

December 14, 2021



SINGLE-FAMILY ZONING ANALYSIS

PHASE 1

COMMUNITY SURVEY FINDINGS



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NORTHEAST OHIO FIRST SUBURBS CONSORTIUM MEMBER COMMUNITIES

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Bedford Heights	Lakewood
Berea	Maple Heights
Brook Park	Parma
Brooklyn	Parma Heights
Brooklyn Heights	Shaker Heights
Cleveland Heights	South Euclid
East Cleveland	University Heights
Euclid	Warrensville Heights
Fairview Park	

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OUR MISSION

The Cuyahoga County Planning Commission's mission is to inform and provide services in support of the short and long term comprehensive planning, quality of life, environment, and economic development of Cuyahoga County and its cities, villages and townships.

SINGLE-FAMILY ZONING ANALYSIS

PHASE 1

COMMUNITY SURVEY FINDINGS

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INTRODUCTION

The Single-Family Zoning Analysis is a project of the Northeast Ohio First Suburbs Consortium in partnership with the Cuyahoga County Land Bank and facilitated by the Cuyahoga County Planning Commission. Its goal is to identify issues within zoning regulations that can make constructing desired infill housing difficult or cost-ineffective.

PROJECT GOAL

Identify issues within zoning regulations that can make constructing desired infill housing difficult or cost-ineffective.

NORTHEAST OHIO FIRST SUBURBS CONSORTIUM

Created in 1996 by elected officials representing communities surrounding Cleveland, the Northeast Ohio First Suburbs Consortium is the first government-led advocacy organization in the country working to revitalize mature developed communities, and raise public and political awareness of the problems and inequities associated with urban sprawl and urban disinvestment.

The Northeast Ohio First Suburbs Consortium was created as a council of governments to respond to government policies and practices which promote the development of new communities at the outer edges of metropolitan regions over the redevelopment and maintenance of mature suburbs.

INFILL HOUSING



Infill housing brings new homes and people to existing neighborhoods.

