

Proposed: 11/3/2025

ORDINANCE NO. 226-2025(PD), *First Reading*

By Mayor Cuda

An Ordinance amending various Sections of Part Eleven, Zoning Code, of the Codified Ordinances of the City of Cleveland Heights to create a Severance Overlay Zone.

WHEREAS, pursuant to Section 1119.01 of the Codified Ordinances of the City of Cleveland Heights, this Council may by Ordinance introduce amendments to the Zoning Code; and

WHEREAS, pursuant to Section 1119.01 of the Codified Ordinances of the City of Cleveland Heights, such amending Ordinance may be introduced upon petition; and

WHEREAS, pursuant to Section 1119.03 of the Codified Ordinances of the City of Cleveland Heights, after the introduction of such amendments by Council, they shall be transmitted to the Planning Commission for its consideration and recommendations; and

WHEREAS, pursuant to Section 1119.03 of the Codified Ordinances of the City of Cleveland Heights, the Planning Commission shall be allowed a reasonable time, not less than thirty (30) days, nor more than sixty (60) days, for its consideration and recommendations; and

WHEREAS, the Planning Commission may recommend to Council that the amendments be approved as submitted to the Planning Commission, or that they be modified, or that they be denied; and

WHEREAS, Council must hold a public hearing on proposed amendments to the Zoning Code; and

WHEREAS, Severance Town Center is located in the heart of Cleveland Heights and its redevelopment and reimagination is central to the future of the City; and

WHEREAS, the current Master Developer of Severance Town Center, MPACT Collective ("MPACT" or the "Applicant"), has been working collaboratively with the City over the past two (2) years on creating a vision for Severance Town Center, with significant stakeholder and community engagement; and

WHEREAS, the vision for Severance Town Center is encapsulated in the Recommended Action Plan, prepared by MPACT, which envisions Severance as a walkable, mixed-use neighborhood; and

WHEREAS, in order to effectuate and incentivize that vision, new zoning is necessary; and

ORDINANCE NO. 226-2025(PD)

WHEREAS, that new zoning is proposed as being a form-based, voluntary, overlay district titled the “Severance Overlay Zone”; and

WHEREAS, a petition to amend the Zoning Code was received from MPACT on October 28, 2025; and

WHEREAS, on November 3, 2025, Council introduced this Ordinance to amend certain sections of Park Eleven, Zoning Code, of the Codified Ordinances of the City of Cleveland Heights, transmitted the same to the Planning Commission for 30 days pursuant to Cleveland Heights Codified Ordinances Chapter 1119.03, and set the date, time, and location for a public hearing to be held December 15, 2025 at 5:00 PM in Council Chambers; and

WHEREAS, Planning Commission held a public hearing and discussed this Ordinance at its November 12, 2025 meeting; and

WHEREAS, at the conclusion of its November 12, 2025 meeting, the Planning Commission recommended that the proposed zoning amendments be adopted by Council; and

WHEREAS, this Council held a public hearing concerning this Ordinance and the Planning Commission’s recommendation on December 15, 2025; and

WHEREAS, this Council has determined to adopt the Planning Commission’s recommendation as set forth herein.

BE IT ORDAINED by the Council of the City of Cleveland Heights, County of Cuyahoga, State of Ohio, that:

SECTION 1. The amendments to Part Eleven, Zoning Code, of the Codified Ordinances of the City of Cleveland Heights set forth in Exhibits A and B attached hereto and incorporated herein by reference, with the language of the new provisions underlined and the provisions to be deleted struck out or otherwise noted, shall be and are hereby adopted.

SECTION 2. It is found and determined that all formal actions of the Council relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements.

SECTION 3. Notice of passage of this Ordinance shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights or by posting the full text of this Ordinance to the City of Cleveland Heights website.

SECTION 4. This Ordinance shall take effect and be in force from and after the earliest time permitted by law.

GAIL L. LARSON
President of Council

ADDIE BALESTER
Clerk of Council

PASSED:
Presented to Mayor: _____ Approved: _____

TONY CUDA
Mayor

SEVERANCE ZONING

EXHIBIT A

(10/28/2025)

PART ELEVEN - ZONING CODE

TITLE ONE - Administration

- Chap. 1101. Purpose, Interpretation and Validity.
- Chap. 1103. Definitions.
- Chap. 1105. Establishment of Districts and Maps.
- Chap. 1107. Zoning Administrator.
- Chap. 1109. Board of Zoning Appeals.
- Chap. 1111. Planning Commission.
- Chap. 1113. ~~Board of Control~~ Reserved.
- Chap. 1115. Procedures.
- Chap. 1117. Enforcement and Penalties.
- Chap. 1119. Amendments.

TITLE THREE - District Regulations

- Chap. 1121. AA and A Single-Family and B Two-Family Residential Districts.
- Chap. 1123. MF-1, MF-2 and MF-3 Multiple-Family Residential Districts.
- Chap. 1131. Commercial Districts.
- Chap. 1133. Park District.

TITLE FIVE - Special Districts

- Chap. 1141. Planned Development Objectives.
- Chap. 1143. S-1 Mixed Use District.
- Chap. 1145. S-2 Mixed Use District.
- Chap. 1147. Planned Development Overlay District.
- Chap. 1149. Severance Overlay Zone.

TITLE SEVEN - Conditional Use Regulations

- Chap. 1151. General Criteria.
- Chap. 1153. Supplemental Standards for Conditional Uses.
- Chap. 1155. Planned Residential Developments.

TITLE NINE - Supplementary Regulations

- Chap. 1161. Off-Street Parking and Loading Regulations.
- Chap. 1163. Sign Regulations.
- Chap. 1165. Additional Regulations Governing Uses.
- Chap. 1166. Landscape Requirements
- Chap. 1167. Prohibited Uses.
- Chap. 1169. Sexually Oriented Businesses.

TITLE ELEVEN - Nonconformities

- Chap. 1171. Intent and General Regulations.
- Chap. 1173. Nonconforming Uses.
- Chap. 1175. Nonconforming Site Conditions.

APPENDIX - Zoning Map Changes

TITLE ONE - Administration

- Chap. 1101. Purpose, Interpretation and Validity.
- Chap. 1103. Definitions.
- Chap. 1105. Establishment of Districts and Maps.
- Chap. 1107. Zoning Administrator.
- Chap. 1109. Board of Zoning Appeals.
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- Chap. 1115. Procedures.
- Chap. 1117. Enforcement and Penalties.
- Chap. 1119. Amendments.

CHAPTER 1103

Definitions

- 1103.01 Use of code section references.
- 1103.02 Special meanings.
- 1103.03 Definitions of general terms.
- 1103.04 Determination of household status.

CROSS REFERENCES

Housing Code definitions - see BLDG. Ch. 1341
Business Maintenance Code definitions - see BLDG. Ch. 1361

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1103.03 DEFINITIONS OF GENERAL TERMS.

Words used in this Zoning Code are used in their ordinary English usage. However, for the purpose of this Zoning Code, certain words used herein are defined and whenever used in this Code shall have the meaning indicated in this section, whether or not capitalized or otherwise highlighted, except where the context clearly indicates a different meaning.

(a) The following are general terms of reference:

(1) "Board" means the Board of Zoning Appeals of Cleveland Heights, Ohio. (See Chapter 1109.)

(2) "City" means the City of Cleveland Heights, Ohio.

(3) "Commission" means the City Planning Commission of Cleveland Heights, Ohio. (See Chapter 1111.)

(4) "Commissioner of Building" is defined in Chapter 1341, Section 1341.05 and is synonymous with "Building Commissioner".

(5) "Council" means the City Council of Cleveland Heights, Ohio.

(6) "Date of passage" means the date upon which this Zoning Code was passed by Council.

(7) "District" means a part of the City wherein regulations of this Zoning Code are uniform as classified by the provisions of Chapter 1105.

(8) "Mayor" means the Chief Executive Officer of the City.

(9) "Municipal" means anything of or pertaining to the City.

(10) "Public notice" means advance notice of a hearing or proceeding as prescribed in this Zoning Code which states the subject matter to be heard and the time and place of the hearing or proceeding.

(11) "Zoning Administrator" means the Planning and Development Director or the Director's designee. (See Chapter 1107.)

(b) Certain general terms are hereby defined as follows:

(1) "Abutting" means having a common border with, or being separated from such a common border by a right of way, alley or easement.

(2) “Access Lane” means the portion of any Traveled Way dedicated for either limited public or private access for any combination of vehicles, services, egress, emergency response, and/or pedestrian movement to a site and/or across a site.

(23) “Accessory building” means a subordinate building which is incidental to or customarily in connection with the principal building or use and which is detached from the principal building but located on the same lot with such principal building or use.

(2.54) “Accessory parking space” means an open or enclosed area, accessible from a street, for parking motor vehicles of owners, occupants, employees, customers, or tenants of the main building or use.

(35) “Accessory use or structure” means a use, object or structure constructed or installed on, above or below grade which is incidental to or customarily in connection with, or subordinate to, the principal building or use and is located on the same lot with such principal building or use.

(6) “Active Edge” means a combination of doors and glazing designed to stimulate pedestrian activity along a Public Frontage.

(47) “Alley” means a public or private way permanently reserved as a secondary means of access to abutting property.

(58) “Animal clinic” or “veterinary office” means a place where animals or pets are given medical or surgical treatment and the boarding of animals is limited to short-term care incidental to the clinic use, unless longer-term animal day care or overnight boarding of animals has been approved under the terms of Section 1153.05(bb).

(69) “Animal day-care facility” means a facility that cares for pet animals during the day at the request of the pets’ owners. An animal day-care facility shall not include overnight boarding unless explicitly approved by the Planning Commission in the conditional use permit.

(710) “Automobile service station, major repair” means a building or portion of a building in which structural repair, rebuilding or reconditioning of motor vehicles, or parts thereof, is conducted, including collision service; spray painting; body, fender, clutch, transmission, differential, axle, spring, and frame repairs; major overhauling of engines requiring the removal of the engine cylinder, head or crankcase pan; repairs to radiators requiring the removal thereof; complete recapping or retreading of tires; or similar activities.

(811) “Automobile service station, minor repair” (See also “gasoline station”) means a building or part of a building, structure or space used for the retail sale of lubricants and motor vehicle accessories, the routine maintenance and service and the making of repairs to motor vehicles, except that repairs described as major repairs in subsection (b)(7) hereof shall not be permitted.

(912) “Bar, tavern or night club” means any premises wherein alcoholic beverages are sold at retail for consumption on the premises and minors are excluded therefrom by law for all or part of the time the establishment is open for business, and in which dancing may be permitted.

(1013) “Basement” means a portion of a building partly or entirely underground whose ceiling or underpart of the floor above is four (4) feet or less above the average finished ground elevation. The “average finished ground elevation” is the mean elevation of the finished grade around all of the exterior of the building.

(1114) “Blockface” means the properties that face the same side of a single street which are located between intersecting streets. A corner lot shall be part of the blockface parallel to the lot’s front lot line.

(1215) “Boarding house”. (See also “lodging house”).

(16) “Build-to-Line” means a line parallel to the face of curb closest to a street at a distance defined by the Street Type.

(17) “Build-to-Zone” means the space between the established Build-To-Line and a line parallel to the Build-To-Line defined by the Public Frontage Type. The width between these two lines is the zone where the Street Wall and Civic Space is counted towards a given private frontage requirement.

~~(4318)~~ “Building” means any structure having a roof supported by or suspended from columns or walls and which is completely enclosed to serve as a shelter or enclosure for persons, animals, chattels or property of any kind. The term “building” does not include any vehicle, trailer (with or without wheels) nor any removable device, such as furniture, machinery or equipment.

~~(4419)~~ “Building height” means the vertical distance from the grade to the highest point of the roof surface if it is a flat roof; to the deck line for a mansard roof; and to the mean height level between eaves and ridge line for gambrel, gable or hip roofs.

~~(4520)~~ “Building line” means an imaginary linear extension of the building wall parallel to the street right-of-way line.

~~(4621)~~ “Building, principal” means a building occupied by the main use or activity on the lot on which such building is located.

~~(4722)~~ “Car wash” means a building or area that provides facilities for washing and cleaning motor vehicles, which may use production line methods with a conveyor, blower, or other mechanical devices and/or which may employ hand labor.

~~(4823)~~ “Cellar”. (See also “basement”.)

~~(4924)~~ “Cemetery” means land used or intended to be used for the burial of the human dead and dedicated for cemetery purposes, including columbariums and mausoleums, when operated in conjunction with and within the boundaries of such cemetery.

~~(2025)~~ “Child day-care” means administering to the needs of infants, toddlers, pre-school children, and school children outside of school hours by persons other than their parents or guardians, custodians, or relatives by blood, marriage or adoption for any part of the twenty-four (24) hour day in a place or residence other than a child’s own home.

~~(2426)~~ “Child day-care home” means a permanent residence of the provider in which child day-care is provided for one (1) to six (6) children at one (1) time and in which no more than three (3) children may be under two (2) years of age at one (1) time. In counting children for the purposes of this definition, any children under six (6) years of age who are related to the provider and who are on the premises of the child day-care home shall be counted.

~~(2227)~~ “Clinic” means a building where human patients are admitted for examination and treatment by a group of physicians or dentists practicing medicine together, but who are not lodged overnight.

~~(2328)~~ “Cluster development” means a development design technique that groups buildings on the site, with no increase in overall density, to allow a better arrangement of open space.

~~(43429)~~ “Codified Ordinances” means the Codified Ordinances of the City of Cleveland Heights, as amended.

~~(23-130)~~ “Commercial use” means a collective reference to all uses other than Residential, Institutional, or Community uses.

~~(23-231)~~ “Community use” means public libraries, museums, public safety facilities, public service and maintenance facilities, parks, playgrounds, and recreation facilities accessible to the public, farmer’s markets, community gardens, and similar uses.

(2432) “Community garden” means any piece of land (publicly or privately held) that is cultivated by a group of people rather than a single family or individual.

(2533) “Conditional use” means a use permitted in a district other than a principally permitted use that is allowed only under certain conditions, requiring a conditional use permit as regulated in Title Seven and approval of the City Planning Commission or Zoning Administrator, in accordance with the standards and procedures of Sections 1115.08 and 1115.09.

(2634) “Conditional use permit” means a permit issued by the Zoning Administrator upon approval by the City Planning Commission, when required, or administratively, to allow a use other than a principally permitted use to be established within the district on a specific parcel.

(2735) “Corner lot”. (See also “lot types”).

(36) “Curb Cut” means any point of access along a street where the Face of Curb line is broken in order to permit the passage of vehicles to another street, an access lane, a loading area, parking area, an enclosed parking structure, or open parking lot.

(2837) “Day-care center” means an establishment in which the operator is provided with compensation in return for providing individuals with care for less than twenty-four hours (24) hours at a time. This term includes, but is not limited to, a day nursery, nursery school, pre-school, child or adult day care center and may include incidental facilities for the preparation and consumption of meals, rest and recreation. This term does not include a “child day-care home”.

(2938) “Density” means the number of dwelling units permitted per acre of land.

(39) “Development Plan” means a conceptual plan for a Planned Development, the components of which are defined in Section 1115.08. For the purposes of the S-1 District, the Severance Preliminary Land Use Plan, as updated and adopted, shall be considered the Development Plan; for the purposes of the Severance Overlay Zone, the SOZ Regulating Plan shall be considered the Development Plan.

(3040) “Dormitory” means a building used as group living quarters for a student body, religious order, or other group as an associated use to a college, university, boarding school, orphanage, convent, monastery, or other similar use. Dormitories do not include kitchen facilities, except a group kitchen facility to serve all residents.

(41) “Drive Lane” means the portion of a Traveled Way dedicated to the public access and movement of people, goods, and services by vehicle. Vehicles may include personal mobility devices such as mopeds, bicycles, and scooters.

(3142) “Drive-through facility” means any portion of a building or structure from which business is transacted, or is capable of being transacted, directly with customers located in a motor vehicle during such business transactions. The term “drive-through” also includes “drive-up” and “drive-in”.

(3243) “Dry-cleaning and laundry counter outlets” means a business that provides home-type washing, drying, and/or ironing machines for use by customers on the premises, or serves as a drop-off for dry-cleaning or laundry, but where no dry-cleaning processing is done on the premises.

(3344) “Dwelling” means any building or portion thereof which is designed and used exclusively by one (1) or more human occupants for the purpose of residing for an extended time. A dwelling may be comprised of more than one (1) dwelling unit.

(3445) “Dwelling, multiple family” means a building or portion thereof designed for occupancy by three (3) or more families living independently of each other in three (3) or more dwelling units where the units are separated by party walls with varying arrangements of entrances.

(3546) “Dwelling, single-family” means a building designed or arranged for use by a single family consisting of one (1) dwelling unit only in one of the following forms:

- A. “Dwelling, single-family detached” means a building designed or arranged for use by a single family consisting of one (1) dwelling unit only, separated from other dwelling units by open space; or
- B. “Dwelling, single-family, attached” means a single-family dwelling that is joined by party walls to another single-family dwelling on a separate parcel.

(3647) “Dwelling, town house” means a building that has single-family dwelling units erected as a single building, each dwelling unit being separated from the adjoining unit or units by a party wall without openings extending from the basement floor to the roof and each such building being separated from any other building by space on all sides. The terms “town house dwelling”, “townhouse”, “townhome” and “row house” shall be considered synonymous.

(3748) “Dwelling, two-family” means a dwelling consisting of two (2) dwelling units arranged, intended or designed to be occupied by two (2) families only. The dwelling units may be either attached side by side or one (1) above the other.

(3849) “Dwelling unit” means a group of rooms arranged, maintained or designed to be occupied by a single family and consisting of a complete bathroom with toilet, lavatory and tub or shower facilities; one (1) and one (1) only complete kitchen or kitchenette with approved cooking, refrigeration and sink facilities; approved living and sleeping facilities. All of these facilities shall be in contiguous rooms and used exclusively by such family. The terms “dwelling unit”, “apartment” and “suite” shall be considered synonymous.

(50) “Edging Elements” means structures, walls, or landscaping within a Private Frontage which define and enclose the private use of a site from an adjacent Public Frontage.

(3951) “Enclosed space” means an area that is surrounded on all sides. (See also “building”).

(42852) “Existing carriage house” means an existing, nonconforming accessory residential dwelling unit that was legally constructed or created prior to the adoption of this Zoning Code.

(53) “Expression Line, Horizontal” means architectural elements that define the base, middle and top of a building and unify the Street Wall along a Public Frontage through use of moldings, changes of material and depth, and through the use of cornices.

(42954) “Façade” means any exterior wall of a structure, including projections from and attachments to the wall that are architecturally integrated into the structure. Projections and attachments shall include, but are not limited to, balconies and porches.

(55) “Face-of-Curb” means the edge (or line) of pavement marking the boundary between the Traveled Way and the Public Frontage. The Face of Curb, while typically a raised feature, may be a flush demarcation instead, depending on Street Type.

(4056) “Family” means a group of individuals who function as a single, cohesive household. The Zoning Administrator shall determine whether a specified group of persons constitutes a household by virtue of being the functional equivalent of a family in the manner set forth in Section 1103.04. Notwithstanding the provisions of this definition, no family unit shall exceed in total number those persons permitted under the applicable provisions of the Housing Code describing required habitable floor and bedroom areas for each occupant.

(4457) “Farmers’ market” means a market consisting of individual vendors, mostly farmers/producers who sell directly to customers.

(4258) “Fence” means any structure composed of wood, iron, steel, masonry, stone or other material and erected in such a manner and in such location as to enclose, secure, partially enclose or secure, provide privacy, decorate, define or enhance all or any part of any premises.

(4359) “Floor area, gross” means the total number of square feet of all floor space contained within the outside surface of the exterior walls of a building or from the center line of a common wall separating two (2) buildings but not including space in cellars or basements, space in machinery penthouses or floor space used for accessory off-street parking. However, if the cellar or basement is used for business or commercial purposes, it shall be counted as floor area in computing off-street parking requirements.

(4460) “Floor area of a dwelling unit” means the sum of the gross horizontal areas of a building devoted to residential use measured from the exterior faces of exterior walls or from the center line of common walls separating two (2) dwelling units. “Floor area of a dwelling unit” shall not include unfinished basement, attached parking garage, attic, terraces, breezeways, open porches and covered steps.

(4561) “Floor area ratio” means the ratio between the number of square feet of floor area and the number of square feet of land in the lot.

(4662) “Foster child” means a person under eighteen (18) years of age who is placed in a dwelling unit by an institution or agency, licensed or approved by an appropriate State-regulating agency to place foster children.

(46.563) “Frontage” means the area on a lot between the primary or secondary facade of the building and the right-of-way line. Corner lots have two frontages, a primary frontage and a secondary frontage.

A. “Primary Frontage” means the frontage designated to bear the address and principal entrance to the building, and the measure of minimum lot width.

B. “Secondary Frontage” means any frontage that is not the primary frontage.

(64) “Frontage, Private” mean the area between the Build-To-Line and a line parallel to it 16’ feet behind the Street Wall. Where there is no Street Wall, the zone of Private Frontage shall start at the Build-To-Zone for regulatory purposes. Alternatively, where the term “Frontage” is used as part of a site plan application under the Severance Overlay Zone, it refers to the area between the Face of Curb and the Street Wall, which are further defined as “Public Frontage” and “Private Frontage”.

(65) “Frontage, Public” means the space between the Face of Curb and the Build-To-Line.

(66) “Frontage, Site” means the length of a Site’s perimeter abutting an established Build-To-Line, which is used to calculate Frontage Occupancy, measured in feet. The total of a site frontage is the sum of all frontages on a contiguous site.

(67) “Frontage Occupancy” means the percentage of the Site frontage that is occupied by a Street Wall or an approved Civic Space within the Build-To-Zone.

(46.668) “Frontage Type” means the specific design and configuration of the building facade, and the associated space between the facade and the public right-of-way and may include space within the public right-of-way.

A. “Arcade” – A frontage wherein the facade is a colonnade that overlaps the sidewalk, while the facade at sidewalk level remains at the frontage / build-to line. This type is conventional for retail use. The arcade shall be no less than twelve (12) feet wide and may overlap the whole width of the sidewalk to within two (2) feet of the curb.

B. “Common Yard” – A frontage wherein the facade is set back substantially from the frontage / build-to-line. The front yard created remains unfenced and is visually continuous with adjacent yards, supporting a common landscape.

C. “Forecourt” – A frontage wherein a portion of the facade is close to the frontage / build-to-line and the central portion is set back. The forecourt created is suitable for vehicular drop-

offs, large private gardens, bio-retention areas, or similar uses. This type should be allocated in conjunction with other frontage types. Large trees within the forecourts may overhang the sidewalks.

- D. “Gallery” – A frontage wherein the facade is aligned close to the frontage line with an attached cantilevered shed or a lightweight colonnade overlapping the sidewalk. This type is conventional for retail use. The gallery shall be no less than ten (10) feet wide and may overlap the whole width of the sidewalk to within two (2) feet of the curb.
- E. “Light Court” – A frontage wherein the facade is set back from the frontage / build-to line by an elevated terrace or a sunken light court. This type buffers residential use from sidewalks and removes the private yard from public encroachment. The terrace is suitable for conversion to outdoor cafes in commercial uses. The word “Light Well” shall be considered synonymous.
- F. “Porch and Fence” – A frontage wherein the facade is set back from the frontage / build-to-line line with an attached porch permitted to encroaching. A fence at the build-to line (optional) maintains the demarcation of the yard. The porches shall be no less than eight (8) feet deep. The word “Porch” shall be considered synonymous.
- G. “Stoop” – A frontage wherein the facade is aligned close to the frontage / build-to line with the first story elevated from the sidewalk sufficiently to secure privacy for the windows. The entrance is usually an exterior stair and landing. This type is recommended for ground floor residential use.
- H. “Shopfront and Awning” – A frontage wherein the facade is aligned close to the frontage / build-to line with the building entrance at sidewalk grade. This type is conventional for retail use. It has a substantial glazing on the sidewalk level and an awning that may overlap the sidewalk to the maximum extent possible. The word “Storefront” shall be considered synonymous.
- I. “Terrace” – A frontage wherein the facade is set back from the frontage / build-to line by an elevated terrace or a sunken light court. This type buffers residential use from sidewalks and removes the private yard from public encroachment. The terrace is suitable for conversion to outdoor cafes in commercial uses.
- J. “Urban” – A frontage wherein the facade is adjacent to the frontage / build-to-line with a less substantial Active Edge and Glazing at the sidewalk level than a Shopfront and Awning frontage type. The Urban frontage does not comply with Storefront Frontage requirements.

(4769) “Funeral home” means a building or part thereof used for human funeral services. Such building may contain space and facilities for:

- A. Embalming and the performance of other services used in preparation of the dead for burial;
- B. The performance of autopsies and other surgical procedures;
- C. The storage of caskets, funeral urns, and other related funeral supplies; and
- D. The storage of funeral vehicles, but shall not include facilities for cremation. Where a funeral home is permitted, a funeral chapel shall also be permitted.

(70) “Furnishing Zone” means the area of Public Frontage between the Face of Curb and the Pedestrian Clearway where placement of street furniture and landscaping is allowed.

(4871) “Game rooms” means any premises open to the public other than a residence upon or within which there is located more than seven (7) billiard tables, bowling lanes, pinball machines, video games, other similar player-oriented amusement devices, as defined by the Codified Ordinances, or any combination of billiard tables, bowling lanes, and amusement devices in excess

of seven (7). For the purposes of this definition, residence shall include any single-family, two-family and multiple-family structure, and a dormitory for college students with a student union operated in conjunction with such dormitory facility, so long as such residence is open to residents and their invited guests only, and is not open to the general public.

(4972) “Garage, parking” means a principal or accessory building or an enclosed space within the principal building in which motor vehicles owned by the general public are parked, including facilities operated as a business enterprise with a service charge or fee paid to the owner or operator of such facility, with no facilities for mechanical service or repair of a commercial or public nature. Parking garage may be attached or detached and shall be considered enclosed parking spaces. A “parking deck” shall be considered a parking garage. An “existing carriage house” shall not be considered a parking garage.

(5073) “Garage, private parking” means a detached accessory building or an attached portion of the principal building designed to store motor vehicles and other normal household accessories of the residents of the principal building, with no facilities for mechanical service or repair of a commercial or public nature. “Private parking garage” shall be considered enclosed parking spaces.

(5174) “Gasoline station” (See also “automobile service station”) means an establishment where liquids used as motor fuels are stored and dispersed into the fuel tanks of motor vehicles by an attendant or by persons other than the station attendant and may include facilities available for the sale of other retail products.

(5175) “Glazing” means the glass components of a building’s façade as part of windows, doors or other fixed openings that have some degree of transparency.

(5276) “Grade” means the average level of the finished surface of ground adjacent to the exterior walls of the building, except when any wall of a building approximately parallels and is not more than five (5) feet from a street right-of-way line, then the elevation of the street center line at the center of the building wall adjoining the street shall be the grade.

(77) “Grade Plane, Building” means a reference plane representing the average of finished ground level adjoining the building at exterior walls. Where the finished ground level slopes away from the exterior walls, the reference point shall be established by the lowest points with the area between the building and the lot line or, where the lot line is more than 6 feet from the building, between the building and a point 6 feet from the building.

(5378) “Greenbelt” means an open area which may be cultivated or maintained in a natural state surrounding development or used as a buffer between land uses or to mark the edge of a developed area.

(5479) “Green roof” means a roof of a building that is partially or completely covered with vegetation and a growing medium with the capacity to absorb rainwater and reduce a building’s heat island effect.

(5580) “Greenway” means a linear park, alternative transportation route, or open space conservation area that provides a passive recreational opportunity, pedestrian and/or bicycle paths and/or conservation of open spaces or natural areas.

(5681) “Home occupation” means an occupation for gain which is subordinate and incidental to the use of the premises as a dwelling, carried on by a person in the home in which he or she resides.

(5782) “Hotel” means a building in which lodging is provided and offered to the public for compensation on a daily rate and which is open to occupancy for periods of less than one (1) week, in contrast to a lodging house as defined in this section. Motels are not included in this definition.

(~~5882~~) “Indoor recreation” means an indoor facility for any number of uses such as game courts, exercise equipment, exercise and/or dance floor area, pools, locker rooms, spa, whirlpool or hot tub, and which may include an accessory retail shop for the sale of related equipment.

(~~5983~~) “Industrial design” means an establishment where the form, usability, physical ergonomics, marketing, brand development and sales of various products are researched and developed. An industrial design establishment may only create prototypes of products, but may not manufacture products for sale and distribution. Outside storage or display is prohibited. All business, servicing, processing and storage uses must be located within the building.

(~~59184~~) “Institutional use” means a use that includes, but is not limited to, a place of worship, school, cemetery, public parking lot or garage, or similar uses.

(~~6085~~) “Junk motor vehicle” means any motor vehicle, licensed or unlicensed, without regard to its age or value, that is parked in any unenclosed area of any portion of a yard or lot, with or without the consent of the owner of the property, for a period of seventy-two hours (72) hours or longer, when such motor vehicle is apparently inoperable, or is in such condition that it could not be legally operated on the public streets, or is in an extensively damaged, dilapidated or disassembled condition. Junk motor vehicle shall include “abandoned junk motor vehicle” as defined by Ohio R.C. 4513.63.

(~~6186~~) “Junk yard” means any building, open area, or part thereof, used as a place of storage of waste and refuse or of old material which is capable of being used again in some form.

(~~6287~~) “Landscaped area” means an area that is permanently devoted to and maintained for the growing of trees, shrubs, grass or other plant material.

(~~6388~~) “Live/Work Dwelling” means a dwelling unit that is used both as the primary residential unit and as a work space for the occupant.

(~~6489~~) “Loading space, off-street” means an area located totally outside of any public right-of-way for the temporary parking of vehicles entering the premises for picking up and making delivery,

(~~6590~~) “Lodging house” means a building occupied for, or arranged, intended or designed to be occupied for rooming, or rooming and boarding for compensation by not less than four (4) persons by prearrangement for definite periods of not less than one (1) week in contrast to a hotel which is open for occupancy for shorter periods. The term “lodging house” includes “boarding house” and “rooming house”.

(~~6691~~) “Lot” means a parcel of land of sufficient size to meet minimum zoning requirements for use, coverage, and area, and to provide such yards and other open spaces as are herein required. The term “zoning lot” is used synonymously with “lot” in this Zoning Code. Such lot shall have frontage on an improved public street but not include any portion thereof, or on an approved private street, and may consist of:

- A. A single lot of record;
- B. A portion of a lot of record; or
- C. A combination of complete lots of record, of complete lots of record and portions of lots of record, or of portions of lots of record.

(~~6792~~) “Lot area” means the area contained within the lot lines exclusive of any portion of the right of way of any public street.

(~~6893~~) “Lot coverage” means the ratio of total ground floor area of all buildings on a lot to the area of the lot expressed as a percentage.

(~~6994~~) “Lot line” means the boundary line defining the limits of the lot. “Lot line” is synonymous with “property line”.

- A. "Front lot line" means the line separating the lot from the street right of way on which the lot fronts.
- B. "Rear lot line" means the lot line opposite and most distant from the front lot line; or in the case of triangular or otherwise irregularly shaped lots, a line ten (10) feet in length entirely within the lot, parallel to and at a maximum distance from the front lot line.
- C. "Side lot line" means any lot line other than a front or rear lot line.
- ~~(7095)~~ "Lot of record" means a lot or parcel of land the deed of which has been recorded in the office of the Recorder of Deeds of Cuyahoga County prior to the effective date of this Zoning Code.
- ~~(7196)~~ "Lot types": Terminology used in this Zoning Code with reference to corner lots and through lots is as follows:
 - A. "Corner lot" means a lot abutting on two (2) streets at their intersection where the angle of such intersection is not more than 135 degrees.
 - B. "Through lot" means a lot other than a corner lot with frontage on more than one (1) street. Through lots abutting two (2) streets may be referred to as double frontage lots.
- ~~(7297)~~ "Lot width" means the distance between the side lot lines measured along a straight line parallel to the front lot line at the required front setback line.
- ~~(13298)~~ "Meeting room" means a room or space for public assembly or meeting.
- (99) "Mixed Use" means a building or site designed for and containing more than one use.
- ~~(73100)~~ "Mural" means a graphic illustration or presentation other than a sign that is painted or otherwise applied to an outside wall, facade or surface of a building or structure.
- ~~(74101)~~ "Neighborhood high school" means an educational facility designed to serve residents of the community with educational services for high school aged youth.
- ~~(75102)~~ "Nonconformity" means a lot, use of land, building, use of buildings, or use of buildings and land in combination lawfully existing at the time of enactment of this Zoning Code or its amendments which do not conform to the regulations of the district or zone in which it is situated, and is therefore incompatible.
 - A. "Nonconforming use" means any building or land lawfully occupied by a use on the effective date of this Zoning Code or any amendment thereto which, on such effective date, does not conform with the use regulations of the district in which it is situated.
 - B. "Nonconforming site condition" means any lot, building or structure lawfully existing on the effective date of this Zoning Code or any amendment thereto, which, on such effective date, does not conform to the lot area, width or yard regulations, parking requirements, sign regulations, landscaping or screening requirements or other development standards of the district in which it is situated.
- ~~(76103)~~ "Nursing home" means an extended or intermediate care facility which provides skilled nursing and dietary care for persons who are ill or incapacitated or which provides service for the rehabilitation of the persons who are convalescing from illness or incapacitation.
- ~~(77104)~~ "Ornamental Pool" means any water pool having less than 100 square feet of water surface containing less than two (2) feet of water at its deepest point, located out-of-doors on private property.
- ~~(78105)~~ "Outdoor Play Equipment" or "Recreational Equipment" means play apparatus such as swing sets and slides, sandboxes, poles for nets, trampolines and similar equipment.
- ~~(79106)~~ "Outdoor storage" means the keeping, in an unroofed area, of any goods, material, merchandise, vehicles, or junk in the same place for more than twenty-four (24) hours.

(~~80~~107) “Overlay district” means a district described on the zoning map within which, through superimposition of a special designation, further regulations and requirements apply in addition to those of the underlying districts to which such designation is added.

(~~84~~108) “Overnight boarding of animals” describes an activity that may be conditionally permitted in conjunction with an animal clinic, veterinary office, animal grooming facility, or animal day-care facility in which overnight care is provided for pet animals at the request of the pets’ owners.

(~~82~~109) “Parcel” means a tract of land that is recorded by the Cuyahoga County Auditor as a distinct entity for taxing purposes and which is identified by a single permanent parcel number.

(~~83~~110) “Parking deck” means a one (1) story unenclosed structure in which and on which motor vehicles may be parked.

(~~84~~111) “Parking lot” (See also “garage, parking”) means an area not within a building where motor vehicles may be stored for the purposes of temporary, daily or overnight off-street parking.

(~~85~~112) “Parking space, off-street” means an open or enclosed area adequate for parking an automobile with room for opening doors on both sides, with access to a public street. Arrangement of the parking space shall be such as to allow ingress and egress of an automobile without the necessity of moving any other automobile, and shall be located totally outside of any public right of way.

(113) “Pedestrian Clearway” means the portion of a Public Frontage that is dedicated to the free movement of pedestrians along a sidewalk designed to be clear of any obstructions to the passage of the public.

(114) “Pedestrian Way” means a street type intended for use primarily by pedestrians.

(~~86~~115) “Personal services” mean any enterprise conducted for gain which primarily offers services to the general public such as shoe repair, watch repair, barber shops, beauty parlors, and similar activities.

(~~87~~116) “Places of worship” mean a building in a residential district originally designed for and only for, and used primarily for public worship. The word “place of worship” includes the words “church”, “chapel”, “synagogue”, “temple”, and “mosque”, and their uses and activities which are customarily related. Church, chapel, synagogue, temple, mosque or other place dedicated to worship located in a commercial district shall be treated as a “meeting room” for the purposes of enforcing this Zoning Code.

(~~88~~117) “Planned Development” shall mean an area of land in which a variety of residential, commercial and/or other uses are accommodated ~~as a conditional use~~ in a pre-planned environment under more flexible standards, such as lot sizes and setbacks, than those restrictions that would normally apply under the standard district regulations. A Planned Development shall require the approval of a Development Plan. Approval of uses within a Planned Development shall be consistent with the approved Development Plan, which may ~~The procedure for approval of such development contains~~ additional ~~requirements in addition to those of permitted uses.~~

(~~89~~118) “Portable on-demand storage structure” means any container, storage unit, shed-like container or other portable storage structure with a volume equal to or exceeding fifty cubic feet other than an accessory building or shed complying with Code requirements that can be or is used for the storage of personal property of any kind and which is located for such purpose outside a building.

(~~90~~119) “Premises” means a lot together with all buildings and structures thereon.

(~~130~~120) “Primary structure” means a Structure having a roof supported by columns or by walls and intended for the shelter, housing, enclosure, or storage of persons or property. A primary

structure shall include, but is not limited to porches, dwellings, principal buildings. A private parking garage, patio, or deck shall not be considered a primary structure.

(121) “Principal Entrance” means the main point of access for pedestrians into a unit/building.

(91122) “Public land” means any land owned by the City or by any other governmental entity.

(92123) “Public use” means any use of a building or land by the City or by any other governmental entity for any public purpose.

(124) “Public Utility” means poles, lines, towers, conduit, tunnels and other infrastructure used as part of a system for the transmission of electricity, gas, water, sewer, communications, and similar services and substances.

(133125) “Rain barrel” means a container used to collect and store rainwater runoff, typically from roof tops via rain gutters.

(134126) “Rain garden” means an area of land designed to capture stormwater runoff from impervious areas such as roofs, driveways, walkways, parking lots, and compacted lawn areas, and allow it to infiltrate in to the water table.

(93127) “Recycling collection station” means an accessory use that serves as a neighborhood drop-off point for the collection and temporary storage of small recoverable resources such as glassware, plastic jugs and metal cans, but which does not involve any processing.

(93-5128) “Reflectivity” means the degree to which the glass panes of a window act as mirrors. Full reflectivity would be a glass pane that cannot be seen through and instead acts completely like a mirror. Lesser degrees of reflectivity allow visibility through the glass.

(94129) “Regional high school” means an educational facility marketed and designed to serve a larger area than the community with educational services for high school aged youth.

(95130) “Research and development, limited” means an establishment where research and development is conducted in industries that include, but are not limited to, green technology, biotechnology, pharmaceuticals, medical instrumentation or supplies, communication and information technology, electronics and instrumentation, and computer hardware and software. Limited research and development does not involve the manufacture, fabrication, processing or sale of products, except as incidental to the research and development business. Outside storage or display is prohibited. All business, servicing, processing and storage uses must be located within the building.

(96131) “Research and testing laboratory” means a building or group of buildings for scientific research, investigation, testing or experimentation, but not facilities for the manufacture or sale of products, except as incidental to the main purpose of the laboratory.

(97132) “Restaurant, counter service” means a retail service establishment whose principal business is the sale of foods, frozen desserts, or beverages in ready to consume individual servings, for consumption either within the restaurant building or for carry-out, and where customers are not served their food, frozen desserts, or beverages by a restaurant employee at the same table or counter where the items are consumed.

(98133) “Right-of-way” means a strip of land taken, dedicated or otherwise recorded as an irrevocable ~~right~~rite of passage for use as a public way. In addition to the roadway, it normally incorporates the curbs, lawn strips, sidewalks, water and sewer lines, lighting, and drainage facilities, and may include special features (required by the topography or treatment) such as grade separation, landscaped areas, viaducts and bridges. “Right-of-way line” also means “street line”.

(99134) “Row house”. (See also “dwelling, town house”.)

(~~100~~135) “Satellite dish receiving antenna” also referred to as a satellite earth station, means a round parabolic antenna designed to receive television broadcasts relayed by microwave signals from communications satellites orbiting the earth.

(~~101~~136) “School facilities” mean publicly or privately owned facilities providing full-time day instruction and training at the elementary, junior high and high school levels in accordance with the requirements of Ohio R.C. Chapter 3313; or publicly or privately owned facilities providing kindergarten or nursery school training and care whose annual sessions do not exceed the school sessions for full-time day schools and which are operated by a board of education or an established religious organization.

(136) “Senior” means persons 62 years of age and older.

(~~102~~137) “Senior citizen apartment” mean a building or group of buildings containing independent living units of which no less than eighty percent (80%) are occupied by persons sixty-two (62) years or older or by disabled persons.

(~~103~~138) “Setback” means the required minimum horizontal distance between a lot line and a structure as established by this Zoning Code.

(~~104~~139) “Setback line” (See also “yard, required”) means a line established by this Zoning Code generally parallel with and measured from the lot line, defining the limits of the required yard in which no building, or structure may be located above ground, except as may be provided in this Zoning Code. The term “setback line” also includes “required setback line”.

