

VILLAGE OF NORTH BALTIMORE, WOOD COUNTY, OHIO

ORDINANCE NO. 2026 – 31

**AN ORDINANCE ESTABLISHING DOWNTOWN DESIGN REVIEW STANDARDS,
DESIGNATING THE VILLAGE PLANNING COMMISSION TO SERVE AS THE
DOWNTOWN DESIGN REVIEW BOARD, AND ESTABLISHING A DOWNTOWN DESIGN
REVIEW DISTRICT**

WHEREAS, the Village of North Baltimore desires to encourage the rehabilitation, reinvestment, improvement, and continued productive use of properties within its downtown area; and

WHEREAS, appropriate design review can assist in preserving significant architectural characteristics while allowing reasonable modernization, redevelopment, and continued economic use of downtown properties; and

WHEREAS, the Ohio Community Development Block Grant Downtown Buildings Flexible Grant Program requires applicants to have adopted design review standards applicable to the program target area which include the Secretary of the Interior's Standards for Rehabilitation verbatim; and

WHEREAS, ORC 713.04 authorizes the legislative authority of a municipal corporation to authorize its Planning Commission to control the height, design, and location of buildings; and

WHEREAS, Council desires to utilize the existing Village Planning Commission for design review rather than establish an additional board or commission; and

WHEREAS, Council further intends that the regulations established herein be administered in a reasonable manner so as to satisfy applicable downtown design review requirements without unnecessarily restricting ordinary maintenance, repair, modernization, or reasonable use of private property.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of North Baltimore, Wood County, Ohio:

SECTION 1. PURPOSE.

The purposes of this Ordinance are to:

- (a) Establish reasonable design review standards for the Village's downtown area;**
- (b) Encourage rehabilitation and continued productive use of existing buildings;**
- (c) Protect significant architectural and historic characteristics where they exist;**
- (d) Encourage compatible redevelopment and new investment;**
- (e) Support eligibility and compliance with applicable Community Development Block Grant programs and other downtown revitalization funding programs;**
- (f) Provide a simple and predictable process for review of significant projects; and**
- (g) Avoid unnecessary regulation of ordinary maintenance, minor repairs, interior improvements, and other work that does not materially affect the character of the downtown area.**

SECTION 2. DEFINITIONS.

- (a) "Administrative Approval" means written approval issued by the Zoning Inspector for minor exterior work that is subject to this Ordinance but does not require review by the Downtown Design Review Board.**
- (b) "Board" or "Downtown Design Review Board" means the Village of North Baltimore Planning Commission when acting pursuant to this Ordinance.**
- (c) "District" means the Downtown Design Review District established by Section 3.**
- (d) "Significant Exterior Architectural Feature" means a street-facing or otherwise prominent exterior feature that materially contributes to the architectural character of a building,**

including a storefront, cornice, substantial masonry feature, or significant window or door opening.

- (e) "Substantial Exterior Alteration" means exterior work that materially changes the size, form, configuration, or architectural character of a building or its principal street-facing facade. Ordinary maintenance, routine repair, and work specifically exempted by Section 7 are not substantial exterior alterations.

SECTION 3. DOWNTOWN DESIGN REVIEW DISTRICT AND PROGRAM TARGET AREA.

- (a) There is hereby established the Village of North Baltimore Downtown Design Review District.
- (b) For purposes of this Ordinance and the Community Development Block Grant Downtown Buildings Flexible Grant Program, the Downtown Design Review District shall constitute the Village's defined downtown Central Business District program target area.
- (c) The Downtown Design Review District shall consist of all parcels having frontage on either side of Main Street beginning at the intersection of Main Street and East Broadway Street and extending south along Main Street to the intersection of Main Street and Water Street. The District includes parcels having Main Street frontage at both terminal intersections. Parcels that do not have frontage on Main Street are not included solely because they are located within the same block as a parcel having Main Street frontage.
- (d) A map depicting the Downtown Design Review District shall be maintained by the Village and may be attached to this Ordinance as Exhibit A. In the event of a conflict between the map and the written boundary description contained in this Section, the written boundary description shall control.
- (e) Council may amend the boundaries of the Downtown Design Review District by subsequent ordinance.

SECTION 4. DOWNTOWN DESIGN REVIEW BOARD.

- (a) Pursuant to ORC 713.04, the Village of North Baltimore Planning Commission is hereby designated and authorized to serve as the Downtown Design Review Board for purposes of this Ordinance.
- (b) No separate board or commission is created by this Ordinance.
- (c) When considering matters under this Ordinance, the Planning Commission may be referred to as the "Downtown Design Review Board" or "Design Review Board."
- (d) The existing membership, officers, meeting procedures, quorum requirements, and voting requirements of the Planning Commission shall apply when it acts as the Downtown Design Review Board.
- (e) Nothing in this Ordinance shall add to, remove, or otherwise modify the membership or voting authority of the Planning Commission.
- (f) The Board shall meet only as necessary to consider matters arising under this Ordinance and may consider design review matters during a regular or special meeting of the Planning Commission.