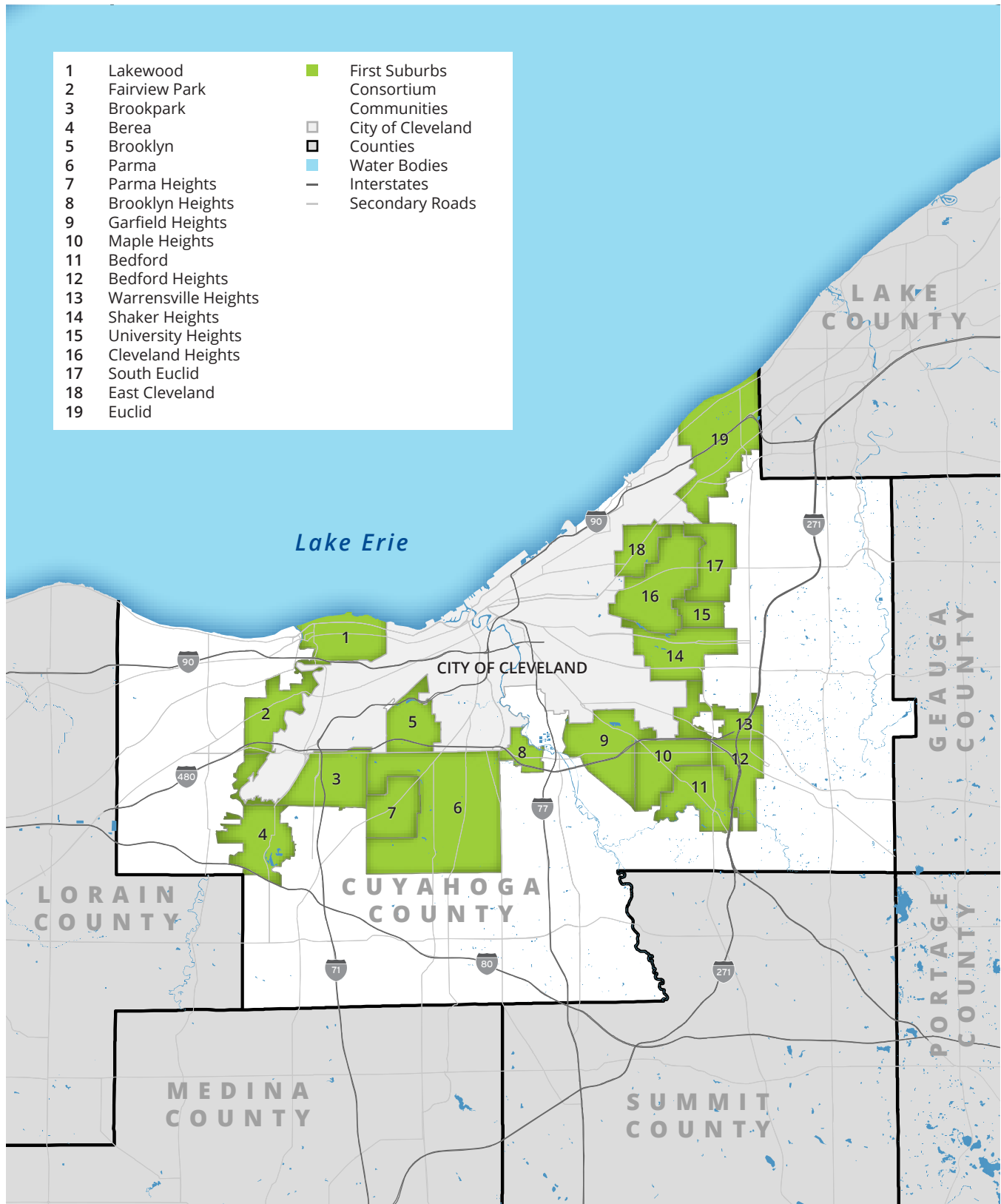
Source: Cuyahoga County Land Bank

SINGLE-FAMILY ZONING ANALYSIS: PHASE 1

The Single-Family Zoning Analysis: Phase 1 is the first of four proposed phases that will address the issue of single-family infill development in the First Suburbs. This first phase covers an analysis of single-family zoning to determine whether current or desired housing can be built under current regulations.

Future phases would include a best practices guidebook, code changes for participating communities, and ongoing tracking of single-family infill housing.

MAP 1 | FIRST SUBURBS CONSORTIUM COMMUNITIES



Source: County Planning

SURVEY RESULTS SUMMARY

COMMUNITY SURVEY

The Cuyahoga County Planning Commission sent a survey to all 19 members of the Northeast Ohio First Suburbs Consortium on June 8, 2021. The survey included 24 questions, and this report provides a summary of answers for 19. The remaining five questions included contact information and community-specific questions. All 19 communities responded to the survey, and the answers are included in this document.

Below are eight major findings from the survey. On the following pages you will find all of the responses to individual questions as submitted by participating communities.

1

Only 10.5% of respondents rated their single-family zoning as being very effective.

Of the respondents, 26.3% rated their single-family zoning regulations as being above average, 42.1% rated their regulations as average, and 15.8% rated their regulations as below average or ineffective.

2

Some respondents are seeing an increase in variance requests.

Over the last five years, more than a quarter of communities have seen an increase in variances for new homes and nearly half of communities have seen an increase in variances for renovations.

3

Front, side, and rear yard setbacks are the most common regulatory challenge facing infill housing.

Roughly half of respondents cited primary structure setbacks as a challenge to infill housing, followed by minimum lot sizes, setbacks for accessory structures, and maximum lot coverages. Few respondents said height regulations were a challenge.

4

Most communities take more than four weeks to approve an infill home project.

Of the respondents, 15.8% said approval takes four weeks and 42.1% said approval takes more than one month from plan submittal.

5

Most communities have the ability to update their community's official Zoning Map.

More than half (52.6%) of communities are able to update their official Zoning Map as amendments are made, rezonings occur, or other actions are taken.

6

Almost all communities have participated in the Land Bank's demolition program.

More than three-quarters (84.2%) of communities have been awarded funds or otherwise participated in the demolition program for abandoned or nuisance properties offered by the Cuyahoga County Land Bank.

7

Many communities prioritize infill development, but not all have target areas for new construction.

When ranking the priority of infill development, 26.3% said infill is their highest priority and more than two-thirds (73.7%) said infill housing was at least an average priority; however, communities were split on whether they had identified target areas for infill housing.

