C. When a corner parcel on a business district adjoins a residential lot in a residential district, the business parcel shall be restricted to one (1) ground sign on the side not adjoining the residential district.
- (3) In the B-4 [and B-4A](#) Districts.
  - A. One (1) ground sign with a maximum width of eight (8) feet shall be permitted.

- B. The maximum area of the sign permitted shall not exceed forty eight (48) square feet.
- (4) In residential and office subdivisions, one (1) ground sign shall be permitted at each entrance. Maximum size shall be thirty-two (32) square feet.

(b) Bonuses for Ground Signs on Large Lots in B and M Districts. Except for Summit Mall as regulated in Section 1298.09(c) below, when a lot has more than two hundred fifty (250) feet of frontage on single street, a second ground sign is permitted for each additional two hundred fifty (250) feet of frontage, or fraction thereof. The total area of each ground sign shall comply with the requirements set forth in Section 1298.09(a)(2).

(c) Special Circumstances.

- (1) Summit Mall. There shall be permitted five (5) ground signs configured either back to back, “V” shaped or otherwise as approved by the Planning Commission as follows:
  - A. Two (2) ground signs located at the main entrance to the Mall from West Market St. with a maximum sign area of one hundred (100) square feet.
  - B. Three (3) ground signs at locations approved by the Planning Commission with a maximum sign area of one hundred (100) square feet.
  - C. The base of each sign is excluded from the square footage calculation unless such base is part of the message or the face of the sign.
- (2) Previously Approved Plans. Any sign plan standards for a development that has been previously approved by either Board of Zoning and Building Appeals or the Planning Commission shall continue to govern. Any changes to such approved plans shall be considered only by the body (either the Board or the Planning Commission) that previously approved the sign plan.

**1298.10 WALL SIGNS.**

The following regulations shall apply to wall signs:

(a) Supports and Attachments. Wall signs shall be securely fastened to a masonry wall by means of anchors, bolts, expansion screws or similar connectors. A wall sign which is attached to a wall of wood may be anchored with wood blocks used in connection with screws and nails. No wall sign shall be entirely supported by an unbraced parapet wall.

(b) Location. No sign shall project more than eighteen (18) inches from the building face unless the sign is a projecting sign and complies with regulations in Section 1298.12.

(c) Maximum Number and Area.

- (1) When a building in B-1, B-2 and B-3 or M district has frontage on more than one (1) public right-of-way, then signage along one (1) primary and one (1) secondary frontage are permitted as follows:
  - A. A maximum of one (1) square foot per foot of building frontage along the primary frontage.

- B. A maximum of one-half (1/2) square foot per foot of building frontage along the secondary frontage.
- (2) In the B-4 District, wall signs no greater in area than one third (1/3) of a square foot in area for each lineal foot of the building's principal frontage are permitted. Wall signs shall only be constructed of individual raised lettering or logo fastened to the exterior of the building.
  - (3) In the B-4A District, wall signs no greater in area than two third (2/3) of a square foot in area for each lineal foot of the building's principal frontage are permitted. Wall signs shall only be constructed of individual raised lettering or logo fastened to the exterior of the building
  - (4) Multiple wall signs for each tenant are permitted provided the total area of all signs does not exceed the area allowances for wall signs permitted in Section 1298.10(c)(1).

### **1298.11 WINDOW SIGNS.**

Window signs may include signs, posters, symbols and any other identification of, or information about, the occupant or the activity and/or use of the premises. Window signs are permitted in addition to any permitted wall or ground signs except in the B-4 and B-4A Districts, where window signs shall not be permitted.

(a) Placement of window signs shall be limited to the first floor windows only, unless a use is located in the second or higher stories of a building and has no first (1st) floor occupancy.

(b) All window signs, permanent and temporary shall not exceed ten percent (10%) of the total first (1st) floor window area and not more than thirty-five (35%) of any single window.

Ordinance 2019-037

**EXHIBIT C**

**CITY OF FAIRLAWN**

**FAIRLAWN CORPORATE PARK - PARCEL 6**

**May 24, 2019**

Situated in the City of Fairlawn, County of Summit and State of Ohio and known as being part of Original Lot 18, formerly Copley Township and more fully described as follows:

Beginning at a magnetic nail set at the centerline intersection of Ridgewood Road (C.H. 83)(variable width) and South Cleveland-Massillon Road (C.H. 17)(variable width).

Thence North 89 degrees 29 minutes 24 seconds East, along the centerline of said Ridgewood Road, a distance of 240.00 feet to a point;

Thence North 00 degrees 30 minutes 36 seconds West, a distance of 40.00 feet to a capped iron pin found;

Thence North 19 degrees 30 minutes 21 seconds West, a distance of 213.84 feet to a capped iron pin found on the easterly right of way line of said South Cleveland-Massillon Road;

Thence North 22 degrees 55 minutes 45 seconds East, along the easterly right of way line of said South Cleveland-Massillon Road, a distance of 390.00 feet to a capped iron pin found and the true point of beginning for the parcel herein described;

Thence North 22 degrees 55 minutes 45 seconds East, continuing along the easterly right of way line of said South Cleveland-Massillon Road, a distance of 186.72 feet to a capped iron pin to be set;

Thence North 22 degrees 35 minutes 31 seconds East, continuing along the easterly right of way line of said South Cleveland-Massillon Road, a distance of 635.84 feet to a capped iron pin to be set;

Thence North 89 degrees 45 minutes 28 seconds East, a distance of 579.28 feet to a capped iron pin to be set;

Thence South 0 degrees 14 minutes 31 seconds East, a distance of 810.33 feet to a capped iron pin to be set;

Thence following an arc of a curve to the right, having a radius of 25.00 feet, a central angle of 49 degrees 40 minutes 47 seconds, a tangent distance of 11.57 feet, a chord distance of 21.00 feet which bears North 65 degrees 40 minutes 13 seconds West, a distance of 21.68 feet to a capped iron pin to be set at a point of reverse curve:

Thence following an arc of a curve to the left, having a radius of 60.00 feet, a central angle of 149 degrees 48 minutes 44 seconds, a tangent distance of 222.46 feet, a chord distance of 115.86 feet which bears South 64 degrees 15 minutes 49 seconds West, a distance of 156.88 feet to a capped iron pin to be set;

Thence South 79 degrees 21 minutes 56 seconds West, a distance of 396.20 feet to a point, witnessed by a capped iron pin found;

Thence North 67 degrees 04 minutes 15 seconds West, a distance of 420.00 feet to the true point of beginning and containing 646,601 square feet or 14.8439 acres of land, more or less.

This description is based on a survey made by Dennis W. Stoffer, Registered Surveyor No. 7604, in May, 2019.

The above described parcel is subject to a 12.5 foot utility easement along the north and east and south sides of the parcel. These utility easements are granted to the City of Fairlawn.

The basis of bearings for the description Ohio State Plane Grid, NAD 83 (ODOT CORS) Ohio North Zone.