

Council of the Village of Glendale, Ohio

Regular January Meeting

Monday, January 10, 2022, 7:00 p.m.

80 E. Sharon Ave., Glendale, Ohio 45246

Agenda

- I. Establishment of Quorum & Approval of Agenda**
- II. Mayor's Prayer**
- III. Approval of Minutes**
 - 1. December 6, 2021 Regular Council Meeting
- IV. Old Business**
- V. Adjournment of the Regular Meeting Sine Die**

Organizational Meeting

- I. Swearing in of Councilmembers Amy Baldridge, Geoff Base-Smith, Mike Besl and Nancy Macenko**
- II. Swearing in of Village Treasurer Michael Beaugrand**
- III. Swearing in of Village Clerk Rebecca Terrell**
- IV. Swearing in of Chief of Police Craig Walsh**
- V. New Business**
 - 1. **Ordinance 2022-01** An Ordinance Approving the Mayor's One Year Appointment of Kathy Ryan as Solicitor for the Village of Glendale, Establishing Compensation and Declaring an Emergency
 - 2. **Ordinance 2022-02** An Ordinance Authorizing the Mayor to Employ a Mayor's Court Magistrate and Prosecutor and Declaring an Emergency
 - 3. **Verbal Resolution 2022-01** Confirmation of Mayor's Standing Committee Appointments
 - 4. **Verbal Resolution 2022-02** Nomination and Election of Mayor Pro Tem
 - 5. **Verbal Resolution 2022-03** Confirmation of Mayor's Appointments to the Glendale Planning and Historical Preservation Commission: Tom Breidenstein,

Tom Kerr, Daniel Mayzum and Randy Green; for terms commencing 1/1/2022 and ending 12/31/2025 (4-year terms). *Following confirmation of appointments, the Mayor will swear in these members.*

6. **Verbal Resolution 2022-04** Confirmation of Mayor's Appointments to the Board of Zoning Appeals: Nancy Floyd and Garry Terrell; for terms commencing 1/1/2022 and ending 12/31/2026 (5-year term)
7. **Verbal Resolution 2022-05** Confirmation of Mayor's Appointments to the Urban Forestry Board: Craig Simonson and Pete Cassinelli; for terms commencing 1/1/2022 and ending 12/31/2025 (4-year term)
8. **Verbal Resolution 2022-06** Review and adoption of the Rules of Council

VI. Adjournment of the Organizational Meeting

Resumption of the Regular Meeting

VI. Public Comment & Presentations

Mayor's announcement of the Communication Improvement Initiative

Public Hearing Reopening of the Public Hearing regarding the GPHPC Recommendation on Proposed Zoning Code Requirements for Certain Driveway Setbacks

Public Hearing Reopening of the Public Hearing regarding the GPHPC Recommendation on Proposed Zoning Code Amendments for Sign Regulations

VIII. New Business

1. **Ordinance 2022-03** An Ordinance Amending Chapter 154.42 & 154.46 of the Village of Glendale Code of Ordinances, Establishing Exceptions to the Parking and Paving Guidelines for Properties in the Historic District Related to Setbacks for Driveways and Parking Areas, as Recommended by the Glendale Planning and Historic Preservation Commission
2. **Ordinance 2022-04** An Ordinance Inserting Chapter 154.59 in the Village of Glendale Code of Ordinances, Establishing Regulations Related to Residential and Commercial Signage in the Village of Glendale, as Recommended by the Glendale Planning and Historic Preservation Commission
3. **Ordinance 2022-05** An Ordinance Appointing Steve Keist to the rank of Lieutenant with the Glendale Police Department

4. **Ordinance 2022-06** An Ordinance Authorizing Amendment of 2022 Appropriations of the General Fund and Declaring an Emergency
5. **Resolution 2022-08** A Resolution Requesting the County Auditor to Make Advance Payments of Taxes Pursuant to Ohio Revised Code 321.34
6. **Resolution 2022-09** A Resolution Authorizing the Conditional Use of Land Owned by James & Gwen O'Leary at 20 Wood Avenue for an In-Ground Swimming Pool to be Constructed Pursuant to Certain Conditions

IX. Reports from Mayor, Administrator, Standing Committees & Special Committees

Mayor's Report

Births

None reported.

Deaths

William "Bill" John Shriver, December 2, 2021, age 85

Erik Emison, December 28, 2021, age 45

Village Administrator's Report

Committee reports

Finance Committee

Fire Committee

Laws & Claims Committee

Police Committee

Public Buildings & Historic Preservation Committee

Recreation & Playgrounds Committee

Streets, Public Improvements & Lights Committee

Utilities Committee

Reports from the Clerk & Treasurer

X. Adjournment

The next regular Council meeting is scheduled for February 7, 2022 at 7:00 p.m.

2022 MEETINGS

Glendale Planning and Historic Preservation Commission (5:30pm)

Village of Glendale Council (7:00pm) Meeting Dates

80 E. Sharon Ave., Glendale OH 45246**

January 10

February 7

March 7

April 4

May 2

June 6

July 11*

August 1

*September 12**

October 3

November 7

December 5

** Adjusted for holiday*

****Location subject to change by announcement**

VILLAGE OF GLENDALE

STATE OF OHIO

ORDINANCE 2022-01

AN ORDINANCE APPROVING THE MAYOR'S ONE YEAR APPOINTMENT OF KATHY RYAN AS SOLICITOR FOR THE VILLAGE OF GLENDALE, ESTABLISHING COMPENSATION, AND DECLARING AN EMERGENCY

BE IT ORDAINED, by the Council of the Village of Glendale, State of Ohio, a majority of all members thereof concurring, that:

SECTION I The appointment by the Mayor of Kathleen Ryan, Esq., as the Village Solicitor for the year 2022, said expiring one year term ending the first meeting of January 2023, and that compensation is hereby established in the amount of \$160 per hour for a minimum of 100 hours for legal duties as may be determined by the Mayor from time to time is hereby approved;

SECTION II This ordinance is hereby declared to be an emergency measure for the immediate preservation of the public peace, health and or safety, as provided by Ohio Revised Code 731.30. Specifically, emergency action is necessary to ensure the continuation of important Village projects, and to ensure the proper administration of Village affairs. Therefore, this ordinance shall take effect immediately upon its passage.