8

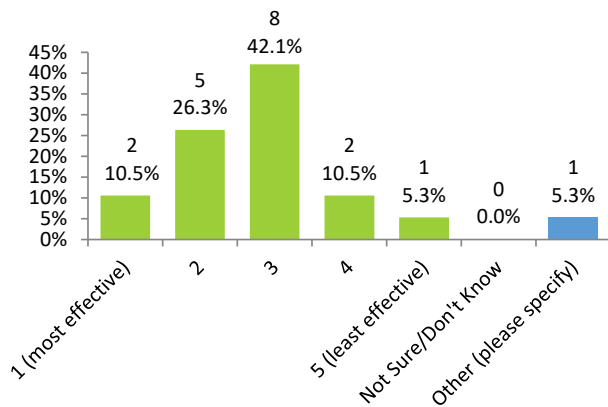
Almost every community offers some incentives for infill single-family housing, with most using CRA abatements.

Among respondent communities, 78.9% currently offer incentives and one community is exploring options. The vast majority of these incentives come in the form of CRA abatements, but the length and amount of that abatement varies widely.

INDIVIDUAL QUESTION RESPONSES

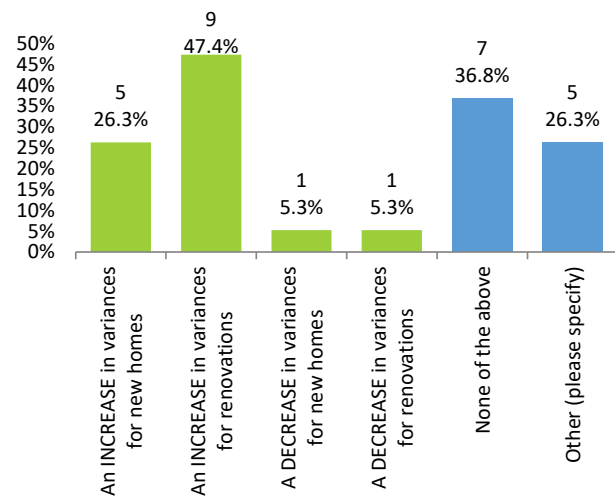
QUESTION A

FROM YOUR PERSPECTIVE, HOW EFFECTIVE ARE YOUR COMMUNITY'S ZONING REGULATIONS AND CODIFIED ORDINANCES AT PRODUCING NEW SINGLE-FAMILY INFILL HOUSING EASILY AND EFFICIENTLY? PLEASE SELECT ON A SCALE FROM 1 – 5, WITH 1 BEING THE MOST EFFECTIVE.



QUESTION B

OVER THE LAST 5 YEARS, HAS YOUR COMMUNITY SEEN ANY OF THE FOLLOWING (CHECK ALL THAT APPLY):

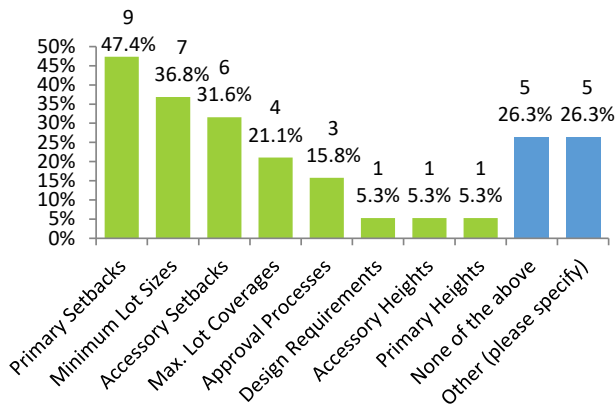


Comments:

- An increase in inquiries/complaints regarding elements of single-family properties (e.g., fire pits, split-level AC) that are not regulated by zoning. Also, an increase in requests for fence permits.
- It's more of a factor of the increase in permits and work being done on houses.
- We've had a few one offs here and there but there has not been a lot of focus on new infill construction [here]. We only have [approximately 25] sites, and they are very scattered. We have new construction single-family homes going up on new streets that have not been built on before.
- The community has had zero new housing built in the last 5 years.
- I have not heard of any issues or changes in market trends for SF.

QUESTION C

WHICH OF THE FOLLOWING REGULATIONS ARE THE BIGGEST CHALLENGES FACING SINGLE-FAMILY INFILL HOUSING WITHIN YOUR COMMUNITY: (CHECK ALL THAT APPLY)



*Primary refers to the primary structure on the lot (such as the single-family home)

