

RECORD OF ORDINANCES

Ordinance No. 2015-04

Passed APRIL 27 2015

AN ORDINANCE TO AMEND CHAPTER 1282 (PLANNING & ZONING CODE - SIGNS) OF THE BALTIMORE CODIFIED ORDINANCES

WHEREAS, Service Committee has recommended an amendment to Chapter 1282 (Planning & Zoning Code - Signs) of the Baltimore Codified Ordinances, in order to update the same; and,

WHEREAS, the Planning and Zoning Commission has reviewed the proposed amendment and recommends adoption of the same; and,

WHEREAS, a public hearing on the proposed amendment to Chapter 1282 was held on January 15, 2015

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL
OF THE VILLAGE OF BALTIMORE, FAIRFIELD COUNTY,
OHIO, A MAJORITY OF ITS MEMBERS CONCURRING:

SECTION 1: That Chapter 1282 (Planning & Zoning Code - Signs) of the Baltimore Codified Ordinances, is hereby amended by substitution, with the new, amended Chapter being set forth in its entirety in the attached Exhibit A.


SECTION 2: This ordinance shall become effective at the earliest period authorized by law.




Robert M. Kalish, Mayor

DATE OF PASSAGE: 4-27-2015

EFFECTIVE DATE: 5-27-2015

ATTEST: 
Florence D. Welker, Fiscal Officer

SPONSOR: Hochradel

APPROVED AS TO FORM: 
Jeffrey Feyko, Village Solicitor

CHAPTER 1282
Signs

- 1282.01 General.
 - 1282.02 Prohibited signs.
 - 1282.03 General requirements for all signs and districts.
 - 1282.04 Permit required.
 - 1282.05 Exemptions and limitations.
 - 1282.06 Permanent signs
 - 1282.08 Temporary signs.
 - 1282.09 Joint identification signs.
 - 1282.10 Nonconforming signs and structures.
 - 1282.11 Loss of legal nonconforming status.
 - 1282.12 Violations.
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1282.01 GENERAL.

The purpose of this chapter is to promote and protect the public health, welfare, and safety by regulating existing and proposed outdoor advertising, outdoor advertising signs, and outdoor signs of all types. It is intended to protect property values, create a more visually attractive economic and business climate, enhance and protect the physical appearance of the community, and preserve the scenic and natural beauty of designated areas. It is further intended to reduce sign or advertising clutter, distraction, and obstructions that may contribute to traffic accidents, reduce hazards that may be caused by signs overhanging or projecting over public rights-of-way, provide more open space, curb the deterioration of the natural environment, and enhance community development by permitting signs which are compatible with their surroundings.

(Ord. 90-61. Passed 2-14-91.)

1282.02 PROHIBITED SIGNS.

All sign types not expressly permitted in this Chapter or exempt from regulation pursuant to 1282.05 are prohibited in the Village of Baltimore. Such signs and similar devices include, but are not limited to the following:

- (a) Portable signs except in the Downtown Business District and General Business.
- (b) Billboards.
- (c) Signs mounted on the roof or above the roof line of any building or structure. The roof line shall be defined as the uppermost line of the roof of the building, or in the case of any extended building facade, the uppermost height of the facade.
- (d) Ghost signs where the remaining image of the previous sign is still visible.
- (e) Flashing or blinking signs.

1282.03 GENERAL REQUIREMENTS FOR ALL SIGNS AND DISTRICTS.

The regulations contained in this section shall apply to all signs and all use districts.

(a) **Lighting.**

In no event shall an illuminated sign or lighting device be placed or directed so as to permit the beams and illumination there from to be directed or beamed upon a public thoroughfare, highway, sidewalk, or adjacent premises so as to cause glare or reflection that may constitute a traffic hazard or nuisance.

- (b) No sign shall employ any parts or elements which revolve, rotate, whirl, spin or otherwise make use of motion to attract attention.
- (c) No projecting sign shall be erected which interferes with public safety;
- (d) No portable or temporary sign shall be used as a permanent sign;
- (e) No sign or part thereof shall contain or consist of banners (other than one temporary promotional banner sign)
- (f) No sign erected or maintained in the window of a building, visible from any public or private street or highway, shall occupy more than 20% of the window surface;
- (g) No sign of any classification shall be installed, erected, or attached in any form, shape, or manner to a fire escape or any door or window giving access to any fire escape;
- (h) Should any sign be or become unsafe or be in danger of falling, the owner thereof or the person maintaining the same shall, upon receipt of written notice from the Zoning Administrator, proceed at once to put such sign in a safe and secure condition or remove the sign;
- (i) No sign shall be placed in any public right-of-way except publicly owned signs, such as traffic control signs and directional signs. Signs directing and guiding traffic and parking on private property but bearing no advertising matter shall be permitted on any property;
- (j) All signs shall be so designed and supported as to carry the weight of the sign, and shall comply with the local building code in effect;
- (k) All signs shall be secured in such a manner as to prevent significant movement due to wind;
- (l) No advertising signs shall be attached to or supported by a tree, utility pole, trash receptacle, bench, vending machine, or public shelter;
- (m) No sign shall contain words, images, or graphic illustrations of an obscene or indecent nature;
- (n) No sign shall be attached in such manner that it may interfere with any required ventilation openings;
- (o) No sign shall be located nearer than eight feet vertically or four feet horizontally from any overhead electrical wires, conductors, or guy wires;
- (p) No vehicle or trailer may be parked on a business premises or a lot for the purpose of advertising a business, product, service, event, object, location, organization, or the like. (Except 1282.08b) (Ord. 90-61. Passed 2-14-91.)