(~~105~~140) “Sign” means any identification, description, illustration or device which is affixed to or integrated into a building, structure or land, or otherwise situated on a lot and which is intended to direct or attract attention to, or announce or promote a product, place, activity, person, institution or business by means of letters, words, designs, colors, symbols, flags, banners, fixtures, images or illuminations. Signs shall be further classified by physical design or structure, and function or purpose based on the following:

A. Physical Characteristics.

1. “Advertising device” means any banner affixed on a pole, wire or rope, or streamer, wind operated device, flashing lights or other similar device.

2. “Awning” means a sign located on the face of the awning material.

3. “Freestanding” means a sign which is supported from the ground or a structure, other than a building.

4. “Marquee” means a sign affixed to a marquee which marquee is over an entrance to a building and supported from that building. For the purposes of these regulations, a marquee shall be permitted only for an auditorium used for dance, plays, concerts, movies and other similar productions.

5. “Portable” means a sign which is designed to be moved and is not permanently, or intended to be permanently, attached to a building, structure or the ground.

6. “Projecting” means a sign erected on the outside wall of a building and which projects out at an angle therefrom.

7. “Temporary” means a sign which is designed to be used for a period not to exceed forty-five (45) days, and which is either a window sign that is not painted on or otherwise permanently affixed to a window or glass portion of a door, or a yard sign.

8. “Wall sign” means a sign erected parallel to or affixed on the outside wall of any building, and not extending more than twelve (12) inches therefrom, and which does not project above the roof line or beyond the corner of the building.

9. “Window” mean a sign on the inside of a building affixed to, or near, a window for the purposes of being visible to and read from the outside of the building.

B. Functional.

1. “Building marker” means a sign indicating the name of a building and date and incidental information about its construction or historical significance, which sign is cut into a masonry surface or made of bronze or other permanent material, and mounted at the time the building was constructed or affixed subsequent to a structure being designated as an historical landmark.

2. “Commercial identification” means a sign primarily intended to identify the use, activity, service or business on the premises.

3. “Construction” means a sign identifying a building project only during the time of construction, including new construction, additions and renovations.

4. “Directional” means a sign located near the street directing or guiding traffic and parking on private property with no part of any such sign more than four (4) feet above grade.

5. “Institutional identification” means a sign identifying the name and/or address of a place of worship, school, public library, public safety facility, public park or playground, public recreation facility, cemetery, or public parking lot or garage, and which may include a bulletin board, and which contains only messages pertaining to activities on the site.

6. “Instructional” means a sign intended to instruct employees, customers or users as to specific parking requirements; the location or regulations pertaining to specific activities on the site or in the building; specific services offered, or methods of payment accepted.

7. “Name plate” means a sign indicating only the name and address of the person, business, profession or activity occupying the lot, or building(s).

8. “Public purpose/safety” means a sign erected by a public authority, utility, public service organization or private industry upon the public right-of-way or on private property which is required by law or otherwise intended to control traffic, direct, identify or inform the public, or provide needed public service as determined by the rules and regulations of governmental agencies or through public policy.

9. “Residential identification” means a sign identifying the name and address of a completed residential subdivision, or the name, address and phone number of a multiple-family development. A residential identification sign for a multiple- family development may also include a removable insert advising of a unit for rent in the building, subject to the provisions of Sections 1163.06(f)(2) and 1163.06(f)(6) herein.

(141) “Significant Corner” means a location, as demarcated on the regulating plan, as providing a distinguishing vantage point for the display of architectural elements, massing, and composition of building features to signify the importance of the corner. Architectural elements include materials, textures, colors, window, cornices, balconies, and other features which visually distinguish the corner.

(142) “Site” means one or more contiguous lots controlled through an individual owner, contract vendee, or a group of owners acting together under the provisions of state and local laws.

(143) “Stepback” means a portion of a building set back above the Street Wall before the total height of the building is achieved. The position of the stepback is controlled by a specified distance from the required Street Wall.

~~(106)~~144 “Story” means that part of a building other than a basement or a half-story between any floor and the floor above, or, in its absence, the ceiling or roof above.

~~(107145)~~ “Street” means a public way which affords the principal means of access to abutting property.

~~(108146)~~ “Street center line” means a line halfway between the street right-of-way lines.

~~(147) “Street Type” means a typology assigned to all streets within the district boundary which denote the standards of permitted Public Frontages and corresponding Private Frontages.~~

~~(148) “Street Wall” means the exterior walls of a building located within an established Build-To-Zone facing a Public Frontage.~~

~~(109149)~~ “Structure” means anything constructed or erected, the use of which requires a fixed location on the ground or is attached to something having a fixed location on the ground, and including, but not limited to signs, fences, backstops for sports fields or courts, pergolas, decks, pools, patios, paved areas, sidewalks and gazebos.

~~(110150)~~ “Structural alteration” means any change that would prolong the life of the supporting members of a building or structure, such as the bearing walls, columns, beams or girders.

~~(111151)~~ “Swimming Pool” means any water pool having more than 100 square feet of water surface, which is capable of containing in excess of two (2) feet of water at its deepest point, located out-of-doors on private property. All other pools are “ornamental pools.”

~~(112152)~~ “Sustainable” means in a manner which supports healthy, productive environments and minimizes waste and consumption of non-renewable materials.

~~(113153)~~ “Sustainable Development” means development which: increases the efficiencies with which buildings and their sites use energy, water and materials; and reduces building impacts on human health and environment through better siting, design, construction, operation, and maintenance.

~~(154) “Terminating Vista” means a location at the axial conclusion of a street providing a distinguishing architectural element, building massing, or a composition of architectural elements, to signify the importance of such location. Architectural elements may include distinguishing materials, textures, colors, fenestrations, cornices, balconies, or similar elements designed to feature a location.~~

~~(114155)~~ “Townhouse”. (See also “dwelling, townhouse”).)

~~(156) “Traveled Way” means the portion of a Street located between the Face of Curb and an opposing Face of Curb or the edge of Right of Way. The traveled way is typically composed of one or more drive lanes or access lanes and may contain center medians or other features between two or more lanes.~~

~~(115157)~~ “Veterinary office”. (See also “animal clinic”).)

~~(116158)~~ “Wetlands” means those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions , including swamps, marshes, bogs, and similar areas. (See 40 CFR 232.2(r)). Wetlands shall be delineated by a site survey approved by the City of Cleveland Heights using delineation protocols accepted by the U.S. Army Corps of Engineers and the Ohio EPA at the time of application of this regulation. If a conflict exists between the delineation protocols of these two (2) agencies, the delineation protocol that results in the most inclusive area of wetlands shall apply.

~~(117159)~~ “White roof” means a roof that is white or light in color that reflects light and heat and measurably reduces a building’s heat island effect.

~~(118160)~~ “Yard” means an open space on the same lot with a principal building that lies between the principal building and the nearest lot line, unoccupied and unobstructed by any portion

of the structure from the ground upward, except for accessory uses, structures or buildings as expressly permitted in this Zoning Code.

~~(119)~~161) Reserved.

~~(120)~~162) “Yard, front” means a yard across the full width of the lot extending from the front of the principal building to the front lot line.

~~(120)~~163) “Yard, primary front” means the front yard along the primary frontage on a corner lot.

~~(120)~~2164) “Yard, secondary front” means the front yard along the secondary frontage on a corner lot.

~~(121)~~ ~~“Yard line”. (See also “building line”).~~

~~(122)~~165) “Yard, rear” means a yard extending the full width of the lot between the principal building and the rear lot line. On a corner lot, the rear yard shall be the area between the rear lot line and the principal building.

~~(123)~~166) “Yard, required” (See also “setback line”) means the open space between a lot line and a setback line that is the minimum area required to comply with the regulations of the district in which the lot is located, and within which no structure shall be located except as expressly permitted in this Zoning Code.

~~(124)~~167) “Yard, side” means a yard between the principal building and the side lot line.

~~(125)~~168) “Yard, width or depth” means the horizontal distance from a lot line to the principal building measured perpendicular to the building.

~~(126)~~169) “Zoning lot”. (See also “lot”).

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CHAPTER 1105
Establishment of Districts and Map

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1105.02 DISTRICTS ESTABLISHED.

For the purposes of this Zoning Code the City is hereby divided into the following districts of permitted uses as follows:

AA	Single-Family Residential District
A	Single-Family Residential District
B	Two-Family Residential District
MF-1	Multiple-Family Residential District
MF-2	Multiple-Family Residential District
MF-3	Multiple-Family Residential District
C-1	Office District
C-2	Local Retail District
C-2X	Multiple Use District
C-3	General Commercial District
P	Park District
S-1	Mixed Use District
S-2	Mixed Use District
<u>SOZ</u>	<u>Severance Overlay Zone District</u>
PDO	Planned Development Overlay District.

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CHAPTER 1107

Zoning Administrator

- 1107.01 Establishment.
- 1107.02 Powers and duties.

CROSS REFERENCES

- Department of Planning and Development - see ADM. Ch. 127
- Zoning Administrator defined - see P. & Z. 1103.03(a)(11)
- Record of zoning approval and certificates of compliance - see P. & Z. 1115.05
- Enforcement of Zoning Code - see P. & Z. 1117.01
- Review of S-1 District proposal - see P. & Z. 1143.10(b)
- [Review of SOZ District proposal – see P. & Z. 1149](#)

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1107.02 POWERS AND DUTIES.

For the purpose of this Zoning Code, the Zoning Administrator shall have the following duties:

- (a) Enforce the provisions of this Zoning Code and interpret the meaning and application of its provisions.
- (b) Issue zoning approval as provided by this Zoning Code and keep a record of same with a notation of any special conditions involved.
- (c) Accept and review for completeness all applications upon which the Zoning Administrator is authorized to review by the provisions of this Code. The Zoning Administrator shall promptly review each application submitted to determine compliance with applicable district regulations and submission requirements. If the application is deemed insufficient, the Zoning Administrator shall promptly notify the applicant of necessary changes. If the application is deemed sufficient and the application fee has been paid, the Zoning Administrator shall officially accept the application on that date from consideration of the action(s) requested.
- (d) Approve and issue conditional use permits upon which the Zoning Administrator is authorized by the provisions of this Code.
- (e) Respond to questions concerning applications for amendments to the Zoning Code text and the official Zoning Map.
- (f) Maintain in current status the official Zoning Map.
- (g) Maintain permanent and current records required by this Code, including but not limited to zoning approval, inspection documents, and records of all variances, amendments, conditional uses, and similar use determinations.
- (h) Make such records available for the use of Council, the Planning Commission, the Board of Zoning Appeals, and the public.
- (i) Conduct inspections of buildings and uses of land to determine compliance with this Zoning Code and, in the case of any violation, to notify in writing the person(s) responsible, specifying the nature of the violation and ordering corrective action.

(j) Determine the existence of any violations of this Zoning Code and cause such notifications, revocation notices, stop orders, or tickets to be issued, or initiate such other administrative or legal action as needed, to address such violations.

(k) Make similar use determinations.

(l) Issue approvals and permits for the Severance Overlay Zone upon which the Zoning Administrator is authorized by the provisions of this Code.

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CHAPTER 1111

Planning Commission

- 1111.01 Establishment and duties; rules and regulations.
- 1111.02 Membership; terms of office; chairperson.
- 1111.03 Compensation of members; payment of expenses.
- 1111.04 Secretary; duties and records.
- 1111.05 Meetings and quorum.
- 1111.06 Powers and duties of the Commission.

CROSS REFERENCES

- Establishment and powers - see CHTR. Art. XI
- Conditional use review - see P. & Z. 1115.08(e), (f)
- Determination of similar uses - see P. & Z. 1115.10
- Annual Zoning Code review - see P. & Z. 1119.08
- Review of S-1 District proposed development - see P. & Z. 1143.10(d)
- Review SOZ proposed development - see P. & Z. 1149.3
- Preparation of S-2 District Development Plan - see P. & Z. 1145.08

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CHAPTER 1113
Board of Control Reserved

~~1113.01 Establishment; powers and duties.~~

~~1113.02 Membership.~~

~~1113.03 Meetings and quorum.~~

CROSS REFERENCES

~~Board of Control review of S-1 District proposal—see P. & Z. 1143.10(e)~~

~~1113.01 ESTABLISHMENT; POWERS AND DUTIES.~~

~~The Board of Control is established to administer the provisions of Chapter 1143 governing the S-1 Mixed Use District. The Board shall have full power and authority to do and perform any and all acts provided for herein and necessary or incident to the successful administration and execution of the powers provided for in this Zoning Code. Such powers so granted are subject to the powers reserved to Council by Section 1143.10.~~

~~1113.02 MEMBERSHIP.~~

~~The Board of Control shall consist of five (5) members: the President of Council; the chairperson of the Planning and Development Committee of Council; the Mayor; the chairperson of the Planning Commission; and the chairperson of the Board of Zoning Appeals; by virtue of their respective offices or positions. All members shall serve without compensation.~~

~~1113.03 MEETINGS AND QUORUM.~~

~~All meetings of the Board of Control shall be follow the provisions of Section 107.01 of the Codified Ordinances. The presence of three (3) or more members shall constitute a quorum for the transaction of all business. The transaction of all business and action by the Board of Control shall be effected by the concurring votes of at least three (3) members.~~

CHAPTER 1115 Procedures

- 1115.01 Purpose.
- 1115.02 Building permit required.
- 1115.03 Building permits contrary to Zoning Code are void.
- 1115.04 Utility uses; exception.
- 1115.05 Record of zoning approval and certificates of compliance.
- 1115.06 Appeals; procedure and hearing.
- 1115.07 Variances; procedures and review criteria.
- 1115.08 Conditional uses; submission requirements and procedures.
- 1115.09 Review of development plans for conditional uses.
- 1115.10 Determination of similar uses.
- 1115.11 ~~Review of development plans for S-1 Mixed Use District~~Reserved.
- 1115.12 Schedule of fees.
- 1115.13 Special exceptions.

CROSS REFERENCES

- Zoning Administrator - see P. & Z. Ch. 1107
- Board of Zoning Appeals - see P. & Z. Ch. 1109
- Planning Commission - see P. & Z. Ch. 1111

...

1115.02 BUILDING PERMIT REQUIRED.

No building or other structure shall be erected, constructed, reconstructed, enlarged, moved or structurally altered nor shall any excavation or site improvements be commenced, until a building permit has been applied for and received by the owner of the property involved or a person having an interest in such property and acting under written authority of the owner, and issued by the Building Commissioner. If applicable, no building permit shall be issued until the Zoning Administrator or designated agent has approved the application for the permit for Zoning Code compliance.

(a) Such approval shall be granted only when:

- (1) The Zoning Administrator or designated agent finds that all applicable requirements and standards of this Zoning Code have been complied with;
- (2) A request for a variance has been approved by the Board of Zoning Appeals in accordance with the limitations, procedures and requirements of this Chapter and has been approved by Council, as applicable;
- (3) The Planning Commission or Zoning Administrator has issued a conditional use permit for the conditional use in accordance with the procedures described in this Chapter;
- (4) The Planning Commission has made a determination in accordance with the procedures described in this Chapter that a proposed use is substantially similar to a principal or conditionally permitted use in the zoning district in which such use is located;

(5) The ~~Board of Control~~Planning Commission~~Council~~ has approved a ~~detailed~~development plan~~Plan~~ for a ~~proposal~~Planned Development in the S-1 District, according to the procedures established in Section 1143.10; ~~and/or~~

~~(6) Council has approved a Development Plan for a Planned Development in the S-2 District, according to the procedures established in Section 1145.05;~~

~~(67) The Planning Commission~~Council has approved a ~~d~~Development ~~p~~Plan for a ~~proposal in the~~Planned Development in the Severance Overlay Zone District, according to the procedures established in Section 1149.3: and/or

~~(68)~~ The Architectural Board of Review has approved the application for the proposed use, building or structure as required by the City's Codified Ordinances, including this Zoning Code.

(b) In the event that an application for a building permit requires approval by more than one (1) board or commission, the following order of review should generally be observed:

- (1) Review by the Board of Zoning Appeals, as applicable;
- (2) Review by the Architectural Board of Review, as applicable;
- (3) Review by the Landmarks Commission, as applicable;
- (4) Review by the Planning Commission ~~or Board of Control~~, as applicable;
- (5) Review by Council, as applicable.

(c) In the event that an application for a fence permit requires approval by more than one (1) board or commission, the following order of review should generally be observed:

- (1) Review by the Architectural Board of Review, as applicable;
- (2) Review by the Board of Zoning Appeals, as applicable;
- (3) Review by the Planning Commission ~~or Board of Control~~, as applicable;
- (4) Review by Council, as applicable.

(d) It is the objective of this Zoning Code to process applications as expeditiously as possible. Therefore, recognizing the interrelationships of the various review components, the Zoning Administrator, prior to Council consideration and with the consent of the applicant, may alter the above order to accomplish the review in an order deemed more timely.

...

1115.09 REVIEW OF DEVELOPMENT PLANS ~~FOR CONDITIONAL USES.~~

Application for a development ~~plan conditional use permit under the provisions of this Chapter within any Special District~~ shall ~~first~~ require the submission ~~and approval~~ of a ~~development~~Development plan~~Plan for the proposed use or building and approval by the Planning Commission. However, based on the nature of the proposed conditional use, the Zoning Administrator may waive certain submission requirements that are deemed unnecessary for the review and evaluation of such conditional use.~~

(a) Preparation of Development Plan. Development plans shall be prepared by a qualified professional, drawn to an appropriate scale and shall include the following information:

(1) Plat, plot plan. Plat, property lines of the parcel or parcels proposed for development including existing utilities, easements, street rights-of-way, and locations of existing principal buildings and land uses on adjacent parcel and across existing streets. Permanent parcel numbers of the development and adjacent parcels shall be included.

(2) Topography. Topographic maps showing existing and generally proposed grading contours at not greater than two (2) foot intervals including integration into and topography on

adjacent properties, wooded areas and trees of substantial size. The topography may be included on the plot plan.

(3) Principal and accessory buildings. The number, height, location and grouping of proposed dwelling units, nonresidential uses, recreational facilities and public uses, along with notation of the development standards for building spacing, setback from public streets and maximum building height.

(4) Traffic. The proposed system of on-site vehicular circulation, details for access to streets, methods for control of traffic, and an assessment of the impact of the proposed development on the existing circulation system.

(5) Parking areas. The layout, dimensions and estimate of the number of parking spaces, the landscaping and other design features of the parking area and types of pavement.

(6) Outdoor lighting fixtures. The location, type and illumination intensity of any existing or proposed outdoor lighting fixtures.

(7) Signs. Indication of the size, location, color and nature of any existing or proposed signs on the property.

(8) Landscaping and screening plan. A preliminary description of the location and nature of existing and proposed vegetation, landscaping and screening elements.

(9) Outdoor storage. The location and layout of all outdoor storage including storage of waste materials and trash receptacles.

(10) Phasing, sequencing of project. A detailed statement of the phasing and staging of specific elements of the plan, including a proposed construction sequencing schedule.

(11) Utilities. Show proposed location of new utilities and authority to connect these into existing infrastructure. Stormwater shall address requirements of Chapter 1335, Stormwater Management.

(b) Review by Zoning Administrator. Applications for Development Plan approval shall be submitted to the Zoning Administrator. The Zoning Administrator shall determine that the application contains the above information or, when deemed unnecessary, make a written notation of those items specifically waived.

(c) ~~Development Guidelines Prepared by~~ Review by Planning Commission. The Development Plan shall be reviewed by the Planning Commission. The Planning Commission shall follow the review procedures for conditional uses contained in Section 1115.08(c), (d), and (e). The Planning Commission shall make a recommendation on approval, disapproval, or approval with conditions to City Council. An applicant or The the Commission on its own may prepare development guidelines for an area in an S-2 District a Special District or for a Planned Residential Development which shall set forth criteria for the development of a particular area. The guidelines shall contain those elements listed in subsection (a) hereof, as necessary, to set forth policy for permitted land use, building envelope, building height, allowable density and parking areas.

(d) Council Approval. Such development guidelines as prepared The Development Plan recommended by the Planning Commission shall become the official Development Plan for the project area only upon approval by City Council.

(d) Approval of Conditional Uses in a Development Plan. Subsequent to the approval of such Development Plan by Council a property owner, or agent thereof, may apply for a conditional use permit to develop all or a portion of the land within the area for which the Development Plan has been adopted according to the procedures of Section 1115.08. Conditional uses within the Severance Overlay Zone shall follow the procedures of Chapter 1149. The applicant shall submit

a project plan that contains the elements required in subsection (a) hereof to indicate compliance with the adopted Development Plan.

(~~de~~) Modifications to a Conditional Use in a Development Plan. After the issuance of a conditional use permit for a proposed development, the conditions, limitations, and phasing of construction specified in the permit shall only be altered or modified by the approval of a new conditional use permit according to the procedures of Section 1115.08. Conditional uses within the Severance Overlay Zone shall follow the procedures of Chapter 1149.

(~~ef~~) Preliminary Plans. The applicant may meet informally with the Planning Commission to review preliminary plans prior to preparing a ~~development~~ Development plan-Plan pursuant to subsection (a) hereof. Preliminary plans should be submitted to the Zoning Administrator ten (10) days prior to the Planning Commission meeting at which the review of the preliminary plan is scheduled on its agenda.

...

~~1115.11 REVIEW OF DEVELOPMENT PLANS FOR S-1 MIXED USE DISTRICT.~~ Reserved

~~(a) Properties that are not included in the Severance Overlay District Application for approval for development within an S-1 Mixed Use District shall require the submission of a development plan as set forth in Chapter 1143, unless such application is opting into the Severance Overlay District. For such properties opting into the Severance Overlay District, refer to Section 1115.115. Development Plan shall address requirements of Chapter 1335, Stormwater Management.~~

~~(b) Properties that are included in the Severance Overlay District within the S-1 Mixed Use District or the A Single Family District shall require the application for development to be submitted as set forth in Chapter 1149.~~

~~1115.115 REVIEW OF APPLICATIONS FOR SEVERANCE OVERLAY ZONE.~~

~~Properties that are opt into the Severance Overlay Zone shall require the application for development to be submitted as set forth in Chapter 1149.~~

...

TITLE FIVE - Special Districts

Chap. 1141. Planned Development Objectives.

Chap. 1143. S-1 Mixed Use District.

Chap. 1145. S-2 Mixed Use District.

Chap. 1147. Planned Development Overlay District.

Chap. 1149. Severance Overlay District.

CHAPTER 1141 Planned Development Objectives

1141.01 OBJECTIVES OF THE PLANNED DEVELOPMENT REGULATIONS.

The regulations contained in ~~Chapters 1143, 1145, and 1147~~Title Five are provided to address specific situations and unique development issues in Cleveland Heights. Being a predominantly built-up community, it is necessary to permit development flexibility to promote residential, commercial, and ~~mixed-mixed~~-use facilities which are well planned in a manner compatible with the character of the City. Each of the ~~three-four~~ (34) special districts is created specifically for the purpose stated in the respective chapters, and generally to accomplish the following objectives:

- (a) To provide an opportunity for new and innovative development in areas of the City where there is vacant land or in areas which have special characteristics or special redevelopment opportunities.
- (b) To protect residential and commercial property values.
- (c) To safeguard the aesthetics of the City's residential and commercial neighborhoods.
- (d) To encourage sustainable development and practices.
- (e) To promote both residential and commercial development and, where appropriate, mixed use development in order to maximize the City's potential tax base and its provision of services.
- (f) To ensure that such creative and flexible development complies with the foregoing objectives by requiring a Development Plan for all Planned Developments and establishing a review process to ensure that all development is consistent with the approved plan.
- (g) To protect residential neighborhoods from commercial encroachment.

...

CHAPTER 1143

S-1 Mixed Use District

- 1143.01 Purpose.
- 1143.02 Permitted uses.
- 1143.03 Required area.
- 1143.04 Development standards.
- 1143.05 Standards of quality.
- 1143.06 Roads and streets.
- 1143.07 Parking areas.
- 1143.08 Signs.
- 1143.09 Lighting.
- 1143.10 Procedures.
- 1143.11 Phasing.
- 1143.12 Bond or escrow agreement.

1143.01 PURPOSE.

The City contains some large parcels of land which have not been developed to their full economic potential. It is desirable that a zoning district be established that will preserve the present charm and beauty of these parcels and the residential character of the City, yet at the same time promote a unique, densely developed environment well set back from the street in a landscaped surrounding. The purpose of the S-1 Mixed Use District is:

- (a) To designate, regulate and restrict the location, design and use of buildings, structures and interior streets;
- (b) To promote high standards of external appearance of buildings and grounds;
- (c) To stabilize and improve property values with the smallest possible burden on City services and facilities and the highest possible return to the City from tax revenues consistent with maintaining and improving the residential character of the City;
- (d) To promote health, safety, comfort, convenience and the general welfare; and thus
- (e) To provide the economic, environmental and social advantages resulting from an orderly planned use of these large parcels of land.
- (f) To ensure that development complies with the ~~adopted preliminary Severance Preliminary Land Use Plan, as may be updated and adopted,~~ Development Plan for the District and these objectives ~~by requiring approval of a detailed development Development plan Plan for any subsequent development under the Land Use Plan. The Severance Preliminary Land Use Plan, as may be updated and adopted, shall be the Development Plan for the S-1 District.~~
- (g) For any development that is on property that opts into the Severance Overlay Zone, the purpose and standards contained in Chapter 1149 would supersede this Chapter.

1143.02 PERMITTED USES.

Within the S-1 District, the following uses enumerated in this section are either permitted principal uses, conditional uses or accessory uses permitted in association with a principal use. ~~All~~

development shall be subject to the review and approval of the Board of Control as set forth in Section 1143.10.

The Severance Preliminary Land Use Plan as amended updated and adopted creates two (2) sub-districts: 1) inside Severance Circle (the ring road) is the “Core Sub-district”, and 2) outside of Severance Circle (the ring road) is the “Perimeter Sub-district”. In addition, the Severance Preliminary Land Use Plan creates a Buffer Zone and a Limited-Build Zone.

(a) Principal Uses within the Core Sub-district. Any principal use or combination of uses permitted in the MF-3 or C-3 Districts is permitted in the ~~S-1 Core Sub-district~~ S-1 District in accordance with the approved ~~Severance Preliminary Land Use Plan~~ Severance Preliminary Land Use Plan for the District.

(b) Accessory Uses with in the Core Sub-district. Accessory uses shall be permitted in association with a principal use subject to the regulations for such accessory uses in the respective MF or Commercial District.

(c) Principal Uses within the Perimeter Sub-district. Any principal use or combination of uses permitted in the MF-3 or C-1 Districts is permitted in the S-1-Perimeter Sub-district in accordance with the approved Severance Preliminary Land Use Plan for the District.

(bd) Accessory Uses with in the Perimeter Sub-district. Accessory uses shall be permitted in association with a principal use subject to the regulations for such accessory uses in the respective MF or Commercial District.

(a) The Severance Preliminary Land Use Plan also permits (1) restaurants with table service as part of a mixed-use development consisting primarily of non-restaurant uses, as well as outdoor dining accessory to such uses; and (2) research and testing laboratories. Convenience retail and service establishments occupying an area equal to no more than 100% of first-floor area may be permitted in multiple-family residential buildings and office buildings.

1143.03 REQUIRED AREA.

The minimum area of an S-1 ~~Mixed-Use~~ District shall be not less than fifty (50) acres. The entire area need not be developed at any one (1) time.

1143.04 DEVELOPMENT STANDARDS.

A proposed development as permitted in this district shall comply with the following development standards:

(a) Yard Requirements. Buildings and accessory uses shall be located in accordance with the following:

- (1) Buildings shall be located no closer than forty (40) feet to an existing public right of way.
- (2) Accessory parking areas shall be located no closer than forty (40) feet to an existing public right-of-way bounding the district and twenty (20) feet to an interior public or private street.
- (3) Buildings and parking areas shall be located no closer than 150 feet to an AA or A District.
- (4) All portions of the property not covered by buildings, parking areas and other permitted structures shall be landscaped with grass, trees, shrubbery and/or other appropriate ground cover or landscaping material as required by the ~~Board of Control~~ Planning Commission and/or Zoning

Administrator, and which at all times shall be maintained in good and healthy condition so as to assure adequate screening of parking and loading areas, as well as absorption of rainfall.

(b) Height Regulations. The height of a proposed building shall be limited as follows by its location on the development site in relationship to adjacent properties:

(1) The maximum building height shall not exceed one-half (1/2) the distance from the building to any property line in an AA, A, or B District, provided the yard requirements set forth in subsection (a) hereof are maintained.

(2) The maximum building height shall not exceed the distance from the building to any property line in a MF District, provided the yard requirements set forth in subsection (a) hereof are maintained.

(3) The maximum height of a building as set forth in subsections (b)(1) and (2) hereof shall be measured from the average grade along the property line of the adjacent residential property.

(4) In no case shall buildings exceed 120 feet in height.

(c) Additional Standards. Additional site specific development requirements formulated to achieve the objectives of the S-1 ~~Mixed Use~~ District shall be established during the approval process at the time the detailed development plan is reviewed. Any dimensional specifications adopted with such plan become binding land use requirements for the proposed development.

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1143.06 ROADS AND STREETS.

Access and interior service roads and streets shall be properly related to the public street and highway system in order to promote safety and minimize traffic congestion. Dedication of interior roads for public streets, as the ~~Board of Control~~Planning Commission may deem essential, shall be a condition of approval of the plan.

...

1143.10 PROCEDURES.

~~If a property opts to not be part of the Severance Overlay Zone, the property shall remain under the S-1 Zoning and shall comply with the most recent Severance Preliminary Land Use Plan enacted in 2001 (Ordinance No.51-2000, titled "Amended Preliminary Land Use Plan) This Land Use Plan creates two subdistricts. The area within Severance Circle (Ring Road) is known as the Core District and the area outside Severance Circle is the Perimeter District.~~

~~(A) Properties in the S-1 Core Subdistrict, not participating in the Severance Overlay Zone are permitted to have any principal use permitted in the MF-3 or C-3 District shall be permitted in the S-1 District in accordance with the respective district standards and in accordance with the 2001 Amended Preliminary Land Use Plan (Ord. No. 51-2000). If a property owner chooses to develop his or her property with a principal use enumerated in the MF-3 or C-3 District, such development is reviewed in the same manner as a permitted use in an MF-3 or C-3 District.~~

~~1. Conditional Uses. Any use allowed as a conditional use in the MF-3 or C-3 District. If incorporated as part of a Planned Development, these conditional uses may not be required to comply with the development standards in Chapter 1153.~~

~~2. Accessory Uses. Accessory use shall be permitted in association with a principal or conditional use subject to the regulations in the respective MF or Commercial Districts.~~

~~(B) Properties in the S1 Perimeter Subdistrict not participating in the Severance Overlay Zone are permitted to have any principal use permitted in the MF-3 Multiple Family District or the C-1 Office District in accordance with the respective district standards and in accordance with the 2001 Amended Preliminary Land Use Plan (Ord. No. 51-2000). If a property owner chooses to develop his or her property with a principal use enumerated in the MF-3 or C-1 District, such development is reviewed in the same manner as a permitted use in an MF-3 or C-1 District.~~

~~1. Conditional Uses. Any use allowed as a conditional use in the MF-3 or C-1 Districts. If incorporated as part of a Planned Development, these conditional uses may not be required to comply with the development standards in Chapter 1153.~~

~~2. Accessory Uses. Accessory use shall be permitted in association with a principal or conditional use subject to the regulations in the respective MF or C-1 Districts.~~

~~(C) Properties that have opted into the Severance Overlay Zone shall follow the regulations and process in Chapter 1149.~~

~~The procedures for the approval of a Planned Development in the S-1 District shall comply with the administrative provisions set forth in Sections 1115.08 and 1115.09, including the submission of a Development Plan. It is suggested that the applicant with preliminary sketches confer informally with the Planning Commission regarding basic concepts of the proposed development prior to submitting the formal Development Plan pursuant to Section 1115.09.~~

~~Development in the non-Severance Overlay District of the S-1 Mixed Use District shall be permitted only after review and approval of a detailed development plan by the Board of Control Planning Commission according to the procedures set forth in this section:~~

~~—(a) Preparation of a Detailed Development Plan. A proposal for development shall be accompanied by a detailed development plan prepared by a qualified professional, drawn to an appropriate scale. The detailed development plan shall include the following information, provided that the Zoning Administrator may waive certain submission requirements that are deemed unnecessary for the review and evaluation of such proposed development.~~

~~—(1) Plat, plot plan. Plat, property lines of the parcel or parcels proposed for development including existing utilities, easements, street rights of way, and locations of existing principal buildings and land uses on adjacent parcels and across existing streets. Permanent parcel numbers of the development and adjacent parcels shall be included.~~

~~—(2) Topography. Topographic maps showing existing and generally proposed grading contours at not greater than two (2) foot intervals, including integration into and topography on adjacent properties, wooded areas and trees of substantial size. The topography may be included on the plot plan.~~

~~—(3) Principal and accessory buildings. The number, height, location and grouping of proposed dwelling units, nonresidential uses, recreational facilities and public uses, along with notation of the development standards for building spacing, setback from public streets and maximum building height.~~

~~—(4) Traffic. The proposed system of on-site vehicular circulation, details for access to streets, methods for control of traffic, and an assessment of the impact of the proposed development on~~

the existing circulation system; data showing the average and maximum volume of traffic expected to be generated by the development.

—(5) ~~Parking areas.~~ The layout, dimensions and estimate of the number of parking spaces, the landscaping and other design features of the parking area and types of pavement, the loading and unloading areas.

—(6) ~~Outdoor lighting fixtures.~~ The location, type and illumination intensity of any existing or proposed outdoor lighting fixtures.

—(7) ~~Signs.~~ Indication of the size, location, color and nature of any existing or proposed signs on the property.

—(8) ~~Landscaping and screening plan.~~ A preliminary description of the location and nature of existing and proposed vegetation, landscaping and screening elements; a proposed maintenance plan to ensure the upkeep of natural areas.

—(9) ~~Outdoor storage.~~ The location and layout of all outdoor storage including storage of waste materials and trash receptacles.

—(10) ~~Architectural drawings.~~ Complete architectural drawings including floor plans, elevations and specifications for the proposed development.

—(11) ~~Phasing, sequencing of project.~~ A detailed statement of the phasing and staging of specific elements of the plan, including a proposed construction sequencing schedule.

—(12) ~~Utilities.~~ Show proposed location of new utilities and authority to connect these into existing infrastructure. Stormwater must address requirements of Chapter 1335, Stormwater Management.

—(b) ~~Review for Completeness by the Zoning Administrator.~~ Upon receipt of the proposal, the Zoning Administrator shall, within three (3) working days, make a preliminary review of the application to determine whether such application provides the information necessary for review and evaluation. If it is determined that such application does not provide the information necessary for such review and evaluation, the Zoning Administrator shall so advise the applicant of the deficiencies and shall not further process the application until the deficiency is corrected.

—(c) ~~Review by the Board of Control~~Planning Commission. The ~~Board of Control~~Planning Commission shall review the proposal and shall grant approval only after determining that the proposal complies with the preliminary land use plan for the S-1 District and that the proposal is within the intent and purpose of the S-1 District and will not be harmful to surrounding properties. The Board may grant variances from relevant provisions of this Chapter or from any other applicable provisions of the Zoning Code where practical difficulty is demonstrated. However, the Board shall not have the power to grant a use variance.

—(d) ~~Review by Planning Commission.~~ It is intended that any detailed development plan which will substantially change the use(s), building(s), or traffic pattern(s), within the S-1 Districts shall be reviewed by the Planning Commission prior to Board of Control approval or disapproval. Therefore, when a proposed development plan involves the placement of buildings on previously undeveloped land or a change in the circulation of traffic within the District or a change in the basic use to which land or a building is devoted, the Board shall refer the development plan to the Planning Commission for approval, approval with modifications or disapproval. The Commission shall be allowed a reasonable time, not less than thirty (30) days, for its consideration and recommendation. If the Planning Commission disapproves the proposal within such thirty (30) day period or thereafter, but prior to voting by the Board of Control upon the proposal, the Board of Control shall not approve the proposal except by the concurring votes of not less than three-fourths (¾) of the members of the Board of Control. Any proposal may be amended prior to the voting

~~thereon by the Board of Control without further notice or postponement, if such amendment to the proposal is in accordance with the recommendation, if any, of the Planning Commission.~~

~~—(e) Notice of Planning Commission Review. When such detailed development plan is referred to the Planning Commission, written notice shall be given by the Zoning Administrator to the applicant, the owner of property (if not the applicant), and to the owners of adjacent, abutting and contiguous properties. The notice shall be sent at least ten (10) days before the hearing by the Planning Commission on the development. The notice shall be set forth the time and place of the hearing and the nature of the development proposal. The failure of any person to receive such notice shall not affect the right and power of the Planning Commission and/or Board of Control and/or Council to review such application or to take action on the application.~~

~~—(f) Council Approval. Approval by the Board of Control Planning Commission of a detailed development plan shall not become effective unless and until it has been approved by Council. If Council takes no action in approving or disapproving the plan within thirty (30) days from receipt of certification of approval by the Board of Control Planning Commission, the action of the Board of Control Planning Commission in approving the proposal shall become in full force and effect.~~

~~—(g) Building Permit. No building permit for the improvement of a parcel, or any portion thereof, or for the erection of any building shall be issued unless the detailed development plan has been approved in accordance with the provisions of this section. All construction and development under any building permit shall be in accordance with the approved, detailed development plan. Any departure from the approved plans shall be cause for revocation of the building permit.~~

~~—(h) Amendments to Plans. The preliminary land use plan or a detailed development plan may be amended according to the following:~~

~~—(1) An amendment to the preliminary land use plan shall be considered an amendment to the zoning map and shall be governed by Chapter 1119 of the Zoning Code.~~

~~—(2) An amendment to the detailed development plan shall be governed by the provisions of this Chapter pertaining to the approval of detailed development plans.~~

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1143.12 BOND OR ESCROW AGREEMENT.

As a prerequisite to the issuance of a permit under this Chapter, for any project involving new construction on a two (2) acre parcel or larger, the applicant shall file with the City within ten (10) days after approval of the detailed development plan a surety bond or escrow agreement to insure the construction of the project within the period specified by the ~~Board of Control~~Planning Commission. The bond or escrow shall be enforceable by or payable to the City in a sum at least equal to the estimated costs of all of the site improvements (streets, drives, walks, walls, storm and sanitary sewers, landscape planting, ornamental features not on a building, and terraces, but not buildings) for the entire project. The bond or escrow shall be in a form and with surety and conditions approved by the Director of Law. In the event of default under such bond or escrow, the City may use the sum defaulted to construct such site improvements to the extent of the funds available.

CHAPTER 1147
Planned Development Overlay District

- 1147.01 Purpose.
- 1147.02 Application of the district.
- 1147.03 PDO District procedures.
- 1147.04 Permitted uses.
- 1147.05 Minimum project area for a Planned Development.
- 1147.06 Development standards for a PDO District.
- 1147.07 Development plan procedures.
- 1147.08 Phasing.
- 1147.09 Bond or escrow agreement.

CROSS REFERENCES

Overlay District defined - see P. & Z. 1103.03(b)(~~47~~107)

...

CHAPTER 1149
Severance Overlay Zone

[See Exhibit B]

TITLE SEVEN - Conditional Use Regulations

Chap. 1151. General Criteria.

Chap. 1153. Supplemental Standards for Conditional Uses.

Chap. 1155. Planned Residential Developments.

CHAPTER 1151

General Criteria

1151.01 Purpose.

1151.02 General standards for all conditional uses.

CROSS REFERENCES

Conditional use defined - see P. & Z. 1103.03(b)(~~24~~33)

Conditional use permit defined - see P. & Z. 1103.03(b)(~~25~~34)

...

CHAPTER 1153

Supplemental Standards for Conditional Uses

- 1153.01 Purpose.
- 1153.02 Conformance with district regulations.
- 1153.03 Specific area, width and yard regulations.
- 1153.04 Supplemental height regulations.
- 1153.05 Supplemental regulations for specific uses.

CROSS REFERENCES

- Conditional use defined - see P. & Z. 1103.03(b)(~~2433~~)
- Conditional use permit defined - see P. & Z. 1103.03(b)(~~2534~~)
- Planning Commission to approve or disapprove of conditional uses - see P. & Z. 1111.06(b)(1)
- General standards for all conditional uses - see P. & Z. 1151.02

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1153.03 SPECIFIC AREA, WIDTH AND YARD REGULATIONS.