SECTION 5. ADMINISTRATION BY ZONING INSPECTOR.

- (a) The Village Zoning Inspector shall administer this Ordinance.
- (b) The Zoning Inspector shall:
 - (1) Receive design review applications;
 - (2) Determine whether proposed work is exempt from design review;
 - (3) Determine whether proposed work qualifies for administrative approval;
 - (4) Issue administrative approvals as authorized by this Ordinance;
 - (5) Refer applications requiring Board review to the Planning Commission;

- (6) Maintain applications, approvals, decisions, plans, photographs, and other design review records;
 - (7) Issue written design review approvals following action by the Board; and
 - (8) Coordinate design review documentation necessary for Community Development Block Grant or other grant-funded projects.
- (c) When there is reasonable uncertainty as to whether proposed work is exempt or eligible for administrative approval, the Zoning Inspector may refer the matter to the Downtown Design Review Board.

SECTION 6. WORK REQUIRING DESIGN REVIEW BOARD APPROVAL.

Except as otherwise provided in this Ordinance, Board approval shall be required for the following work within the Downtown Design Review District:

- (a) Any building rehabilitation project receiving Community Development Block Grant Downtown Buildings Flexible Grant funding when design review is required by the applicable grant program;
- (b) Construction of a new principal building;
- (c) A substantial exterior addition to a principal building that is visible from a public street;
- (d) A substantial alteration of a street-facing exterior facade that materially changes its architectural character;
- (e) Material alteration, removal, covering, or destruction of a significant exterior architectural feature; and
- (f) Other substantial exterior work that the Zoning Inspector reasonably determines may materially alter the architectural character of a property or the Downtown Design Review District.
- (g) This Ordinance does not independently require Board approval for demolition unless design review is required as a condition of a CDBG or other grant-funded project or demolition is otherwise regulated by applicable law.

SECTION 7. EXEMPT WORK AND MINOR WORK.

- (a) The following work shall not require approval by the Downtown Design Review Board unless Board review is specifically required as a condition of a CDBG or other grant-funded project:
 - (1) Interior alterations that do not materially affect the exterior appearance of the building;
 - (2) Ordinary maintenance;
 - (3) Routine repair;
 - (4) Repainting of previously painted surfaces;
 - (5) Selection or change of exterior paint color;
 - (6) Repair or replacement of deteriorated materials with substantially similar materials;
 - (7) Roof repair or replacement that does not materially change the form, height, or configuration of the roof;
 - (8) Gutters and downspouts;
 - (9) Storm windows, storm doors, screens, and similar items;
 - (10) Heating, ventilation, air-conditioning, utility, or mechanical equipment;
 - (11) Landscaping and routine site maintenance;
 - (12) Temporary protective work;
 - (13) Emergency work reasonably necessary to protect life, health, safety, or property;
 - (14) Work required to correct an immediate unsafe condition;
 - (15) Accessibility improvements where the design has been reasonably selected to minimize unnecessary alteration of significant architectural features;

- (16) Replacement of windows or doors within existing openings where the size and general configuration of the opening are not materially changed;
 - (17) Repairs or replacement following accidental damage where the property is restored in substantially the same form; and
 - (18) Other work determined by the Zoning Inspector to have no substantial effect upon the architectural character of the property or District.
- (b) The Zoning Inspector may administratively approve minor exterior alterations that are clearly consistent with this Ordinance and do not constitute substantial work requiring Board review under Section 6.
- (c) Administrative approval shall be documented in writing.
- (d) An applicant whose request for administrative approval is not approved by the Zoning Inspector may request review by the Downtown Design Review Board.
- (e) Nothing in this Section exempts any person from obtaining a zoning permit, building permit, sign permit, right-of-way permit, or other approval otherwise required by law.

SECTION 8. SECRETARY OF THE INTERIOR'S STANDARDS FOR REHABILITATION.

The following Secretary of the Interior's Standards for Rehabilitation are hereby adopted verbatim as design review standards for the Downtown Design Review District. The Standards shall be applied to specific rehabilitation projects in a reasonable manner, taking into consideration economic and technical feasibility:

1. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.
2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
3. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
4. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.
5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved.
6. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.
7. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
8. Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
10. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

SECTION 9. APPLICATION AND REVIEW PROCEDURE.

- (a) An application requiring Board review shall be filed with the Zoning Inspector on a form provided by the Village. The application shall contain information reasonably necessary to understand the proposed work, which may include photographs, sketches, plans, material descriptions, or product information.**
- (b) The Zoning Inspector shall determine whether an application is sufficiently complete for review and shall not require information that is unnecessary to evaluate the proposed work.**
- (c) A complete application requiring Board review shall be placed on the agenda of the next reasonably available Planning Commission meeting for which notice can be provided in accordance with applicable law.**
- (d) The applicant shall be notified of the meeting and shall be given an opportunity to explain the proposed work and provide supporting information.**
- (e) No separate public hearing or mailed notice to neighboring property owners is required by this Ordinance unless otherwise required by applicable law or by a condition of a grant-funded project.**
- (f) The Board should act on a complete application within thirty days after the first meeting at which the application is considered, unless additional information is reasonably necessary or the applicant agrees to additional time.**

SECTION 10. REVIEW AND DECISION.