Passed: January 10, 2022

Attest:

Donald A. Lofty, Mayor

Rebecca Terrell, Clerk

VILLAGE OF GLENDALE

STATE OF OHIO

ORDINANCE 2022-02

**AN ORDINANCE AUTHORIZING THE MAYOR TO EMPLOY A MAYOR'S COURT
MAGISTRATE AND PROSECUTOR AND DECLARING AN EMERGENCY**

BE IT ORDAINED, by the Council of the Village of Glendale, State of Ohio, a majority of all members thereof concurring, that:

SECTION I That the Mayor is hereby empowered and authorized to employ and appoint a qualified and certified Magistrate and a Prosecutor for the Mayor's Court of the Village of Glendale and negotiate, for the year 2022, and award fair and reasonable compensation.

SECTION II This ordinance is hereby declared to be an emergency measure for the immediate preservation of the public peace, health and or safety, as provided by Ohio Revised Code 731.30. Specifically, emergency action is necessary to ensure the proper administration of Village affairs. Therefore, this ordinance shall take effect immediately upon its passage.

Passed: January 10, 2022

Attest:

Donald A. Lofty, Mayor

Rebecca Terrell, Clerk

2022 Standing Committees of Council

Finance:	Besl , All Council Members
Laws & Claims:	Duke , Macenko, Kreidler
Streets, Public Imp. & Lights:	Besl , Duke, Macenko
Police:	Kreidler , Macenko, Baldridge
Fire:	Macenko , Base-Smith, Baldridge
Utilities:	Base-Smith , Duke, Kreidler
Public Bldgs. & Historic Pres.:	Kreidler , Besl, Baldridge
Recreation & Playgrounds:	Baldridge , Besl, Base-Smith

Besl	Duke	Macenko	Base-Smith	Kreidler	Baldridge
Finance	Laws	Fire	Utilities	Police	Recreation
Streets	Finance	Finance	Finance	Public Bldgs	Finance
Pub Bldgs	Streets	Laws	Recreation	Finance	Police
Recreation	Utilities	Streets	Fire	Laws	Fire
				Utilities	Public Bldgs

- Note: **Bold** denotes Chairman of the Committee
- Finance is a Committee of the Whole
- Community Liaisons:
 - Harry Whiting Brown – Base-Smith
 - Glendale Youth Sports – Besl
 - Glendale Heritage Preservation – Macenko
 - Glendale Urban Forestry Board – Lofty

**VILLAGE OF GLENDALE
STATE OF OHIO**

ORDINANCE 2022-03

**AN ORDINANCE AMENDING CHAPTER 154.42 & 154.46 OF THE VILLAGE OF
GLENDALE CODE OF ORDINANCES, ESTABLISHING EXCEPTIONS TO THE PARKING
AND PAVING GUIDELINES FOR PROPERTIES IN THE HISTORIC DISTRICT RELATED
TO SETBACKS FOR DRIVEWAYS AND PARKING AREAS, AS RECOMMENDED BY THE
GLENDALE PLANNING AND HISTORIC PRESERVATION COMMISSION**

WHEREAS, on August 2, 2021, the Glendale Planning and Historic Preservation Commission (GPHPC), upon the suggestion of an ad hoc committee, led by Vice Chair Thomas Kerr, voted to initiate the amendment procedure under §154.66 of the Glendale Zoning Code; and

WHEREAS, on October 4, 2021, the GPHPC, following a public hearing, unanimously approved GPHPC Resolution 2021-003, recommending approval of amendments to §154.42 and §154.46 of the Glendale Zoning Code; and

WHEREAS, on November 1, 2021, the Village Clerk caused notice of a Council public hearing on the draft amendments to be published in the Cincinnati Court Index, a newspaper of general circulation in the Village, with said notice describing the nature of the request and providing the Council hearing date and time, all consistent with the Clerk's obligations under §154.66 of the Glendale Zoning Code; and

WHEREAS, on December 6, 2021, the Council of the Village of Glendale conducted a public hearing on the amendments recommended by the GPHPC and at the hearing, Council heard from members of the public.

BE IT ORDAINED, by the Council of the Village of Glendale, State of Ohio, a majority of all members thereof concurring, that:

SECTION I Sections 154.42 and 154.46 of the Glendale Zoning are hereby amended as shown in Exhibit A, attached hereto and incorporated herein by reference.

SECTION II All other paragraphs of Sections 154.42 and 154.46 of the Glendale Zoning Code, Chapter 154 of the Glendale Code of Ordinances, are to remain as written.

SECTION III All other sections of the Glendale Zoning Code, Chapter 154 of the Glendale Code of Ordinances, are to remain as written.

SECTION IV The Village Council hereby finds and determines that all formal actions relative to the passage of this ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and of its Committees, if any, which resulted in formal action, were taken in meetings open to the public, in full compliance with applicable legal requirements, including Section 121.22 of the Revised Code.

First Read: January 10, 2022

Second Read:

Third Read:

Passed:

Attest:

Donald A. Lofty, Mayor

Rebecca Terrell, Clerk

GPHPC SUBCOMMITTEE on Potential amendment to setback ordinance 154.46 (E)(2)

MEMBERS: Tom Kerr, Beth Sullenberger

rev 6 working copy

EXISTING ORDINANCE + POTENTIAL REVISION LANGUAGE

§ 154.46 REGULATIONS GOVERNING EXISTING BUILDINGS, NEW BUILDINGS, ADDITIONS, DEMOLITIONS AND REMOVAL OF BUILDINGS.

(E) *Design guidelines for site improvements to properties in historic districts.*

(2) Parking and paving. Reducing green space by adding additional pavement for driveways or parking areas should be limited whenever possible. New driveways and parking areas shall respect existing contours and natural features and be set back from adjoining property lines at least five feet.

a) EXCEPTIONS: In Districts A, B and C where a setback of five feet from adjoining property lines would not accommodate a usable driveway, *then* in such case an eight-foot maximum width/seven-foot minimum width impervious materials “Ribbon Driveway” may be constructed or, if using pervious materials, the maximum width allowed may be utilized.