(a) Schedule 1153.03 sets forth regulations governing lot area, lot width and minimum yard dimensions for principal and accessory buildings and parking areas for conditional uses that require area, width and yard regulations different from the district regulations. Additional standards and requirements pertaining to such uses are set forth in Section 1153.05.

(b) In addition, all parking areas adjacent to a single-family or two-family dwelling shall be landscaped in accordance with Section 1165.05.

Schedule 1153.03

AREA, WIDTH AND YARD REGULATIONS FOR CERTAIN CONDITIONAL USES(~~f~~)

<i>Conditional Use</i>		<i>Min. Lot Area</i>	<i>Min. Lot Width (Feet)</i>	<i>Min. Yard Dimensions (in feet)</i>					<i>See Also Section</i>
				<i>Primary Front</i>	<i>Side/ Rear</i>	<i>Side/ Front</i>	<i>Rear</i>	<i>Buildings (d) Parking</i>	
(1)	PRD	---	--	--	--	--	--		1155.01 - 1155.08
(1a)	PDO Development District	2 acres							1147.01 - 1147.09
(1b)	<u>Severance Overlay Zone(f)</u>	---	--	--	--	--	--		<u>1149.01-1149.49</u>
(2)	Place of worship	1 acre	150	50	50	50	10		1153.05 (a)
(3)	School facilities	1 acre	150	50	50	50	10		1153.05 (b)
(4)	Public libraries	1 acre	150	50	50	50	10		---
(5)	Public safety facilities	1 acre	150	50	50	50	10		---
(6)	Public and private parks and playgrounds, and public recreation facilities	None	None	50(a)	50(a)	(b)	(c)		1153.05 (b)
(7)	Golf courses	None	None	50	50	50	50		---

(8)	Cemetery	---	--	--	--	--	--	1153.05 (c)
(9)	Parking lot for a permitted use not on the same zoning lot	None	None	N/A	N/A	(b)	(c)	---
(10)	Accessory parking for uses within the MF-1, MF-2, MF-3, C-1, C-2, C-2X, C-3, S-1, and S-2 Districts	---	--	--	--	--	--	1153.05 (f)
(11)	Parking deck or private parking garage as a principal use	20,000 sq. ft.	100	30	15	N/A	N/A	---
(12)	Day care home	---	--	--	--	--	--	1153.05 (d)
(13)	Day care center, preschool	---	--	--	--	--	--	1153.05 (e)
(14)	(Intentionally omitted)	---	--	--	--	--	--	
(15)	Home occupation in an accessory building	---	--	--	--	--	--	1153.05 (h)
(16)	Outdoor community festivals	---	--	--	--	--	--	1153.05 (i)
(17)	Dormitories, fraternities, sororities	20,000 sq. ft.	100	30	15	30	15	1153.05 (j)
(18)	Lodging houses, boarding houses, convents, home for the aged, other congregate living and residential care facilities	20,000 sq. ft.	100	30	15	30	15	1153.05 (k)
(19)	Nursing home, intermediate and long-term care facility	1 acre	150	50	50	30	15	---
(20)	Special training schools and adult education facilities	---	---	---	--	--	--	---
(21)	Hospitals	2 acres	200	50	50	30	15	---
(22)	Colleges and universities	2 acres	200	50	50	30	15	---
(23)	Drive-thru facilities	---	--	--	--	--	--	1153.05 (l)
(24)	Automatic Teller Machine	---	--	--	--	--	--	1153.05 (m)
(25)	Funeral homes and mortuaries in a C-2 or C-3 District	20,000 sq. ft.	100	50	50	15	(b)	---
(26)	Animal clinics, veterinary offices, or animal grooming facilities	---	--	--	--	--	--	1153.05 (n)
(26A)	Animal day-care facilities and overnight boarding of animals	---	--	--	--	--	--	1153.05 (bb)
(27)	Convenience retail in an office building	---	--	--	--	--	--	1153.05 (o)
(28)	Catering	---	--	--	--	--	--	---
(29)	Outdoor dining	---	--	--	--	--	--	1153.05 (p)
(30)	Dance studios, exercise classes and similar uses	---	--	--	--	--	--	1153.05 (q)
(31)	Auto sales, new, (new and used) and auto rental	20,000 sq. ft.	100	(b)	(b)	15	(b)	1153.05 (r)
(32)	Auto sales, used	20,000 sq. ft.	100	(b)	(b)	15	(b)	1153.05 (s)
(33)	Truck, boat, sales/rental	20,000 sq. ft.	100	(b)	(b)	15	(b)	1153.05 (s)
(34)	Gasoline stations	20,000 sq. ft.	100	(b)	(b)	15	(b)	1153.05 (t)

(35)	Car wash establishment	20,000 sq. ft.	100	(b)	(b)	15	(b)	1153.05 (u)
(36)	Auto service-major and minor repair	20,000 sq. ft.	100	(b)	(b)	15	(b)	1153.05 (u)
(37)	(Intentionally omitted)							
(38)	Game rooms	---	--	--	--	--	--	1153.05 (v)
(39)	Indoor commercial entertainment	---	--	--	--	--	--	---
(40)	Private indoor/outdoor recreation	---	--	--	--	--	--	---
(41)	Banquet hall, party center	---	--	--	--	--	--	---
(42)	Satellite dish receiving antenna	---	--	--	--	--	--	1153.05 (w)
(43)	Meeting room	---	--	--	--	--	--	1153.05 (x)
(44)	Storage and warehousing of goods	---	--	--	--	--	--	---
(45)	Research and testing laboratories	---	--	--	--	--	--	---
(46)	Nursery and garden supply with accessory outdoor storage	---	--	--	--	--	--	1153.05 (z)
(47)	Public indoor/outdoor entertainment, public indoor recreation	---	--	50(a)	50(a)	(b)	(b)	---
(48)	Reduction in parking requirements	---	--	--	--	--	--	1161.05
(49)	Architecturally significant nonconforming signs	---	--	--	--	--	--	1163.11
(50)	Attached single family dwelling unit (e)	---	--	--	--	--	--	1153.05 (aa)
(51)	Chicken coop and run	---	--	--	10	--	10	1153.05 (gg)
(52)	Commercial Renewable Energy Systems ("Solar Farms")	2 acres	--	25	25	--	--	1153.05 (ff)

Notes to Schedule 1153.03:

(a) Playground structures and picnic shelters shall be located no closer to a primary front, side or rear lot line than a distance equal to its height.

(b) Shall comply with the district regulations.

(c) Shall comply with the parking regulations for multiple-family uses set forth in Section 1123.12(a).

(d) Shall include principal and accessory buildings unless specified otherwise in this Zoning Code.

(e) For the purpose of determining applicable lot area, width, and yard regulations, adjoining parcels containing attached single-family dwelling units and common areas shall be considered a single zoning lot. Any parcel on which an attached single-family dwelling unit is located shall have frontage on a public street.

(f) For properties that opt into the Severance Overlay District, all Conditional Uses shall follow the standards in Chapter 1149.

1153.04 SUPPLEMENTAL HEIGHT REGULATIONS.

Height limits heretofore established may be exceeded in the case of places of worship, public, semi-public, public service, hospital, institutional or educational buildings, any of which when conditionally permitted may be erected to a height not exceeding seventy-five (75) feet if the building is set back from each front, side and rear yard ~~line~~ as required herein at least one (1) foot for each foot of additional building height above the height limit otherwise permitted in the district in which the building is built.

1153.05 SUPPLEMENTAL REGULATIONS FOR SPECIFIC USES.

The following conditional use regulations are specific requirements pertaining to the location and maintenance of certain conditional uses and are in addition to the general criteria set forth in Chapter 1151 and the lot area, width and yard regulations set forth in Section 1153.03. For properties that opt into the Severance Overlay District, all Conditional Uses shall follow the standards in Chapter 1149.

...

TITLE NINE - Supplementary Regulations

Chap. 1161. Off-Street Parking and Loading Regulations.

Chap. 1163. Sign Regulations.

Chap. 1165. Additional Regulations Governing Uses.

Chap. 1167. Prohibited Uses.

Chap. 1169. Sexually Oriented Businesses.

CHAPTER 1161

Off-Street Parking and Loading Regulations

- 1161.01 Purpose.
- 1161.02 Determination of required off-street parking spaces.
- 1161.025 Electric automobile charging stations in parking areas.
- 1161.03 Number of parking spaces required.
- 1161.035 Required bicycle parking spaces.
- 1161.04 Allowance for shared parking.
- 1161.05 Modification of requirements.
- 1161.055 Parking maximums.
- 1161.058 Land banked parking.
- 1161.06 Location of required parking spaces.
- 1161.065 Car-share facilities.
- 1161.07 Off-street waiting spaces for drive-thru facilities.
- 1161.08 Parking of junk motor vehicles.
- 1161.09 Off-street loading spaces required.
- 1161.10 Non-residential joint use driveways and cross-access easements.
- 1161.105 Single-family and two-family residential driveways.
- 1161.107 Compact parking spaces.
- 1161.11 Improvement and maintenance standards.
- 1161.12 Tractor-trailer parking.
- 1161.13 Exceptions to off-street parking requirements in commercial districts.

CROSS REFERENCES

- Parking generally - see TRAF. Ch. 351
- Loading space, off-street defined - see P. & Z. 1103.03(b)(~~5689~~)
- Parking deck defined - see P. & Z. 1103.03(b)(~~72110~~)
- Parking lot defined - see P. & Z. 1103.03(b)(~~73111~~)
- Parking space, off-street defined - see P. & Z. 1103.03(b)(~~74112~~)
- Parking lot fees - see BLDG. 1311.071

...

1161.13 EXCEPTIONS TO OFF-STREET PARKING REQUIREMENTS IN COMMERCIAL DISTRICTS.

(a) In the City's commercial districts, parking needs are predominantly met by the existence of significant amounts of on- and off-street public parking and, in some areas, large private parking areas serving multiple uses. This reduces the need for individual uses to provide their own dedicated off-street parking, as does the fact that many patrons of uses in these commercial districts arrive on foot or by public transportation. Further, a large number of small parking lots would be disruptive in these areas, in which safe and pleasant conditions for pedestrians are important assets. On the commercial-district parcels described in subsection (b) below, the following exceptions to the off-street parking requirements set out in Chapter 1161 shall apply:

(1) New uses in existing buildings that would not result in a significant change of intensity relating to traffic and parking shall not be required to provide off-street parking.

(2) New uses in existing buildings proposed to expand the gross floor area by twenty-five percent (25%) or less that would not result in a significant change of intensity relating to traffic and parking shall not be required to provide off-street parking.

(b) The exceptions to the off-street parking requirements, as described in subsection (a) above, shall apply only to commercially zoned parcels or parcels within the Severance Overlay Zone.

CHAPTER 1163

Sign Regulations

- 1163.01 Purpose.
- 1163.02 Application of sign regulations.
- 1163.03 Computations.
- 1163.04 Maximum sign areas permitted.
- 1163.05 Maximum height permitted for freestanding signs.
- 1163.06 Supplementary sign regulations.
- 1163.07 Projecting signs.
- 1163.08 Design and construction standards.
- 1163.09 Administrative procedures.
- 1163.10 Maintenance.
- 1163.11 Alteration and removal of nonconforming signs.

CROSS REFERENCES

Sign definitions - see P. & Z. 1103.03(b)(~~92~~140)
Sign permits and fees - see BLDG. 1323.01
Safety and location - see BLDG. 1323.02

...

CHAPTER 1165 Additional Regulations Governing Uses

- 1165.01 Minimum performance standards for structures and uses.
- 1165.02 Supplementary accessory use regulations.
- 1165.021 Garage or yard sales.
- 1165.03 Site and development criteria.
- 1165.04 Exception to height regulations.
- 1165.05 Sustainable regulations for large scale residential developments.
- 1165.06 Sustainability guidelines.
- 1165.07 Exterior lighting requirements.
- 1165.08 Requirement to install sidewalks and/or shared-use paths.

CROSS REFERENCES

Determination of substantially similar use by Planning Commission - see P. & Z. 1111.06(b)(2),
1115.10
Utility line location - see P. & Z. 1115.04

...

1165.03 SITE AND DEVELOPMENT CRITERIA.

The following site and development criteria are established to promote the harmonious exercise of property rights without conflict. For properties that opt into the Severance Overlay Zone, the standards set forth in Chapter 1149 would supersede this Section.

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1165.05 SUSTAINABLE REGULATIONS FOR LARGE SCALE RESIDENTIAL DEVELOPMENTS.

(a) Purpose. To provide flexibility in site design and development of land in order to encourage the preservation of the development area's environmental features (i.e., lakes, streams, wetlands, and other natural land features) and to encourage the maintenance of open space. The use of cluster design is strongly encouraged. These regulations shall apply to new construction residential development exceeding two (2) acres in any District, except for properties that opt into the Severance Overlay Zone.

...

TITLE ELEVEN – Nonconformities

Chap. 1171. Intent and General Regulations.

Chap. 1173. Nonconforming Uses.

Chap. 1175. Nonconforming Site Conditions.

CHAPTER 1171

Intent and General Regulations

- 1171.01 Purpose.
- 1171.02 Existing use deemed conditional use; permit required for change.
- 1171.03 Completion of construction with existing building permit.

CROSS REFERENCES

Conditional use defined - see P. & Z. 1103.03(b)(~~24~~33)
Nonconforming use defined - see P. & Z. 1103.03(b)(~~75~~102)A.
Nonconforming signs - see P. & Z. 1163.11

...

CHAPTER 1173

Nonconforming Uses

1173.01 Continuation of nonconforming uses.

1173.02 Termination of nonconforming uses.

CROSS REFERENCES

Nonconforming use defined - see P. & Z. 1103.03(b)(~~67~~102)A.

Expansion or extension of nonconforming use - see P. & Z. 1109.06(e)

Nonconforming signs - see P. & Z. 1163.11

...

CHAPTER 1175
Nonconforming Lots and Structures

1175.01 Continued use of lot or structure.

1175.02 Nonconforming lots of record.

CROSS REFERENCES

Nonconforming site condition defined - see P. & Z. 1103.03(b)(~~67~~102)B.

Nonconforming signs - see P. & Z. 1163.11

...

SEVERANCE ZONING

EXHIBIT B

(10/28/2025)

CHAPTER 1149.0: APPLICATION**1149.01 TABLE OF CONTENTS****CHAPTER 1149.0 APPLICATION**

1149.01	TABLE OF CONTENTS
1149.02	INTENT AND PURPOSE
1149.03	APPLICABILITY

CHAPTER 1149.1 DISTRICT STANDARDS

1149.11	DISTRICT STANDARDS MAP
1149.12	STREET AND PUBLIC FRONTAGE STANDARDS
1149.13	CIVIC SPACE STANDARDS

CHAPTER 1149.2 USES AND DEVELOPMENT STANDARDS

1149.21	PERMITTED USES BY DISTRICT
1149.22	SITE DEVELOPMENT STANDARDS AND INCENTIVES
1149.23	PRIVATE FRONTAGES
1149.24	EDGING ELEMENT STANDARDS
1149.25	ARCHITECTURAL DESIGN STANDARDS
1149.26	PARKING

CHAPTER 1149.3 ADMINISTRATION

1149.31	SUBMISSION PROCESS AND REVIEW
1149.32	PRELIMINARY APPLICATION PROCESS
1149.33	OFFICIAL PLAN SUBMISSION REVIEW
1149.34	SUB-DIVISION AND OWNERSHIP
1149.35	CHAPTER AMENDMENTS
1149.36	SITE PLAN AMENDMENTS
1149.37	DURATION OF APPROVALS

CHAPTER 1149.4 DESIGN STANDARDS MANUAL

1149.41	INTENT AND PURPOSE
1149.42	STREET TYPE DESIGN STANDARDS
1149.43	TABLE OF PERMITTED PRIVATE FRONTAGES
1149.44	PEDESTRIAN PATH / TRAIL PRIVATE FRONTAGES
1149.45	PUBLIC FRONTAGE DESIGN STANDARDS
1149.46	SITE LAYOUT ILLUSTRATIONS
1149.47	CIVIC SPACE DESIGN STANDARDS
1149.48	PRIVATE FRONTAGE DESIGN STANDARDS
1149.49	ARCHITECTURAL DESIGN STANDARDS

1149.02 INTENT AND PURPOSE

- A. This Chapter regulates the location, design, occupancy, and use of structures, along with the use of land, optionally developed under the Severance Overlay Zone and its defined district(s).
- B. This Chapter is intended to promote the health, safety and general welfare of the Severance Town Center within the City of Cleveland Heights by creating a holistic and comprehensive economic development strategy that utilizes the principles of social, economic and environmental responsibility to re-establish Severance Town Center. This Chapter establishes the Severance Overlay Zone as a means to promote a more economically vibrant, environmentally responsible, and pedestrian-friendly community than may be possible with the underlying zoning regulations.
- C. The primary purpose of this Chapter is to institute an overlay zone with defined district(s) as an optional alternative to the underlying zoning. The language of this Chapter establishes rules and procedures that will result in compact, walkable, and mixed-use development in alignment with objectives defined in Chapter 1141. The language of the Severance Overlay Zone and its defined district(s) shall be in alignment with the City of Cleveland Heights' adopted Master Plan.

1149.03 APPLICABILITY

- A. The regulations of Chapter 1149 apply to all land, buildings, streets, sidewalks, uses, private improvements, and material landscape alterations of any kind occurring within any development approved through the regulations of Chapter 1149 and located within the boundaries of the Severance Overlay Zone as designated, and as may be amended, on the City of Cleveland Heights Zoning Map 1105.02.
- B. The Severance Overlay Zone and the defined district(s) within it do not replace the underlying zoning rules and regulations that currently exist in Cleveland Heights. This Chapter provides an alternative option for developing and redeveloping the land and buildings within the defined district(s) of the Severance Overlay Zone.
- C. All existing rights, allowable uses, and approval procedures under the Zoning Code of Cleveland Heights remain in full force and effect, except when an applicant elects to proceed under the provisions of the Severance Overlay Zone.
- D. If an applicant proceeds according to the development and design standards of a defined district of this Chapter and there is a conflict between the language of this Chapter and the underlying regulations elsewhere in the Zoning Code of the City of Cleveland Heights, the provisions of this Chapter shall supersede the underlying zoning.
- E. The option to develop under Chapter 1149 is defined in Section 1149.3 "Administration". Section 1149.3 describes the procedures, involved parties, and requirements for application of a site plan.

CHAPTER 1149.1: DISTRICT STANDARDS

1149.11 DISTRICT STANDARDS

- (1) Districts are comprised of an assembly of blocks. The Severance Overlay Zone contains blocks as identified on District Standards Map 1149.11B(5). Blocks are assigned to districts with discreet uses and development standards as defined in Chapter 1149.2

1149.11A DISTRICT MAP & STREET TYPES MAP

- | | |
|---|---|
| <p>A. The District Standards Map designates a series of design standards and civic elements which regulate built forms most appropriate to the features of the street, block and lot. The District Standards Map regulates Street Types, Civic Spaces, Terminating Vistas, Significant Corners and permitted Frontage Types.</p> | <p>(2) Significant Corners
The District Standards Map designates locations of permitted Significant Corners as defined in Chapter 1149.49A.</p> |
| <p>B. Assigned Street Types and sample street names are identified in Map 1149.11C(2) along with a corresponding list of street types and sample street names in the Street Types Table 1149.11D.</p> | <p>(3) Terminating Vistas
The District Standards Map designates locations of permitted Terminating Vistas, as defined in Chapter 1149.49B.</p> |
| <p>(1) Street Types. The Severance Overlay Zone permits five (5) ordered Street Types, which regulate the Private Frontages:</p> <ul style="list-style-type: none"> (a) A Street (Perimeter Road) (b) B Street (Boulevards) (c) C Street (Local Streets) (d) D Street (Access Lanes) (e) P Street (Pedestrian Paths) | <p>(4) Required Frontage Types
The District Standards Map designates certain locations where Storefronts or Frequent Entries are required according to the standards established in Chapter 1149.23G.</p> |

*For additional requirements, see:
Section 1149.12 for Streets and Public Frontage Standards,
Section 1149.13 for Civic Space Standards,
Section 1149.2 for Permitted Uses by District
Section 1149.22 for Site Development Standards.*

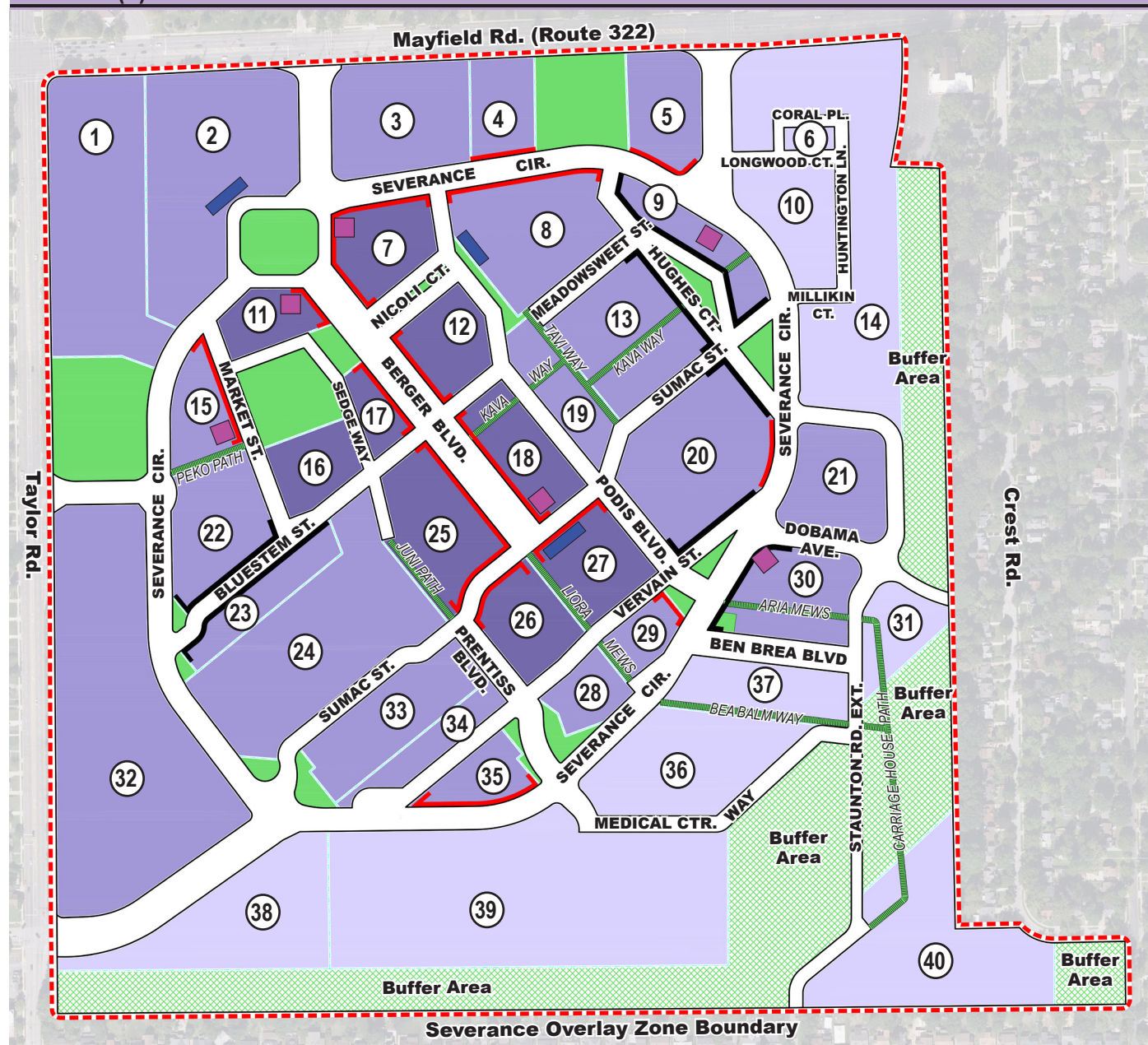
1149.11B(1) DISTRICT STANDARDS LEGEND

ZONING STANDARDS CONTROLS

- SEVERANCE OVERLAY ZONE BOUNDARY**
- SO-1 DISTRICT** **SO-2 DISTRICT** **SO-3 DISTRICT**
- RETAIL OR OFFICE REQUIRED**
- FREQUENT ENTRIES REQUIRED³**
- PEDESTRIAN PATH REQUIRED⁴**
- #** **BLOCK NUMBER**
- SIGNIFICANT CORNER ALLOWED**
- TERMINATING VISTA ALLOWED**
- CIVIC SPACE REQUIRED**
- PROTECTED AREA**

- (2) Where Retail or Office Required is designated within the District Standards Map, a Storefront Frontage, Arcade Frontage, or Urban Frontage shall be provided and Active Edge Frontage Requirements in Section 1149.23G shall apply.
- (3) Where Frequent Entries Required is designated within the District Standards Map, Active Edge Frontage Requirements in Section 1149.23G apply.
- (4) Pedestrian Paths designated on the District Standards Map in Section 1149.11B(5) shall comply with the standards in 1149.12A(5).

1149.11B(5) DISTRICT STANDARDS MAP

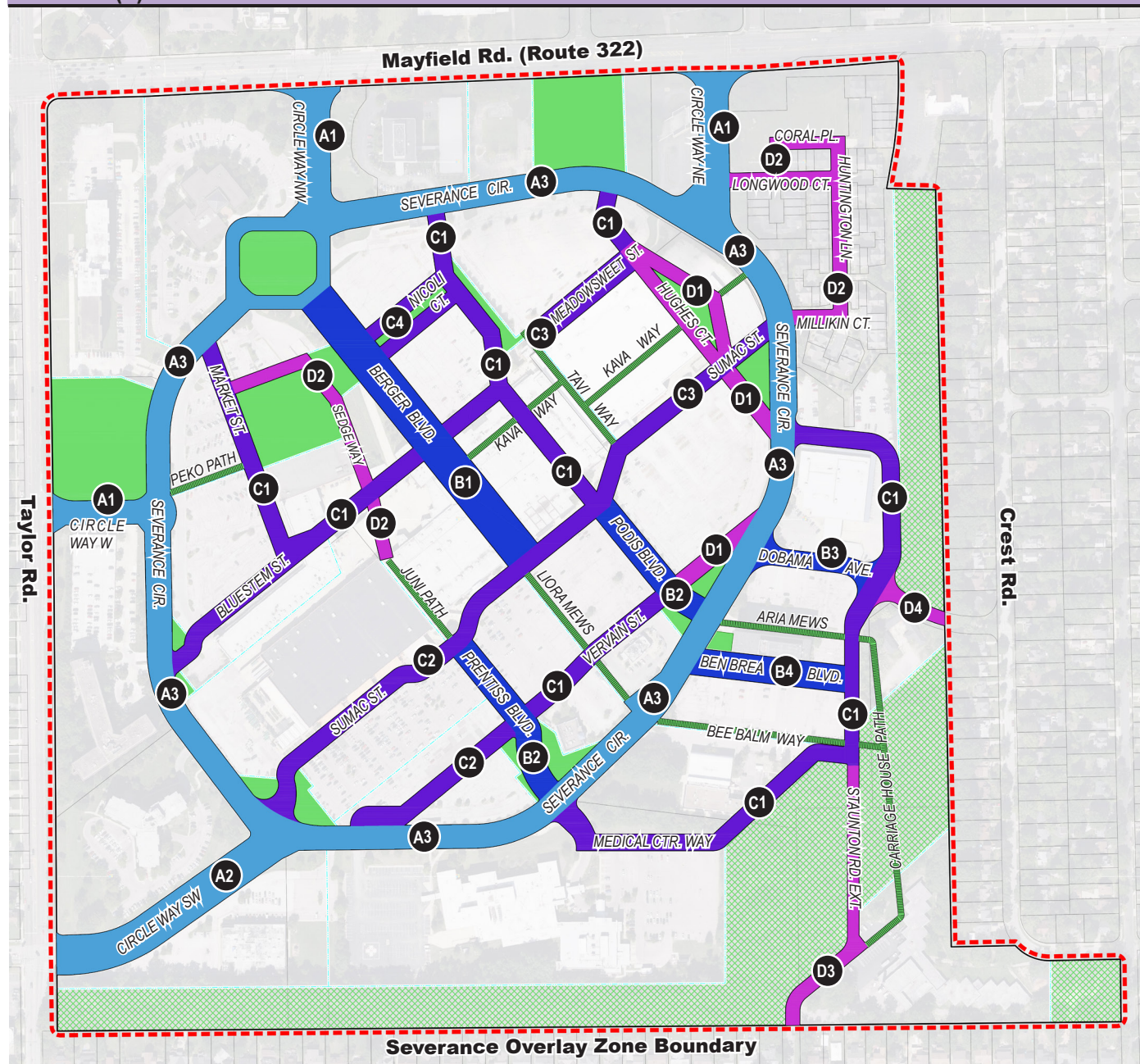


1149.11C(1) STREET TYPES LEGEND

STREET TYPES LEGEND

- SEVERANCE OVERLAY ZONE BOUNDARY
- A STREETS (PERIMETER ROAD)
- B STREETS (BOULEVARDS)
- C STREETS (LOCAL STREETS)
- D STREETS (ACCESS LANES)
- ||||| P STREET (PEDESTRIAN PATHS)
- A1 STREET TYPE

1149.11C(2) STREET TYPES MAP



1149.11D STREET TYPES TABLE

Table of Street Names and Types		
Street Name	Street Type	Between
Ben Brea Boulevard	B4	Severance Cir. & Staunton Rd. Ext.
Ben Brea Boulevard	D4	Staunton Rd. Ext & Crest Rd.
Berger Boulevard	B1	Severance Cir. & Sumac St.
Bluestem Street	C1	Severance Cir. & Berger Blvd.
Circle Way NE	A1	Mayfield Rd. & Severance Cir.
Circle Way NW	A1	Mayfield Rd. & Severance Cir.
Circle Way SW	A2	Taylor Rd. & Severance Cir.
Circle Way W	A1	Taylor Rd. & Severance Cir.
Coral Place	D2	Longwood Ct. & Huntington Ln.
Dobama Avenue	B3	Severance Cir. & Staunton Rd. Ext.
Hughes Court	D2	Meadowsweet St. & Severance Cir.
Huntington Lane	D2	Millikin Ct. & Coral Pl.
Longwood Court	D2	Circle Way NE & Huntington Ln.
Market Street	C1	Severance Cir. & Bluestem St.
Medical Center Way	C1	Severance Cir. & Staunton Rd. Ext.
Meadowsweet Street	C3	Tavi Way & Hughes Ct.
Millikin Court	D2	Severance Cir. & Huntington Ln.
Nicoli Court	C4	Berger Blvd. & Podis Blvd.
Podis Boulevard	B2	Sumac St. & Severance Cir.
Podis Boulevard	C1	Severance Cir. & Sumac St.
Prentiss Boulevard	B2	Sumac St. & Severance Cir.
Sedge Way	D2	Market St. & Juni Path
Severance Circle	A3	Taylor Rd. & Mayfield Rd.
Staunton Road Ext.	C1	Medical Ctr. Way & Severance Cir.
Staunton Road Ext.	D3	Staunton Rd. & Medical Ctr. Way
Sumac Street	C2	Severance Cir. & Podis Blvd.
Sumac Street	C3	Podis Blvd. & Severance Cir.
Vervain Street	C2	Severance Cir. & Prentiss Blvd.
Vervain Street	C1	Prentiss Blvd. & Podis Blvd.
Vervain Street	D1	Podis Blvd. & Severance Cir.

Table of Path Names and Types		
Street Name	Street Type	Between
Aria Mews	P1	Severance Cir. & Dobama Ave.
Bee Balm Way	P1	Severance Cir. & Dobama Ave..
Carriage House Path	P3	Aria Mews & Staunton Road Ext.
Kava Way	P1	Berger Blvd & Podis Blvd.
Kava Way	P2	Podis Blvd. & Hughes St.
Juni Path	P1	Sedge Way & Prentiss Blvd.
Liora Mews	P1	Berger Blvd. & Severance Cir.
Peko Path	P1	Severance Cir. & Market St.
Tavi Way	P2	Meadowsweet St. & Sumac St.

- (1) See section 1149.12A(5) to determine when a Build-to-Zone applies to a Pedestrian Path.

1149.12 STREET AND PUBLIC FRONTAGE STANDARDS

- (1) The combination of the Traveled Way, Public Frontage, and Private Frontage defines the character of the public realm.
- (2) The Street Types are assigned to named streets of the Street Types Table 1149.11D. Street type assignment determines the width of the Traveled Way as well as the width of Public Frontage components to form a control distance from Face of Curb to a Build-To-Line. The Street Type also controls the width of the Public Frontage components as follows: A) the Furnishing Zone, B) the Pedestrian Clearway, and C) the Transition Zone as defined in Section 1149.45. Other controls of the Street Type include permitted Private Frontages, and variations of the Street Wall condition.
- (3) The Private Frontage Type regulates the depth of the Build-To-Zone, minimum Frontage Occupancy, Glazing Requirements, dimensional depth of the visible use of the ground floor, allowable placement of parking, and permitted Private Frontage Edging Elements.

1149.12A STREETS, LANES, AND WAYS STANDARDS

- (1) Street Type Designations
 - (a) District Street Types Table 1149.11D assigns Street Types to all Streets, Access Lanes, and Pedestrian Paths.
 - (b) Through the process of block development and land subdivision or re-subdivision as described in this Chapter, the Applicant shall adhere to street layout and types identified in the Street Types Map 1149.11C(2).
- (2) New Streets
 - (a) Design of Streets, Access Lanes, and Pedestrian Paths
 - [1] A Design Guidelines Manual in Section 1149.4 guides the design of new and reconfigured streets, access lanes, and pedestrian paths. The Zoning Administrator may require the Applicant to comply with any or all provisions of the design manual.
 - (b) New streets shall comply with construction standards as approved by the City's Engineer and shall be offered for dedication to the City of Cleveland Heights.
- (3) Streets Access Standards
 - (a) The Zoning Administrator may require emergency access to a given site. Emergency access shall have a minimum twenty (20) foot width at locations within the site and/or at the side(s) of the site at the grade plane.
 - (b) The Zoning Administrator, in alignment with the layout of Street Types Map 1149.11C(2), may allow flexibility in the design of Streets, Lanes, and Paths to connect to other Streets, Lanes, Paths, Loading Areas, parking lots, and/or parking structures on the Applicant's site and/or to existing access points on adjacent sites.
- (4) Pedestrian Paths
 - (a) For those sites facing a pedestrian path designated as street type P on the Street Types Table 1149.11D, the Applicant shall provide the pedestrian path at the approximate location shown on the Street Types Map 1149.11C(2). At the discretion of the Applicant, a request to establish additional Build-To-Line(s) at a location on a pedestrian path which is acceptable to the Zoning Administrator is allowed. The Zoning Administrator may approve Build-To-Lines along pedestrian path at a location deemed appropriate based on the request.
 - (b) Pedestrian paths with an established Build-To-Line shall provide an access easement which is accessible to public at least sixteen (16) hours a day. A pedestrian path may also be located within a building, or cut through a building, provided that it maintains the intent of the Public and Private Frontage Standards Table 1149.12B.
- (5) Trails
 - (a) Trails are not an applicable Street Type for establishing a Build-To-Line or any form of Private Frontage. No site shall use a Trail as part of its frontage calculations.

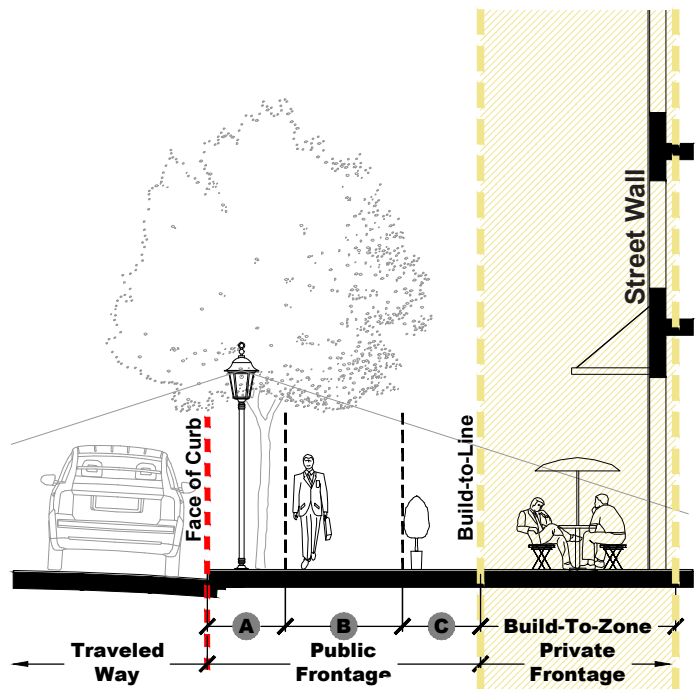
1149.12B PUBLIC AND PRIVATE FRONTAGE STANDARDS TABLE

			Street Type A		Street Type B1		Street Type B2/B3		Street Type B4		Street Type C		Street Type D		Street Type P	
PUBLIC FRONTAGE	Distance from Face of Curb to Build-To-Line		12'-0"		14'-6"		20'-0"		12'-0"		12'-0"		Min. 1'-6"		Min. 14'-0"	
	Furnishing Zone		4'-0"		2'-6"		10'-0"		2'-0"		3'-0"		3'-0" (When Used)		Not Applicable	
	Pedestrian Clearway		6'-0"		10'-0"		6'-0"		8'-0"		6'-0"		5'-0" (When Used)		Min. 8'-0"	
	Transition Zone		2'-0"		2'-0"		4'-0"		2'-0"		3'-0"		1'-6"		Min. 3'-0"	
			Street Type A		Street Type B1		Street Type B2/B3		Street Type B4		Street Type C		Street Type D		Street Type P	
PRIVATE FRONTAGE	Private Frontage Types	Min. Clear Glazing Area Required	Build-To-Zone (BTZ) Width	Min Frontage Occupancy	Build-To-Zone (BTZ) Width	Min Frontage Occupancy	Build-To-Zone (BTZ) Width	Min Frontage Occupancy	Build-To-Zone (BTZ) Width	Min Frontage Occupancy	Build-To-Zone (BTZ) Width	Min Frontage Occupancy	Build-To-Zone (BTZ) Width	Min Frontage Occupancy	Build-To-Zone (BTZ) Width	Min Frontage Occupancy
	Storefront ¹ (PF-1)	75% ³	5'-0"	80%	5'-0"	80%	5'-0"	80%	5'-0"	80%	12'-0"	80%	5'-0"	80%	5'-0"	80%
	Arcade ¹ (PF-2)	65% ³	12'-0" ²	80%	12'-0" ²	80%	X	X	X	X	X	X	X	X	12'-0" ²	80%
	Urban (PF-3)	50% ³	5'-0"	90%	5'-0"	90%	X	X	X	X	X	X	5'-0"	90%	5'-0"	90%
	Stoop (PF-4)	40% ⁴	10'-0"	70%	X	X	X	X	X	X	12'-0"	70%	12'-0"	70%	8'-0"	70%
	Porch (PF-5)	25% ⁴	X	X	X	X	8'-0"	60%	8'-0"	60%	12'-0"	70%	12'-0"	60%	12'-0"	60%
	Lightwell (PF-6)	25% ⁴	X	X	X	X	8'-0"	70%	8'-0"	70%	12'-0"	70%	12'-0"	70%	12'-0"	70%
	Forecourt (PF-7)	25% ⁴	18'-0"	70%	8'-0"	80%	8'-0"	70%	8'-0"	70%	18'-0"	70%	18'-0"	70%	18'-0"	70%
	Terrace (PF-8)	25% ⁴	18'-0"	70%	8'-0"	80%	8'-0"	70%	8'-0"	70%	18'-0"	70%	18'-0"	70%	18'-0"	70%
	¹ Frontages on the District Standards Map 1149.11B(5) designated as "Retail or Office Required", must use either a Storefront or Arcade Private Frontage Type.															
² Provided that the structural columns remain within property line and outside of the Furnishing Zone.																
³ Minimum clear glazing area measurements are taken for the area between two (2) feet and eight (8) feet above the sidewalk.																
⁴ Minimum clear glazing area required between the first floor slab and underside of the second floor slab.																
X - Frontage Not Permitted																
			Street Type A		Street Type B1		Street Type B2/B3		Street Type B4		Street Type C		Street Type D		Street Type P	
Stepback Required at five (5) stories in SO-1 and stepback required at four (4) stories in SO-2 per Section 1149.21B(2)			Above Street Wall Setback 12'-0"		Above Street Wall Setback 8'-0"		Above Street Wall Setback 8'-0"		Above Street Wall Setback 8'-0"		Above Street Wall Setback 8'-0"		Not Applicable		Not Applicable	

1149.12C PUBLIC FRONTAGE**(1) Public Frontage Standards**

- (a) The design, rehabilitation and construction of public frontages within the public right-of-way, including curbs, shall be the responsibility of the applicant, according to the standards established in Chapter 1149. The applicant is responsible for obtaining approval of such improvements from all agencies with jurisdiction over the public right-of-way.
- (b) All Sites shall provide Public Frontages along streets, access lanes, and where applicable, pedestrian paths.
- (c) No building or portion thereof shall be located within the Public Frontage, except as provided in Section 1149.25B Projections and Encroachments. The Zoning Administrator may modify these minimum standards to address existing or proposed conditions where:
 - [1] Existing buildings are closer than the required Build-To-Line
 - [2] Pedestrian demand (or lack thereof) for a narrower Pedestrian Clearway is demonstrated and mitigated.
 - [3] The Furnishing Zone requires additional space for transit facilities.
- (d) To qualify for development using the provisions of Chapter 1149, all sites shall meet the minimum Site Area and Site Frontage requirements as defined in "Development Standards" Section 1149.21B(2) and comply with the Build-To-Line standards in Section 1149.12D and Build-To-Zone requirements in the Public and Private Frontages Table 1149.12B.
- (e) All Public Frontages contain some combination of A) Furnishing Zone, B) Pedestrian Clearway Zone and C) Transition Zone according to the minimum dimensions established in Table 1149.12B. for the designated Street Type and selected Public Frontage.
 - [1] The Furnishing Zone establishes an area for the placement of parking meters, street signage, street lighting, bike racks, refuse receptacles, street trees and bio-retention areas, transit stop waiting, seating furniture, or similar items. (See Section 1149.45A for more details)

- [2] The Pedestrian Clearway establishes an area for the clear passage of pedestrians. (See Section 1149.45B for more details)
- [3] The Transition Zone establishes an area for placement of building fixtures (lighting, signage, projected architectural molding etc.), grade transitions, removable planters, signage boards, seating furniture, extended outdoor dining, landscaped areas or similar items while it also serves as an extended entrance and storefront interaction area. (See Section 1149.45C for more details)

1149.12C(1)(g) PUBLIC FRONTAGE DIAGRAM

Note: The Public and Private Frontage Standards Table 1149.12B establishes dimensional requirements of frontages based on the location of the "Face of Curb" (Shown in diagram above). More detailed guidance on the components of public frontage are provided in the Section 1149.45 Public Frontage Design Standards.