**Setbacks refers to front, rear, or side setbacks

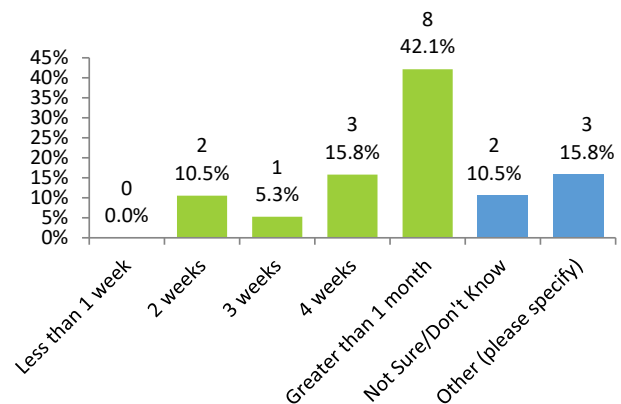
***Accessory refers to secondary structures on the lot (such as garages or sheds)

Comments:

- Garages
- Just a few of these are happening from time to time. Infill has not been a focus in past years. Most [demolished] lots that have been purchased have been for increases to adjacent yard and increasing green space.
- The City has had five (5) single-family dwellings constructed within the past five years. The City's housing stock is relatively intact and when the circumstance comes about where a demolition is required, the vacant lots have been quickly built on.
- Having the elevation of the house and grading of the lot(s) blend with the adjacent neighborhoods
- Lack of land

QUESTION D

IF YOUR COMMUNITY HAS EXPERIENCE WITH INFILL HOUSING, WHAT IS THE ESTIMATED NUMBER OF DAYS THAT ELAPSE FROM PLAN SUBMITTAL TO PROJECT APPROVAL FOR SINGLE-FAMILY INFILL HOUSING?



Comments:

- No applications for single-family infill
- No experiences with infill housing

QUESTION E

PLEASE DESCRIBE ANY ZONING REGULATIONS THAT MAY IMPEDE DEVELOPMENT OF SINGLE-FAMILY INFILL HOUSING.

- Setbacks, primarily front yards and corner side yards. This is especially the case with our non-conforming lots (and there are many that are historically smaller than zoning requires). Also garages.
- Setback requirements -- existing homes do not conform
- Lot coverage and setbacks caused by non-conforming lots. Contemporary designs for attached garages incur variance requests.
- Setbacks (front, side & rear) would require variances, as would detached garages. Lot size & frontage would also require variances.
- Infill housing must first meet the minimum setback requirements or would need to apply for variances
- Lot sizes and side setbacks
- Current zoning requires a minimum 50' frontage and at least 5000 square foot for a single family dwelling
- We have a few lots which contain less than the minimum amount of area. While property owners could seek a variance on lot area, they usually choose not to do so.
- In the case of the 2020 modular home construction project, the Cuyahoga Land Bank consolidated 3 smaller parcels and re-subdivided them into 2 larger parcels, removing lot coverage and nonconforming lot issues. However, the Land Bank still had to seek a variance for a front yard setback as the design called for the front setback of the 2 new homes to match the existing setback of the homes on the street. In a recent addition project, a rear yard setback variance was required to add a bathroom to the first floor of a home.
- Availability of lot consolidation
- Potentially, the width and length of a newly constructed home
- Percentage of structure to lot size; height restrictions
- Our infill design guidelines pose cost challenges in neighborhoods with lower housing values.
- We have not had any problems with zoning with the few new builds in the past 24 months.

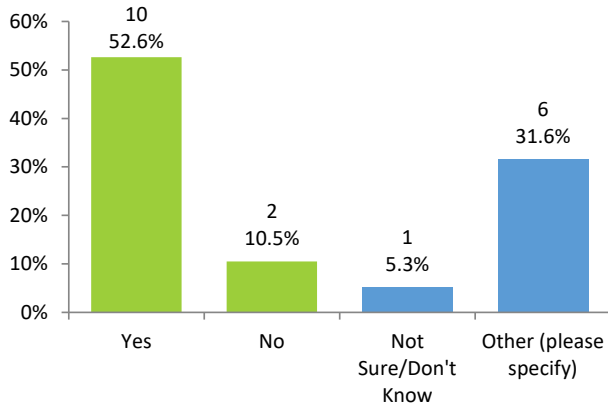
QUESTION F

PLEASE DESCRIBE ANY CHANGES TO ZONING REGULATIONS THAT YOU MIGHT CONSIDER TO FACILITATE MORE EFFICIENT OR EFFECTIVE INFILL HOUSING.