1) POSITIONING: Driveways shall be *centered* on available space between house and adjoining property line to ensure maximum set back to adjoining property line, however, driveway placement may shift toward house without increasing maximum driveway width allowed.

2) SLOPE: Ribbon Driveway impervious surfaces shall be sloped toward center pervious surface to ensure water runoff is captured on owner’s property.

3) TRANSITION to ACCESSORY STRUCTURES (garages): Accessory structures require a 5’ setback from adjoining property lines per ordinance 154.55 (A), therefore any new driveway shall begin transition to said accessory structure once past rear of house (including porches, patios, or other landscaping impediments).

4) NON-CONFORMING LOTS: Existing driveways on non-conforming lots are exempt from the requirements of this section.

5) EXAMPLE: Reference drawing “Ribbon Driveway setback examples-rev 210326”).

POTENTIAL DEFINITION LANGUAGE ADDITION:

§ 154.42 DEFINITION.

• **RIBBON DRIVEWAY.** *Two strips of impervious surface separated by one pervious surface.*

1) *A seven-foot-wide Ribbon Driveway shall consist of two 2’-6” wide impervious surfaces separated by one 2’-0” wide pervious surface.*

2) *An eight-foot-wide Ribbon Driveway shall consist of two 3’-0” wide impervious surfaces separated by one 2’-0” pervious surface*

**VILLAGE OF GLENDALE
STATE OF OHIO**

ORDINANCE 2022-04

AN ORDINANCE INSERTING CHAPTER 154.59 IN THE VILLAGE OF GLENDALE CODE OF ORDINANCES, ESTABLISHING REGULATIONS RELATED TO RESIDENTIAL AND COMMERCIAL SIGNAGE IN THE VILLAGE OF GLENDALE, AS RECOMMENDED BY THE GLENDALE PLANNING AND HISTORIC PRESERVATION COMMISSION

WHEREAS, on August 2, 2021, the Glendale Planning and Historic Preservation Commission (GPHPC), upon the suggestion of an ad hoc committee, led by Vice Chair Thomas Kerr, voted to initiate the amendment procedure under §154.66 of the Glendale Zoning Code; and

WHEREAS, on October 4, 2021, the GPHPC, following a public hearing, unanimously approved GPHPC Resolution 2021-003, recommending approval of amendments to §154.42 and §154.46 of the Glendale Zoning Code; and

WHEREAS, on November 1, 2021, the Village Clerk caused notice of a Council public hearing on the draft amendments to be published in the Cincinnati Court Index, a newspaper of general circulation in the Village, with said notice describing the nature of the request and providing the Council hearing date and time, all consistent with the Clerk's obligations under §154.66 of the Glendale Zoning Code; and

WHEREAS, on December 6, 2021, the Council of the Village of Glendale conducted a public hearing on the amendments recommended by the GPHPC and at the hearing, Council heard from members of the public.

BE IT ORDAINED, by the Council of the Village of Glendale, State of Ohio, a majority of all members thereof concurring, that:

SECTION I Section 154.37 of the Glendale Zoning Code is hereby repealed in its entirety and amended as shown in Exhibit A, attached hereto and incorporated herein by reference

SECTION II All other sections of the Glendale Zoning Code, Chapter 154 of the Glendale Code of Ordinances, are to remain as written.

SECTION III The Village Council hereby finds and determines that all formal actions relative to the passage of this ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and of its Committees, if any, which resulted

in formal action, were taken in meetings open to the public, in full compliance with applicable legal requirements, including Section 121.22 of the Revised Code.

First Read: January 10, 2022

Second Read:

Third Read:

Passed:

Attest:

Donald A. Lofty, Mayor

Rebecca Terrell, Clerk

ORDINANCE 2022-04 EXHIBIT A

§ 154.59 SIGNS

- (A) **Intent/Purpose:** The purpose of this section is to promote and protect the public health, convenience, comfort, prosperity, general welfare, and safety by encouraging safe and effective placement of signs which are visible from outdoors within the Village. It is the intent of this section to provide businesses in the Village with equitable sign standards in accord with fair competition and aesthetic standards acceptable to the community, to provide the public with a safe and effective means of conveying information and ideas as well as locating businesses, services and points of interest within the Village, and to provide for a safe vehicular and pedestrian traffic environment. This section is based on the premise that signs, if not regulated, can become a nuisance to adjacent properties or the community in general, can depreciate the value of other properties within the community, and can create distractions and obstructions that may contribute to traffic accidents. In this section, the Village intends to reduce and eliminate whenever possible these adverse effects of signs through objective, reasonable, content-neutral regulations as to the type, size, and location of signs while maintaining and preserving individual rights to commercial and noncommercial forms of expression.
- (B) **Severability:** This section must be interpreted in a manner consistent with the First Amendment guarantee of free speech. If any provision of this section is found by a court of competent jurisdiction to be invalid, such finding shall not affect the validity of other provisions of this section which can be given effect without the invalid provision.
- (C) **Definitions:** For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.
- (1) **ABANDONED SIGN.** A sign showing signs of weathering, rust, corrosion, exposed wiring, chipped paint, cracked, broken, torn, or missing faces, or loose materials, or other evidence of disrepair, or a sign that remains after the termination of a business.
 - (2) **ANIMATED SIGN.** A sign that uses movement or change of artificial and natural lighting or noise to depict action or create a special effect or scene.
 - (3) **AWNING SIGN.** A sign constructed, in whole or in substantial part, of cloth, metal or other material affixed to a building in such a manner that the structure may be raised or retracted to a flat position against the building.
 - (4) **BANDIT SIGN.** A sign constructed, in whole or in substantial part, of paper, cloth, canvas, plastic sheet, cardboard, wallboard, plywood, or other like material that is generally less than six (6) square feet, typically lasts less than sixty (60) days without significant damage or deterioration, and which is placed within a public right-of-way or on public property.
 - (5) **BANNER (FLAG).** A non-freestanding, non-rigid cloth, plastic, paper, or canvas sign with a design, picture, or writing on it.
 - (6) **BENCH SIGN.** Any sign painted on, located on, or attached to any part of the surface of a bench, seat, or chair placed on or adjacent to a public roadway.