1149.12D BUILD-TO-LINE

- (1) Build-To-Line Standards
 - (a) The Build-To-Line shall be set parallel to the face of a curb for a distance regulated by the Public Frontage and Private Frontage Standards Table 1149.12B. See Site Layout Diagram 1149.46B for reference of the location of the Build-to-Line.
 - (b) All existing and new streets within the Severance Overlay Zone require a Build-To-Line to be designated.
 - (c) Where an existing building is closer to the street than the designated Build-To-Line, the Zoning Administrator has the authority to establish an alternate Build-To-Line at a location to allow the existing Street Wall to remain within the Build-To-Line.
 - (d) Where the required Build-To-Line as identified herein would be located within the public street right-of-way, the applicant shall attempt to reconcile the Right-of-Way to the default Build-To-Line location of a Street Type. If reconciliation of the lot line to is not feasible, the applicant shall seek approval from the Planning Commission for the Build-to-Line to be placed at the existing lot line(s).
 - (e) Where a Pedestrian Path is provided according to the Street Types Map 1149.11C(2), the Zoning Administrator may permit the Build-To-Line to be placed at alternate locations based on the demonstrated merit of the applicant's requested alternate location.
 - (f) Where irregular lot line and face of curb conditions exist (such as inside corners of a lot or sidewalk bump outs), the applicant shall present a plan which uses best efforts to carry the Build-to-Line in the location of normal conditions. See Corner Diagram 1149.46F or additional details and design guidance.

1149.13 CIVIC SPACE STANDARDS

- A. **Applicability:** Civic space standards apply to developments that:
- (1) Choose to develop civic space on an approved development site in compliance with the standards of Chapter 1149 in order to achieve greater flexibility in the placement of buildings or;
 - (2) Are required to develop a civic space where designated on the District Standards Map 1149.11B(5).
- B. **Minimum Civic Space Standards**
- To qualify for approval by the Zoning Administrator as a civic space during the site plan review process, the space shall:
- (1) Provide public access at least sixteen (16) hours per day.
 - (2) Be located at the ground level or within one floor of the ground level and provide clear visual connections for ease of pedestrian access the civic space.
- C. **Maintenance**
- (1) Privately-Owned civic space shall be maintained by its owner or a private entity such as a property owners association.
 - (2) Publicly-Owned civic space shall be maintained by its public owner or a contracted entity such as a municipal improvement district or business improvement district as approved by the applicable government agency.
- D. **Civic Space Programming, Placement and Design Criteria**
- (1) The following programming and design considerations, among others, shall be evaluated by the Zoning Administrator in the course of site plan and/or subdivision approval to determine the acceptable location and use for civic space:
 - (a) Solar orientation of civic space
 - (b) Amenities such as water features, public bathrooms, kiosks, drinking fountains, play & entertainment
 - (c) Facilities for the use, retention, recharging, and/or display of rainwater
 - (d) Projected public access and likelihood of use
 - (e) Seasonal programming of the space
 - (f) Intensity of adjacent private frontage(s)
 - (2) The Planning Commission shall consider the following criteria during its site plan review process to determine whether the civic space design is acceptable:
 - (a) All civic spaces shall provide pedestrian access from a street, access lane, or pedestrian path. Access to a civic space must be open to the public at least sixteen (16) hours per day.
 - (b) A civic space must provide active or passive uses designed to bring regular pedestrian, civic and/or commercial activity to the space.
 - (c) Where a civic space is proposed on a development site adjacent to an existing building not controlled by the Applicant, the Applicant shall provide Edging Elements as defined in Section 1149.29 and landscaping to buffer any adjacent areas of blank walls or service uses.
 - (d) A civic space may include one-story buildings and temporary structures provided that they are designed to activate the civic use of the space. Such structures should provide public access or be used for the maintenance, storage, or operation of facilities available for public use.
 - (3) **Civic Space Frontage Occupancy**
 - (a) Civic spaces shall be mapped and measured on the site plan. Mapping of civic space shall include the designation of the Build-To-Zone with a total linear length along the edges of the proposed civic space excluding the length of the edge along any street, access lane, or pedestrian path.
 - (b) Civic spaces shall provide a minimum sixty percent (60%) civic space frontage occupancy, unless the Zoning Administrator determines that a lower standard is permitted. Civic space frontage occupancy shall be calculated by measuring the length of the Street Wall in the civic space Build-To-Zone divided by the length of the civic space abutting the development site.
 - (4) New buildings contiguous to a civic space shall provide Build-To-Zone(s) and Street Wall(s) as required by the Street Type designated on the nearest Street on the District Standards Map 1149.11B(5).

1149.13E PERMITTED CIVIC SPACE TYPES

- (1) To qualify for designation as a civic space each proposed civic space shall comply with the intent of one of the permitted civic space types defined in the Civic Space Design Standards in Section 1149.47 and fulfill the requirements associated with the civic space type used.

1149.13F CIVIC SPACE REQUIREMENT AND FEE-IN-LIEU

- (1) General Requirement. Each development site within the Severance Overlay Zone shall provide Civic Space equal to ten percent (10%) of the total site area. All Civic Space shall be designed, constructed, and programmed in accordance with the design, access, and performance standards established in Section 1149.47 (Civic Space Design Standards).
- (2) Adjacency to Designated Civic Spaces. If a development site is contiguous to or directly across a street from an existing or planned Civic Space designated on the Regulating Plan 1149.11B(5), the applicant shall not be required to provide a separate on-site Civic Space. Instead, the applicant shall contribute the equivalent area or improvement value of the required Civic Space to the design, enhancement, or maintenance of the designated Civic Space, as determined by the Zoning Administrator. Such contribution shall be in a form acceptable to the Zoning Administrator, which may include funding of physical improvements, landscaping, or furnishings within the designated Civic Space; or other equivalent enhancements approved by the Zoning Administrator.
- (3) Fee-in-Lieu Option.
 - (a) The Fee-in-Lieu of Civic Space shall be thirty-five dollars (\$35) per square foot of the required Civic Space area that is not provided on-site or through an adjacency contribution under Section 1149.13F(2).
 - (b) Buy-out allowances by site size shall be as follows:
 - Sites under fifteen thousand (15,000) square feet: may buy out up to 100% of required Civic Space.
 - Sites between fifteen thousand (15,000) and one-hundred thousand (100,000) square feet: may buy out up to fifty percent (50%) and must provide at least fifty percent (50%) on-site or by adjacency contribution.
 - Sites over one-hundred thousand (100,000) square feet: may buy out up to fifty percent (50%) of the first hundred thousand (100,000) square feet of Civic Space obligation, and up to one-hundred percent (100%) for the increment of area exceeding one-hundred thousand (100,000) square feet.
- (4) Affordable Housing Projects. Projects qualifying as Affordable Housing Developments under a recognized public or non-profit funding program (such as OHFA, HUD, or LIHTC) shall be exempt from the Civic Space requirement if they demonstrate to the Zoning Administrator's satisfaction that they are providing on-site amenities, community-serving facilities, or outdoor programs that fulfill the intent of Civic Space as part of their financing or programmatic obligations and are not required to follow the design, access, and performance standards established by the Civic Space Design Standards in Section 1149.47.
- (5) Private Open Space Credit. Applicants may reduce their required Civic Space area by up to twenty-five percent (25%) if the development provides private open space for residents, tenants, or occupants equal to or greater in area than the requested reduction.
- (6) Use of Fee-in-Lieu Revenues. All Civic Space fees and adjacency contributions shall be deposited into a dedicated Severance Public Realm Improvement Fund and expended solely for the acquisition, design, improvement, or maintenance of publicly accessible civic spaces, greenways, plazas, or recreational facilities within the Severance Overlay Zone.
- (7) Administration. The Zoning Administrator shall maintain and publish the current Civic Space fee rate, subject to annual adjustment based on the Consumer Price Index (CPI) or other approved construction cost index. Fees shall be paid prior to issuance of a Building Permit.

CHAPTER 1149.2 USES AND DEVELOPMENT STANDARDS

1149.21 PERMITTED USES BY DISTRICT

- (1) The schedule of uses permitted within the districts is shown in 1149.21A, Table of Permitted Uses. Uses are listed as Permitted (P), Allowed by Conditional Use (CU), Accessory (A), or Not Allowed (X).
- (2) Allowance of uses similar to those found in 1149.21A, Table of Permitted Uses, shall be determined and approved by the zoning administrator.
- (3) The procedures of a minor amendment to a site plan, as defined in Section 1149.3 "Administration", shall also apply to a change of use for sites built under Chapter 1149.

1149.21A TABLE OF PERMITTED USES

MIXED USE ⁽¹⁾	SO-1/SO-2	SO-3
Mixed Use (A mix of uses is allowed according to the respective permissions of each use listed in the corresponding district of this table)		
RETAIL	SO-1/SO-2	SO-3
Retail	P	CU
Restaurant	P	CU
Wholesale	CU	X
OFFICE	SO-1/SO-2	SO-3
Office	P	CU
Medical Office	P	CU
Research & Development	P	X
Professional Service	P	A
RESIDENTIAL ⁽¹⁾	SO-1/SO-2	SO-3
Multifamily Dwelling	P	X
Senior Housing	P	P
Dormitory	A	X
Residential Care Facility	CU	CU
Nursing / Assisted Living	P	X
Townhouse	P	CU
Live-Work	A	P
Cottage Courts	X	P
ARTS & CULTURE	SO-1/SO-2	SO-3
Theater / Cinema	P	CU
Museum	P	P
Art Gallery	P	P
Indoor Amusement	P	X
Catering Hall / Event Space	P	X
Micro-brewery	A	CU
HOSPITALITY ⁽¹⁾	SO-1/SO-2	SO-3
Hotel	P	X
Inn / Bed & Breakfast	P	CU
INSTITUTIONAL	SO-1/SO-2	SO-3
Religious / Charity	CU	X
Healthcare / Hospital	P	X
Government	P	CU
Library	P	CU
Community Facility	P	CU
Indoor Recreation	P	X
Education	P	P
LIGHT INDUSTRIAL	SO-1/SO-2	SO-3
Artisan Production	P	CU
Data Information Center	P	X
Urban Agriculture	P	A
Small-Scale Renewable Energy	A	A
PARKING	SO-1/SO-2	SO-3
Parking Enclosed	P	A
Parking Open	A	A
UTILITIES	SO-1/SO-2	SO-3
Utilities	CU	CU

- P Permitted
 CU Allowed by Conditional Use approval by the Zoning Administrator
 A Accessory to a Permitted Principal Use
 (1) Suites associated with Hospitality Uses and bedrooms associated Residential Uses are prohibited within the Build-to-Zone on the first floor of Storefront Frontages and Arcade Frontages. The common areas of Residential and Hospitality Uses such as lobbies, gyms and similar spaces servicing, or accessory, to the primary use may occupy the ground floor of a Storefront Frontage or Arcade Frontage in compliance with the Public and Private Frontage Standards Table 1149.12B.

1149.21B PROGRAM THRESHOLDS

- (1) Intent. The following development thresholds establish the maximum total development capacity permitted within the Severance Overlay Zone. These thresholds are coordinated with the permitted use categories identified in Section 1149.21A.
- (2) Residential Thresholds. Residential development within the SOZ shall be governed by the cumulative unit thresholds set forth below. All other non-residential uses may be developed in any sequence, provided total development remains within the overall allowable caps established in Severance Overlay Zone Development Limits Table 1149.21B(3).

1149.21B(3) SEVERANCE OVERLAY ZONE DEVELOPMENT LIMITS TABLE

Use Category	Threshold 1	Threshold 2	Threshold 3	Total Allowed
Residential (Units)	850	1,000	650	2,500 units
Retail / Restaurant / Entertainment	—	—	—	175,000 sf
Office / Professional / Medical	—	—	—	85,000 sf
Hotel / Hospitality	—	—	—	250 rooms
Arts & Culture	—	—	—	50,000 sf
Institutional / Civic / Educational	—	—	—	75,000 sf
Light Industrial / Artisan Production	—	—	—	50,000 sf

- (4) Tracking and Reporting. The Zoning Administrator shall maintain a cumulative record of approved and constructed residential units and non-residential floor area by category. No additional site plan approvals shall be issued once a category reaches its total allowable cap without an amendment to this Chapter pursuant to Section 1149.34.

1149.22 SITE DEVELOPMENT STANDARDS AND INCENTIVES

- A. Sites may qualify for the provisions of this article by meeting the site frontage and site area minimum requirements of one of the three development standards established in Section 1149.22B(2). The building height requirements listed in Section 1149.22B(2) under each development standard shall apply to those sites meeting the minimum requirements thereof.

1149.22B(2) DEVELOPMENT STANDARDS FOR THE SEVERANCE OVERLAY ZONE DISTRICTS

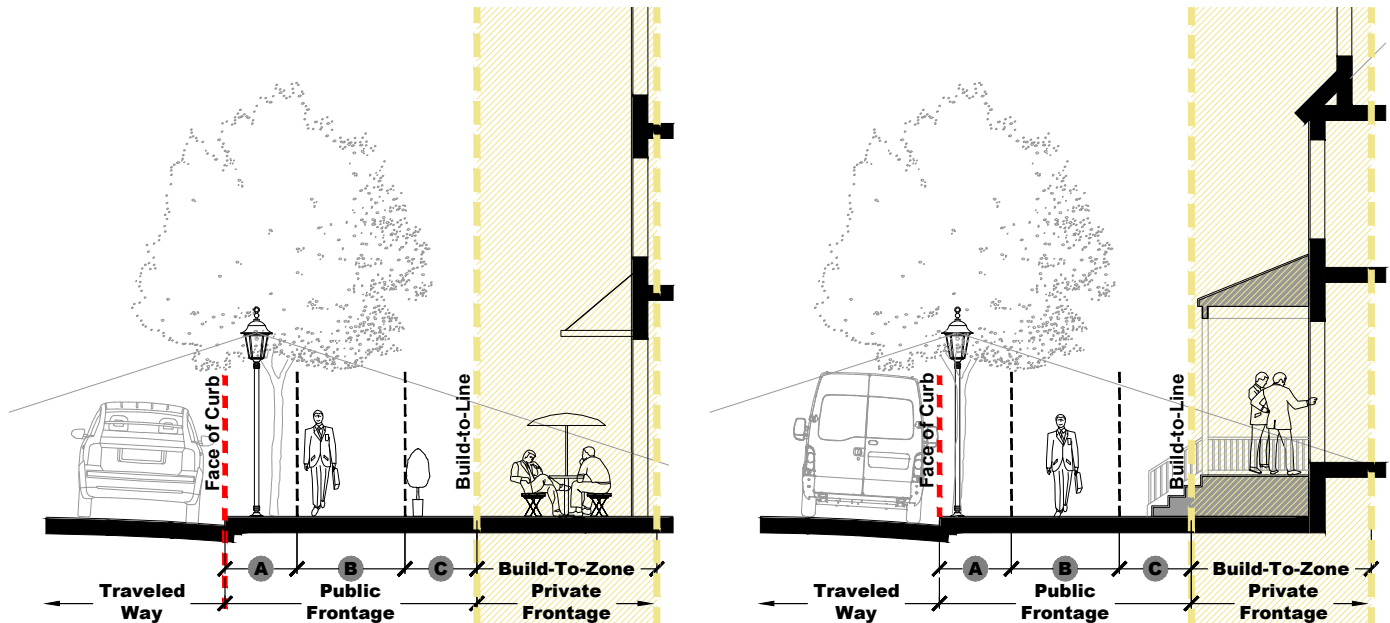
		Development Standard 1	Development Standard 2	Development Standard 3
		Site Size, Frontage, and Height Requirements		
Total Site Frontage Min.¹	ALL DISTRICTS	50 feet	100 feet	150 feet
Site Area Min.	ALL DISTRICTS	5,000 SF	10,000 SF	30,000 SF
Building Height.²	SO-1	2 stories min 5 stories / 62ft max elevation	3 stories min 6 stories / 75ft max elevation	4 stories min 8 stories / 96ft max elevation
	SO-2	2 stories min 4 stories / 50ft max elevation	2 stories min 5 stories / 62ft max elevation	3 stories min 6 stories / 75ft max elevation
	SO-3	1 story min 2 stories / 35ft max elevation	1 story min 2 stories / 35ft max elevation	1 story min 2 stories / 35ft max elevation
Street Wall Height & Stepback	ALL DISTRICTS	Street Wall Height Max. of five (5) Stories for the SO-1 District, Max. of four (4) Stories for the SO-2 District. Minimum Stepback depth of twelve (12) feet from the Street Wall on Street Types A and Stepback of eight (8) on other Street Types.		
Parking	ALL DISTRICTS	Standards & Placement - See Section 1149.26A - Parking Standards and Placement		
District Buffer Area	ALL DISTRICTS	Other than Street Typologies, no development of any kind is allowed within the Buffer Area as shown in the District Standards Map 1149.11B(5).		

¹ Total sum of all Site Frontages facing Streets, including those Site Frontages along Pedestrian Paths with a Build-To-Line.

² See Section 1149.25 for Building Height Standards, exceptions and permitted Projections and Encroachments.

1149.22C AFFORDABLE HOUSING REQUIREMENT

- (1) Applicability. All residential development approved within the Severance Overlay Zone shall include Affordable Housing Units as defined in this section. The affordable housing requirements established herein shall apply in proportion to the residential development thresholds established in Section 1149.21B.
- (2) Requirement by Threshold. For each successive residential threshold, a minimum of twenty percent (20%) of the total dwelling units included within that threshold shall be reserved as Affordable Housing Units. For reference, the cumulative requirements are shown below:
- | Unit Threshold | Total Units | Affordable Units |
|----------------|--------------------|------------------------|
| Threshold 1 | 850 units | 170 units |
| Threshold 2 | 1,000 units | 200 units |
| Threshold 3 | 650 units | 130 units |
| Total | 2,500 units | 500 units (20%) |
- (3) Sequencing of Approvals. No additional residential development beyond each successive threshold shall receive site plan or building permit approval until the Affordable Housing Units required for all prior thresholds have been completed and made available for occupancy in accordance with this Section.
- (4) Affordability Levels. Affordable Housing Units shall be made available to households earning up to eighty percent (80%) of the Area Median Income (AMI) for Cuyahoga County, as established annually by the U.S. Department of Housing and Urban Development (HUD).
- (5) Duration of Affordability. Each Affordable Housing Unit shall remain affordable for a minimum of thirty (30) years from the date of initial occupancy. A separate affordability covenant or similar instrument shall be executed and recorded only if the applicant cannot demonstrate that the units are already subject to equivalent long-term affordability restrictions through an existing federal, state, or local affordable-housing financing or regulatory agreement.
- (6) Compliance Review. Compliance with this Section shall be verified as part of the Site Plan approval process described in Section 1149.3. No Certificate of Occupancy shall be issued for any portion of residential development associated with a given threshold until the City confirms that the required Affordable Housing Units for that threshold have been completed and are available for occupancy.
- (7) Affordable Housing Unit. A dwelling unit reserved for occupancy by, and affordable to, households with annual incomes up to eighty percent (80%) of the Area Median Income (AMI) for Cuyahoga County, as published annually by the U.S. Department of Housing and Urban Development (HUD) and adopted by the Ohio Housing Finance Agency (OHFA) for income-restricted housing programs pursuant to Chapter 175 of the Ohio Revised Code.
- (8) Area Median Income (AMI). The median household income for the Cleveland–Elyria, OH HUD Metro Fair Market Rent Area, as established annually by the U.S. Department of Housing and Urban Development (HUD) and used by the Ohio Housing Finance Agency (OHFA) to determine program income limits.

1149.23 PRIVATE FRONTAGES**1149.23A(1) PRIVATE FRONTAGE DIAGRAM****1149.23A PRIVATE FRONTAGE STANDARDS****(2) Private Frontage Standards**

(a) All sites shall provide a Private Frontage along each Street and each Pedestrian Path, except:

[1] On Pedestrian Paths, Private Frontages are not required unless a build-to-line has been established by the Zoning Administrator at the request of an Applicant.

[2] Where a site with multiple frontages has provided at least one Private Frontage of a minimum 100 feet in length along the Primary Frontage in compliance with the Frontage Occupancy, the Site's other frontages of less than 55 feet in length are not required to provide a Frontage Occupancy on a Private Frontage.

[3] Where a Site has three Site Frontages, and two of the highest priority Site Frontages comply with its Frontage Occupancy or where a Site has four Site Frontages, and three of the highest priority Site Frontages comply with its Frontage Occupancy, the Zoning Administrator may reduce or remove the Frontage Occupancy requirement for the Site Frontage that is deemed to be the lowest priority.

(b) All buildings shall provide a Principal Entrance on the Primary Frontage.

(3) All Sites shall provide Private Frontages composed of one or more of the permitted Private Frontage Types as defined in Public and Private Frontage Standards in Section 1149.12B. Private Frontage Types are: Storefront, Arcade, Urban, Stoop, Porch, Lightwell, Forecourt, and Terrace Frontages.

(4) Private Frontage Type standards are regulated in the Public and Private Frontage Standards in Section 1149.12B and further clarified below:

(a) Arcade Frontage Standards

[1] A clear distance for pedestrian access between the outer and inner arcade elevations shall be a minimum of 8'

[2] A minimum clear vertical height between sidewalk and the arcade ceiling shall be 10'

(b) Urban Frontage Standards

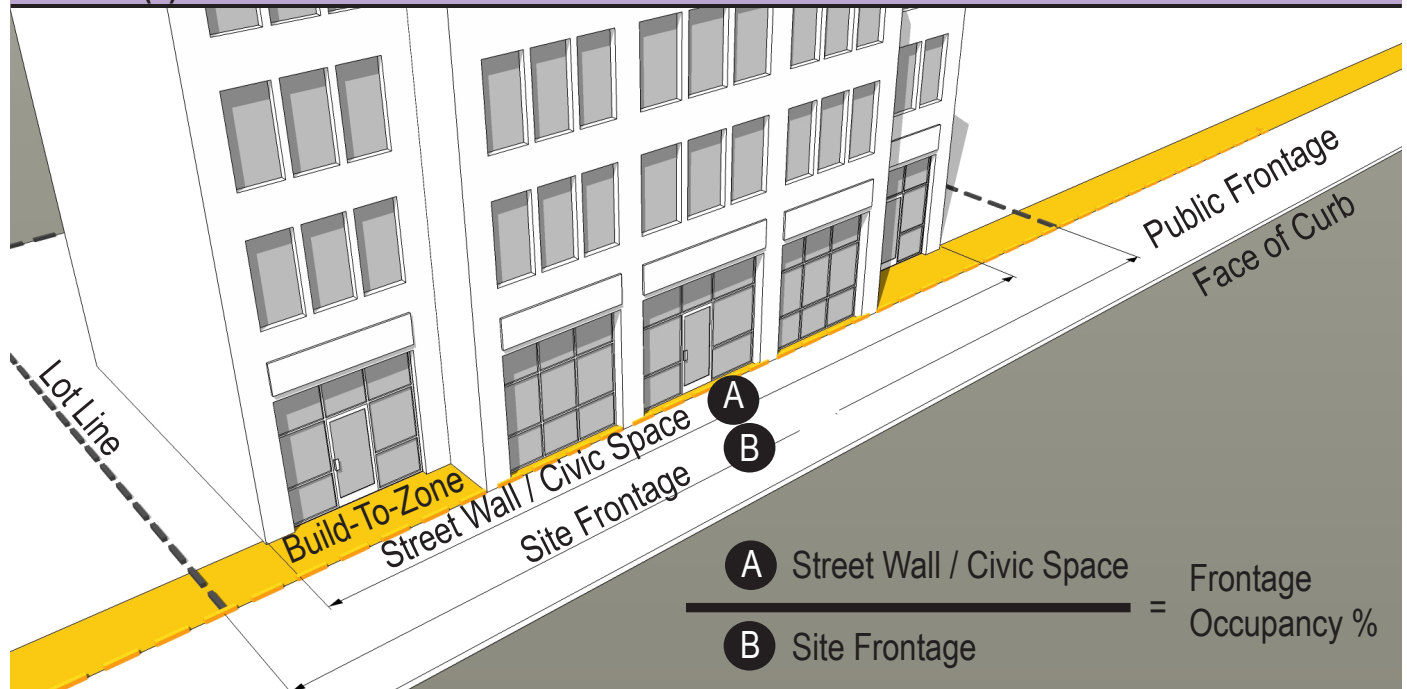
[1] Where a development provides a parking structure facing any Street Type, a minimum of 50% of the street-level, street facing building area located between 2' & 8' above the sidewalk shall provide architectural openings designed to appear as windows, however glass is not required for openings.

1149.23B BUILD-TO-ZONE

- (1) Structural elements of a front building facade, known as a Street Wall, shall be located within the Build-To-Zone if they are to be counted towards the calculation of the Frontage Occupancy.
- (2) To satisfy Frontage Occupancy requirements, the face of the building for the required minimum Street Wall Height and minimum length of the building shall occupy the Build-To-Zone as defined by each Street Type frontage in the Public and Private Frontage Standards in Section 1149.12B. Where a Site complies with the Significant Corner and Terminating Vista standards defined in Sections 1149.49A and 1149.49B, certain portions of the Street Wall shall relieve Step Back requirements defined in Chapter 1149.
- (3) The Build-To-Zone allows building entrance alcoves and expanded sidewalk area for outdoor dining, building facade articulation, inclusion of projected and/or recessed building elements, and building alignment with existing neighboring buildings.

1149.23C FRONTAGE OCCUPANCY

- (1) All developments approved under the Chapter 1149 require buildings to occupy a minimum Frontage Occupancy within the Build-To-Zone as defined by the Public and Private Frontage Standards Table 1149.12B.
- (2) Frontage Occupancy shall be calculated as a percentage by measuring the length of a Street Wall or Civic Space within the Build-To-Zone divided by the length of site frontage.

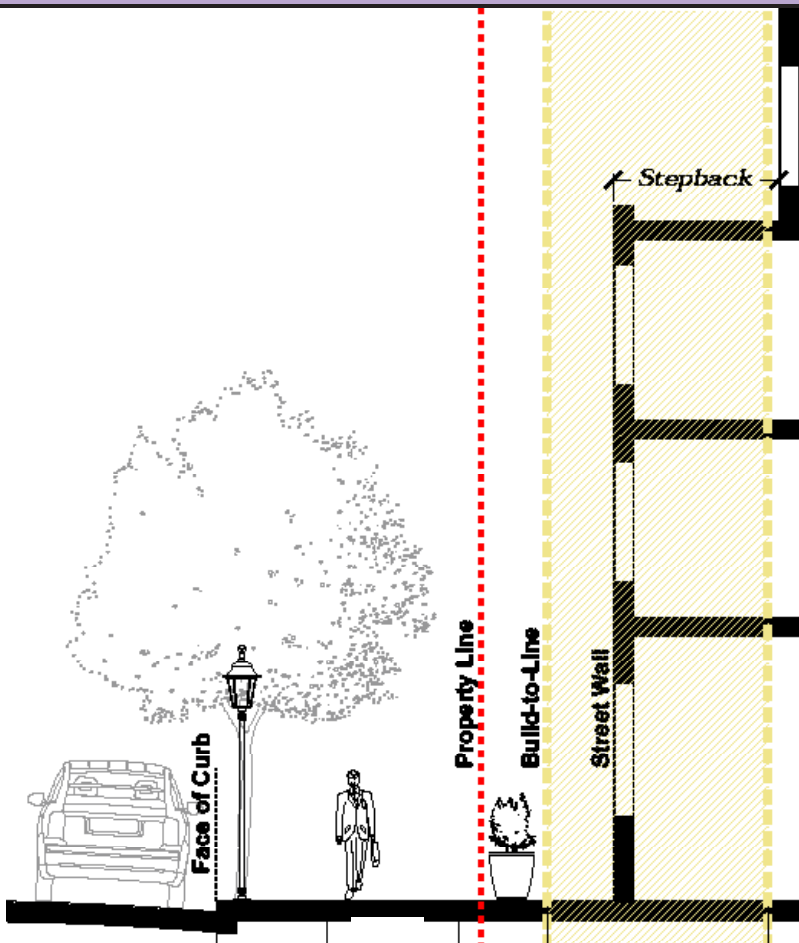
1149.23C(3) BUILD-TO-ZONE AND FRONTAGE OCCUPANCY DIAGRAM

1149.23D STREET WALL

- A. Where a Street Wall is required, it shall comply with the following:
- (a) Minimum Street Wall Height shall be no less than two-stories tall in SO-1 and SO-2 districts.
 - (b) Maximum Street Wall Height shall be no more than 5 stories in the SO-1 district and 4 stories in the SO-2 district. Building stories above the maximum street wall height shall follow the requirements of a Stepback in the building facade as defined in 1149.23E

1149.23E STEPBACK

- A. Those sites with frontages on Street Types A require minimum Stepback depth of twelve (12) feet. All other street types have a Stepback depth of eight (8) feet from the Street Wall.
- B. Where the District Standards Map 1149.11B(5) designates a Significant Corner, the development may qualify for an exemption from the Stepback requirement for up to thirty (30) percent of the Site Frontage, provided they meet the Design Standards in Section 1149.49A.
- C. Where the District Standards Map in 1149.11B(5) designates a Terminating Vista, the development may qualify for an exemption from the Stepback requirement for up to thirty (30) percent of the Site Frontage, provided they meet the Design Standards in Section 1149.49B.
- D. Where the Zoning Administrator determines sites qualify for more than one Stepback exemption, a maximum of sixty (60) percent of the site's frontage can be exempted from the Stepback requirements.

1149.23F STEPBACK DIAGRAM FIGURE

1149.23G ACTIVE EDGE FRONTAGE REQUIREMENTS

- A. All sites designated as having a Retail or Office Requirement or Frequent Entryways Requirement along the edge of blocks shown in the District Standards Map 1149.11B(5), shall comply with this section.
- B. Retail or Office Required: Building frontages in areas where Retail or Office is required on the District Standards Map 1149.11B(5), shall comply with the following standards:
- [1] A development shall provide Retail or Office use for a minimum percentage of the building frontage. Uses are defined in the Table of Permitted Uses 1149.21A.
 - [2] The required minimum percentage of building frontage Retail or Office use occupancy is defined by Street Type as follows:

Street Type A:
Minimum forty percent (40%) of Building Frontage

Street Type B:
Minimum seventy-five percent (75%) of Building Frontage

Street Type C:
Minimum forty percent (40%) of Building Frontage

Street Type D:
Minimum twenty-five percent (25%) of Building Frontage
 - [3] Retail or Office use shall comply with minimum standards of either a Storefront Frontage or an Arcade Frontage as defined in 1149.48A and 1149.48B.
 - [4] Where a building frontage includes a corner along the Build-To-Zone resulting from an intersecting Street or Pedestrian Path, the required Retail or Office use shall extend a minimum of twenty (20) feet along the secondary frontage.
 - [5] The architectural design for the ground floor street level shall provide frequent entryways no further than sixty (60) feet from the end of the building at the Street Wall and the edge of each entryway shall be no greater than (60) feet from a consecutive entryway as measured along the Build-To-Line.
 - [6] Large Retail Occupancy Standard: Where a single ground floor retail occupancy is twenty-thousand (20,000) square feet or greater, the architectural design for the ground floor street level shall provide building entrances no further than one-hundred (100) feet from the end of the building at the Street Wall and the edge of each entryway shall be no greater than one-hundred (100) feet from a consecutive entrance as measured along the Build-To-Line.
- C. Frequent Entryways Required: Building frontages in areas where Frequent Entries are required on the District Standards Map 1149.11B(5), shall comply with the following standards:
- [1] The architectural design for the Building Frontage shall provide building entrances no further than forty (40) feet from the end of the Street Wall and each entryway shall be no greater than forty (40) feet from an adjacent entrances as measured along the Build-To-Line.
 - [3] At Stoop, Porch, Lightwell, Forecourt, and Terrace Private Frontage types the Glazing area percentage shall be determined by measuring the Glazing surface area divided by the surface area of the Street Wall located between the first floor elevation and the underside of the second floor slab.

1149.23H GLAZING REQUIREMENTS

- F. The first story of all Street Walls shall provide a minimum area of window glazing according to standards of Public and Private Frontage Types in Section 1149.12B and as further defined below:
- [1] The window glazing shall be clear, transparent glass unless otherwise approved by the Zoning Administrator.
 - [2] At Storefront, Arcade, and Urban Private Frontage types the Glazing area percentage shall be determined by measuring the surface area of the Glazing divided by the surface area of the Street Wall located between two (2) and eight (8) feet above the elevation of the nearest sidewalk.

1149.24 EDGING ELEMENT STANDARDS

- A. Permitted Edging Elements may be provided within the Build-To-Zone for one-hundred percent (100%) of the Site Frontage except where approved Street Walls, curb cuts, entryways are provided. Edging elements must conform to the requirements of Sections 1149.24A and 1149.24B.

1149.24A TABLE OF PERMITTED EDGING ELEMENTS

Private Frontage Type	Edge Structure	Ornamental Fence	Privacy Fence	Planters	Landscaped Edge
	EE-1	EE-2	EE-3	EE-4	EE-5
PF-1 (Storefront)	P	X	X	P	P
PF-2 (Arcade)	P	X	X	P	P
PF-3 (Urban)	P	P	X	P	P
PF-4 (Stoop)	P	P	X	P	P
PF-5 (Porch)	P	P	X	X	P
PF-6 (Lightwell)	P	P	X	X	X
PF-7 (Forecourt)	P	P	X	P	P
PF-8 (Terrace)	P	P	P	P	P

P = Permitted; X = Prohibited

1149.24B EDGING ELEMENT DESIGN STANDARDS

Edging Element Design Standards are summarized in the table below, and further detailed in the Design Standards Manual in Section 1149.48I

Edging elements	ID	Description	Maximum Height	Prohibited Material
Edge Structure	EE-1	A low masonry wall, platform or stair.	42"	-
Ornamental Fence	EE-2	A semi-transparent fence.	42"	Chain Link
Privacy Fence	EE-3	An opaque fence or wall for screening utility and service areas.	72"	Chain Link
Planters	EE-4	Landscaped planters with spacing of not less than 8' clear.	72"	Plastic
Landscaped Edge	EE-5	A hedge or row of plants and/or flowers.	42"	Plastic

1149.25 ARCHITECTURAL DESIGN STANDARDS

Architectural Design Standards detail the Significant Corners, Terminating Vistas, Finished Floors of Buildings, Horizontal Expression Lines, Building Massings, Building Materials, and Signage in the Architectural Design Standards Manual in Section 1149.49.

1149.25A HEIGHTS

- | | |
|--|--|
| <p>(1) Ground floor uses with Storefront, where required, shall have a minimum clear height of 10 feet.</p> <p>(2) Building height exceptions are permitted in accordance with Section 1510 (Rooftop Structures) of the State Building Code.</p> | <p>(3) Building Height at Stepbacks</p> <p>(a) See Development Standards in Section 1149.21B(2) for maximum building height before a building setback is required.</p> |
|--|--|

1149.25B PROJECTIONS AND ENCROACHMENTS

- | | |
|---|--|
| <p>(1) Building projections shall be permitted to encroach into a front, side, or rear yard setback, and across a Build-To-Line provided that:</p> <p>(a) Structural encroachments shall provide a minimum of fourteen (14) feet of clearance over a public sidewalk or right of way.</p> <p>(b) Architectural encroachments such as cornices or canopies that are not occupied space shall provide a minimum of ten (10) feet of clearance over a public sidewalk or right of way.</p> | <p>(c) Projections shall not be included in the calculation of building footprint or impervious coverage.</p> <p>(d) Signs, awnings, overhangs and similar elements, if determined by the Zoning Administrator to be consistent with the regulations and intent of the frontages, may encroach beyond a Build-To-Line.</p> |
|---|--|

1149.26 PARKING**1149.26A DISTRICT PARKING STANDARDS & PLACEMENT**

- | | |
|--|---|
| <p>(1) Parking, on-street or off-street, in open lots, and/or in enclosed structures, are permitted as accessory to any permitted use.</p> <p>(2) District parking standards are applicable to all uses. Accessory off-street parking spaces, open and/or enclosed, shall be provided for any use specified in the Table of Permitted Uses 1149.21A.</p> <p>(3) District Parking Placement</p> <p>(a) There shall be no open or enclosed parking at the sidewalk level within sixteen (16) feet of the Build-To-Line.</p> <p>(b) On-Street parking spaces along the frontage of a lot, shall count towards satisfying total parking demand for a site.</p> <p>(4) District Standards for, and Placement of, Loading Spaces</p> <p>(a) Loading, on-street or off-street, in open lots, and/or in enclosed structures, are permitted as an accessory use to any permitted use of a site.</p> | <p>(b) Loading spaces may be designed to the dimensions needed to accommodate specific types of vehicles based on the activity and permitted use for which the loading is required.</p> <p>(c) Loading spaces may serve and count towards multiple functions of a site. For instance, a loading space may also double as a marked drop-off space.</p> <p>(d) Loading spaces may have signed use restrictions based on day of the week, time of the day, or hours of operation.</p> <p>(e) On-street spaces marked for the purposes of loading within the frontage of a site, shall count towards meeting loading requirements of a permitted use.</p> |
|--|---|

1149.26B SCHEDULE OF DISTRICT PARKING AND LOADING STANDARDS

RETAIL	PARKING /	LOADING
Retail	1sp/600sf	0sp for 0sf to 4,999sf 1sp for 5,000 to 14,999sf
Restaurant	1sp/400sf	2sp for 15,000 to 29,999sf 3sp for 30,000 to 59,999sf
Wholesale	1sp/2,000sf	1 additional space per +40ksf

OFFICE

Office	1sp/600sf	0 sp up to 4,999sf 1sp for 5,000sf to 24,999sf
Medical Office	1sp/450sf	2sp for 25,000sf to 49,999sf
Research & Development	1sp/400sf	3sp for 50,000sf to 99,999sf
Professional Service	1sp/400sf	4sp for 100,000sf and above

RESIDENTIAL⁽¹⁾

Multifamily	1.00sp/du	1 space per building
Senior Housing	0.50sp/du	Loading space may be used for parking by building maintenance staff vehicle(s).
Dormitory	0.25sp/du	
Residential Care Facilities	0.25sp/du	
Nursing/Assisted Living	0.25sp/du	
Townhouse	1.00sp/du	No Loading Requirements
Live-Work	1.00sp/du	
Cottage Courts	1.00sp/du	

ENTERTAINMENT/ CULTURAL/ ARTS

Entertainment/Cultural/Arts ⁽²⁾	1sp/450sf	0 sp up to 4,999sf 1sp for 5,000sf to 24,999sf
Catering Hall/ Event Space	1sp/450sf	2sp for 25,000sf to 49,999sf 3sp for 50,000sf to 99,999sf
Micro-brewery	1sp/450sf	4sp for 100,000sf and above

HOSPITALITY ⁽¹⁾	PARKING /	LOADING
Hotel	0.8sp/room	1sp/100 rooms
Inn / Bed & Breakfast	0.8sp/room	

INSTITUTIONAL / CIVIC

Religious / Charity	1sp/500sf	1 space per building
Healthcare / Hospital	1sp/500sf	Loading space may be used for parking by building maintenance staff vehicle(s).
Government	1sp/500sf	
Library	1sp/750sf	
Community Facility	1sp/600sf	
Indoor Recreation	1sp/800sf	
Educational Use	1sp/500sf	

LIGHT INDUSTRIAL

Artisan Production	1sp/1,000sf	1 space per building
Data Information Center	1sp/8,000sf	Loading space may be used for parking by building maintenance staff vehicle(s).
Urban Agriculture	1sp/2,000sf	
Small-Scale Renewable Energy	(None)	

Parking Schedule, Units of Measure:

sp	Parking Spaces
sf	Square Feet
ksf	Square Feet (in Thousands)
room	Guest Suites (of Hotels or Inns)
bed	Bedrooms (of Residential Care Facilities)

1149.26C RIDE SHARE PICKUP AND DROP-OFF

- (1) Applicability. A designated Ride Share Pickup and Drop-Off Area shall be provided for any nonresidential or mixed-use building containing forty-thousand (40,000) square feet or more of gross floor area; and any residential or mixed-use building containing eighty (80) or more dwelling units.
- (2) Location and Design. Each required Ride Share Area shall be located on-site or directly adjacent to the development site, positioned to minimize interference with pedestrian, bicycle, and emergency vehicle circulation. The Ride Share Area shall be clearly marked and signed for temporary standing only, with pavement markings and signage indicating "Rideshare Loading Only - 5-Minute Limit."
- (3) Ride Share Areas shall accommodate a minimum of one (1) standard passenger vehicle space and a maximum of two (2) spaces, regardless of total floor area or dwelling units.
- (4) Alternative Compliance. The Zoning Administrator may approve an alternative configuration or shared use of existing loading spaces, on-street parking, or short-term standing zones to satisfy this requirement, provided the applicant demonstrates that:
 - [a] The shared or alternative location will maintain safe pedestrian and vehicular operations; and
 - [b] The Ride Share Area will remain accessible during the building's typical peak arrival and departure periods.