- (a) The Board shall apply the standards in Section 8 to rehabilitation projects to the extent reasonably applicable to the property and proposed work. The Standards shall be applied in a reasonable manner, taking into consideration economic and technical feasibility.**
- (b) For new construction or other work for which one or more of the Standards in Section 8 are not directly applicable, the Board shall consider whether the proposed work is reasonably compatible with the scale, massing, placement, and overall architectural character of the surrounding Downtown Design Review District.**
- (c) The Board shall not require a property to be restored to a particular historical period, require the reconstruction of missing historic features unless applicable grant requirements provide otherwise, regulate exterior paint color, or prohibit reasonable modernization solely because a modern material or design is proposed.**
- (d) In acting on an application, the Board may approve the application, approve the application with reasonable conditions necessary for compliance with this Ordinance, or deny the application.**
- (e) A denial shall identify the principal reasons for the decision. Conditions shall be limited to matters reasonably related to the standards and purposes of this Ordinance.**
- (f) The Zoning Inspector shall issue the Board's decision in writing. An approval shall remain valid for one year unless work authorized by the approval has commenced or the Board grants a reasonable extension.**
- (g) Nothing in this Ordinance shall be interpreted to require the Board to deny a project merely because an alternative design might be preferred. The purpose of review is to determine reasonable compliance with the adopted standards, not to impose a single architectural style.**

SECTION 11. APPEALS.

- (a) An applicant adversely affected by a final decision of the Downtown Design Review Board may appeal the decision to Village Council by filing a written appeal with the Clerk of Council within thirty days after the written decision is issued.**
- (b) The appeal shall identify the decision appealed and the reasons the applicant believes the decision should be modified or reversed.**

- (c) Council may affirm, reverse, modify, or remand the decision. Council may consider the record before the Board and such additional information as Council determines is reasonably necessary.**
- (d) Council's decision shall constitute the final administrative decision of the Village, subject to any further appeal available under Ohio law.**

SECTION 12. ENFORCEMENT.

- (a) No person shall commence work requiring Board approval or administrative approval under this Ordinance until the applicable approval has been issued.**
- (b) The Zoning Inspector may issue a stop-work notice when work subject to this Ordinance is commenced without required approval or materially departs from the approved work.**
- (c) Before seeking penalties or judicial relief, the Village should provide a reasonable opportunity to correct a violation unless an immediate enforcement action is necessary to protect public health or safety, preserve grant eligibility, or prevent irreversible work.**
- (d) The Village may pursue any remedy otherwise authorized by the Codified Ordinances or Ohio law. This Ordinance does not create a separate criminal penalty.**

SECTION 13. RELATIONSHIP TO OTHER REQUIREMENTS.

- (a) Design review approval under this Ordinance does not replace any zoning permit, building permit, sign permit, right-of-way permit, fire code approval, or other approval required by law.**
- (b) For a project receiving CDBG or other federal or state financial assistance, the applicant and Village remain responsible for any additional grant conditions, environmental review, historic preservation review, or other funding requirements that apply to the specific project.**
- (c) If an applicable grant requirement imposes a more specific or more restrictive design or preservation requirement upon a grant-funded project, that grant requirement shall control for that project to the extent necessary for funding compliance. The additional requirement shall not automatically apply to non-grant-funded work.**

SECTION 14. SEVERABILITY.

If any section, subsection, paragraph, sentence, clause, phrase, or provision of this Ordinance is determined by a court of competent jurisdiction to be invalid or unenforceable, such determination shall not affect the validity or enforceability of the remaining provisions, which shall continue in full force and effect.

SECTION 15. REPEAL OF CONFLICTING PROVISIONS.

All ordinances, resolutions, or portions thereof inconsistent with this Ordinance are hereby repealed only to the extent of such inconsistency.

SECTION 16. EFFECTIVE DATE.

This Ordinance shall take effect and be in force from and after the earliest period allowed by law.

The motion to adopt the foregoing Ordinance was moved by Member _____ and seconded by Member _____.

VOTE ON ADOPTION YEAS _____ NAYS _____ ABSTAIN _____

ADOPTED this day of , 2026.

Dee Hefner, President of Council
Attest:

Aaron Patterson, Mayor

Mason Davis, Clerk of Council

EXHIBIT A

DOWNTOWN DESIGN REVIEW DISTRICT

The Downtown Design Review District consists of all parcels having frontage on either side of Main Street beginning at the intersection of Main Street and East Broadway Street and extending south along Main Street to the intersection of Main Street and Water Street, as more fully described in Section 3 of this Ordinance.

[Attach Village-prepared map of the Downtown Design Review District here.]