ORDINANCE 2022-04 EXHIBIT A

- (7) **CHANGEABLE COPY SIGN (MANUAL).** A sign designed so that the characters, letters or illustrations can be changed or rearranged manually without altering the face or surface of the sign. Electronic Signs as defined below are not considered to be Changeable Copy Signs.
- (8) **CHANGEABLE COPY SIGN (MECHANICAL/ELECTRICAL).** A sign designed so that the characters, letters or illustrations can be changed or rearranged mechanically or electronically without altering the face or surface of the sign. Electronic Signs as defined below are not considered to be Changeable Copy Signs.
- (9) **DETERIORATED.** Showing signs of weathering, rust, corrosion, exposed support materials or wiring, chipped paint, cracked, bent, broken, torn, missing faces, or loose materials or other evidence of disrepair or safety concerns.
- (10) **ELECTRONIC SIGN.** A sign, or any portion of a sign, that displays an electronic image or video, which may or may not include text, including, but not limited to, television screens, plasma screens, digital screens, LED screens, video boards, holographic displays, and other similar media.
- (11) **ESTABLISHED GRADE LINE.** The average finished grade for that area of the site where the sign is to be located, provided however that the height of the sign shall not be artificially increased by the use of mounding. All references to sign height are from the established grade line unless otherwise noted.
- (12) **EXTENSION.** A wall or other structure which is connected to, and extended from, a building.
- (13) **FLASHING SIGN.** A directly or indirectly illuminated sign that exhibits changing natural or artificial light or color effects by any means.
- (14) **FREESTANDING SIGN.** Any sign other than a Portable or Monument Sign, that is supported by structures or supports in or upon the ground and independent of support from any building; includes Pole Signs.
- (15) **ILLUMINATED SIGN.** Any sign lighted by or exposed to artificial lighting either by light on or in the sign or directed toward the sign.
- (16) **LOT.** A platted parcel or other tract of land separately identified with unique identification in the County Auditor's records.
- (17) **MONUMENT SIGN.** A sign supported by direct contact with the ground, generally attached to a wall or permanent base, constructed specifically for the display of the sign.
- (18) **MOTION SIGN.** A sign or portion of a sign which moves.
- (19) **NONCONFORMING SIGN.** A pre-existing legal or illegal sign which does not conform to the standards set forth in this section.
- (20) **PENNANT SIGN.** A triangular or irregular piece of fabric or other material, commonly attached in strings or strands, or supported on small poles intended to flap in the wind.

ORDINANCE 2022-04 EXHIBIT A

- (21) **PERMANENT SIGN.** Any permitted or legal nonconforming sign, intended to remain in place until a change of occupancy occurs, that is securely attached or installed upon a building, structure, or the Monument and is constructed of materials protected from exposure to the natural elements typically for more than one year or is made of materials that are weather-resistant for multiple years without significant damage or deterioration due to exposure to the elements or normal wear and tear. Permanent Signs are considered accessory uses to a principal use established by this Zoning Code.
- (22) **POLE SIGN.** A sign supported by or suspended from posts, pillars, columns or other structures which are not a building or attached to a building.
- (23) **PORTABLE SIGN.** Any sign that is designed to be, or capable of, being moved or transported (often with wheels) and not affixed or attached to any building, structure, or ground. Sidewalk Signs are not considered to be Portable Signs for purposes of this section.
- (24) **PROJECTED IMAGE.** An image projected onto a building, structure or sign.
- (25) **REFACING.** Any alteration to the face of a sign involving the replacement of materials or parts. Refacing does not refer to replacing the entire sign structure or the removal of the sign.
- (26) **REFLECTIVE SIGN.** A sign containing any material or device which has the effect of intensifying reflected light.
- (27) **ROOF SIGN.** Any sign erected on or above the roof line of a building.
- (28) **SECTION.** Refers to §154.37, in its entirety.
- (29) **SIDEWALK SIGN.** Any temporary sign, typically in the shape of an “A” or a “T”, or some variation thereof, which is readily moveable and not permanently attached to the ground or any structure. Sidewalk signs are generally placed on the sidewalk or right-of-way in front of businesses.
- (30) **SIGN FACE.** The surface intended for the display of information, whether written or graphical, on the sign.
- (31) **SIGN STRUCTURE.** The supporting unit of a sign face, including but not limited to frames, braces and poles.
- (32) **SNIPE SIGN.** A sign that is tacked, nailed, posted, pasted, glued, or otherwise attached to trees, poles, fences, or other objects and that is not otherwise defined or authorized by the provisions of this Section, or other Village ordinances.
- (33) **STREAMER.** A ribbon-shaped or cord-like rope which may have pennants or attached banners (or both) and which is stretched or hung between two or more supports.
- (34) **TEMPORARY SIGN.** Any exterior sign that is not intended for permanent display by virtue of its construction from paper, cloth, canvas, light fabric, cardboard, wallboard or other light materials, and which is erected on stakes,

ORDINANCE 2022-04 EXHIBIT A

wire, plastic, or cord or by way of its attachment to the ground or a structure in a non-permanent manner.

- (35) **TRAILER SIGN.** Any sign which is attached to, supported by, or part of a structure, where the structure's primary purpose is the display of such sign, and where the structure is designed to move on trailer wheels, skids, or other similar devices, or transported, pushed, or pulled by a motor vehicle, whether or not such trailer is parked or being towed.
 - (36) **WALL SIGN, MOUNTED.** A sign that is attached to, erected against or painted on the outside wall of a building or structure, with the exposed display surface of the sign in a plane parallel to the plane of the building or structure.
 - (37) **WALL SIGN, PROJECTING.** A double-sided sign, with two faces, that is attached to the outside wall of a building or structure, generally by means of a bracket or decorative hardware, with the exposed display surfaces of the sign on a plane perpendicular to the building or structure.
 - (38) **WINDOW SIGN.** Any sign attached to the window of a building or erected on the inside of the building and visible from the exterior of the building.
 - (39) **YARD SIGN.** See "Temporary Sign".
- (D) **Permit Required.** All signs located on land within or hereafter annexed to the Village shall comply with this section. No person shall locate or retain any sign, or cause a sign to be located, relocated, altered, modified, or retained unless all provisions of this section have been met. To ensure compliance with these regulations, a sign permit shall be secured from the Village Zoning Administrator or his/her designee for each for all signs except those listed in subsections (J) and (K). Unless otherwise established in this section or otherwise in this Zoning Code, no person shall locate, alter, modify, or retain a sign in the Historical District without first applying for, and obtaining, a certificate of appropriateness. Where applicable, sign permits shall not be issued until after a certificate of appropriateness is issued. In addition, some signs may require a building permit, and such signs may not be erected until such a permit is granted.
- (E) **Permit Application Requirements.** Persons wishing to locate or cause a sign to be located, relocated, or altered in the Village shall apply for a sign permit. No application fee shall be required, unless otherwise established by Village Council. A written application shall be required and the following materials must be submitted:
- (1) Scale elevation drawing(s) of proposed sign(s);
 - (2) Foundation and anchoring drawing(s) of proposed sign(s);
 - (3) A dimensioned site plan showing the location of proposed sign(s) and adjacent buildings or other structures;
 - (4) Descriptions and specifications related to proposed materials;
 - (5) For Wall Signs, a building elevation drawn to scale showing the proposed wall sign and the dimension from established grade to the top of the sign;
 - (6) For Monument and Freestanding Signs, a sign base landscaping plan;