1149.26D DISTRICT PARKING STANDARDS

- (1) Shared use of parking.
 - (a) The total number of parking and loading spaces required for a given site shall be the sum of the requirements for each individual use, except that such total may be reduced in the Severance Overlay Zone by the Planning Commission where the applicant demonstrates that the capacity of the facility will satisfy the purposes of this chapter by reason of variation in the probable time of peak use by residents, visitors, patrons, deliverers and/ or employees as well as use of alternative modes of transportation.
- (2) The applicant may submit a Parking Management Plan by using the standards provided in the most recent edition of Shared Parking published by the Urban Land Institute and/ or other supporting nationally and locally recognized standards to demonstrate to the maximum aggregate parking demand required after calculating for each use of a site. Where two or more uses on the Site (or Off-Site locations) are able to share the same parking spaces because their peak parking demands occur at different times, the same parking spaces may be counted towards the satisfaction of the parking requirements for each use. This calculation of peak demand may be formalized through the approval of a Parking Management Plan by the Planning Commission.

Any Parking Management Plan submitted for approval shall include:

 - (a) The names of the uses that will share the parking.
 - (b) The location and number of parking spaces to be shared.
 - (c) An analysis showing that the peak parking times of the uses occur at different times and that the parking area will be large enough for the anticipated demands of all uses as prepared by a parking consultant or traffic engineer.
 - (d) A legal instrument such as a lease, easement or deed restriction that guarantees the parking will be provided on-site or off-site so long as the associated uses remain, access to the parking for multiple uses according to an approved Parking Management Plan, the time periods under which each use will have rights to count spaces for purposes of the space requirements, and restrictions on the hours of operation of each use, which shall be submitted to the Zoning Administrator for review and approval.
- (3) Approval of Shared Parking: The Planning Commission may grant an application for shared parking associated with a Parking Management Plan if it finds that:
 - (a) The analysis provided presents a realistic projection of parking demands likely to be generated.
 - (b) Peak demand is sufficiently distinct so that the Planning Commission is able to clearly identify a number of spaces for which there will be limited overlap of parking demand.
 - (c) Rights to the use of spaces are clearly identified so as to facilitate enforcement.
- (4) Where applicants can demonstrate that parking space reductions are justified, the minimum number of parking spaces required to be provided by an applicant seeking Site Plan approval, may be reduced. The following parking space reductions from the total requirements may be granted by the Zoning Administrator where an applicant demonstrates such reductions are justified:
 - (a) Non-Reserved Parking: For parking facilities of greater than fifty (50) spaces applicants are eligible for up to a ten percent (10%) parking reduction where all of the residential parking is not reserved or dedicated for individuals or groups. The approval and allowance of such reductions shall be at the discretion of the Zoning Administrator.
 - (b) Attendant and Valet Parking: For parking facilities, or portions of, greater than fifty (50) spaces offering attendant parking facilities operated at least sixteen (16) hours per day, up to a fifteen percent (15%) parking reduction shall be available at the discretion of the Zoning Administrator. Parking facilities, or portions of, designed exclusively for use by attendant parking facilities may be designed to permit tandem parking and other compact formats.
 - (c) Car Share Parking: For facilities, or portions of, with twenty (20) spaces or more, total required parking spaces may be reduced by three (3) conventional parking spaces for every one car share space provided up to a maximum of a fifteen percent (15%) reduction of the total parking required.
 - (d) Maximize Shared Parking The Applicant shall work with the Zoning Administrator to ensure that, to the extent possible, any new parking is available for shared use and/ or public use.

1149.26D DISTRICT PARKING STANDARDS

- (5) After considering all parking reductions permitted above, in no event shall the total required parking be reduced by more than thirty percent (30%) below the base requirements
- (6) Off-Site Parking
 - (a) Off-Site Municipal or Private Parking may be provided within one-thousand (1,000) feet from such site.
 - (b) Up to one-hundred percent (100%) of on-site parking demand may be fulfilled through off-site parking arrangements provided the applicant can demonstrate legal documentation of such parking arrangements to the satisfaction of the Zoning Administrator.
- (7) Mechanical Parking. Applicants seeking to utilize mechanically-assisted and/or automated parking facilities must demonstrate that safety, operational, and dimensional design considerations have been met in order to receive permission to use such assisted facilities as an alternate parking facility type.
- (8) Fee-In-Lieu of Parking
 - (a) The Fee-in-Lieu of parking shall be twenty-thousand (\$20,000) per parking space.
 - (b) The fee-in-lieu payments are a one-time fee, applicable to a specific site plan application. The fee shall be established at site plan approval.
 - (c) The fee-in-lieu payments shall be dedicated to the construction and operation of shared use and/or public use parking facilities. Construction and operation of transit facilities and/or transit service(s) that will reduce the overall demand for parking within the Severance Overlay Zone.
 - (d) The City of Cleveland Heights may accept such fees to replace a portion of the required parking spaces which will not be provided on site, however in no case shall the reduction of parking exceed the standards established in this section.
 - (e) Administration. The Zoning Administrator shall maintain and publish the current Fee-in-Lieu of a Parking Space rate, subject to annual adjustment based on the Consumer Price Index (CPI) or other approved construction cost index. Fees shall be paid prior to issuance of a Building Permit.

CHAPTER 1149.3 ADMINISTRATION**1149.31 SITE PLAN SUBMISSION REQUIREMENTS**

- A. The Planning Commission shall approve or deny a site plan application in accordance with Chapter 1149 and as advised by the zoning administrator.
- B. All applications for site plan approval shall include the following information:
 - (1) Plat, plot plan. Plat, property lines of the parcel or parcels proposed for development including existing utilities, easements, street rights of way, and locations of existing principal buildings and land uses on adjacent parcels and across existing streets, along with permanent parcel numbers of the development and adjacent parcels.
 - (2) Topography. Topographic maps of existing and generally proposed grading contours at not greater than two (2) foot intervals, including integration into and topography on adjacent properties, wooded areas and trees of substantial size. The topography may be included on the plot plan.
 - (3) Principal and accessory buildings. The number, height, location of proposed dwelling units, nonresidential uses, recreational facilities and public uses, along with documentation of compliance with permitted uses.
 - (4) Circulation. The proposed system of circulation, details for access, methods for control, and an assessment of the impact of the proposed development on the existing circulation system.
 - (5) Parking areas. The layout, dimensions and estimate of the number of parking spaces, the landscaping and other design features of the parking area and types of pavement, the loading and unloading areas.
 - (6) Outdoor lighting fixtures. The location, type and illumination intensity of all outdoor lighting fixtures.
 - (7) Signs. Indication of the size, location, color and nature of any existing or proposed signs on the property.
 - (8) Outdoor storage. The location and layout of all outdoor storage including storage of waste materials and trash receptacles.
 - (9) Architectural drawings. Conceptual floor plans demonstrating build-to-zone and occupancy compliance and conceptual elevations of private frontages demonstrating compliance with architectural standards.
 - (10) Phasing, sequencing of project. A detailed statement of the phasing and staging of specific elements of the plan, including a proposed construction sequencing schedule.
 - (11) Utilities. Show proposed location of new utilities and authority to connect these into existing infrastructure. Stormwater must address requirements of Chapter 1335, Stormwater Management.
- C. The Zoning Administrator may waive certain submission requirements that are deemed unnecessary for the review and evaluation of a proposed development.

1149.32 PRELIMINARY APPLICATION PROCESS

- A. Purpose. The preliminary application process is intended to ensure early coordination between the Applicant and the Technical Advisory Committee (TAC) to identify issues related to site layout, street type, public frontage, civic space, and other design and infrastructure considerations prior to formal submission.
- B. First Meeting with Applicant and TAC. A first meeting shall be scheduled at a mutually agreed upon time following the Applicant's request for preliminary review. The Applicant shall provide sufficient conceptual materials to allow TAC members to evaluate the proposal's general conformance with the Severance Overlay Zone.
- C. Second Meeting with Applicant and TAC. A second meeting shall be held within thirty (30) days of the later of:
 - [1] The Applicant's submission of an amended draft application incorporating revisions requested at the first meeting, or
 - [2] The date of the initial TAC meeting, should no revisions be requested.
 - [3] In all cases, the second meeting shall occur no later than six (6) months from the date of the first meeting.
- D. Completion of Preliminary Review. Upon conclusion of the second meeting, or upon written confirmation from the Zoning Administrator that the preliminary review is complete, the Applicant may proceed to Official Plan Submission Review.

1149.33 OFFICIAL PLAN SUBMISSION REVIEW

- A. Official Submission. Following completion of the preliminary review process, the Applicant may submit a formal Site Plan Application to the Planning and Development Department in accordance with Section 1149.31 Site Plan Submission Requirements.
- B. Distribution to Reviewing Bodies. Within twenty (20) days of receipt of a complete application, the Planning and Development Department shall distribute the full submission to the TAC and the Architectural Board of Review (ABR) for review and comment.
- C. Architectural Board of Review Action. The ABR shall provide written comments and recommendations to the Planning Commission within thirty (30) days of receiving the submission from the Planning and Development Department.
- D. Planning Commission Decision. The Planning Commission shall render a decision to approve, approve with procedural conditions, or deny the Site Plan within forty-five (45) days of the later of:
 - (1) The date of receipt of written comments and recommendations from the ABR; or
 - (2) Thirty (30) days following the ABR's receipt of the submission from the Planning and Development Department, if no comments have been received.
- E. Extensions. The Planning Commission may, upon written request from the Applicant, grant a reasonable extension of any deadline under this section, provided such extension does not exceed sixty (60) days in total and does not unreasonably delay concurrent administrative or legislative review processes.

1149.34 SUB-DIVISION AND OWNERSHIP

- A. All or any portion(s) of land area within a district defined by Chapter 1149 may be subdivided either horizontally or vertically for purposes of sale, lease or mortgage, to support financing of component project elements, and/or (to the extent permitted by law) tax lot creation provided that all lots, parcels or development sites so created shall be developed and used in accordance with the site plan, this article, and compliance with the relevant requirements of State and Local Law. All applications for subdivision must be approved by the Planning Commission.
- B. Where a lot is proposed for development under the terms on this article, and where the lot is comprised of multiple parcels of land, the parcels need not be under single ownership, so long as all owners consent to the application. Subsequent to approval of any site plan pursuant to this article, the owner(s) may vertically or horizontally subdivide the site into one or more lots for the purpose of taxation, financing, ownership or other purpose, without meeting bulk and area requirements of this chapter, provided that no development or use within the subsequently created lots will be permitted except as shown on the approved site plan or subsequently approved plan.
- C. A subdivision plat shall be recorded in accordance with the administrative procedures of the City of Cleveland Heights. The authority to approve site plans and subdivisions under the Severance Overlay Zone is vested in the Planning Commission.

1149.35 CHAPTER AMENDMENTS

- A. Chapter 1149 may be amended from time to time in accordance with Title 11. Prior to adopting an amendment, the City Council shall refer such proposed amendment(s) to the Planning Commission and the New Communities Authority (NCA) board (if an NCA is in effect) for comment.
- B. If comments are not received within 30 days of such referral, the City of Cleveland Heights may enact the amendment without receiving such comment. All such amendments shall be consistent with the most current City of Cleveland Heights Master Plan.

1149.36 SITE PLAN AMENDMENTS

- A. Proposed amendments to site plans shall be presented first to the Zoning Administrator, who shall determine whether an additional preliminary application, plan review, and/or approvals by the Planning Commission are required (major amendments) or if an expedited administrative approval by the Zoning Administrator is adequate (minor amendments).
- B. The Zoning Administrator, may establish and adopt criteria for determining the degree of change to a site plan that triggers the need for a new application and full approval process.

1149.37 DURATION OF APPROVALS

- A. All site plans and/or subdivisions approved under the provisions of Chapter 1149 shall remain valid for a period of two years from the date of site plan approval and an applicant shall obtain necessary building permits and other approvals from permitting agencies and commence construction within such time period.
- B. Approvals shall expire after two years unless the applicant can show good cause for its failure to obtain a building permit, in which case an extension of up to one year may be granted by the Planning Commission. If construction is suspended for a period greater than one (1) year, the Planning Commission shall be empowered to notify the applicant and revoke the permit if such construction suspension is not found to be for good cause.
- C. Good Cause for Revocation. A finding by the Planning Commission that circumstances beyond the reasonable control of the Applicant have prevented timely continuation or completion of construction or the obtaining of necessary permits. Such circumstances may include, but are not limited to:
 - (1) Delays in securing financing, permits, or approvals from other governmental or regulatory entities;
 - (2) Supply chain, labor, or material shortages affecting the project's ability to proceed as approved;
 - (3) Acts of God, natural disasters, or other emergency events impacting construction; or
 - (4) Documented revisions to development phasing or partnerships approved or acknowledged by the Zoning Administrator as consistent with the intent of the approved site plan.
 - (5) Delays resulting solely from market speculation, lack of diligence, or changes in ownership shall not constitute good cause.

CHAPTER 1149.4 DESIGN STANDARDS MANUAL

1149.41 INTENT AND PURPOSE

- A. In order to create buildings that contribute to the redevelopment and revitalization of the Severance Town Center as intended by the Recommended Action Plan and based on the input of Cleveland Heights as documented, and to contribute to the long-term sustainability of the districts, streets, frontages, and street wall designs shall be guided by the standards contained in Section 1149.4.
- B. The purpose of Section 1149.4 is to institute legally enforceable regulations pertaining to design elements of the Traveled Way, Public Frontages, and Private Frontages within the defined district(s) of the Severance Overlay Zone. Where guidelines are created, the purpose is to clarify the intent and ensure that the integrity of the Severance Town Center is achieved through visual appeal of the civic realm.
- C. Where terms “may”, “can”, “should”, or their synonyms are used, the intent is to provide guidance to achieve the design intent of this section.

1149.42 STREET TYPE DESIGN STANDARDS

- A. The standards in this section apply to Streets, Access Lanes, and Pedestrian Paths. Where appropriate it can also define features of Pedestrian Trails.
- B. Section 1149.43 is a Table of Permitted (and prohibited) Private Frontages for Street Types A, B, C, and D.
- C. Section 1149.44 is a Table of Permitted (and prohibited) Private Frontages for Path Types P.
- D. Pedestrian Trails are also shown in Table 1149.44 but are not an applicable condition for establishing a Built-To-Line and/or for permitting Private Frontages.
- E. **Drive Lanes**
Are dedicated to the public access and movement of people, goods, and services by vehicle and shall be a minimum width of 9 feet unless approved otherwise by the Planning Commission.
- F. **Access Lanes**
Are dedicated to limited or low frequency access for vehicles, services, egress, emergency response, and/or pedestrian movement to a site and/or across a site.
- G. **Drainage**
All new streets should endeavor to utilize natural drainage or alternate systems as approved by the Planning Commission, provided that they are feasible, provide ecological benefit, and are supported by the Director of Public Works.
- H. **Cul-de-sacs**
Cul-de-sacs and other dead ends shall be prohibited unless a connection to a Pedestrian Path or Pedestrian Trail is provided at the terminus.
- I. **Bicycle Lane**
Where a Bicycle Lane is planned or intended, it will be incorporated into design as recommended by the Director Public Works.
 - (1) Bicycle Lanes shall be striped, signed, and marked.
 - (2) All Shared Lanes shall provide signage and pavement markings.
- J. **Curb, Crosswalks, and Ramps**
 - (1) The effective radii of curbs at intersections of new streets shall be 18 feet on A street types, and 12 feet on the remaining street types. Where needed, larger effective turning radii shall be given for the movement of emergency vehicles along emergency access routes.
 - (2) Curbs can be rolling or flat where alternate drainage systems, including bioswales, are provided.
 - (3) Flat or rolled curbs are allowed as a design feature to accommodate larger effective turn radii as needed.
 - (3) Crosswalks shall be marked.
 - (4) Curb extensions with perpendicular curbs, ramps, and landscaping shall be incorporated at crosswalks where possible.
 - (5) New and reconfigured streets shall meet ADA standards in all areas where feasible.
- K. **Center Medians**
When medians are included in Street Types, they shall be designed in keeping with the dimensions shown for the given street type.

1149.43 TABLE OF PERMITTED PRIVATE FRONTAGES

STREET TYPE / FRONTAGE		PF-1	PF-2	PF-3	PF-4	PF-5	PF-6	PF-7	PF-8
		STOREFRONT	ARCADE	URBAN	STOOP	PORCH	LIGHTWELL	FORECOURT	TERRACE
A	Access/Perimeter	P	P	P	P	X	X	P	P
B1/B4	Boulevards	P	P	P	X	X	X	P	P
B2/B3	Boulevards	P	X	X	X	P	P	P	P
C	Local Streets	P	X	X	P	P	P	P	P
D	Service Lanes	P	X	P	P	P	P	P	P

P = Permitted

X = Prohibited

1149.43A STREET A-1

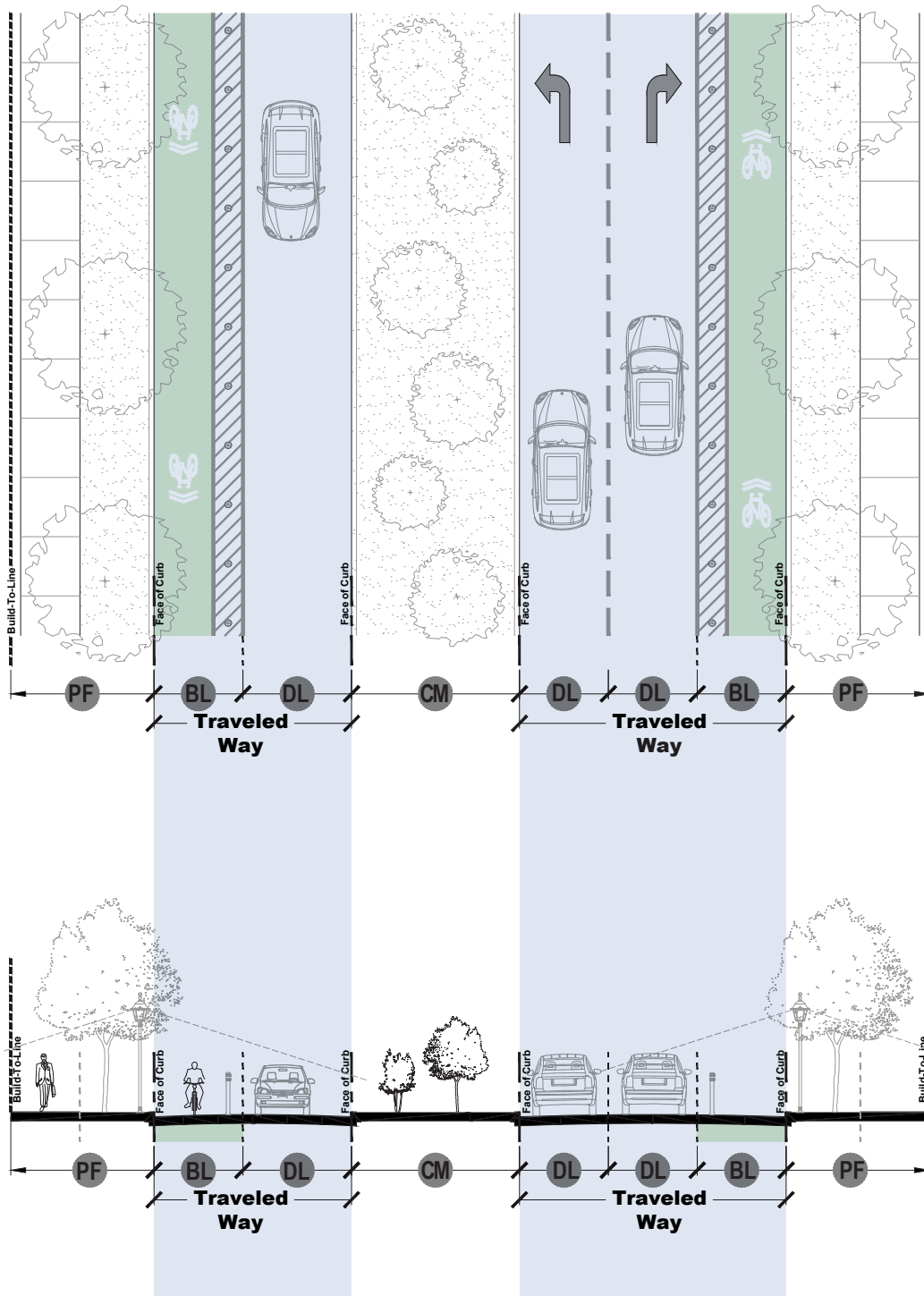
One Lane Inbound / Two Lanes Leading to Signalized
Intersections / Center Median / Protected Bike Lanes
Minimum Required Right-of-Way Width: 93'

Street Section
Elements
Dimensional
Standards

ID	Width
PB	9'-0"
CM	Min. 8'
DL	Min. 9'
PF	14'-6"

LEGEND

AP	ANGLED PARKING
BL	BICYCLE LANE
CM	CENTER MEDIAN
CS	CIVIC SPACE
CT	CYCLE TRACK
DL	DRIVE LANE
LA	ACCESS LANE / PATH
PB	PROTECTED BIKE LANE
PF	PUBLIC FRONTAGE
PM	PARKING MEDIAN
PP	PARALLEL PARKING
SU	SHARED USE SHOULDER
VA	VEGETATED AREA



1149.43B STREET A-2

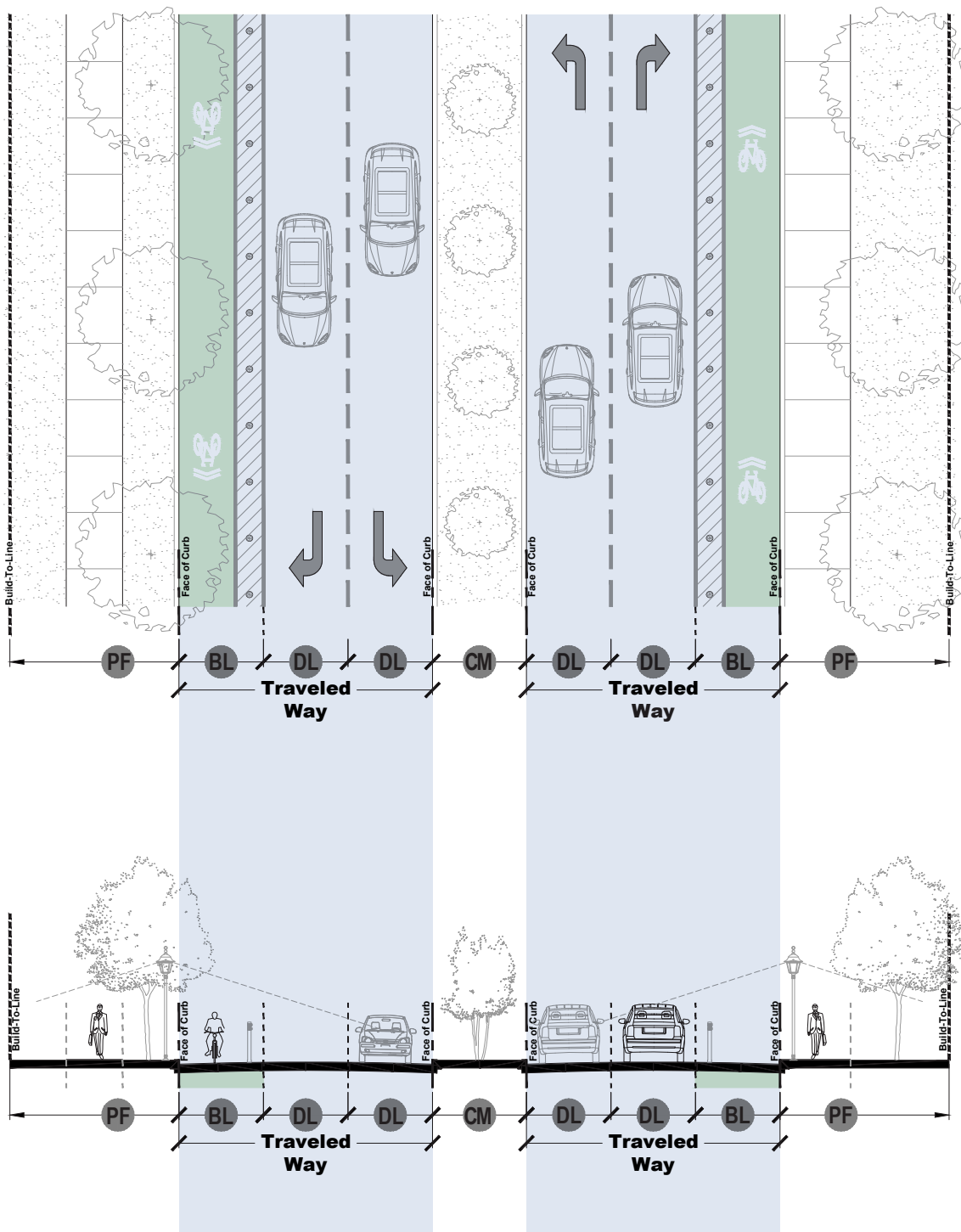
Two Lanes in Each Direction
 Landscaped Center Median / Protected Bike Lanes
 Minimum Required Right-of-Way Width: 100'

Street Section
 Elements
 Dimensional
 Standards

ID	Width
PB	9'-0"
CM	10'-0"
DL	9'-0"
PF	18'-0"

LEGEND

- AP ANGLED PARKING
- BL BICYCLE LANE
- CM CENTER MEDIAN
- CS CIVIC SPACE
- CT CYCLE TRACK
- DL DRIVE LANE
- LA ACCESS LANE / PATH
- PB PROTECTED BIKE LANE
- PF PUBLIC FRONTAGE
- PM PARKING MEDIAN
- PP PARALLEL PARKING
- SU SHARED USE SHOULDER
- VA VEGETATED AREA



1149.43C STREET A-3

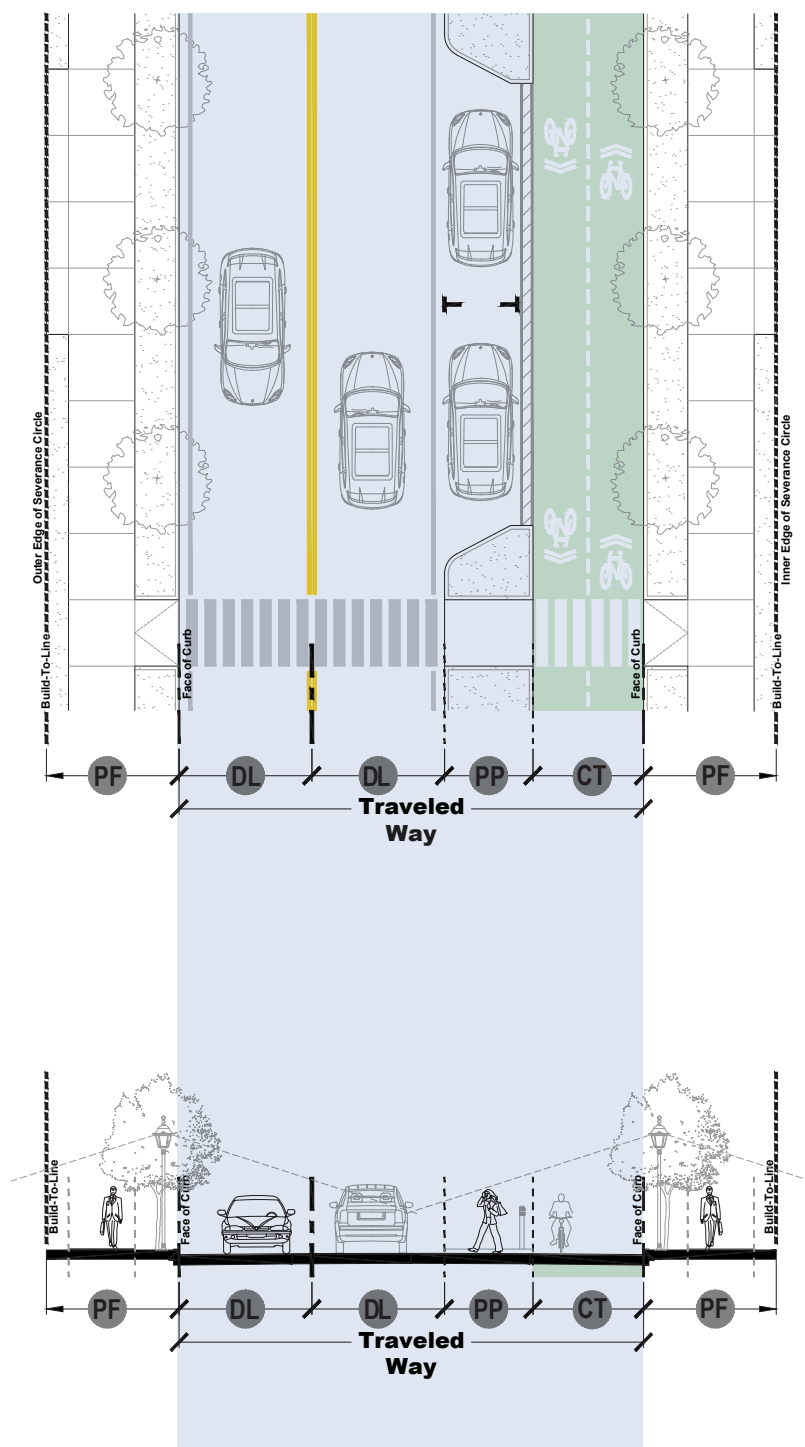
One Lane Each Direction / Parallel Parking
(Alternating with Median) / Cycle Track
Minimum Required Right-of-Way Width: 66'

Street Section
Elements
Dimensional
Standards

ID	Width
CT	10'-0"
PP	8'-0"
DL	12'-0"
PF	12'-0"

LEGEND

AP	ANGLED PARKING
BL	BICYCLE LANE
CM	CENTER MEDIAN
CS	CIVIC SPACE
CT	CYCLE TRACK
DL	DRIVE LANE
LA	ACCESS LANE / PATH
PB	PROTECTED BIKE LANE
PF	PUBLIC FRONTAGE
PM	PARKING MEDIAN
PP	PARALLEL PARKING
SU	SHARED USE SHOULDER
VA	VEGETATED AREA



1149.43D STREET B-1

One Lane Each Direction / Angled Parking

Minimum Required Right-of-Way Width: 96'

Street Section

Elements

Dimensional Standards

Element

Width

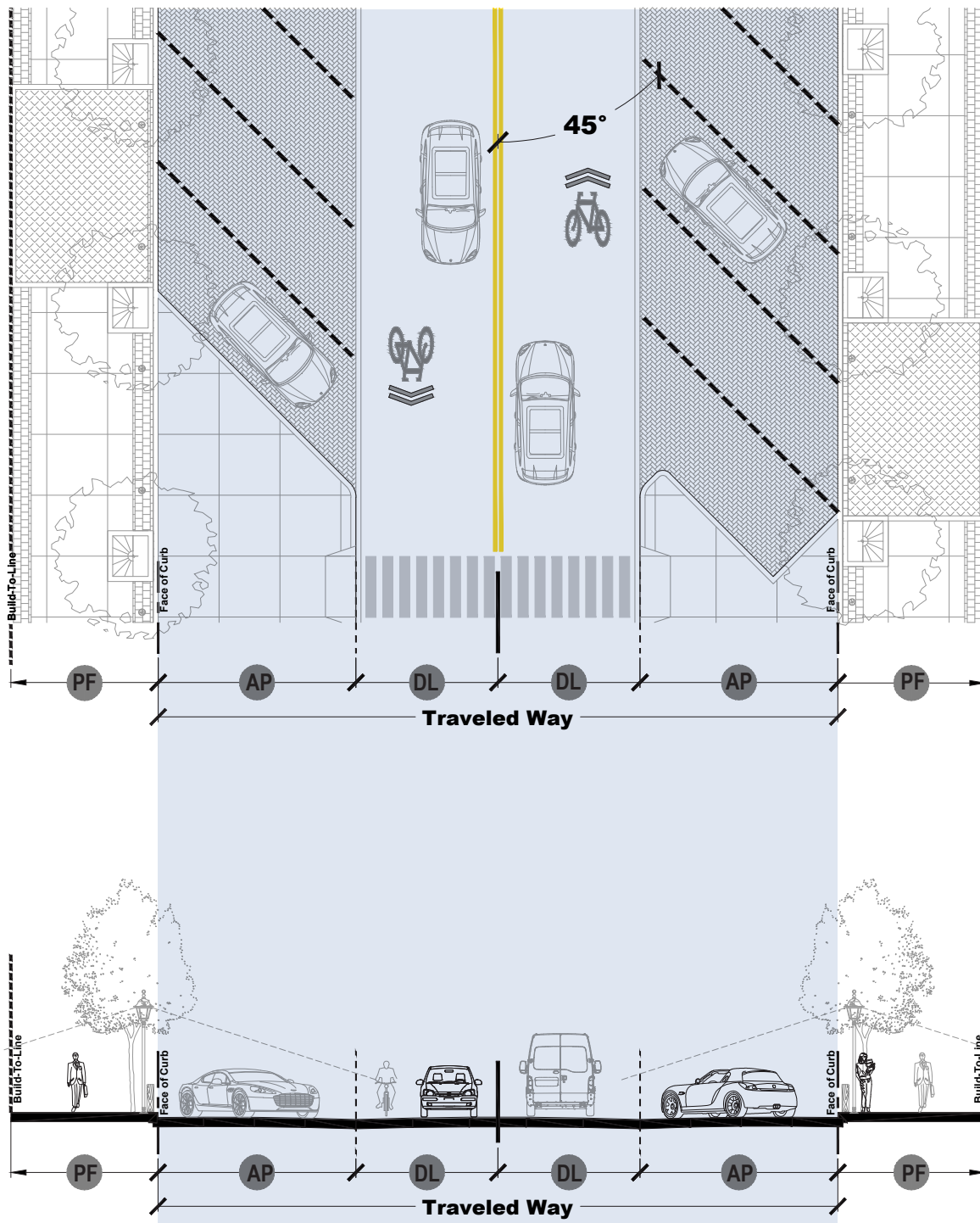
AP - 20'-0"

DL - 14'-0"

PF - 14'-6"

LEGEND

- AP** ANGLED PARKING
- BL** BICYCLE LANE
- CM** CENTER MEDIAN
- CS** CIVIC SPACE
- CT** CYCLE TRACK
- DL** DRIVE LANE
- LA** ACCESS LANE / PATH
- PB** PROTECTED BIKE LANE
- PF** PUBLIC FRONTAGE
- PM** PARKING MEDIAN
- PP** PARALLEL PARKING
- SU** SHARED USE SHOULDER
- VA** VEGETATED AREA



1149.43E STREET B-2

One Lane Each Direction / Protected Bikes Lanes

Minimum Required Right-of-Way Width: 80'

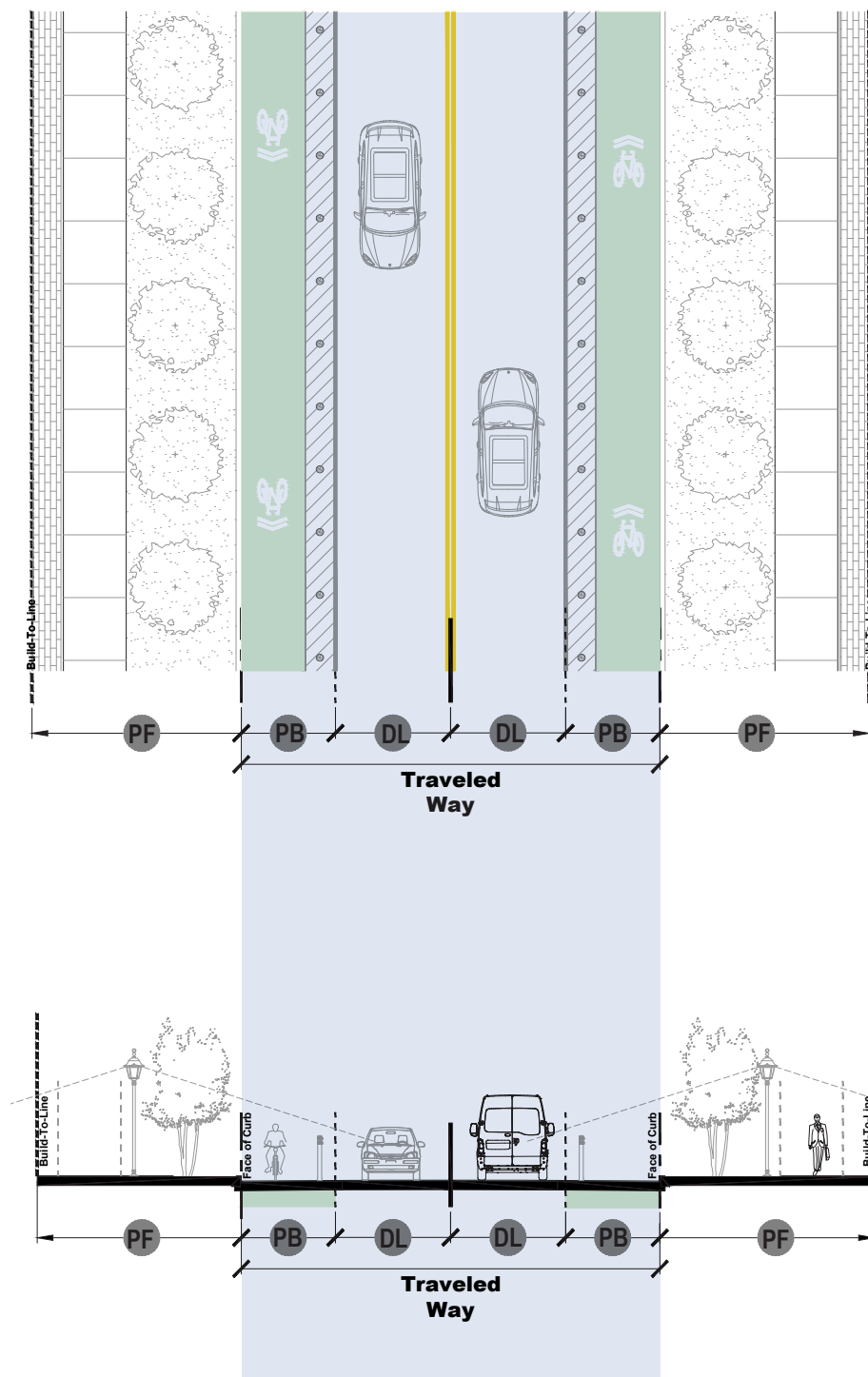
Street Section Elements

Dimensional Standards

ID	Width
PB	9'-0"
DL	11'-0"
PF	20'-0"