1282.04 PERMIT REQUIRED.

- (a) No person shall locate or maintain any sign, or cause a sign to be located or

maintained, unless all provisions of this chapter have been met. To assure compliance with these regulations, a sign permit issued pursuant to this Zoning Code shall be required for each sign unless specifically exempted in this chapter.

- (b) A sign initially approved for which a permit has been issued, shall not be modified, altered or replaced, nor shall design elements of any building or lot upon which such sign is maintained be modified, altered or replaced if any such design element constituted a basis for approval of such sign, unless a new or amended permit is obtained consistent with these regulations.
- (c) The repainting, changing of parts and preventive maintenance of signs shall not be deemed alterations requiring a sign permit.
- (d) Off Premise Signs.

(Ord. 90-61. Passed 2-14-91.)

1282.05 EXEMPTIONS AND LIMITATIONS.

The following signs are exempt from this chapter and are not subject to permit, but are subject to a sign compliance review:

- (a) Non business flags are exempt.
- (b) Signs of a duly constituted governmental body, including traffic or similar regulatory devices, legal notices, or warnings at railroad crossings.
- (c) Signs in the nature of cornerstones, commemorative tables and historical signs, provided such signs are limited to six square feet or less and are not illuminated.
- (d) Signs clearly in the nature of decorations customarily associated with any national, state, local or religious holiday to be limited to sixty days in any one year, and to be displayed not more than sixty consecutive days. Such signs may be illuminated, provided no safety or visibility hazards are created.
- (e) Political signs or posters concerning candidates for elective office, public issues and similar matters to be decided by public election provided they are removed no later than three days after such election. Such signs shall not exceed six square feet in size, shall not be illuminated in any manner, shall not create a safety or visibility hazard, nor be affixed to any public utility pole, tree, or natural object, nor be located within a public right of way. Political signs larger than six square feet shall require a permit.
- (f) Signs not exceeding one square foot in area, bearing only property numbers, postal box numbers or names of occupants or premises.
- (g) Signs indicating the sale, rental or lease of real estate, provided such signs are limited in size to seven square feet with one sign per street front. Such signs shall be placed on the property referred to and shall not be placed in public rights of way unless the Zoning Inspector determines that such

signs, by virtue of lot landscaping, screening, shape or other unusual lot feature or condition, cannot be seen if located upon the lot outside of the rights of way. Such signs shall be removed within fourteen days after sale, rental or lease has occurred. If located within the public rights of way, such a sign shall be located immediately adjacent to the property to which it refers and shall be placed so as not to obscure traffic or constitute a safety hazard.

- (h) Signs for the promotion of school, community service or church activities of community wide functions for a maximum period of thirty days per activity. No one sponsor shall display such promotional sign for more than ninety days in any one year.
- (i) Window signs may be maintained for any business or use located in a non-residential district in addition to any permitted wall or ground sign, provided that such signs conform with the following:
 - (1) Definition. Window signs are signs incorporated into a window display of a business, or applied directly to the window glass, and include signs, posters, symbols and any other identification of or information about the occupant or the activity and/or use of the premises, when used in such manner.
 - (2) Placement. Window signs shall be limited to the ground floor or first floor windows only, unless a use is located in the second or higher stories of a building and has no first floor occupancy.
 - (3) Size. Window signs consisting of lettering or other graphic with a clear background, or lettering or other graphic placed directly upon the window glass and using it as a background, shall obscure no more than 50% of the window area.
 - (4) Extensive paper, plastic or similar signs and advertising attached to windows of a building, either inside or outside of window, are prohibited. Only twenty-five percent (25%) of the total window area for a building is allowed to have paper, cardboard, plastic or similar attachments. The signage/notices shall be presented in a professional manner such as uniform national advertising.
- (j) Traffic and directional signs indicating points of entry or exit for a facility or off-street parking area, provided such signs are limited to four square feet in area and three feet in height, do not interfere with safe traffic circulation and do not interfere with or obstruct the view of drivers exiting onto highways or thoroughfares and contain no information other than the word "in", "enter", "entrance", "out", or "exit" and/or arrows indicating desired traffic movement.
- (k) Window signage with a total area of less than two square feet and bearing only information about entry and exit, business hours and/or discount and credit systems accepted in that establishment (e.g., American Express, Master Card, Visa, Golden Buckeye

Card, Discover).