ORDINANCE 2022-04 EXHIBIT A

- (7) Written consent signed by the owner of the property on which the sign is proposed to be located indicating his/her approval of the sign.
- (F) **Permit Application Review Process and Timing.** A request for a sign permit will be approved or denied within sixty (60) business days of receipt of a completed sign permit application, including all submittals required by subsection (E). For signs which require a certificate of appropriateness, the time period to approve or deny the permit application shall not begin until after the certificate of appropriateness is granted. Permits shall be approved if the sign type, size, and location meet the requirements of this section. Permit applications which are neither denied nor approved within sixty (60) business days of receipt of a completed sign application (and granting of a certificate of appropriateness where applicable) shall be deemed approved.
- (G) **Relief from this Section.** Any party aggrieved from the provisions of this section by way of interpretation, enforcement, or other action, or who otherwise wishes to seek a variation from the requirements of this Zoning Code, may apply to the Village Board of Appeals pursuant to § 154.65 of this Zoning Code.
- (H) **Expiration of Sign Approval.** Signs must be erected as specified in the permit application within one (1) year of the permit issuance date. Permits for which a sign is not erected within one (1) year will expire and a new application will be required before the sign may be erected.
- (I) **Sign Permit Fee.** A sign permit fee will be required only if a permit is approved. The sign permit fee shall be established each year by the Village Council. The sign permit fee must be received prior to the issuance of the sign permit. No permit shall be issued until the sign permit fee has been received.
- (J) **Signs Exempt from Permitting Requirements.** The following signs are exempt from the permitting requirements of this section and are permitted in any zoning district:
- (1) Temporary Signs which are nine (9) square feet per face or less, subject to location and other restrictions contained in this section.
- (K) **Prohibited Sign Types and Locations.** In order to achieve the intents and purposes of this section, to reduce undue distraction to motorists and pedestrians, to reduce potential traffic hazards, and to ensure the effectiveness of traffic and other Governmental Signs needed to direct the public, the following signs types and sign locations are prohibited.
- (1) Prohibited Sign Locations:
 - a. In any public park or on any public property or right-of-way, unless otherwise expressly permitted within this Zoning Code, the Village Code of Ordinances or pursuant to a formally-adopted Village policy.
 - b. On any traffic control sign, utility pole, fences, or street sign.
 - c. On any tree, or other natural object.
 - d. In any location where the view of approaching or intersecting traffic or pedestrians would be obstructed.

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- e. In any location which interferes with the safe movement of vehicles or pedestrians entering, leaving, crossing, or traversing a public right-of-way or sidewalk.
- f. In any locations where the illumination of the sign is directed or beamed upon a public thoroughfare, highway, sidewalk, or adjacent premises.
- g. On private property without the permission of the owner.
- h. On any fire escape or any door or window giving access to any fire escape.
- i. On any chimney, smokestack, or stair tower.

(2) Prohibited Sign Types in All Districts:

- a. Signs which move or rotate, such as: Motion Signs, balloons, Gas Inflated Signs or similar inflated signs, searchlights, Streamers, Animated Signs, Pennant Signs, spinners, flags, or any other similar devices.
- b. Internally illuminated signs.
- c. Electronic Signs.
- d. Bench Signs.
- e. Flashing Signs.
- f. Reflective Signs.
- g. Projected Images.
- h. Roof Signs.
- i. Trailer Signs.
- j. Bandit Signs; except as otherwise permitted.
- k. Snipe Signs.
- l. Portable Signs.
- m. Signs requiring a permit in accordance with this section which do not have a permit.
- n. Abandoned Signs.
- o. Neon signs.

(L) **General Requirements for All Signs in All Districts.** All signs placed or posted in the Village must meet the following criteria:

(1) ***Illuminated Signs.*** Signs shall be illuminated only by the following means:

- a. By a white, steady, stationary light of reasonable intensity, directed solely at the sign or otherwise prevented from beaming directly onto adjacent properties, roadways or rights-of-way.
- b. The level of illumination directed to the sign shall not be of an intensity sufficient to constitute a demonstrable hazard to vehicular traffic on any right-of-way, roadway, or parking lot from which the sign may be viewed.

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- c. No exposed light sources are permitted. All light fixtures shall be screened from view by site grading or evergreen shrubs.
 - d. All wiring, fittings and materials used in the construction, connection and operation of Illuminated Signs shall be in accordance with the provisions of the local electric code. All Illuminated Signs shall be properly grounded.
- (2) ***Safe Installation.*** All signs must be installed in a safe manner and shall not be in danger of falling.
- (3) ***Properly Maintained/Not Deteriorated.*** All signs shall be properly maintained and shall not show signs of deterioration. The structural integrity of all sign foundations must be maintained.
- (4) ***Required Set-Back.*** All signs shall be set back at least eight (8) feet from the curb/edge of the street, road, or state route or at least two (2) feet from the edge of the sidewalk farthest from the street, road, or state route, whichever is greater.
- (5) ***Design.*** Signs shall be designed to fully integrate with the building architecture and overall site design. Signs should not resemble the color, shape, or other characteristic of traffic control devices or warning signs. Signs shall be limited to three (3) colors, three (3) typefaces/fonts, and three (3) lines per sign.