LEGEND

- AP** ANGLED PARKING
- BL** BICYCLE LANE
- CM** CENTER MEDIAN
- CS** CIVIC SPACE
- CT** CYCLE TRACK
- DL** DRIVE LANE
- LA** ACCESS LANE / PATH
- PB** PROTECTED BIKE LANE
- PF** PUBLIC FRONTAGE
- PM** PARKING MEDIAN
- PP** PARALLEL PARKING
- SU** SHARED USE SHOULDER
- VA** VEGETATED AREA



1149.43F STREET B-3

One Lane Each Direction / Parallel Parking

Bikes Share the Lane

Minimum Required Right-of-Way Width: 77'

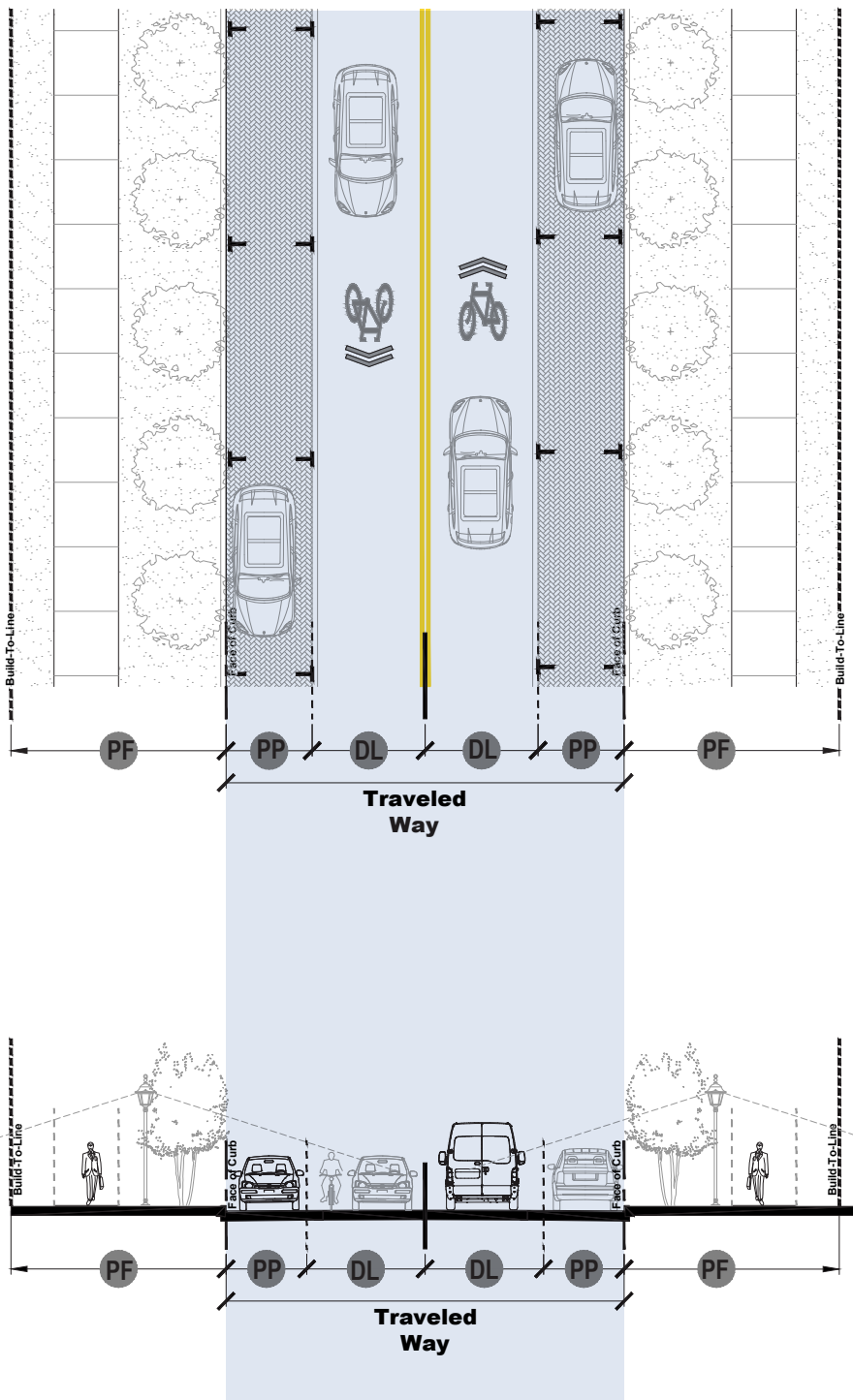
Street Section

Elements

Dimensional

Standards

ID	Width
DL	10'-6"
PP	8'-0"
PF	20'-0"



LEGEND

- AP ANGLED PARKING
- BL BICYCLE LANE
- CM CENTER MEDIAN
- CS CIVIC SPACE
- CT CYCLE TRACK
- DL DRIVE LANE
- LA ACCESS LANE / PATH
- PB PROTECTED BIKE LANE
- PF PUBLIC FRONTAGE
- PM PARKING MEDIAN
- PP PARALLEL PARKING
- SU SHARED USE SHOULDER
- VA VEGETATED AREA

1149.43G STREET B-4

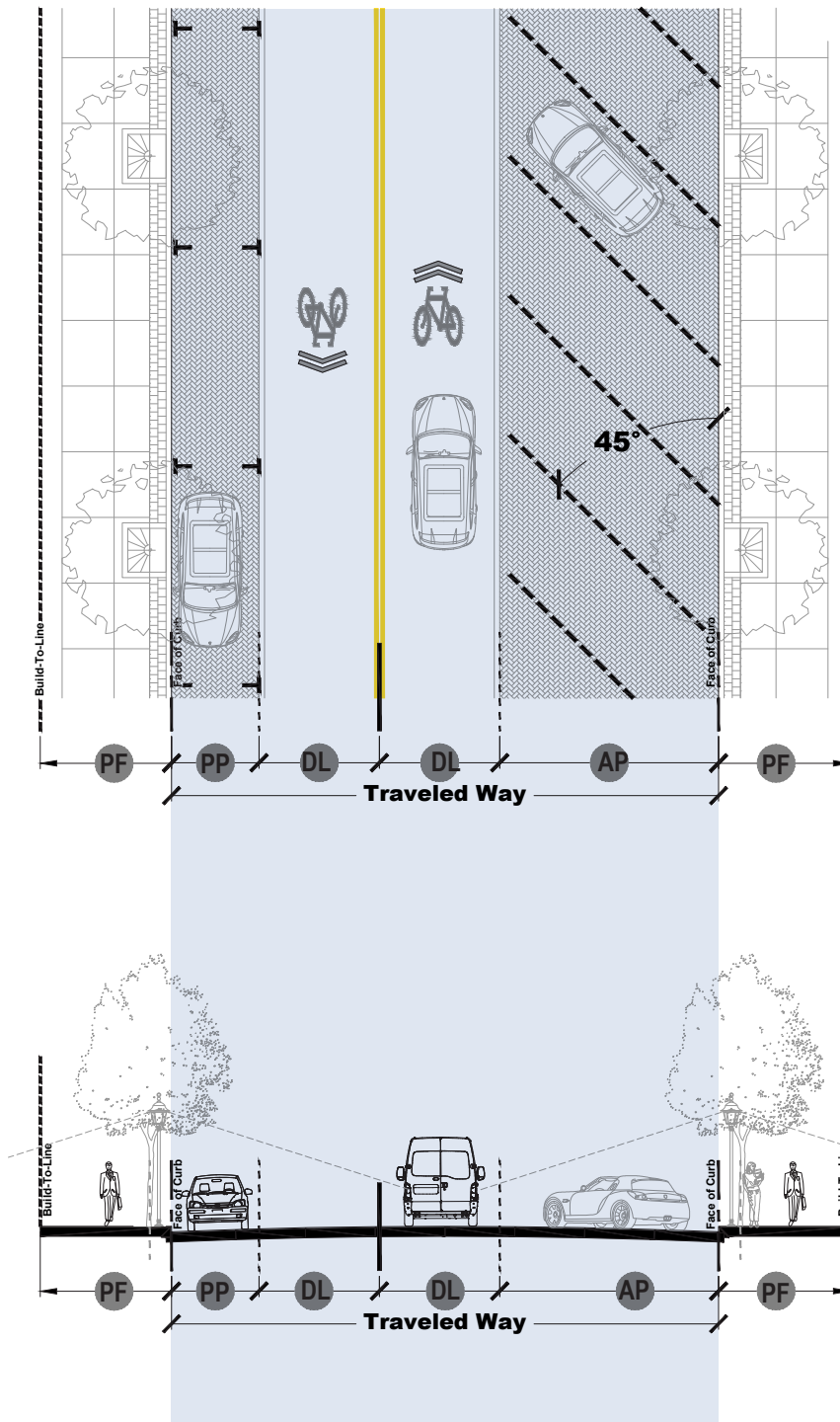
One Lane Each Direction / Angled Parking on One Side
 Parallel Parking on One Side / Bikes Share the Lane
 Minimum Required Right-of-Way Width: 74'

Street Section
 Elements
 Dimensional
 Standards

ID	Width
AP	20'-0"
PP	8'-0"
DL	11'-0"
PF	12'-0"

LEGEND

- AP ANGLED PARKING
- BL BICYCLE LANE
- CM CENTER MEDIAN
- CS CIVIC SPACE
- CT CYCLE TRACK
- DL DRIVE LANE
- LA ACCESS LANE / PATH
- PB PROTECTED BIKE LANE
- PF PUBLIC FRONTAGE
- PM PARKING MEDIAN
- PP PARALLEL PARKING
- SU SHARED USE SHOULDER
- VA VEGETATED AREA

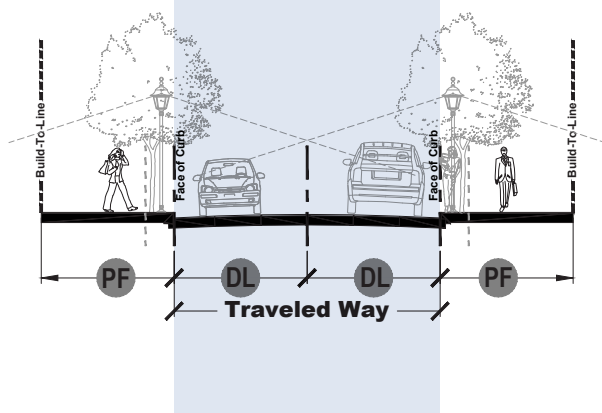
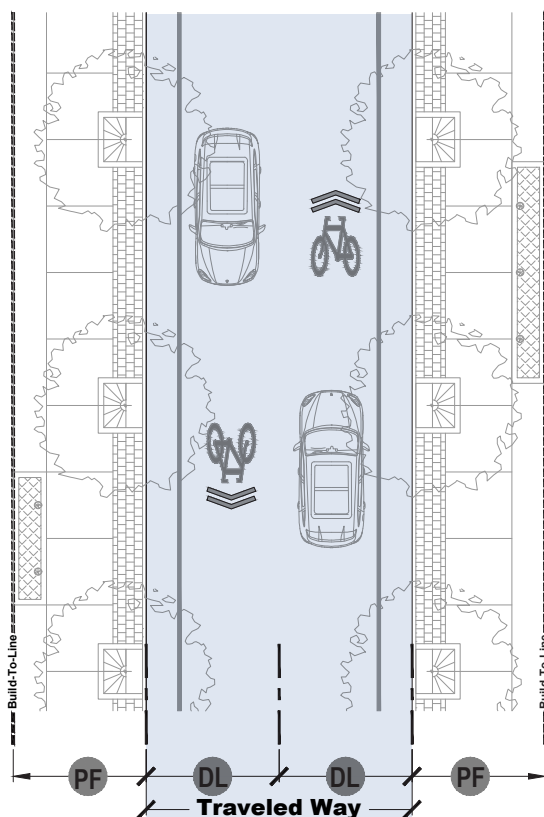


1149.43H STREET C-1

One Lane in Each Direction
Bicycles Share the Lane
Minimum Right-of-Way Width: 48'

Street Section
Elements
Dimensional
Standards

ID	Width
DL	12'-0"
PF	12'-0"



LEGEND

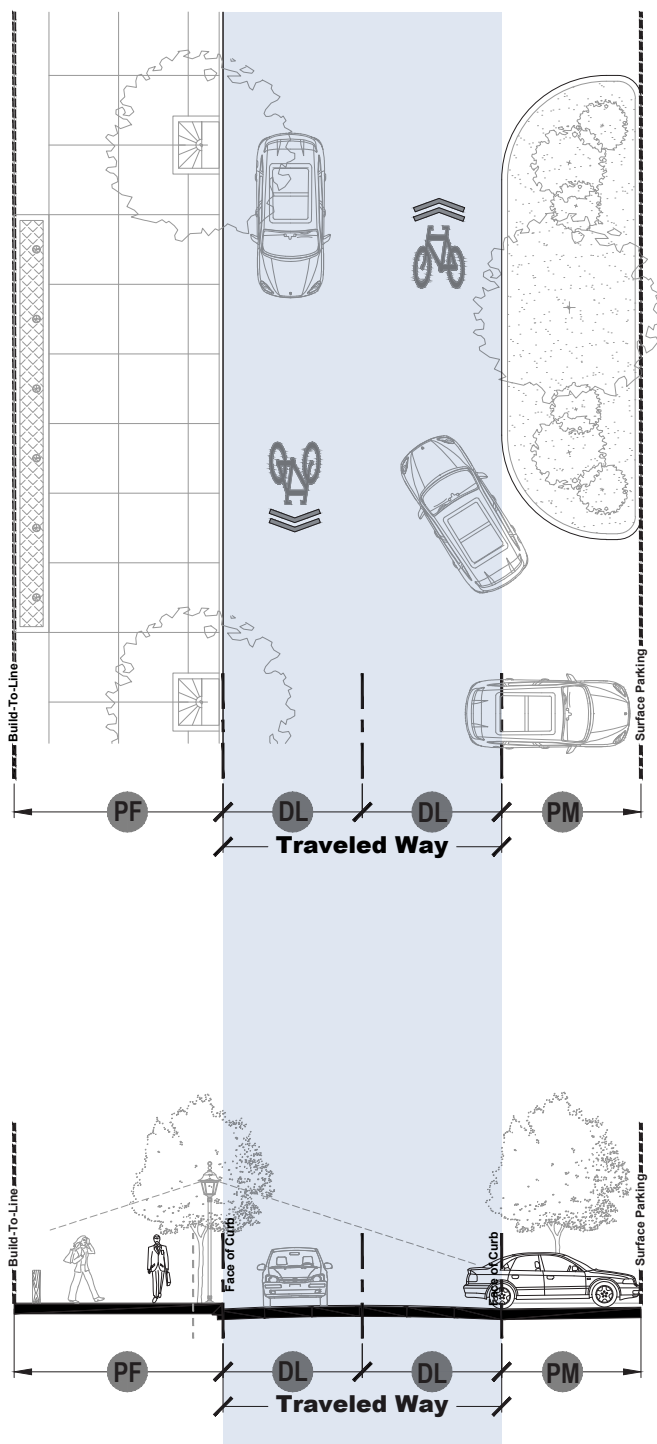
AP	ANGLED PARKING
BL	BICYCLE LANE
CM	CENTER MEDIAN
CS	CIVIC SPACE
CT	CYCLE TRACK
DL	DRIVE LANE
LA	ACCESS LANE / PATH
PB	PROTECTED BIKE LANE
PF	PUBLIC FRONTAGE
PM	PARKING MEDIAN
PP	PARALLEL PARKING
SU	SHARED USE SHOULDER
VA	VEGETATED AREA

1149.431 STREET C-2

One Lane in Each Direction
Bicycles Share the Lane
Minimum Right-of-Way Width: 48'

Street Section
Elements
Dimensional
Standards

ID	Width
PM	12'-0"
DL	12'-0"
PF	18'-0"



LEGEND

- AP ANGLED PARKING
- BL BICYCLE LANE
- CM CENTER MEDIAN
- CS CIVIC SPACE
- CT CYCLE TRACK
- DL DRIVE LANE
- LA ACCESS LANE / PATH
- PB PROTECTED BIKE LANE
- PF PUBLIC FRONTAGE
- PM PARKING MEDIAN
- PP PARALLEL PARKING
- SU SHARED USE SHOULDER
- VA VEGETATED AREA

1149.43J STREET C-3

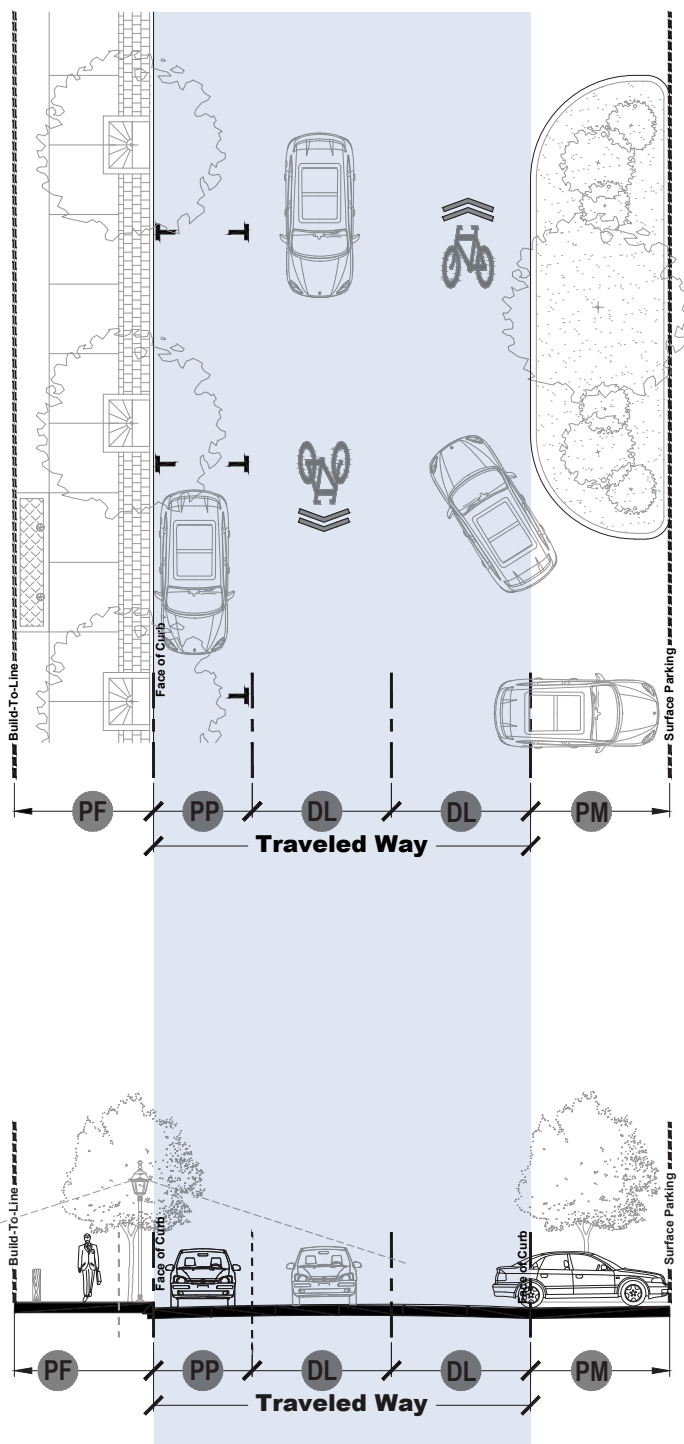
One Lane in Each Direction
Bicycles Share Lane
Minimum Right-of-Way Width: 56'

Street Section
Elements
Dimensional
Standards

ID	Width
PM	12'-0"
DL	12'-0"
PP	8'-0"
PF	12'-0"

LEGEND

AP	ANGLED PARKING
BL	BICYCLE LANE
CM	CENTER MEDIAN
CS	CIVIC SPACE
CT	CYCLE TRACK
DL	DRIVE LANE
LA	ACCESS LANE / PATH
PB	PROTECTED BIKE LANE
PF	PUBLIC FRONTAGE
PM	PARKING MEDIAN
PP	PARALLEL PARKING
SU	SHARED USE SHOULDER
VA	VEGETATED AREA



1149.43K STREET C-4

One Lane in Each Direction / Parallel Parking Both Sides of Lane
 Landscaped Center Median / Bicycles Share the Lane
 Minimum Required Right-of-Way Width: 104'

Street Section
 Elements
 Dimensional
 Standards

**Element
Width**

PP 7'-0"

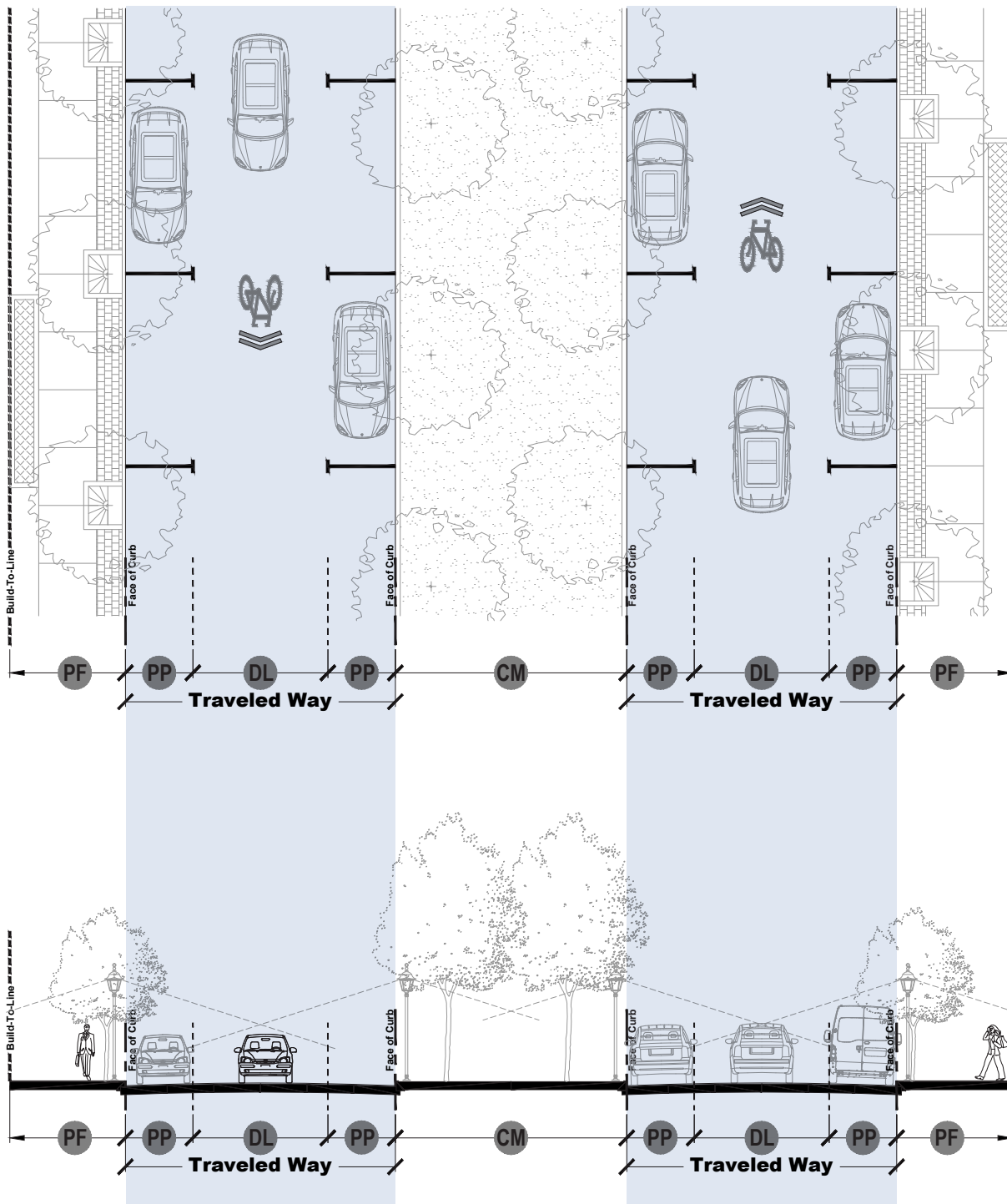
DL 14'-0"

CM 24'-0"

PF 12'-0"

LEGEND

- AP** ANGLED PARKING
- BL** BICYCLE LANE
- CM** CENTER MEDIAN
- CS** CIVIC SPACE
- CT** CYCLE TRACK
- DL** DRIVE LANE
- LA** ACCESS LANE / PATH
- PB** PROTECTED BIKE LANE
- PF** PUBLIC FRONTAGE
- PM** PARKING MEDIAN
- PP** PARALLEL PARKING
- SU** SHARED USE SHOULDER
- VA** VEGETATED AREA



1149.43L STREET D-1

One-Way, Single Lane

Angled Parking on One Side

Civic Space on One Side / Bikes Share the Lane

Minimum Right of Way Width: 48'-6"

Street Section

Elements

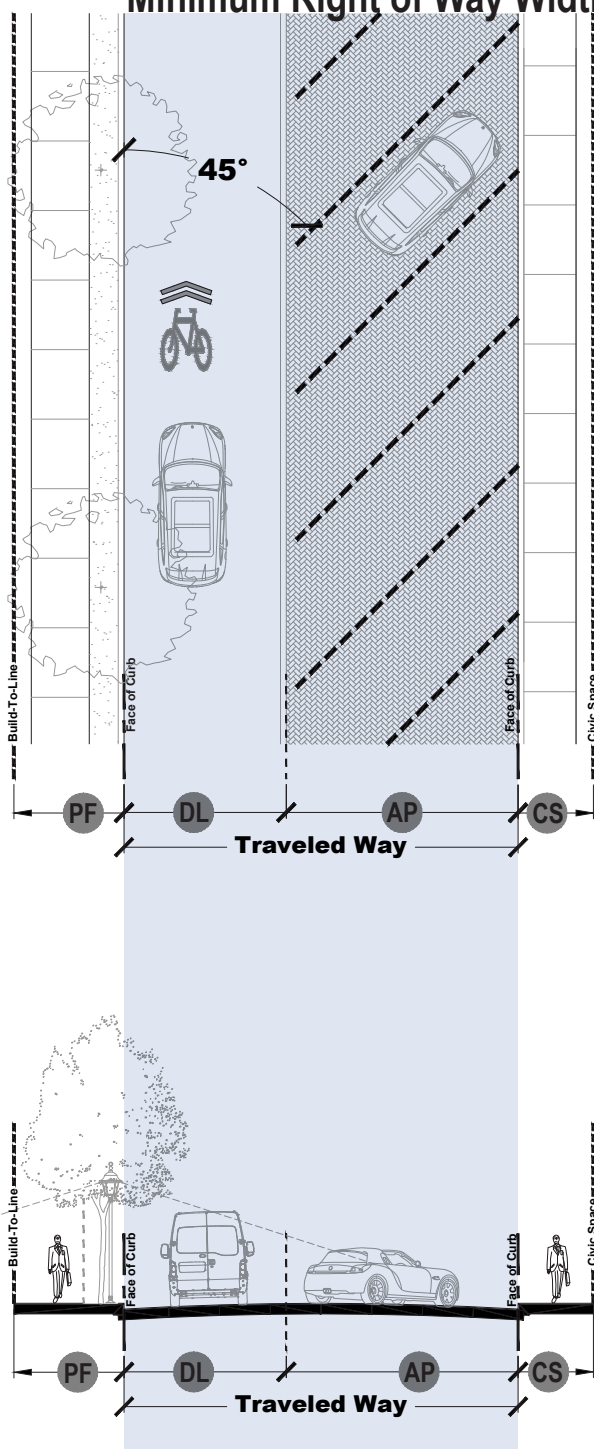
Dimensional

Standards

ID	Width
AP	19'-2"
CS	6'-6"
DL	14'-0"
PF	9'-6"

LEGEND

AP	ANGLED PARKING
BL	BICYCLE LANE
CM	CENTER MEDIAN
CS	CIVIC SPACE
CT	CYCLE TRACK
DL	DRIVE LANE
LA	ACCESS LANE / PATH
PB	PROTECTED BIKE LANE
PF	PUBLIC FRONTAGE
PM	PARKING MEDIAN
PP	PARALLEL PARKING
SU	SHARED USE SHOULDER
VA	VEGETATED AREA

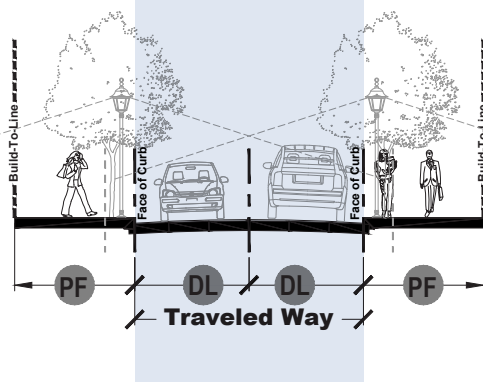
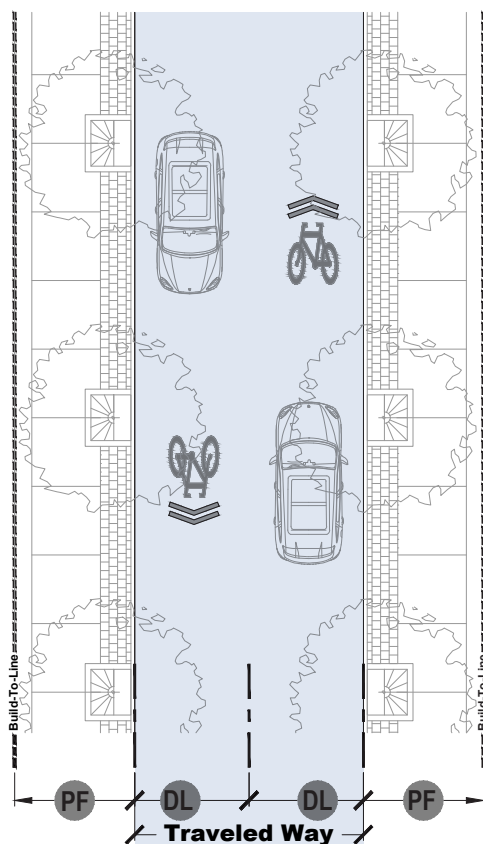


1149.43M STREET D-2

Two Way Travel
Bicycles Share the Lane
Minimum Right of Way Width: 36'

Street Section
Elements
Dimensional
Standards

ID	Width
DL	10'-0"
PF	8'-0"

**LEGEND**

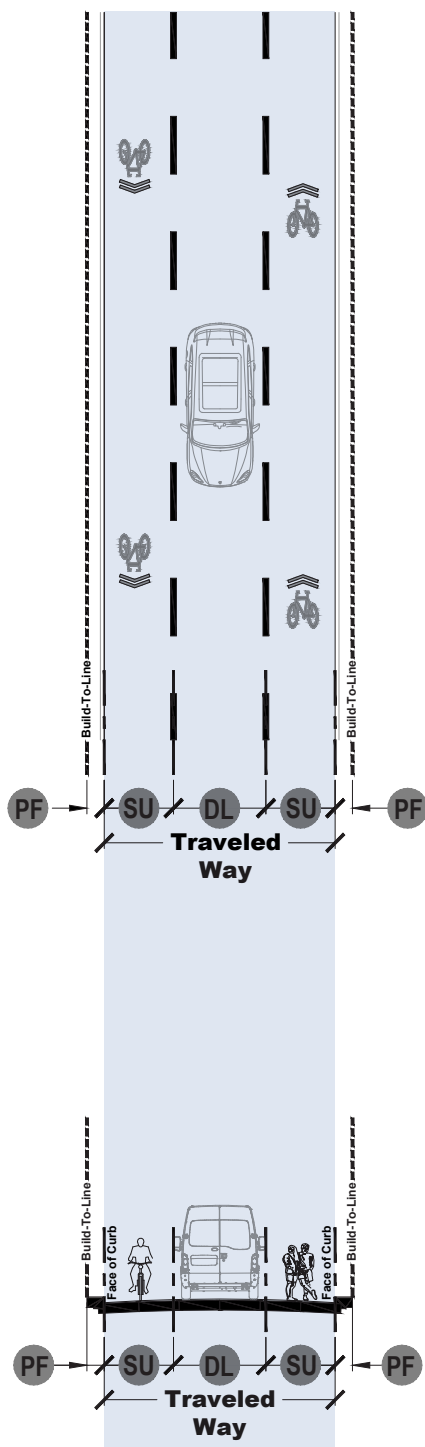
- AP ANGLED PARKING
- BL BICYCLE LANE
- CM CENTER MEDIAN
- CS CIVIC SPACE
- CT CYCLE TRACK
- DL DRIVE LANE
- LA ACCESS LANE / PATH
- PB PROTECTED BIKE LANE
- PF PUBLIC FRONTAGE
- PM PARKING MEDIAN
- PP PARALLEL PARKING
- SU SHARED USE SHOULDER
- VA VEGETATED AREA

1149.43N STREET D-3

One Way Travel
Bikes/Pedestrians Share the Shoulder
Minimum Right of Way Width: 23'

Street Section
Elements
Dimensional
Standards

ID	Width
DL	8'-0"
SU	6'-0"
PF	1'-6"

**LEGEND**

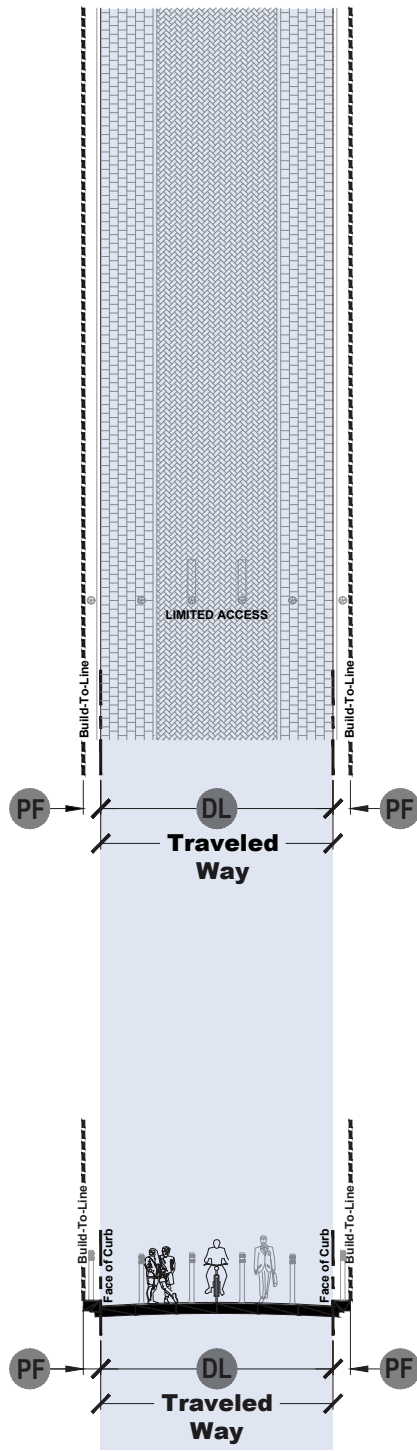
AP	ANGLED PARKING
BL	BICYCLE LANE
CM	CENTER MEDIAN
CS	CIVIC SPACE
CT	CYCLE TRACK
DL	DRIVE LANE
LA	ACCESS LANE / PATH
PB	PROTECTED BIKE LANE
PF	PUBLIC FRONTAGE
PM	PARKING MEDIAN
PP	PARALLEL PARKING
SU	SHARED USE SHOULDER
VA	VEGETATED AREA

1149.43L STREET D-4

Shared Use Lane with
Emergency Vehicle Access
Minimum Right of Way Width: 23'

Street Section
Elements
Dimensional
Standards

ID	Width
DL	20'-0"
PF	1'-6"



LEGEND

- AP ANGLED PARKING
- BL BICYCLE LANE
- CM CENTER MEDIAN
- CS CIVIC SPACE
- CT CYCLE TRACK
- DL DRIVE LANE
- LA ACCESS LANE / PATH
- PB PROTECTED BIKE LANE
- PF PUBLIC FRONTAGE
- PM PARKING MEDIAN
- PP PARALLEL PARKING
- SU SHARED USE SHOULDER
- VA VEGETATED AREA

1149.44 PEDESTRIAN PATH / TRAIL PRIVATE FRONTAGES TABLE

STREET TYPE / FRONTAGE		PF-1	PF-2	PF-3	PF-4	PF-5	PF-6	PF-7	PF-8
		STOREFRONT	ARCADE	URBAN	STOOP	PORCH	LIGHTWELL	FORECOURT	TERRACE
P-1	Pedestrian Path	P	P	P	P	P	P	P	P
P-2	Pedestrian Path	P	P	P	P	P	P	P	P
T-1	Pedestrian Trail	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
T-2	Pedestrian Trail	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

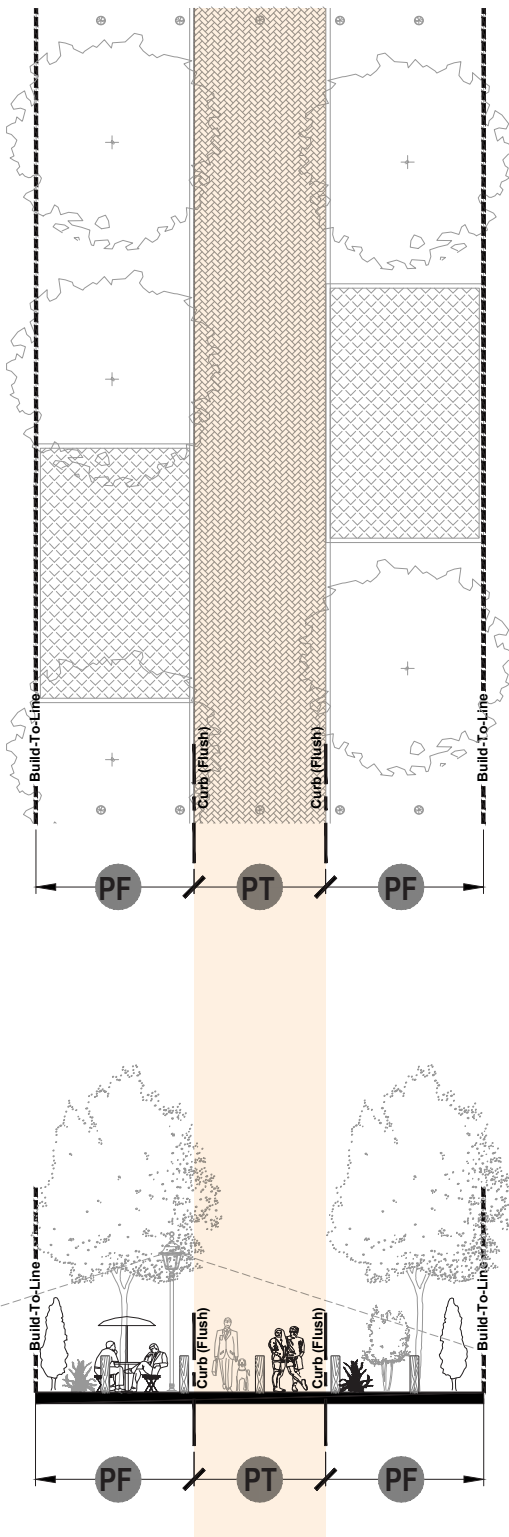
P = Permitted

X = Prohibited

N/A = Not Applicable

1149.44A PEDESTRIAN PATH P-1

Pedestrian Path, ROW or Easement Minimum Width Required: 34'



Pedestrian Path Minimum Dimensional Standards

ID Width

PT 10'-0"

PF 12'-0"

PF = Transition
Zone Only

LEGEND

- PF** PUBLIC FRONTAGE
- PT** PATH / TRAIL
- VA** VEGETATED AREA

1149.44B PEDESTRIAN PATH P-2

Pedestrian Path, ROW or Easement
Minimum Width Required: 10'