- [Our community] is currently considering changes to zoning with regards to private parking garages. Accessory Dwelling Units would be an important element to allow more efficient or effective infill housing.
- More realistic setbacks—recognition of two-family homes in Zoning Code—all multi-family are non-conforming, which creates headaches for insurance
- The [city's] zoning code & zoning map was updated [in] 2020 to facilitate more effective and efficient infill housing.
- Changes to lot coverage, especially to encourage aging in place.
- Exempt parcels/property located in an existing R-1 or R-2 neighborhood from the minimum requirements. City Manager and Building Commission have spoken about this in the past.
- Zoning code needs to enable infill or rebuilding of homes, not reflect greenfield standards.
- Allowing more administrative flexibility for front yard setbacks so that new infill housing does not need to seek a variance if the proposal is seeking to match or approximately match the existing setbacks on the street. Overall, the permitting and approval process is slow. The Planning and Zoning Commission only meets monthly, so this can add time to the development. Additionally, the zoning code is fragmented with some regulations in the ""supplementary regulations"" section, others in the district section and other sections, and some sections conflict with each other. It is time consuming to flip between sections, check for consistency, and check with the Law Department to ensure all zoning regulations are met.
- A recent change which was adopted by the City in 2019 allowed for a Residential Attached District (RA) on the City's Zoning Map. This allowed for a 30-unit townhome development to be built in the City's northwest corner. Though this is not single-family zoning, it allows for a product which is in increasing demand within the region.
- A [code] provision that allows lots with less area when a percentage of other adjoining lots contain an area less than the code minimum.
- Writing better ordinances that ensure the new house's site blends in with the old neighborhood's existing site so flooding doesn't increase
- We currently utilize conditional use permitting and the Board of Zoning Appeals & Planning Commission to work through issues.

QUESTION G

IS YOUR COMMUNITY ABLE TO REGULARLY UPDATE ITS OFFICIAL ZONING MAP AS AMENDMENTS ARE MADE, A REZONING OCCURS, OR OTHER SIMILAR ACTIONS ARE TAKEN?

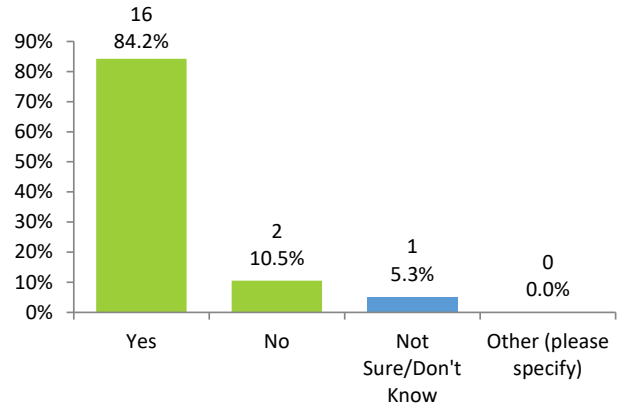


Comments:

- Updating through GIS mapping in process
- No, zoning map changes or text amendments are approved by referendum
- No, but thanks to the County Planning Commission, the answer will be "Yes" soon.
- The City's last zoning map update was adopted in June of 2019, and is in the process of updating its zoning codes as of now.
- No, we need to rely on the Cuyahoga County Planning Commission
- [It has] not been updated in a while

QUESTION H

HAS YOUR COMMUNITY BEEN AWARDED/ PARTICIPATED IN THE DEMOLITION PROGRAM FOR ABANDONED OR NUISANCE PROPERTIES OFFERED BY THE CUYAHOGA LAND BANK?



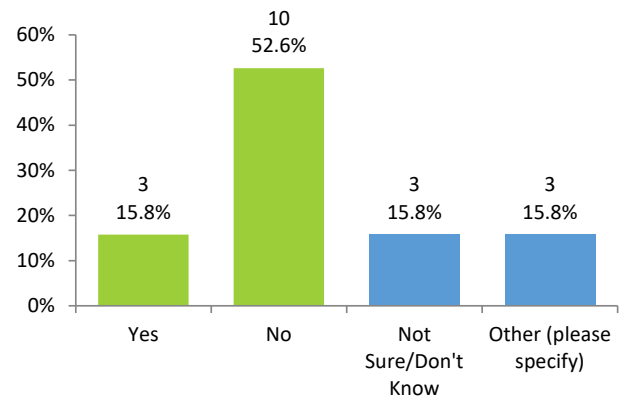
QUESTION I

IF YOUR COMMUNITY TRACKS DEMOLITIONS, HOW MANY BUILDABLE LOTS DOES YOUR COMMUNITY HAVE AVAILABLE FOR SINGLE-FAMILY INFILL HOUSING? THIS ANSWER CAN BE ESTIMATED.