(M) Requirements for Temporary Signs.

- (1) All Temporary Signs are subject to the following size-related requirements and limitations.
- a. ***Temporary Sign Quantity.*** Each lot within the Village is limited to thirty cumulative square feet of temporary signage.
 - b. ***Temporary Signs not requiring a permit.*** Temporary Signs which are nine (9) square feet or less per face are permitted in any district of the Village and do not require a permit.
 - c. ***Temporary Signs requiring a permit.*** Temporary Signs which are, individually, at least nine (9) square feet, but no larger than thirty (30) square feet, require a permit.
 - d. ***Temporary Signs that are prohibited.*** Temporary Signs which are larger than thirty (30) square feet are prohibited.
- (2) In addition to the size-related requirements in (M)(1) above, all Temporary Signs must comply with the following standards:
- a. Temporary Signs shall not be mounted, attached, affixed, installed or otherwise secured in a manner that will make the sign a permanent sign;
 - b. Temporary Signs shall not be illuminated;
 - c. Temporary Signs shall not include, be attached to, or incorporate any other sign type prohibited by this section;
 - d. Temporary Signs shall not be placed in a prohibited location as established by this section; and

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e. Temporary Signs shall be removed or replaced when they are deteriorated.

(N) Measurement of Sign Area. The surface area of a sign shall be computed as including the face of the entire display area not including the bracing, framing and structural supports of the sign, unless such support members are made part of the message or face of the sign. Where a sign has two or more display faces, the area of all faces of the sign shall be included in determining the area of the sign, unless the two faces are joined back-to-back, are parallel to each other and are not more than four (4) inches apart. The area of a sign consisting of individual letters or symbols, either free-standing or ground, or attached to or painted on a surface, building, wall, or window, shall be considered to be that of the smallest single rectangle which encompasses all the letters and symbols.

(O) Signs Standards in Residential Districts (Residential Uses/Individual Dwellings).

(1) The following signs are permitted for Dwellings used for Residential Purposes, as defined by 154.03, in all Residential Districts (AA-1; AA-2; A, B, and C):

a. Mounted Wall Signs.

b. Temporary Signs.

(2) *Permitted number, height, area and location:* Each lot may erect and maintain up to three (3) signs per lot, up to a maximum of twenty (20) square feet of signage, as outlined below:

a. **Mounted Wall Signs**

i. *Maximum Height Above Established Grade:* Eight (8) feet

ii. *Maximum Area:* One (1) square foot

iii. *Location:* Cannot protrude more than 2 inches from wall or building to which it is attached

iv. *External Illumination Permitted:* No

b. **Temporary Signs**

i. *Maximum Height Above Established Grade when Ground-Mounted:* Three (3) feet.

ii. *Maximum Height when wall-mounted:* Below the roof parapet line.

iii. *Location:* Set back minimum of eight (8) feet from curb/edge of roadway or two (2) feet from edge of sidewalk farthest from the roadway, whichever is greatest

iv. *External Illumination Permitted:* No

v. *Other restrictions:* Per (K)(1), temporary signs which are nine (9) square feet per face or less, subject to location and other restrictions contained in this section do not require a permit, but any temporary sign which does not meet all parameters with respect to size and location to be exempt from permitting, shall require a permit.

(P) Signs Standards in Residential Districts (Non-residential Uses).

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- (1) The following signs are permitted for non-residential uses in all Residential Districts (AA-1; AA-2; A, B, and C). Non-Residential uses are all uses which do not fall qualify as a “Dwelling” used for Residential Purposes, as defined by 154.03
 - a. Mounted Wall Signs.
 - b. Monument Signs.
 - c. Temporary Signs.
- (2) ***Permitted number, height, area and location:*** Each lot may erect and maintain a maximum of three (3) signs per lot, up to a maximum of thirty (30) square feet of signage, as outlined below:
 - a. **Mounted Wall Sign**
 - i. ***Maximum Height Above Established Grade:*** Eight (8) feet
 - ii. ***Maximum Area:*** One (1) square foot
 - iii. ***Location:*** Cannot protrude more than two (2) inches from wall or building to which it is attached
 - iv. ***External Illumination Permitted:*** Yes
 - b. **Monument Sign**
 - i. ***Maximum Height Above Established Grade:*** Five (5) feet
 - ii. ***Maximum Area:*** Thirty (30) square feet
 - iii. ***Location:*** Set back Minimum of eight (8) feet from curb/edge of roadway or two (2) feet from edge of sidewalk farthest from the roadway, whichever is greatest
 - iv. ***External Illumination Permitted:*** Yes
 - v. ***Other restrictions:*** May include a Manual Changeable Copy Sign
 - c. **Temporary Signs**
 - i. ***Maximum Height Above Established Grade when Ground-Mounted:*** Three (3) feet.
 - ii. ***Maximum Height when wall-mounted:*** Below the roof parapet line.
 - iii. ***Location:*** Set back Minimum of eight (8) feet from curb/edge of roadway or two (2) feet from edge of sidewalk farthest from the roadway, whichever is greatest
 - iv. ***External Illumination Permitted:*** No
 - v. ***Other restrictions:*** Per (K)(1), temporary signs which are nine (9) square feet per face or less, subject to location and other restrictions contained in this section do not require a permit, but any temporary sign which does not meet all parameters with respect to size and location to be exempt from permitting, shall require a permit.

(Q) Sign Standards in Business Districts.

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(1) The following signs are permitted in Zoning Districts “D” and “E”:

- a. Wall Signs (Mounted and Projecting).
- b. Monument Signs.
- c. Window Signs.
- d. Freestanding Signs.
- e. Awning Signs.
- f. Sidewalk Signs.
- g. Temporary Signs.