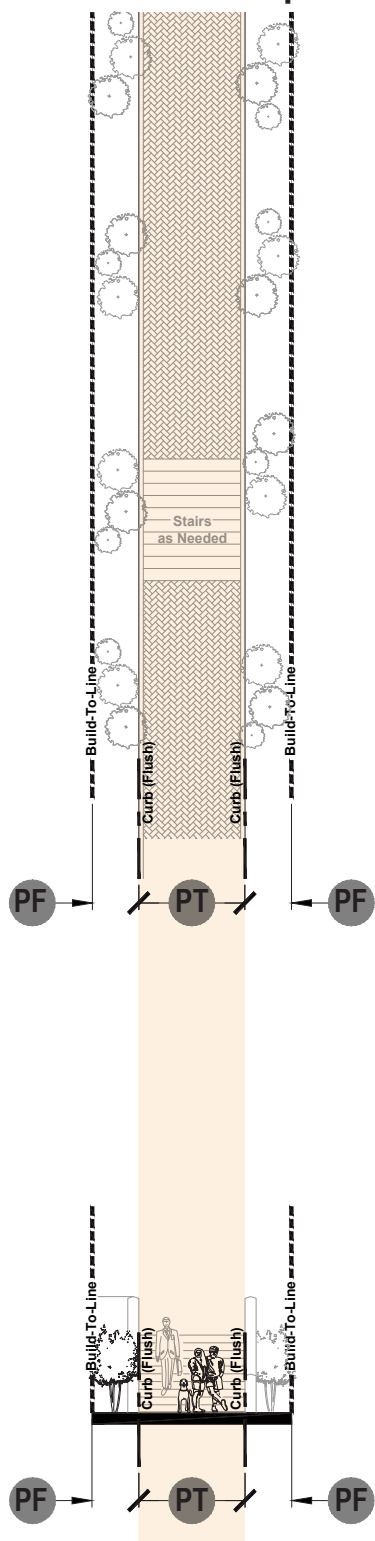
Pedestrian Path
Minimum
Dimensional
Standards

ID	Width
----	-------

PT	8'-0"
-----------	--------------

PF	1'-0"
-----------	--------------

PF = Transition
Zone Only

**LEGEND**

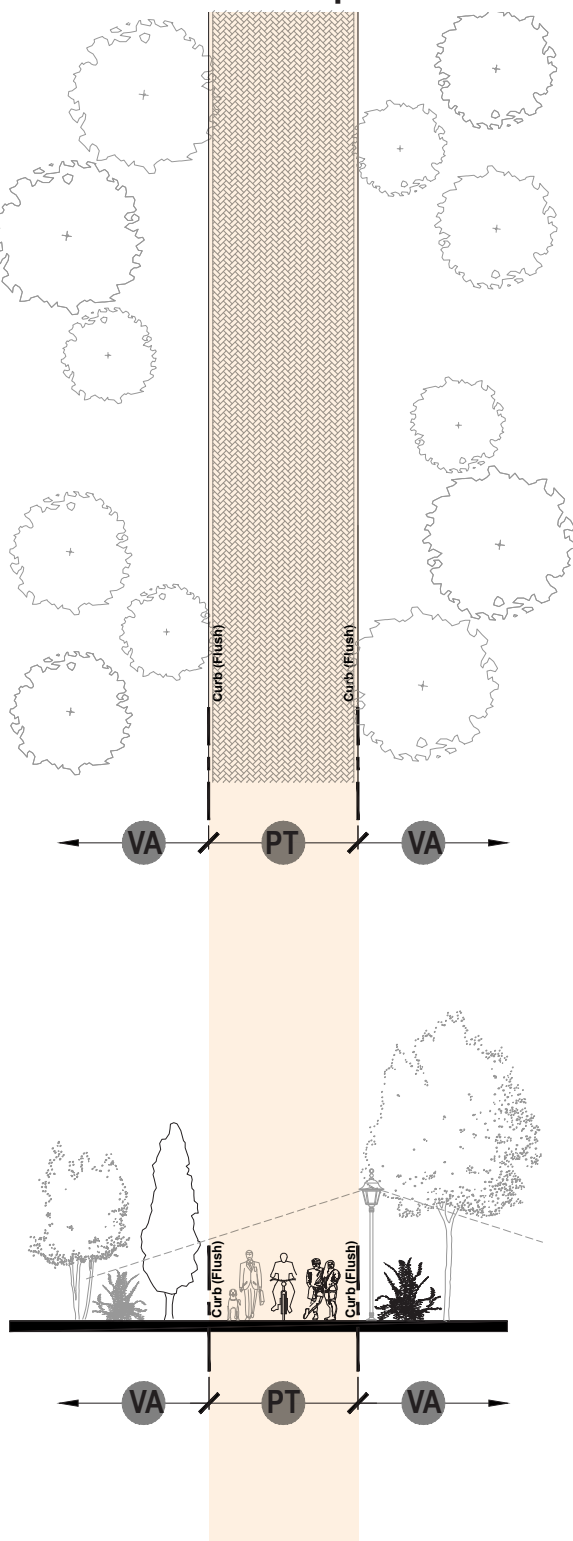
- PF** PUBLIC FRONTAGE
- PT** PATH / TRAIL
- VA** VEGETATED AREA

1149.44C PEDESTRIAN PATH P-3

Pedestrian Path, ROW or Easement
Minimum Width Required: 24'

Pedestrian Path
Minimum
Dimensional
Standards

ID	Width
VA	VARIES
PT	12'-0"

**LEGEND**

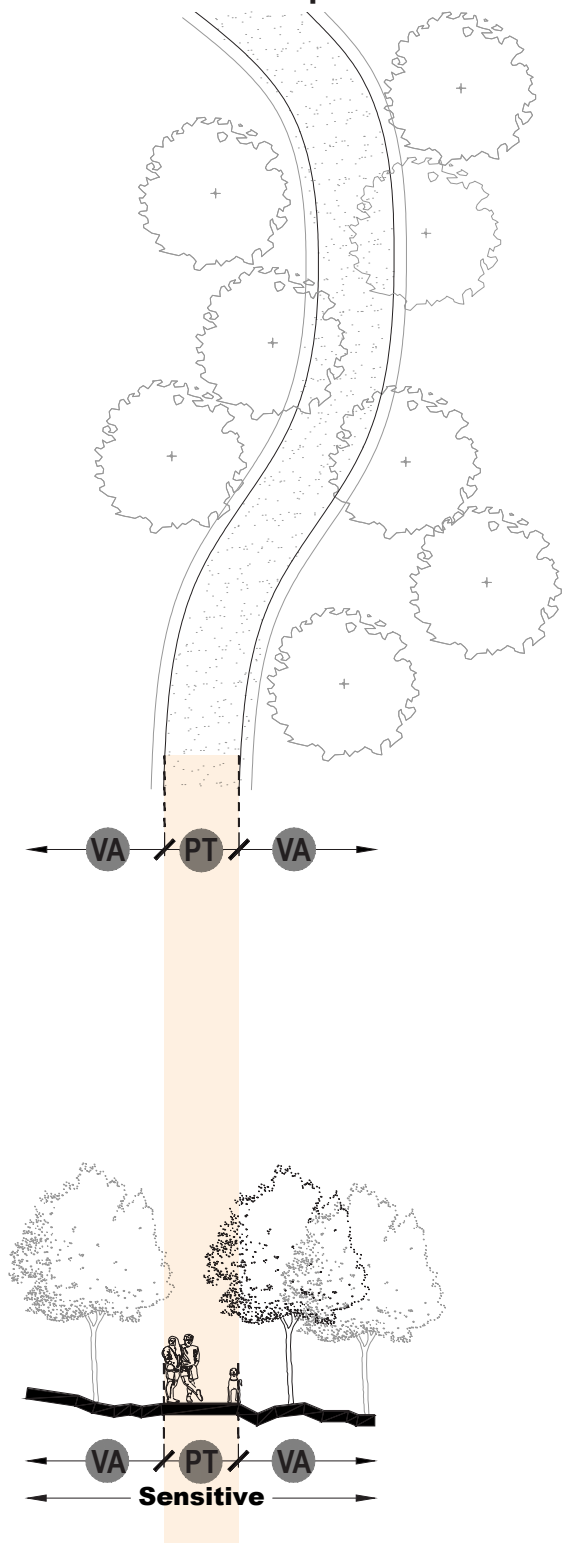
PF	PUBLIC FRONTAGE
PT	PATH / TRAIL
VA	VEGETATED AREA

1149.44D PEDESTRIAN PATH T-1

Trail, Public Land or Private Easement
Minimum Width Required: 8'

Pedestrian Trail
Minimum
Dimensional
Standards

ID	Width
VA	VARIES
PT	8'-0"



LEGEND

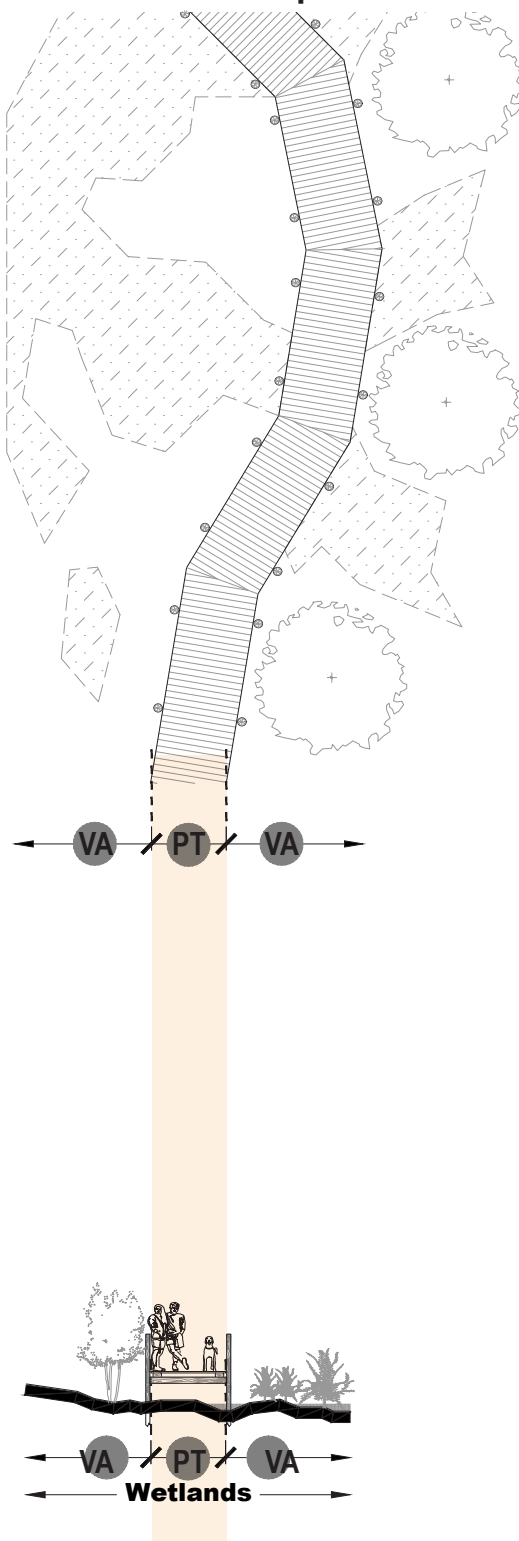
PF	PUBLIC FRONTAGE
PT	PATH / TRAIL
VA	VEGETATED AREA

1149.44E PEDESTRIAN PATH T-2

Trail, Public Land or Private Easement
Minimum Width Required: 8'

Pedestrian Trail
Minimum
Dimensional
Standards

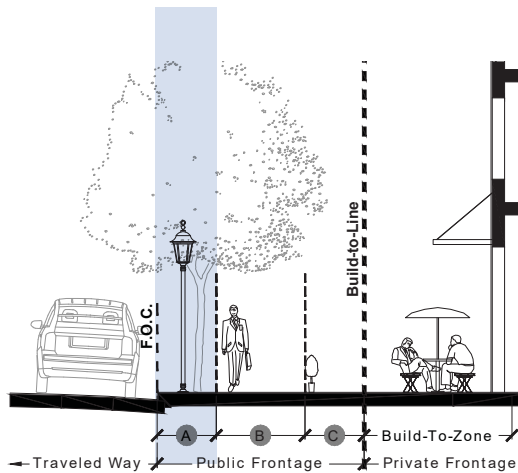
ID	Width
VA	VARIES
PT	8'-0"

**LEGEND**

PF	PUBLIC FRONTAGE
PT	PATH / TRAIL
VA	VEGETATED AREA

1149.45 PUBLIC FRONTAGE DESIGN STANDARDS

1149.45A LANDSCAPE AND FURNISHING ZONE DESIGN STANDARDS



LANDSCAPE AND FURNISHING ZONE

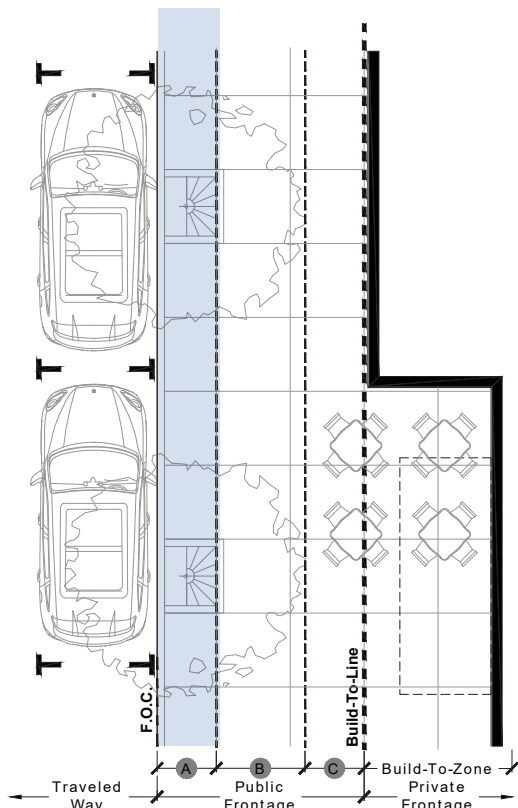
A

PEDESTRIAN CLEARWAY

B

TRANSITION ZONE

C



(1) The intent of the Landscape and Furnishing Zone is established in Chapter 1149.12C(1)[f] and minimum dimensional regulations are provided in the Public and Private Frontage Standards Table 1149.12B.

(2) Street trees shall be planted within the Landscape and Furnishing Zone, using best tree planting practices

[a] The distance between the planted trees shall be at intervals best suited for the approved species and in coordination with the function and design of the street.

[b] Planted trees shall be of an approved species grown under the same climatic conditions, free of insect pests and disease, suitable for street use and durable under the maintenance contemplated.

[c] Planting shall consist of native species where possible and practical.

[d] Tree size shall be set by the Zoning Administrator

[e] Trees can be planted in Tree pits where Storefronts are required or provided and the paved sidewalk extends to the street.

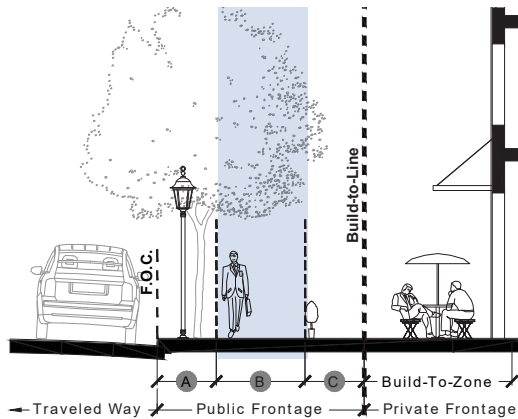
[1] Tree pits shall be minimum 3'-6" in size

[2] Tree pits shall provide grates where Storefronts are required in Chapter 1149, as indicated on District Standards Map 1149.11B(5)

[3] Tree pits can be exchanged for Verge, where raingarden, bioretention or vegetated swale is provided.

[f] An exception to tree planting requirement may be considered by the Board where native woodlands and understory plants are deemed a desirable component of the localized landscape worthy of natural resources protection, and where the introduction of formal street trees form an alien intrusion into such landscapes.

1149.45B PEDESTRIAN CLEARWAY DESIGN STANDARDS



LANDSCAPE AND FURNISHING ZONE

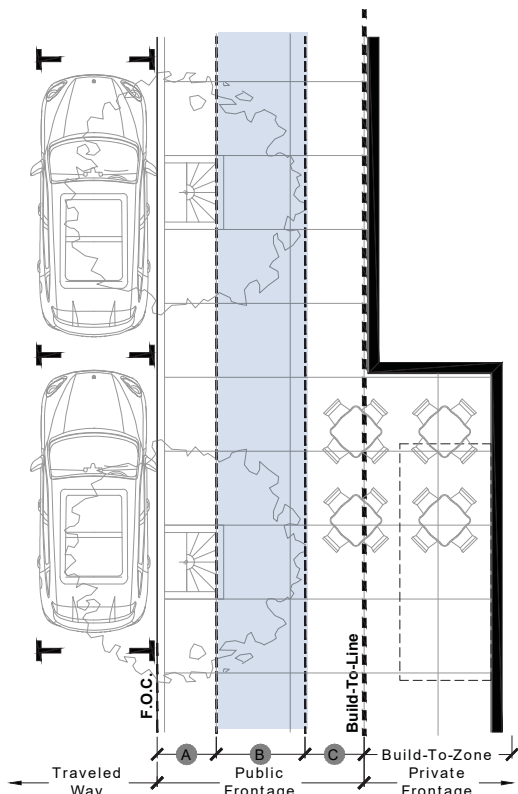
PEDESTRIAN CLEARWAY

TRANSITION ZONE

A

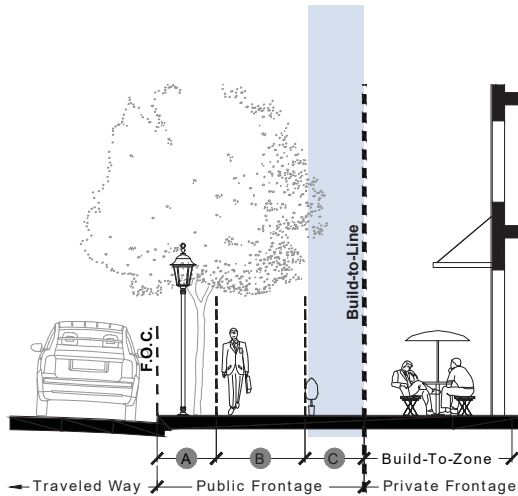
B

C



- (1) The Pedestrian Clearway is the area of the Public Frontage allowing for a clear passage of pedestrians as defined in Chapter 1149.12C(1)[f] and with minimum dimensional regulations as provided in the Public and Private Frontage Standards Table 1149.12B.
 - (a) Pedestrian Clearway shall connect to extended areas of sidewalk in Landscape and Furnishing and Transition Zones, where provided, to create larger sidewalk areas that extend from the curb to the face of the buildings.
 - (b) Pedestrian Clearway shall to the extent possible align with street crossings.
- (2) Where constructed of different materials, Pedestrian Clearway shall provide a surface that is leveled, without breaks, at slopes per ADA requirements.
- (3) Pavement materials shall be approved by the Architectural Board of Review.

1149.45C TRANSITION ZONE DESIGN STANDARDS



LANDSCAPE AND FURNISHING ZONE

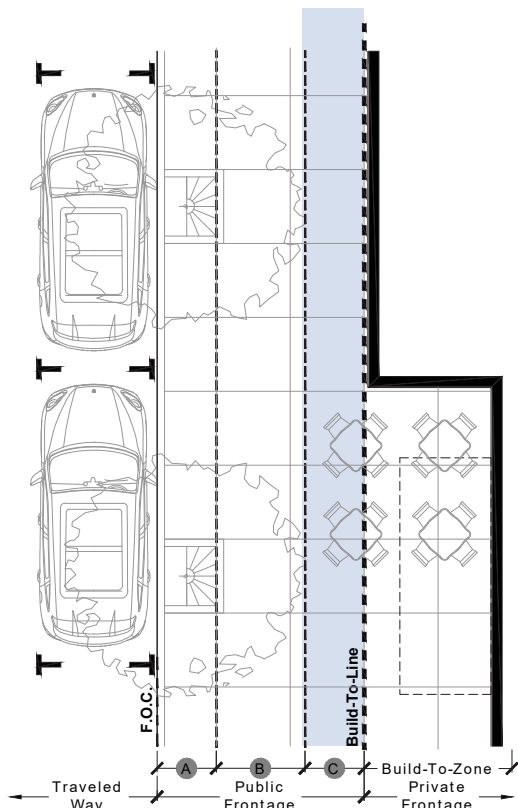
A

PEDESTRIAN CLEARWAY

B

TRANSITION ZONE

C



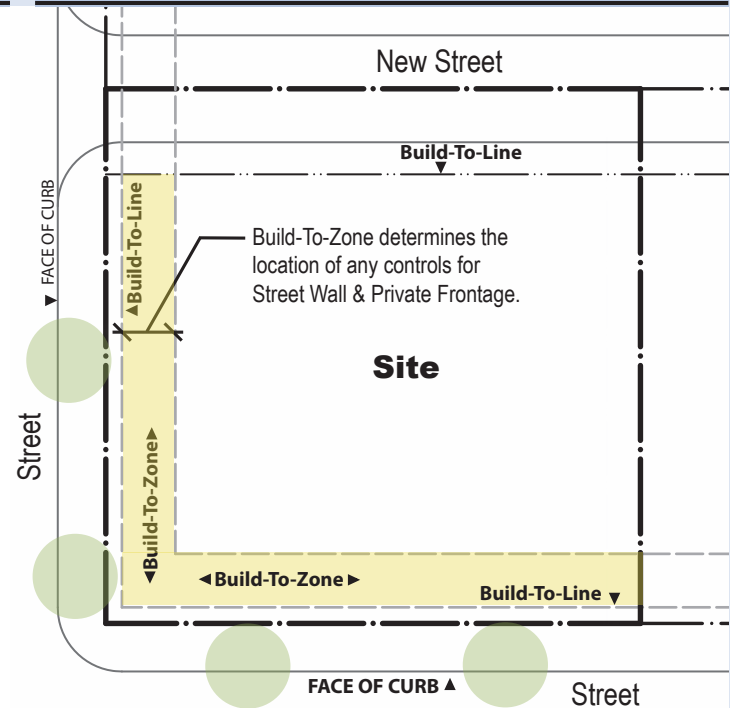
- (1) The intent of the Transition Zone is established in Chapter 1149.12C(1)[f] and minimum dimensional regulations as provided in the Public and Private Frontage Standards Table 1149.12B.
- (2) Transition zone provides for variations within Private Frontage conditions, to best accommodate for change in building use and building facade movement as permitted by the Public and Private Frontage Standards Table 1149.12B.
- (3) Transition Zone shall provide for storefront interaction area and allow for Active Edge requirements per Chapter 1149.23G Active Edge Frontage Requirements.
- (4) At building entrances:
 - (a) Transition Zone shall ensure flush connection between the Pedestrian Clearway and building entryway as required by ADA standards.
 - (b) Transition Zone shall ensure that entryway door operation or building fixtures and signage does not encroach into Pedestrian Clearway.
- (5) Tables and seating furniture are permitted within this area for extended outdoor dining or resting areas.
- (6) Temporary product displays are permitted if not encroaching into the Pedestrian Clearway and are removed at the close of each business day.
- (7) Landscaping of Transition Zone is encouraged and shall be set by the Zoning Administrator.

1149.46 SITE LAYOUT ILLUSTRATIONS

1149.46A SITE LAYOUT

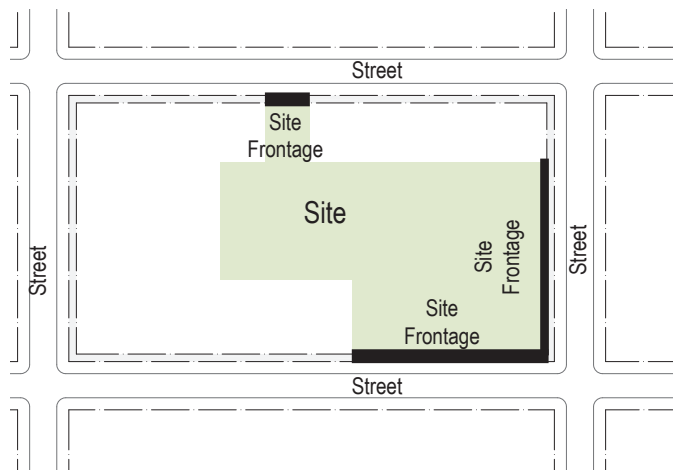
- (1) Site layout is for reference only, to assist applicants in applying the standards for the Severance Overlay Zone. The figures in this section are provided as a courtesy to applicants and do not supersede or modify the standards established in other sections of Chapter 11.

1149.46B SITE LAYOUT DIAGRAM

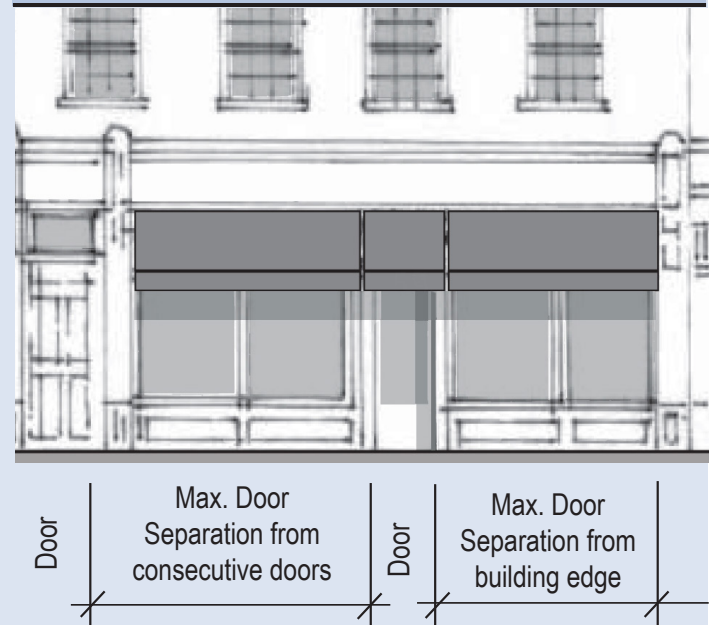


1149.46C SITE FRONTAGE

- (1) **FRONTAGE, SITE**
The length of a Site fronting on a Street or Pedestrian Way, measured in feet along the Build-To-Line.
- (2) **FRONTAGE, TOTAL SITE**
The sum of all Site Frontages facing one or more Streets, measured in feet, located on one contiguous Development Site, excluding frontages along Pedestrian Ways.



1149.46D FREQUENT ENTRYWAYS



1149.46E BUILD-TO-ZONE CORNER

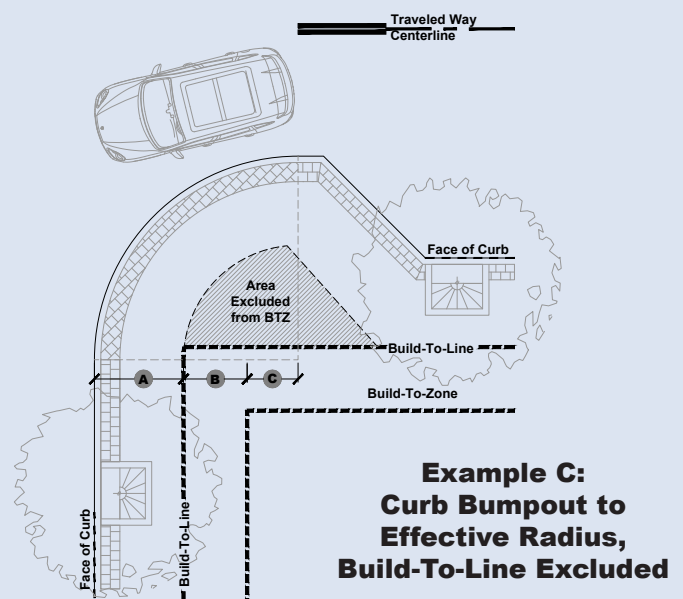
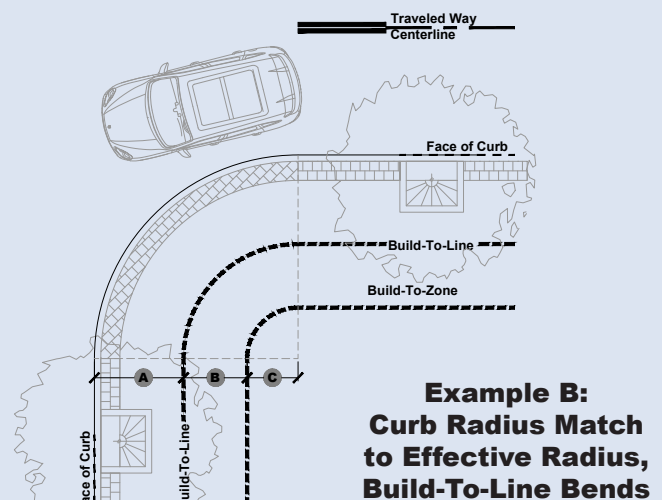
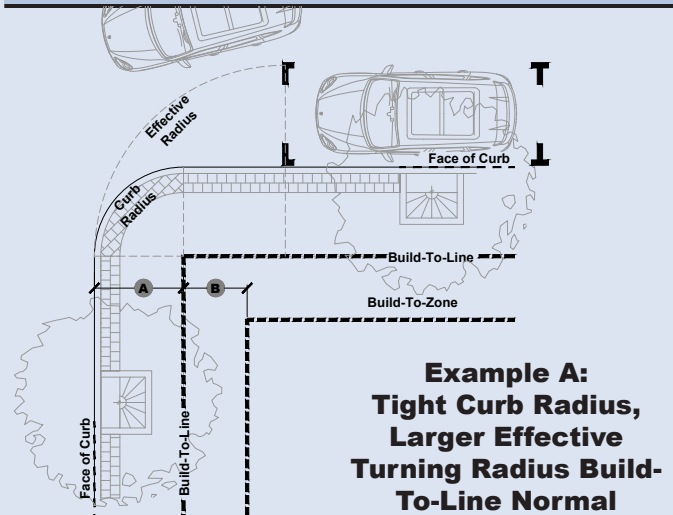
- (1) Whereas the Face of Curb is a control for establishing the Build-To-Line and subsequently the Build-To-Zone for Private Frontages, some additional controls for corners may be needed.
- (2) The corner diagrams in Chapter 1149.46F give three examples of how an Effective Radius and Curb Radius interact with the Build-To-Line.

[a] Example A illustrates a Traveled Way with on-street parking between the Drive Lane (or Access Lane) and the Face of Curb. This condition creates a larger Effective Turning Radius than the Curb Radius which allows for more flexibility in how the movement of larger vehicles can be accommodated. In this condition, the Build-To-Line and Build-To-Zone are typically unchanged from the normal location.

[b] Example B illustrates how a larger Curb Radius can coincide with the Effective Radius of the Traveled Way. In any condition where the Curb Radius exceeds the width of the Public Frontage (shown as "A" dimension string), then a Radius of the Build-to-Line will be introduced to maintain a parallel width between the Face of Curb and the Build-To-Line. Under these conditions, the Build-To-Zone maintains a width from the Build-To-Line as defined in this Article.

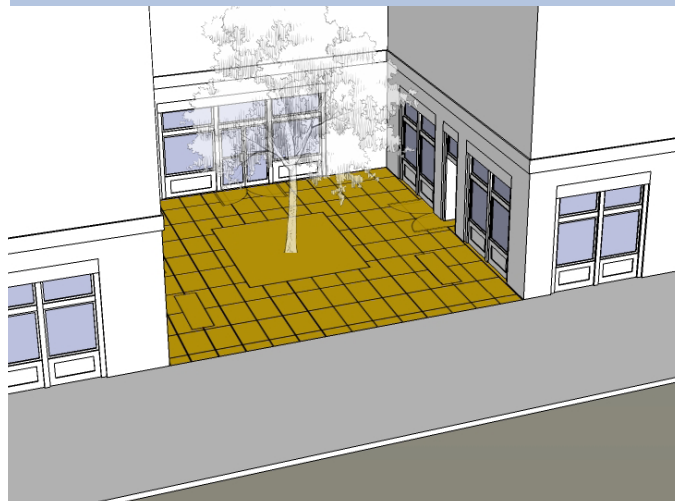
[c] Example C illustrates how a Face of Curb can bump out towards the center of a Traveled Way (typically when on-street parking ends). Under these corner conditions, the Build-To-Line will not follow the bumped out portion of a Curb. Where a bumped out curb exists at a corner, the Build-To-Line will maintain a location consistent with the normal Face of Curb condition. In other words, the area that would be created from a change in Curb location at a bump out, is excluded from the Build-To-Zone.

1149.46F CORNER DIAGRAMS

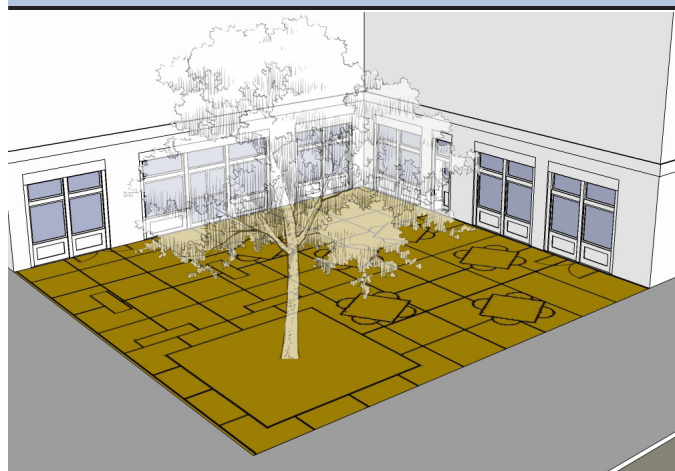


1149.47 CIVIC SPACE DESIGN STANDARDS

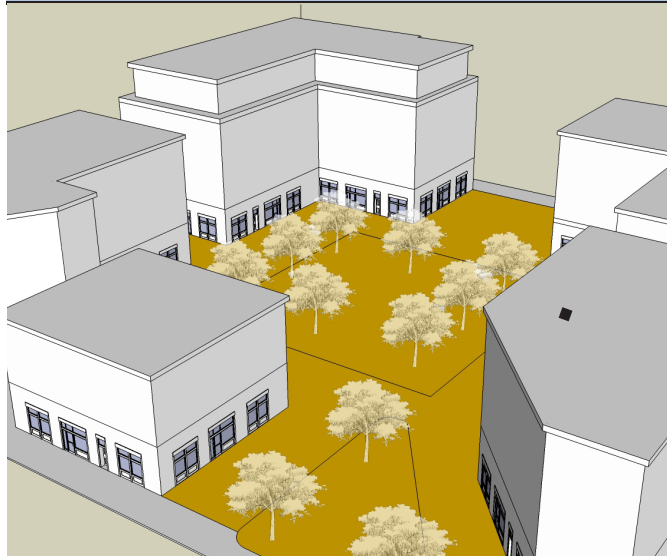
- (1) The following programming and design considerations, among others, shall be evaluated for Civic Spaces by the Architectural Board of Review in making their recommendation to the Planning Commission:
 - (a) Solar orientation of Civic Space
 - (b) Amenities such as water features, public bathrooms, informational kiosks, drinking fountains, play & entertainment areas
 - (c) Facilities for the use, retention and recharging of rainwater
 - (d) Public access and likelihood of use
 - (e) Seasonal programming of the space
 - (f) Intensity of adjacent private frontage(s).
- (2) To qualify for designation as a Civic Space each proposed Public Civic Space or Privately Owned Civic Space must comply with one of the following permitted Civic Space Types and fulfill the requirements associated with that Civic Space:
 - (A) Plaza - See 1149.47A
 - (B) Corner Plaza - See 1149.47B
 - (C) Piazza - See 1149.47C
 - (D) Square - See 1149.47D
 - (E) Green - See 1149.47E

1149.47A PLAZA

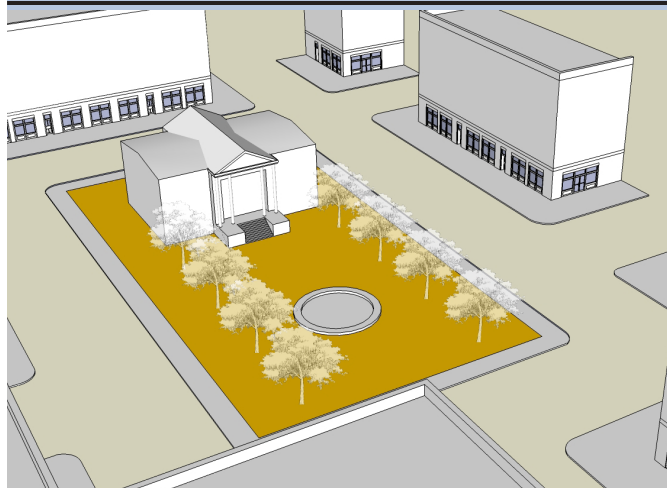
- [1] The Civic Space Type fronting on A or B Streets or Pedestrian Way with established Frontage, framed by buildings on 3 sides.
- [2] Plaza shall be designed to match importance of the adjacent Street or Pedestrian Corridor, and contain Private Frontages as permitted on those streets.
- [3] The intensity of its areas are typically expressed through more intensively used "harder" landscaping.
- [4] Provide at grade access to buildings with commercial uses.

1149.47B CORNER PLAZA

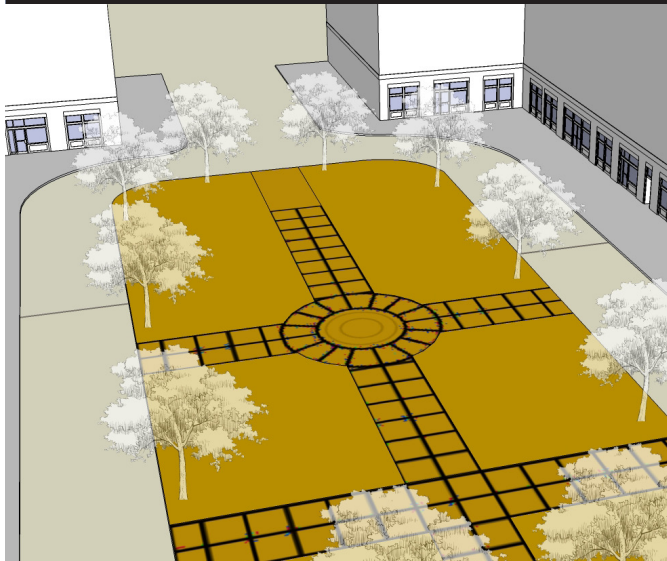
- [1] The Civic Space Type fronting on A or B Streets or Pedestrian Way with established Frontage, framed by buildings on 2 sides.
- [2] Corner Plaza shall be designed to match importance of the adjacent Streets or Pedestrian Corridors, and contain Private Frontages as permitted on those Streets and Corridors.
- [3] The intensity of its areas are typically expressed through more intensively used "harder" landscaping.
- [4] Provide at grade access to buildings with commercial uses.

1149.47C PIAZZA

- [1] The Civic Space Type placed within a block, framed by buildings on at least 3 sides and providing Public Frontage on more than 1 side, in addition to Frontages satisfying requirements at Block perimeter.
- [2] Piazza is a highly active public place programmed with retail, restaurant, hospitality, entertainment, cultural and/or civic uses.
- [3] The density of uses in the area is typically expressed through "harder" landscaping.
- [4] The Piazza must connect to at least 3 perimeter streets directly or via other civic spaces.
- [5] Provide at grade access to buildings with commercial uses.

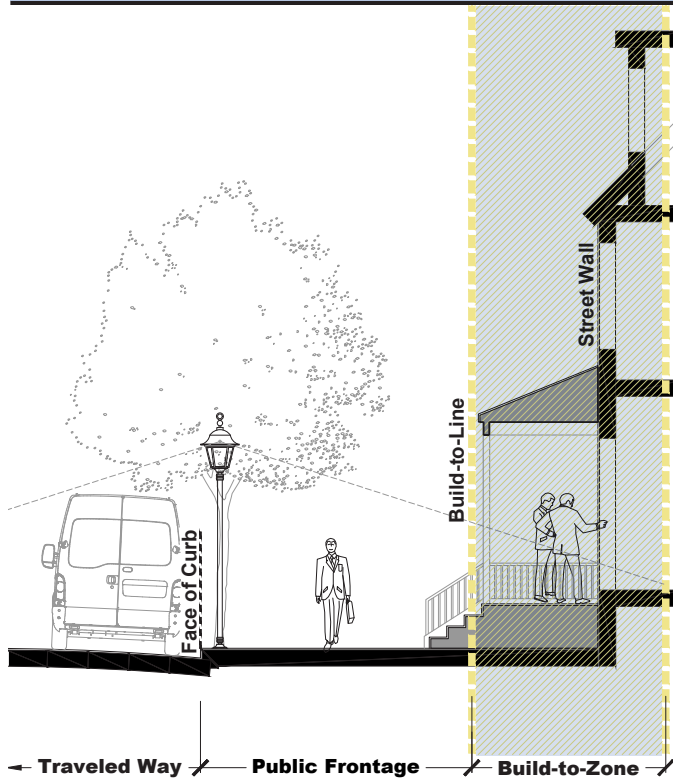
1149.47D SQUARE

- [1] The Civic Space Type surrounded by streets on at least 3 sides, that forms focal points in the public space network, featuring a community gathering place with trees, paved area, and seating.
- [2] A Square tends to be more formal and urban in nature, in contrast to a Green.
- [3] A Square may have a cultural, civic or commercial building generally open to the public and activating its use.
- [4] Provide at grade access to buildings with commercial uses.