- (l) A business or use located in a nonresidential district may have one “open” sign. Such sign shall indicate only the words “open” and “closed” and shall not exceed three square feet in area and one and one-half feet in height.
- (m) Real estate open house directional signs;

1282.06 PERMANENT SIGNS.

All permanent signs shall also comply with the following requirements.

- (a) Wall Signs. Wall signs are permitted for any business or use located in a nonresidential district.

- (1) Maximum Area in Residential District. The maximum allowable area in square footage in a residential district shall be 20 square feet.
- (2) Maximum Area in Downtown Business. 15% square foot of the Façade of the Building.
- (3) Maximum Area in General Business; The same as Downtown Business.

- (b) Ground Signs.

- (1) A ground sign is permitted only when the use is freestanding on its individual lot. Ground signs shall be classified as either monument or pylon and shall comply with the standards below.
- (2) Pylon signs are not permitted in residential districts.

- (c) Number.

Each parcel shall be permitted one ground sign (either monument or pylon). Parcels on corner lots with at least 100 feet of frontage on two public rights-of-way shall be entitled to one ground sign (either monument or pylon) along each right-of-way, unless otherwise specifically prohibited here in, and provided the combined total of the signs does not exceed one and a half times the maximum allowable area. When two signs are permitted there shall be no less than 75 feet between signs.

- (d) Maximum Area in Residential District.

The maximum allowable area in square footage in a residential district shall be 20 square feet.

- (e) Maximum Height of a Monument Sign in Residential District.

Monument signs in residential districts shall not exceed 6 feet in height, excluding the base. The base shall be a maximum of three feet from the finished grade.

- (f) Projecting Signs.

A projecting sign is any sign attached to a building in such a way that the sign face is not parallel to the building face. Projecting signs are permitted only in the Downtown Business and Market Street Overlay, and General Business Districts. Projecting signs

shall be limited in number to one per business or use for each public right of way that the business or use faces.

1282.08 TEMPORARY SIGNS.

- (a) Temporary signs shall include signs indicating or promoting the development of land, facilities or structures. Such signs must comply with the provisions of Section 1282.03. Application shall be made to the Zoning Administrator for review. Approval shall be for a period not to exceed 6 months and may be renewed upon application.(How Long)
- (b) A vehicle or trailer may be parked on a lot for the purpose of advertising an event for not more than fourteen (14) days in one calendar year, and with a temporary sign permit.

1282.09 JOINT IDENTIFICATION SIGNS.

One (1) joint identification free standing sign may be authorized by the Planning and Zoning Commission to identify a complex or mix of uses as opposed to a single use, provided that such identification sign shall not exceed the following requirements:

- (a) Maximum area. 100 square feet
- (b) Maximum height. 20 feet
- (c) Minimum setback. 10 feet or the height of the sign, whichever is greater
- (d) Such signs may list individual uses within the development or may only serve as a means of identification of the overall center of development. If the joint identification sign lists individual uses within the development, then no other ground signs shall be permitted within the development. Wall signs, however, shall be permitted in accordance with the requirements of Chapter 1282. If the joint identification sign only serves as a means of identification of the overall center of development, then ground and wall signs shall be permitted in accordance with the requirements of Chapter 1282.

1282.10 NONCONFORMING SIGNS AND STRUCTURES.

Advertising signs and structures in existence prior to the effective date of this Zoning Code which violate or are otherwise not in conformance with the provisions of this chapter shall be deemed nonconforming. All such legal nonconforming signs and structures shall be maintained in accordance with this chapter. The burden of establishing the legal nonconforming status of any advertising sign or structure shall be upon the owner of the sign or structure.

(Ord. 90-61. Passed 2-14-91.)

1282.11 LOSS OF LEGAL NONCONFORMING STATUS.

A legal nonconforming sign shall immediately lose its legal nonconforming status, and therefore must be brought into conformance with this chapter or be removed, if the sign is altered in copy (except for changeable copy signs)((Better Define)) or structure;

or if it is enlarged, relocated, or replaced; or if it is structurally damaged to an extent greater than one half of its estimated replacement value. Similarly, any legal nonconforming advertising structure so damaged must be brought into compliance or be removed.

(Ord. 90-61. Passed 2-14-91.)

1282.12 VIOLATIONS.

In case any sign shall be installed, erected, constructed, or maintained in violation of any of the terms of this Zoning Code, the Zoning Inspector shall notify in writing the owner or lessee thereof to alter such sign so as to comply with this Zoning Code. Failure to comply with any of the provisions of this chapter shall be deemed a violation and shall be punishable under Section 1286.99 of this Zoning Code. Political signs posted in violation of Section 1282.05(e) of this Zoning Code are subject to removal by the Zoning Administrator five days after written notice of violation of Section 1282.05(e) has been given. (Ord. 90-61. Passed 2-14-91.)