(2) Permitted number, height, area and location. Each lot may erect and maintain a maximum of three (3) signs per lot, up to a maximum of thirty (30) square feet of signage, as outlined below:

a. **Mounted Wall Sign**

- i. *Maximum Height Above Established Grade:* Eight (8) feet
- ii. *Maximum Area:* One and a half (1.5) square feet for every linear foot of width of the building face to which the sign is attached
- iii. *Location:* Cannot protrude more than two (2) inches from wall or building to which it is attached
- iv. *External Illumination Permitted:* Yes

b. **Projecting Wall Sign**

- i. *Maximum Height Above Established Grade:* Two (2) feet below the highest point on the building on which the sign is mounted
- ii. *Maximum Area:* One and one half (1.5) square feet for every linear foot of width of the building face to which the sign is attached
- iii. *Location:* Cannot protrude more than three (3) feet from wall or building to which it is attached
- iv. *External Illumination Permitted:* A projecting sign is limited to external illumination by indirect lighting methods such as gooseneck lighting.
- v. *Other restrictions:* Minimum eight (8) feet above sidewalk; decorative supporting structures are not calculated in maximum square footage of sign.

c. **Monument Sign**

- i. *Maximum Height Above Established Grade:* Five (5) feet
- ii. *Maximum Area:* One half (0.5) square foot for every linear foot of frontage of the lot, with a maximum area of thirty (30) square feet.

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- iii. *Location:* Set back minimum of eight (8) feet from curb/edge of roadway or two (2) feet from edge of sidewalk farthest from the roadway, whichever is greatest
- iv. *External Illumination Permitted:* Yes
- v. *Other restrictions:* May include a Manual Changeable Copy Sign

d. Window Sign

- i. *Maximum Height Above Established Grade:* Ground/1st floor only
- ii. *Maximum Area:* One half of the area of the window upon which the sign is affixed
- iii. *Location:* Ground/1st floor of a building
- iv. *External Illumination Permitted:* No
- v. *Application:* Window signs may only be applied to the interior of the glazing.

e. Freestanding Sign

- i. *Maximum Height Above Established Grade:* Five (5) feet
- ii. *Maximum Area:* One (1) square foot per linear foot of frontage of the premises, with a maximum of thirty (30) square feet
- iii. *Location:* Setback minimum of eight (8) feet from curb/edge of roadway or two (2) feet from edge of sidewalk furthest from the roadway, whichever is greatest
- iv. *External Illumination Permitted:* Yes

f. Awning Sign

- i. *Minimum Height Above Established Grade:* Eight (8) feet above the sidewalk; sixteen (16) feet above any driveway or parking lot
- ii. *Maximum Area:* Text & graphics on awning may not be greater than fifteen (15) square feet
- iii. *Location:* May only have text or graphics on the front portion of awning
- iv. *External Illumination Permitted:* No

g. Sidewalk Sign

- i. *Maximum Height Above Established Grade:* Three (3) feet
- ii. *Maximum Area:* Six (6) square feet
- iii. *Location:* Must be on paved public or private sidewalk or walkway; Cannot be in landscaped areas or areas used for vehicles; May only be placed where the width and location of the sign allows for a minimum width of five (5) feet of clear and passable sidewalk/walkway for pedestrians; May not be placed so as to

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obstruct access to parking meters, bicycle racks, and other features legally in the right-of-way; May not interfere with the opening of car doors in legal parking spaces, or with the operation of wheelchair lifts and ramps; May only be placed on the sidewalk/walkway from 9:00 a.m. to 5:00 p.m.

iv. *External Illumination Permitted:* No

v. *Other restrictions:* Signs must be weighted to be stable and windproof to resist wind gusts,

h. Temporary Signs

i. *Maximum Height Above Established Grade when Ground-Mounted:* Three (3) feet.

ii. *Maximum Height when wall-mounted:* Below the roof parapet line.

iii. *Location:* Set back Minimum of eight (8) feet from curb/edge of roadway or two (2) feet from edge of sidewalk farthest from the roadway, whichever is greatest

iv. *External Illumination Permitted:* No

v. *Other restrictions:* S Per (K)(1), temporary signs which are nine (9) square feet per face or less, subject to location and other restrictions contained in this section do not require a permit, but any temporary sign which does not meet all parameters with respect to size and location to be exempt from permitting, shall require a permit.

(R) Nonconforming Signs.

(1) All pre-existing legal signs that do not conform to the standards of this section must be brought into conformity upon the occurrence of any of the following events:

- a. Any change in the use of the property following the date that this section became effective.
- b. The discontinuance of the use of property for a period of more than six (6) consecutive months.
- c. The damage or destruction of the sign amounting to a reduction of fifty percent (50%) or more of the market value of the sign (as determined by two established sign companies located in Ohio selected by the Village).
- d. The structural alteration, rebuilding, enlargement, extension, or relocation of the existing nonconforming sign. However, the repainting or Refacing of an existing nonconforming sign is not considered an alteration within the meaning of this section.
- e. The nonconforming sign or sign structure is determined by the Village Zoning Administrator to be unsafe, insecure, or otherwise to constitute a nuisance to the public.

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- (2) All signs which lose their legal nonconforming status must be removed or brought into compliance with this section within thirty (30) days of the date of the event which resulted in the loss of that status.
- (S) **Abandoned Signs:** Signs which remain after a business operation has been closed to the public for at least ninety (90) consecutive days shall be considered abandoned. Abandoned signs shall be removed by the responsible party, whether the property owner or the business owner.
- (T) **Maintenance of Signs.** Signs must be maintained in a safe, presentable, and sound structural condition at all times. In the event that any sign is or becomes unsafe or in danger of falling, the owner thereof or the person maintaining the same, shall immediately upon receipt of written notice from the Village Zoning Administrator restore such sign to a safe and secure condition or remove the sign. If the owner of the sign does not remove the sign within ten (10) days of the written notice, the Village Administrator may order its removal.
- (U) **Removal of Prohibited/Unsafe Signs.**
- (1) Signs placed in prohibited sign locations as established in this section may be removed by the Village and stored at the Village Municipal Building or other service building for a period of not more than ten (10) days, after which the Village may dispose of such signs. Persons who wish to claim signs which are removed and retained by the Village may do so by contacting the Village Zoning Administrator during that time.
- (2) Signs that are insecure, in danger of falling, or which otherwise pose an *immediate* threat to public safety may be removed by the Village without notice to the owner. All costs incurred for the removal of such signage shall be the responsibility of the property owner. All unpaid costs shall be assessed to the property tax duplicate for the subject property. Signs so removed, to the extent possible, will be retained by the Village for a period of not more than ten (10) days and may be claimed by their owners by contacting the Village Administrator. After the retention period, the Village may dispose of such signs. Signs which cannot be removed without destroying the sign may be discarded.
- (V) **Prior Sections Invalidated.** This section shall control all issues related to signs located in the Village of Glendale. In the event that any section of this Zoning Code refers to signs, such section is specifically superseded by the provisions of this section.
- (W) **Violations.** In case any signs shall be installed, erected, constructed, or maintained in violation of any of the terms of this section, the Village Zoning Administrator shall notify in writing the owner or lessee thereof to alter or remove such sign so as to comply with this section. Such persons shall be given ten (10) days from the date of the written notice to alter the sign so as to comply with this section. Thereafter, failure to comply with any of the provisions of this section shall be deemed a violation and shall be punishable under § 154.99 of the Zoning Code.