1149.47E GREEN

- [1] The Civic Space Type surrounded by streets on at least 2 sides featuring a community gathering place with trees, paved area, sitting area and may have a cultural, civic or commercial building generally open to the public.
- [2] A Green tends to be less formal and urban in nature, in contrast to a Square, with more "soft" landscaped areas.
- [3] A Green may provide structures (e.g., gazebo) and furnishings for public use, active recreation areas, playgrounds and similar.

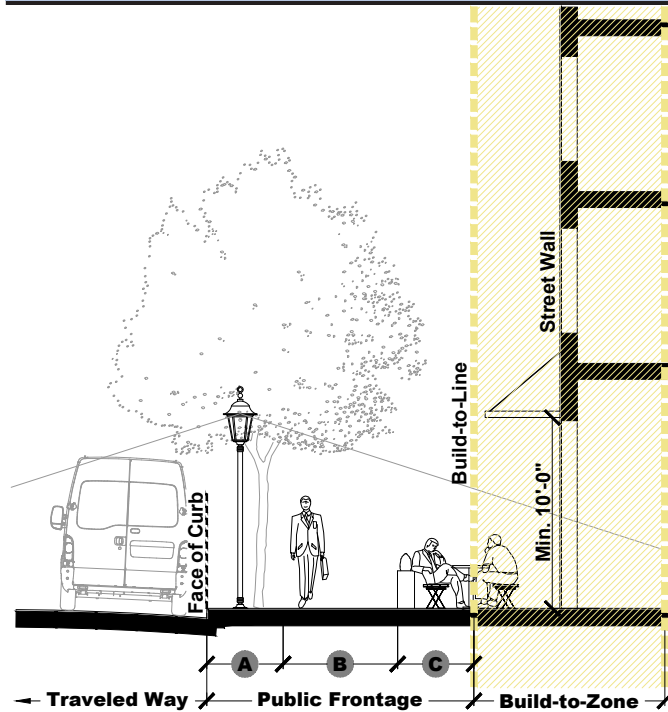
1149.48 PRIVATE FRONTAGE DESIGN STANDARDS



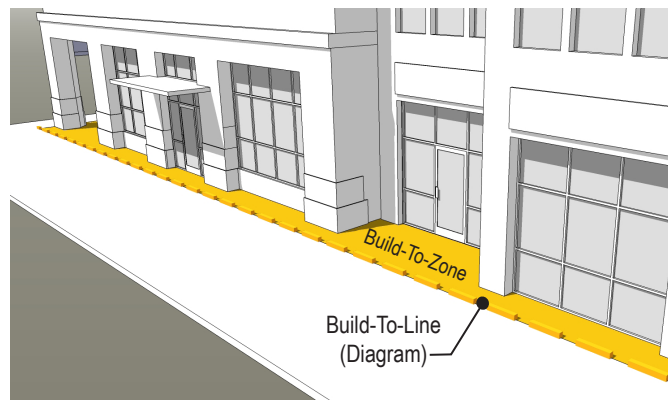
- (1) The Standards for Private Frontage Types, as regulated by Street Types, are provided in the Public and Private Frontage Standards Table 1149.12B.
- (2) All sites in the Severance Overlay Zone shall endeavor to create an Active Edge along streets and sidewalks, with intensity appropriate for street type.
 - (a) Active Edge shall be achieved through the design and frequent placement of entryways and increased clear glazing to promote pedestrian activity and commerce.
 - (b) The architectural design for the ground floor street level shall provide entryways no further than 60 feet from the end of the Street Wall and the edge of each entryway shall be no greater than 80 feet from an adjacent entryway as measured along the Build-To-Line.
- (3) The first story of all Street Walls shall provide a minimum area of window glazing according to standards established in the Public and Private Frontage Standards Table 1149.12B.
 - (a) The window glazing shall be clear, transparent glass.
 - (b) Minimum Clear Glazing shall be measured at specified heights above sidewalk where maximized transparency is required
 - (c) The Glazing area percentage shall be determined by measuring the Glazing surface area divided by the surface area of the Street Wall located between the first floor elevation and the ceiling of the second floor.

1149.48A STOREFRONT FRONTAGE

PF-1



1149.48A (1) - Storefront frontage



1149.48A (2) - Storefront frontage Build-To-Zone

A frontage wherein the facade is aligned close to the frontage / build-to line with the building entrance at sidewalk grade. This type is conventional for retail use. It has a substantial glazing on the sidewalk level and an awning that may overlap the sidewalk to the maximum extent possible.

ALLOWED FRONTAGE EDGING ELEMENTS

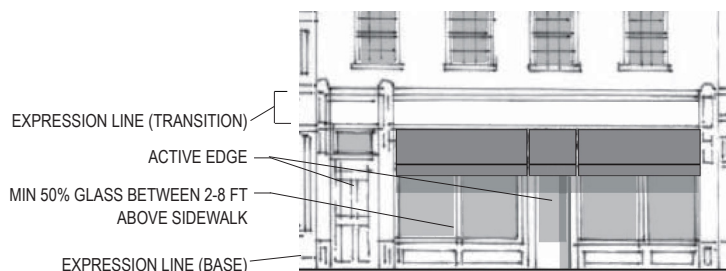
EE-1 EE-4 EE-5

GLAZING REQUIREMENT

The street-level, street facing building area located between two (2) feet and eight (8) feet above the sidewalk shall provide clear, non-reflective glass according to the requirements of the Public and Private Frontage Standards Table 1149.12B

FUNCTION OF THE BUILD-TO-ZONE (BTZ)

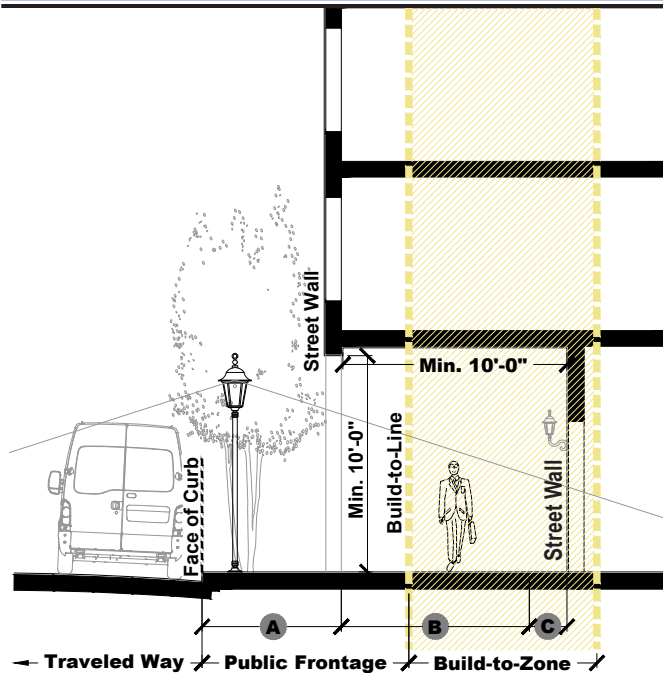
- (a) Allows for entrance alcoves and expanded sidewalk area for outdoor dining.
- (b) Allows for facade articulation and inclusion of recessed building elements.
- (c) Allows for alignment with existing neighboring buildings.



1149.48A (3) - Storefront frontage Build-To-Zone

1149.48B ARCADE FRONTAGE

PF-2



1149.48B (1) - Arcade frontage

A frontage wherein the facade is a colonnade that overlaps the sidewalk, while the facade at sidewalk level remains at the frontage / build-to line. This type is conventional for retail use. The arcade shall be no less than twelve (12) feet wide and may overlap the whole width of the Public Frontage Pedestrian Clearway to within two (2) feet of the curb.

Building Street Wall shall remain within the Build-To-Zone if structural columns are placed outside of the Build-To-Zone, they may be placed up to the edge of the property line, as permitted by the Zoning Administrator.

ALLOWED FRONTAGE EDGING ELEMENTS

EE-1 EE-4 EE-5

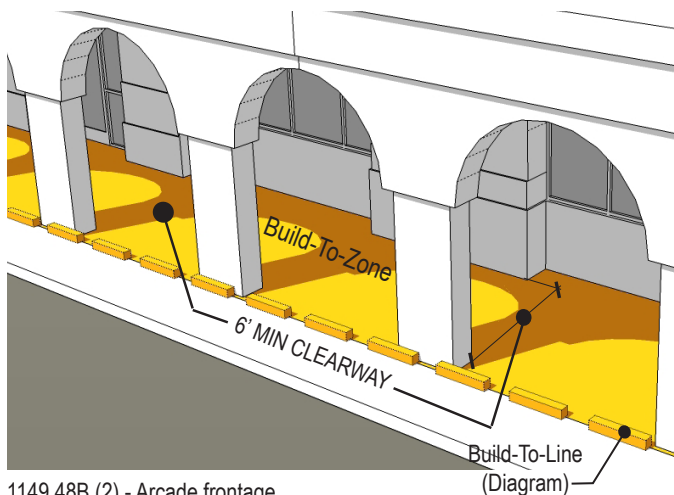
ARCADE CLEARWAY REQUIREMENT

a) A distance for pedestrian access between the outer and inner arcade elevations shall be a minimum of ten (10) feet.

b) A clear vertical height between sidewalk and the arcade ceiling shall be ten (10) feet

GLAZING REQUIREMENT

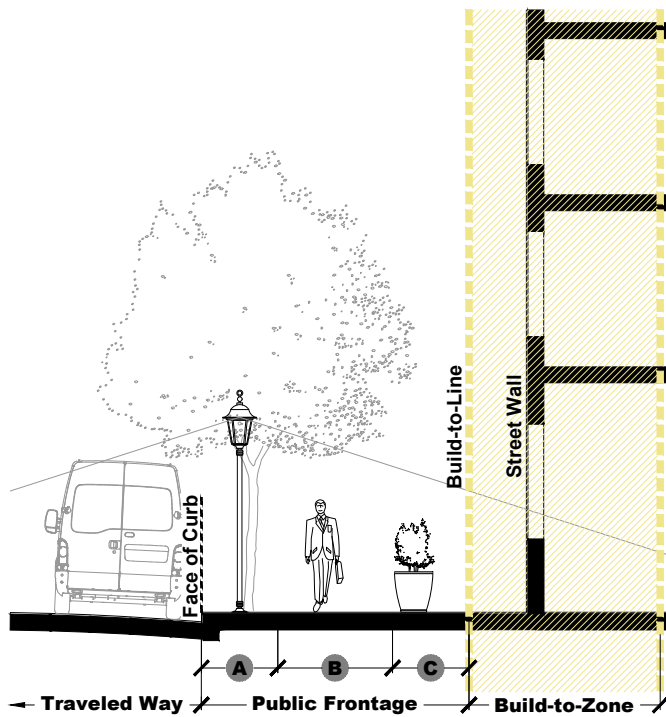
The street-level, street facing building area located between two (2) feet and eight (8) feet above the sidewalk shall provide clear, non-reflective glass according to the requirements of the Public and Private Frontage Standards Table 1149.12B



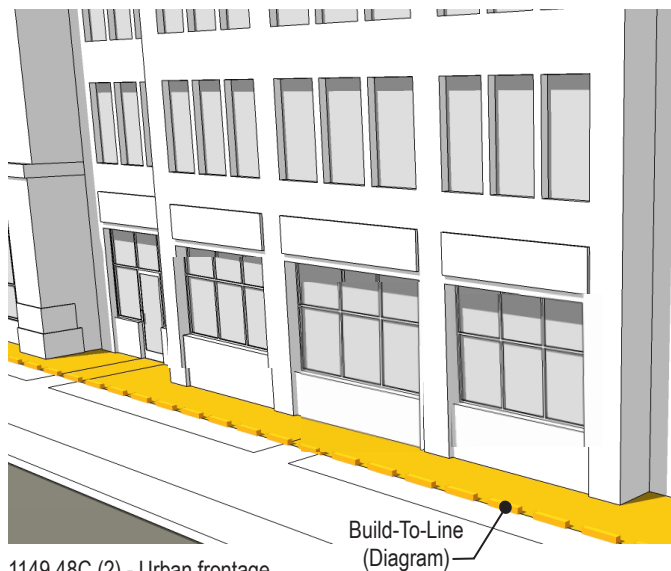
1149.48B (2) - Arcade frontage

1149.48C URBAN FRONTAGE

PF-3



1149.48C (1) - Urban frontage



1149.48C (2) - Urban frontage

A frontage wherein the facade is adjacent to the frontage / build-to-line with a less substantial Active Edge and Glazing at the sidewalk level than a Shopfront and Awning frontage type. The Urban frontage does not comply with Storefront Frontage requirements.

ALLOWED FRONTAGE EDGING ELEMENTS

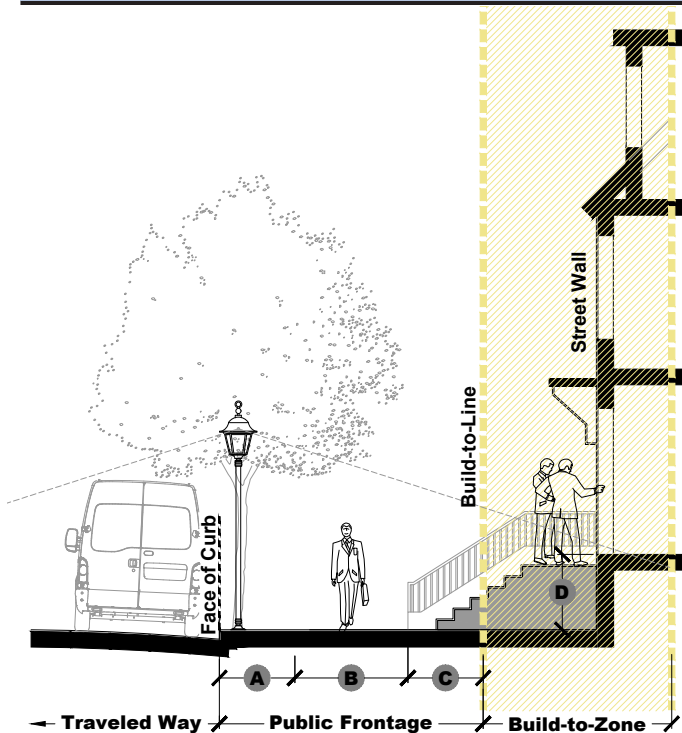
EE-1 EE-2 EE-4 EE-5

GLAZING REQUIREMENT

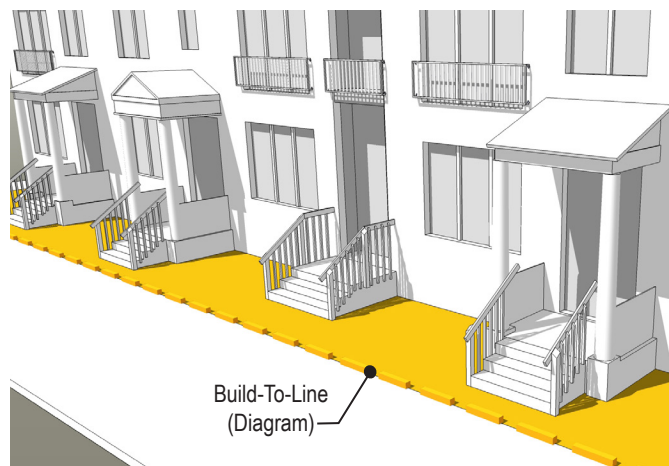
The street-level, street facing building area located between two (2) feet and eight (8) feet above the sidewalk shall provide clear, non-reflective glass according to the requirements of the Public and Private Frontage Standards Table 1149.12B

1149.48D STOOP FRONTAGE

PF-4



1149.48D (1) - Stoop frontage



1149.48D (2) - Stoop frontage

A frontage wherein the facade is aligned close to the frontage / build-to line with the first story elevated from the sidewalk sufficiently to secure privacy for the windows. The entrance is usually an exterior stair and landing. This type is recommended for ground floor residential use.

Up to three stair raisers can be placed within transition zone, and the ground plane within the BTZ can be hardscape continuation of sidewalk or landscaped (e.g., rain gardens).

ALLOWED FRONTAGE EDGING ELEMENTS

EE-1 EE-2 EE-4 EE-5

GLAZING REQUIREMENT

The street-level, street facing building area located between the first floor slab and underside of the second floor slab shall provide clear, non-reflective glass according to the requirements of the Public and Private Frontage Standards Table 1149.12B

FUNCTION OF THE BUILD-TO-ZONE (BTZ)

- (a) Allows for entrance alcoves.
- (b) Allows for facade articulation and inclusion of pronounced and/or recessed building elements.
- (c) Allows for alignment with existing neighboring buildings.

1149.48E PORCH FRONTAGE

PF-5

A frontage wherein the facade is set back from the frontage / build-to line with an attached porch permitted to encroaching. A fence at the build-to line (optional) maintains the demarcation of the yard. The porches shall be no less than 8 feet deep.

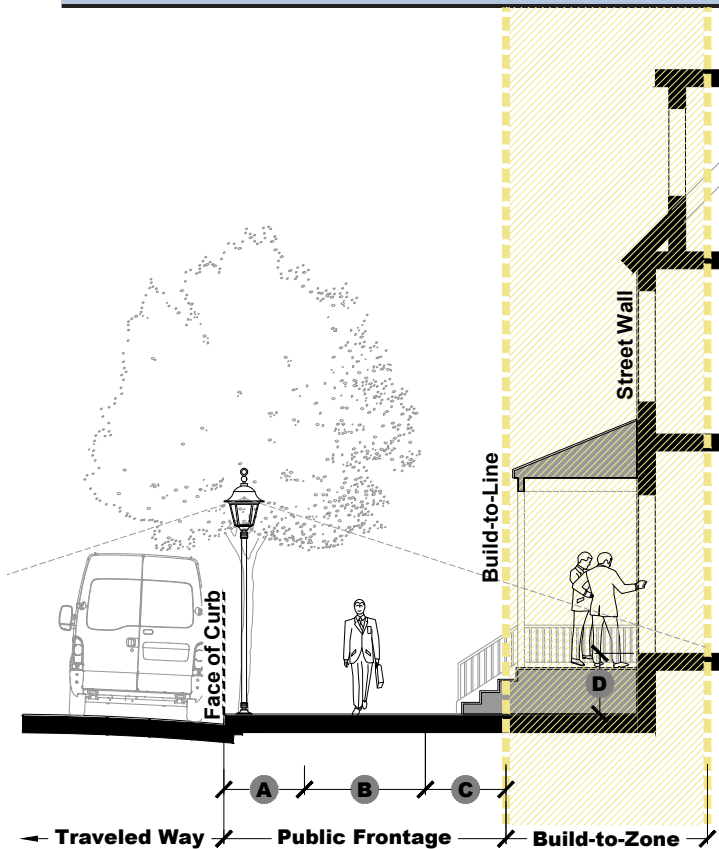
Up to three (3) stair raisers can be placed within transition zone, and the ground plane within the BTZ can be hardscape continuation of sidewalk or landscaped (e.g., rain gardens).

PERMITTED FRONTAGE EDGING ELEMENTS

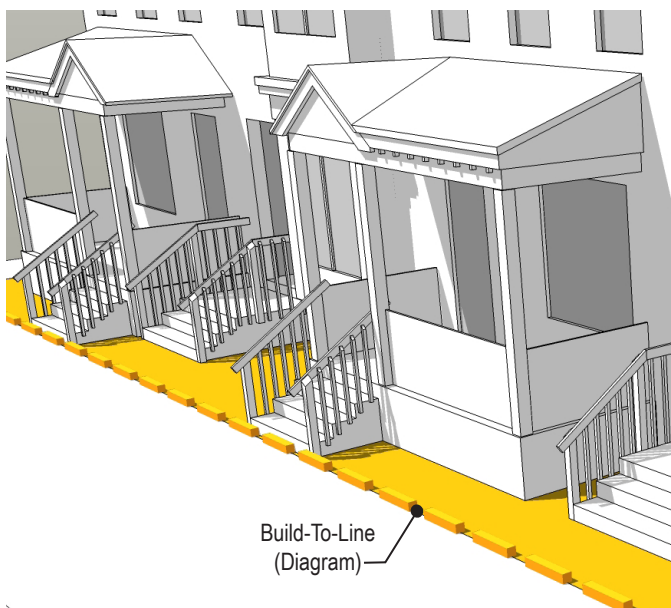
EE-1 EE-2 EE-4 EE-5

GLAZING REQUIREMENT

The street-level, street facing building area located between the first floor slab and underside of the second floor slab shall provide clear, non-reflective glass according to the requirements of the Public and Private Frontage Standards Table 1149.12B



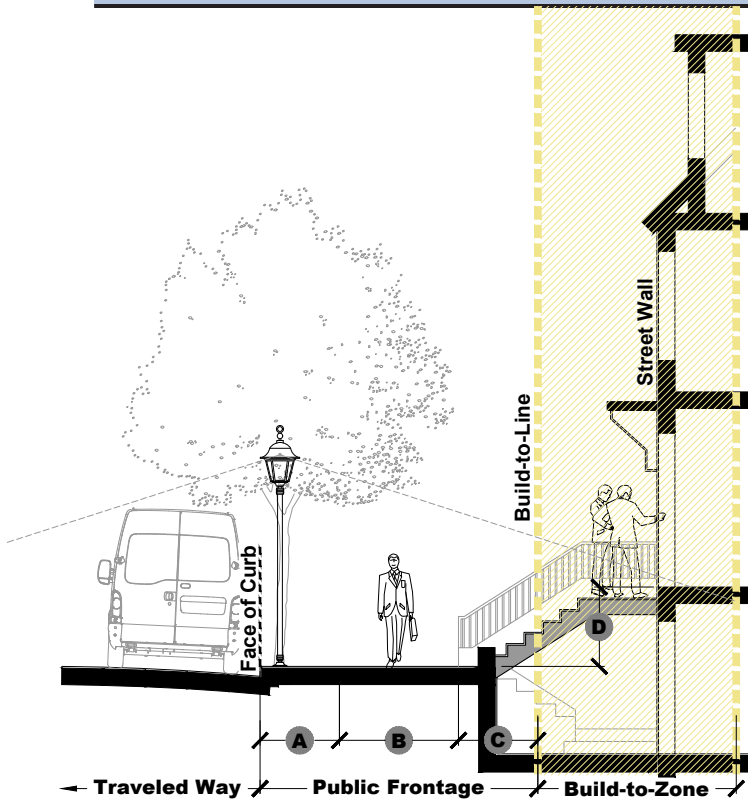
1149.48E (1) - Porch frontage



1149.48E (2) - Porch Frontage

1149.48F LIGHTWELL

PF-6



1149.48F (1) - Lightwell Frontage

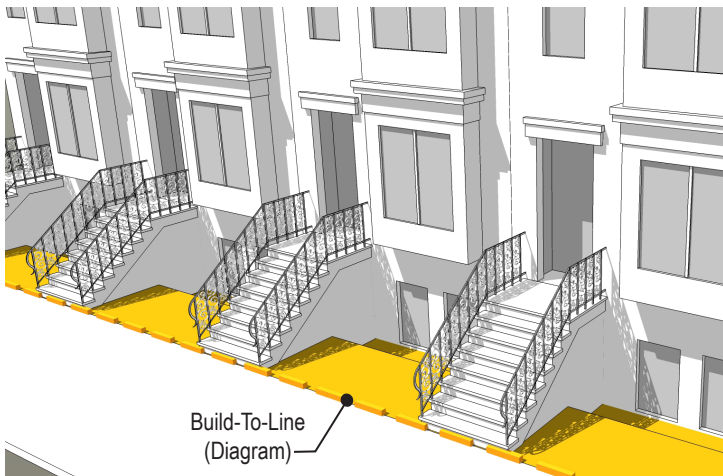
A frontage wherein the facade is set back from the frontage / build-to line by an elevated terrace or a sunken light court. This type buffers residential use from sidewalks and removes the private yard from public encroachment. The terrace is suitable for conversion to outdoor cafes in commercial uses.

FRONTAGE EDGING ELEMENTS ALLOWED

EE-1 EE-2 EE-4 EE-5

GLAZING REQUIREMENT

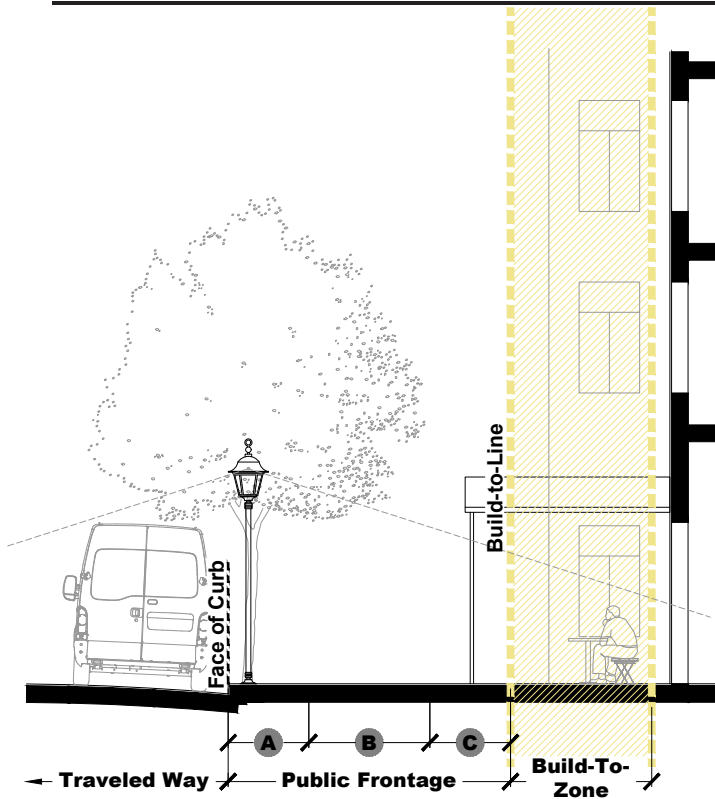
The street-level, street facing building area located between the first floor slab and underside of the second floor slab shall provide clear, non-reflective glass according to the requirements of the Public and Private Frontage Standards Table 1149.12B



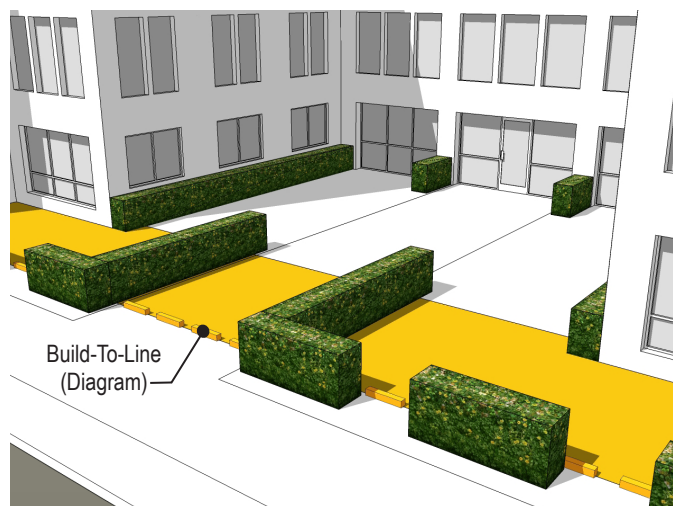
1149.48F (2) - Lightwell Frontage

1149.48G FORECOURT FRONTAGE

PF-7



1149.48G (1) - Forecourt Frontage



1149.48G (2) - Forecourt Frontage

A frontage wherein a portion of the facade is close to the frontage / build-to line and the central portion is set back. the forecourt created is suitable for vehicular drop-offs, large private gardens, bio-retention areas, or similar uses. This type should be allocated in conjunction with other frontage types. Large trees within the forecourts may overhang the sidewalks.

PERMITTED FRONTAGE EDGING ELEMENTS

EE-1 EE-2 EE-4 EE-5

GLAZING REQUIREMENT

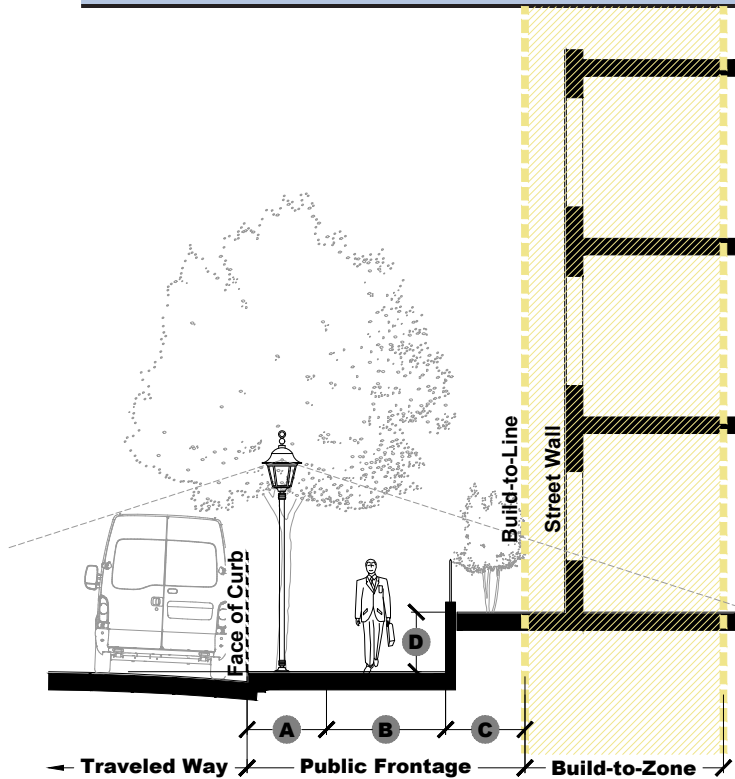
The street-level, street facing building area located between the first floor slab and underside of the second floor slab shall provide clear, non-reflective glass according to the requirements of the Public and Private Frontage Standards Table 1149.12B

FUNCTION OF THE BUILD-TO-ZONE

- (a) Allows for entrance alcoves.
- (b) Allows for facade articulation and inclusion of recessed building elements.
- (c) Allows for alignment with existing neighboring buildings.

1149.48H TERRACE

PF-8



1149.48G (1) - Terrace Frontage

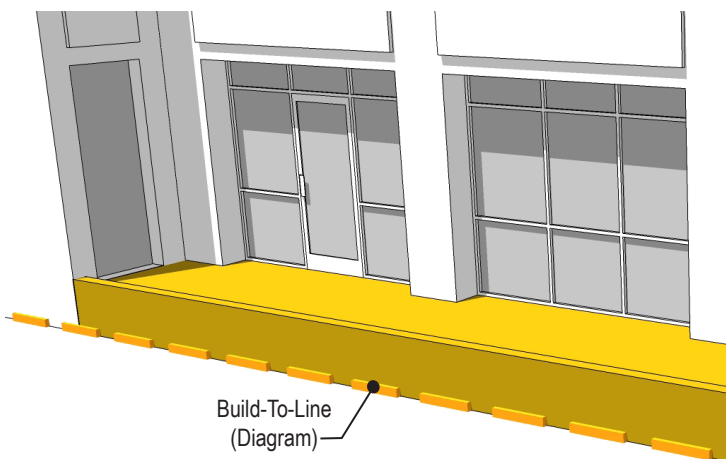
A frontage wherein the facade is set back from the frontage / build-to line by an elevated terrace or a sunken light court. This type buffers residential use from sidewalks and removes the private yard from public encroachment. The terrace is suitable for conversion to outdoor cafes in commercial uses.

FRONTAGE EDGING ELEMENTS ALLOWED

EE-1 EE-2 EE-4 EE-5

GLAZING REQUIREMENT

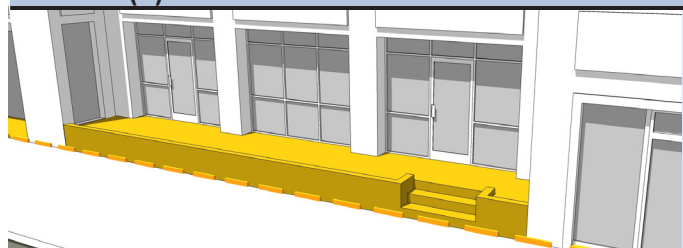
The street-level, street facing building area located between the first floor slab and underside of the second floor slab shall provide clear, non-reflective glass according to the requirements of the Public and Private Frontage Standards Table 1149.12B



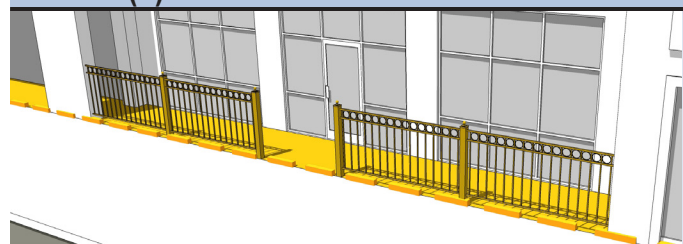
1149.48G (2) - Terrace Frontage

1149.48I EDGING ELEMENT DESIGN STANDARDS

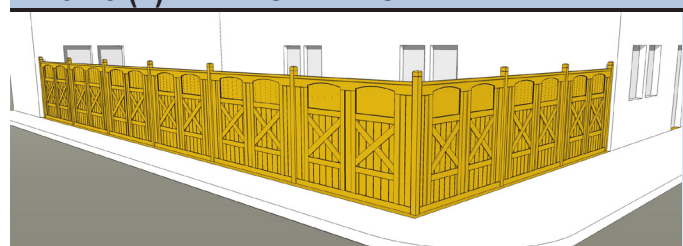
- (1) Edging Elements shall be designed to define and enclose the edge of the Private Frontage and create a transition between the public and private frontages. Edging elements complement other article controls of the Build-To-Zone.

1149.48I(2) EDGE STRUCTURE**EE-1**

The intent is to separate areas with different intensity of use with up to twenty-four (24) inches of difference in floor planes.

1149.48I(3) ORNAMENTAL FENCE**EE-2**

A transparent ornamental fence, not chain link, with a maximum height of forty-two (42) inches.

1149.48I(4) PRIVACY FENCE**EE-3**

A Privacy Fence with a maximum height of seventy-two (72) inches.

1149.48I(5) PLANTERS**EE-4**

Planters no higher than forty-two (42) inches in height.

1149.48I(6) LANDSCAPED EDGE**EE-4**

A Landscaped edge of flowers, plants, or hedges.

1149.49 ARCHITECTURAL DESIGN STANDARDS**1149.49A SIGNIFICANT CORNER**

- (1) Buildings may use the provisions of a Significant Corner in locations designated on the District Standards Map in Chapter 1149.11B(5), with the intent to visually attract a viewer's attention at important corner locations.
- (2) The intent may be achieved by provision of towers, corner towers, an architecturally embellished entry, or other similar distinctive architectural elements.
- (3) Buildings providing tower elements may have the tower element exceed the maximum building height by one story providing that the overall area of the extended height does not exceed ten percent (10%) of the floor area of the floor where it is appearing.
- (4) Significant Corners are exempt from the Streetwall Stepback requirements of Chapter 1149.23E.
- (5) Building shall not have more than two tower elements that qualify as Significant Corner or Terminating Vista, as approved by the Zoning Administrator.

1149.49B TERMINATING VISTA

- (1) Buildings may use the provisions of a Terminating Vista in locations of axial conclusion of a street or exposed viewshed as designated on the District Standards Map 1149.11B(5), with the intent to visually attract a viewer's attention at the end of such visual axis.
- (2) Vista termination may include towers, corner towers, symmetrical facades centered on a visual axis, an architecturally embellished entry, or other similar distinctive architectural elements.
- (3) Buildings providing tower elements may have the tower element exceed the maximum building height by one story, providing that the overall area of the extended height does not exceed ten percent (10%) of the area.
- (4) Terminating Vistas are exempt from the Streetwall Stepback requirements of Chapter 1149.23E.
- (5) No single building shall have more than two tower elements that qualify as Significant Corner or Terminating Vista, as approved by the Zoning Administrator.

1149.49C FINISHED FLOOR OF BUILDINGS

- (1) Finished Floor Elevation of ground floor residential uses shall be set with a finished floor a minimum of twenty-four (24) inches above the grade measured at the unit entrance. This requirement excludes Live-Work uses with Storefront Private Frontages.
- (2) Floor-to-floor height shall be minimum twelve (12) feet for the first floor of commercial uses, and minimum eight (8) feet for upper floors.
- (3) Stoop and Porch frontages shall have a minimum of two (2) risers at the stoop or porch at the lead-walk.

1149.49D HORIZONTAL EXPRESSION LINE

- (1) All buildings should provide two or more horizontal expression lines appropriate for the scale of the building to differentiate between the base, middle and/or top of buildings and emphasize a massing transition or change of use.
- (2) Expression lines should be articulated through the use of material, moldings, shading devices, changes of material, changes of color, cornices, and other similar architectural elements.
- (3) Expression Lines may consist of a continuous element (e.g., a trim), or interrupted lines that visually connect across the facade at the same height, formed by a balcony, a short setback or protruded element (e.g., a bay window), a slightly articulated trim course, or similar.

1149.49E BUILDING MASSING



- (1) Streetwall façade elements, including visual structural elements, openings, and details should utilize a coherent system of proportion.
 - (a) A Streetwall should be composed of vertical proportions, whether in part or whole of the composition, and shall be designed so that assumed vertical loads are carried to the ground by a reasonable and convincing visible structure.
 - (b) Windows shall be vertical in proportion, except where Storefront or Arcade Frontage is required or provided.
- (2) Streetwalls shall employ vertical sections no wider than eighty (80) feet.
 - (a) Vertical sections, while allowed to be identical, are an opportunity to introduce a visual change or a break in top expression line (parapet or cornice) of the Streetwall. These breaks are achieved by, but not limited to, changes in material, recesses, cornice height, or roof type. Break in the cornice can be achieved through the regular and/or occasional use of gables and/or dormers.
 - (b) Vertical sections also allow for breaks in the facade while maintaining the Streetwall within the Private Frontage to comply with Public and Private Frontage Standards Table 1149.12B.
 - (c) In buildings with flat roofs massing shall be controlled by, and not limited to, more pronounced vertical breaks, change in height at the Streetwall. Breaks can also be achieved through changes in the type of parapet used, inclusion of more pronounced overhang elements, the inclusion of mansard roofs, changes in building material, and inclusion of pergolas for rooftop gardens.
- (3) When bay windows are used, they should appear to be structurally supported in a manner matching the applied architectural style within the building section.
- (4) When dormers are used, they shall light interior spaces.
 - (a) The body of a single-window dormer shall be vertically proportioned or square and shall be consistent with the architectural style. Dormer windows shall be proportioned similar to or slightly shorter than typical windows in the floor below.
- (5) When shutters are used, they shall be sized to cover the windows, regardless of the shutter operability.

1149.49F BUILDING MATERIAL

- (1) Building materials shall be utilized in a manner appropriate to their intrinsic properties, including their structural capacities as demonstrated in openings and spans as approved by the Building Inspector.
 - (a) Heaviest appearing materials shall be kept at the base of the building and lighter appearing above.
 - (b) The rules numbered below, shall establish the guidelines for the acceptability of materials where substitute materials are used:
 - [1] Arm's Length Rule: Substitute materials must be indistinguishable from the materials they are representing if they are to be used below the second floor.
 - [2] Eyes' Only Rule: Substitute materials must be visually indistinguishable from the materials they are representing if they are to be used above the first floor.
- (2) No more than 3 wall materials, excluding fenestration, shall be visible on any exterior streetwall within a building section, not counting the foundation wall or piers.
 - (1) Material change should primarily take place along a horizontal line or as a part of a change in vertical sections of the building (see Chapter 1149.49E).

1149.49G SIGNS

- (1) All signage shall conform to the City of Cleveland Heights Sign Regulations as defined in Chapter 1163.