**VILLAGE OF GLENDALE
STATE OF OHIO**

ORDINANCE 2022-05

**AN ORDINANCE APPOINTING STEPHEN KEIST TO THE POSITION OF LIEUTENANT
WITH THE GLENDALE POLICE DEPARTMENT AND SETTING COMPENSATION, AND
DECLARING AN EMERGENCY**

WHEREAS, Stephen Keist, was appointed Acting Lieutenant effective May 1, 2021; and

WHEREAS, Acting Lieutenant Keist has proven himself capable of performing the duties of a Lieutenant with the Glendale Police Department.

BE IT ORDAINED, by the Council of the Village of Glendale, State of Ohio, a majority of all members thereof concurring, that:

SECTION I Lieutenant Keist, having served as Acting Lieutenant from May 1, 2021 to present is now hereby appointed to the position Lieutenant, effective January 1, 2022 at the rate of pay of \$39.64 hourly.

SECTION II This ordinance is hereby declared to be an emergency measure for the immediate preservation of the public peace, health and or safety, as provided by Ohio Revised Code 731.10. Specifically, emergency action is necessary to ensure the proper administration of Village affairs. Therefore, this ordinance shall take effect immediately upon its passage.

Passed: January 10, 2022

Attest:

Donald A. Lofty, Mayor

Rebecca Terrell, Clerk

**VILLAGE OF GLENDALE
STATE OF OHIO**

ORDINANCE 2022-06

**AN ORDINANCE AUTHORIZING AMENDMENT OF 2022 APPROPRIATIONS OF THE
GENERAL FUND AND DECLARING AN EMERGENCY**

WHEREAS, the Village of Glendale is performing needed restoration to the Veterans' Memorial located on Sharon Avenue, across from Town Hall.

BE IT ORDAINED, by the Council of the Village of Glendale, State of Ohio, a majority of all members thereof concurring, that:

SECTION I The 2022 appropriations for the General Fund are to be posted as listed:

<u>Account Number</u>	<u>Account Description</u>	<u>Total Appropriation</u>
101.602.2531	Bldgs & Other Structures	\$45,000

SECTION II This ordinance is hereby declared to be an emergency measure for the immediate preservation of the public peace, health and or safety, as provided by Ohio Revised Code 731.30. Specifically, emergency action is necessary to ensure the timely and efficient payment of Village invoices and to ensure the continuation of important Village projects.

Passed: January 10, 2022

Attest:

Donald A. Lofty, Mayor

Rebecca Terrell, Clerk

**VILLAGE OF GLENDALE
STATE OF OHIO**

RESOLUTION 2022-08

**A RESOLUTION REQUESTING THE COUNTY AUDITOR TO MAKE ADVANCE
PAYMENTS OF TAXES PURSUANT TO OHIO REVISED CODE 321.34**

WHEREAS, the Ohio Revised Code allows a taxing authority to request payment from the County Auditor funds derived from taxes or other sources to the County Treasurer, which may be held on account of a local subdivision.

BE IT RESOLVED, by the Council of the Village of Glendale, State of Ohio, a majority of all members thereof concurring, that:

SECTION I The Auditor and Treasurer of Hamilton County, in accordance with Ohio Revised Code 321.34, be requested to draw and pay to the Village of Glendale, upon the written request of the Village Administrator, to the County Auditor, funds due in any settlement of 2021 derived from taxes or other sources, payable to the County Treasurer to the account of the Village of Glendale, and lawfully applicable for purposes of the current fiscal year: January 1, 2022 through December 31, 2022.

SECTION II The Clerk of the Village of Glendale shall forward to the County Auditor a certified copy of this Resolution upon its passage.

Passed: January 10, 2022

Attest:

Donald A. Lofty, Mayor

Rebecca Terrell, Clerk

VILLAGE OF GLENDALE

STATE OF OHIO

RESOLUTION 2022-09

**A RESOLUTION AUTHORIZING THE CONDITIONAL USE OF LAND OWNED BY
JAMES & GWEN O'LEARY AT 20 WOOD AVENUE FOR AN IN-GROUND SWIMMING
POOL TO BE CONSTRUCTED PURSUANT TO CERTAIN CONDITIONS**

WHEREAS, on January 10, 2022 the Glendale Planning and Historic Preservation Commission reviewed the conditional use application filed by James & Gwen O'Leary requesting permission to install an in-ground swimming pool on the property located at 20 Wood Avenue in the "AA-2" zoning district; and

WHEREAS, after considering all of the information presented to it, the Glendale Planning and Historic Preservation Commission recommended approval of the conditional use application, provided certain conditions set forth in Section I below are met; and

WHEREAS, as required under Section 154.62 of the Codified Ordinances of the Village of Glendale, the Glendale Planning and Historic Preservation Commission forwarded the recommendation to the Village Council for approval, disapproval or approval with conditions; and

WHEREAS, Village Council has considered the recommendation and heard from interested parties regarding the application.

BE IT RESOLVED, by the Council of the Village of Glendale, State of Ohio, a majority of all members thereof concurring:

SECTION I Village Council hereby approves the conditional use application, subject to the following conditions:

1. Location per the site plan originally submitted to GPHPC January 10, 2022
2. Compliance with fencing regulations per the Glendale Codified Ordinances Section 154.55(I)(4) and the Building Code.

Passed: January 10, 2022

Attest:

Donald A. Lofty, Mayor

Rebecca Terrell, Clerk