- 0
- 10 (estimate)
- The City has razed well over 1,500 properties over the last few years.
- We consider all of our lots to be buildable; therefore, we have approximately 150 lots available.
- +/- 50
- Close to 100
- 428 (222 city owned, 206 privately owned)
- 65
- 1
- 4 vacant residential parcels
- About 20 scattered sites
- The city owns 4-5 lots that could be have infill housing. We are not actively selling these lots, as we hope to rezone for attached units. Other demolitions have been undertaken to remove single-family homes from commercial zones.
- Approximately 200 parcels in the City's land reutilization program with more buildable parcels privately held.
- There is one lot which is being built on currently by Knez; however, the City is pretty much built out though there are properties which need to be addressed, potentially through demolition.
- 5
- 2 to 10
- We added a clause to the demo approval that a house could NOT be reconstructed
- None

QUESTION J

DOES YOUR COMMUNITY REQUIRE PURCHASERS OF LAND BANK PARCELS TO BE OWNER-OCCUPANTS?

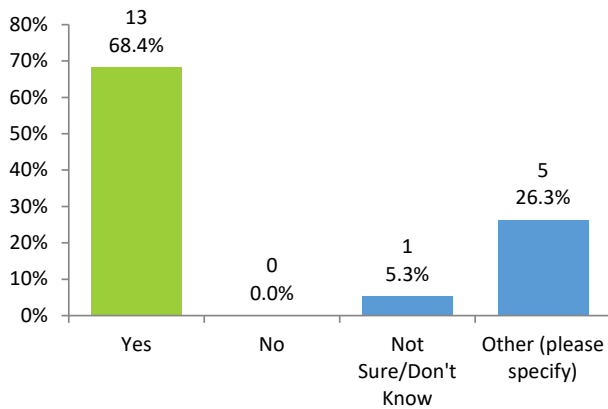


Comments:

- For the neighbor next door - yes, but other land bank parcels - no.
- The City does not require land bank purchasers to be owner-occupants. The City is working with builders on [an] infill initiative. As far as land bank parcels that have existing structures, the City more often transfers properties to someone who will rehab a property and then sell it. The CRA program does require owner-occupants for single-family homes to be eligible for tax abatement. And overall, owner-occupancy is a general goal of the City.
- Side lot purchasers must be owner occupants. Developers must sell to owner occupants.

QUESTION K

HAS YOUR COMMUNITY HAD SUCCESS DISPOSING OF VACANT SINGLE-FAMILY PROPERTIES ON SITES OF FORMERLY DEMOLISHED HOMES?



Comments:

- Not systematically
- Properties are held in our Landbank
- Haven't had land bank vacant parcels.
- [The city] has not actively pursued selling these lots.
- Many of these properties are in commercial zones, so the lots are remaining greenspace until they can be developed commercially.
- We did not have to demolish any houses

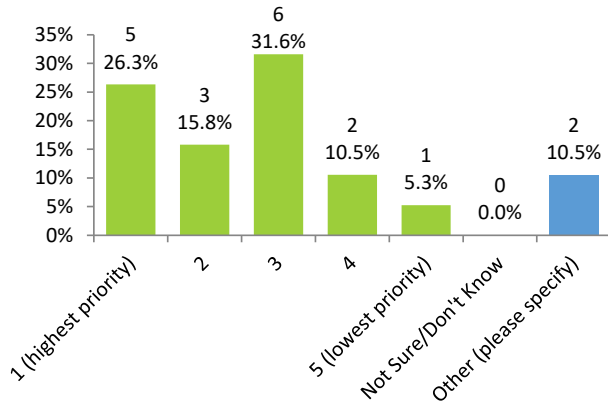
QUESTION L

IF YES, WHAT PROGRAMS HAVE BEEN MOST SUCCESSFUL IN DISPOSING OF VACANT SINGLE-FAMILY PROPERTIES AND HOW MANY LOTS HAVE BEEN DISPOSED? THIS ANSWER CAN BE ESTIMATED.

- 1 lot - yard sign
- I would have to check the exact numbers, but the neighbor next door program is a great tool.
- Our Neighborhood Redevelopment Program and vacant side lot program. 35 lots have been sold.
- [Our] Build, Grow, Thrive Program for new construction and side lot consolidations
- Selling to adjacent neighbors since 2015
- Side lot program - 22; Infill - 6; Community garden -1. Purchase options in place for SF infill with 3 developers for 27 lots.
- RFPs to local developers and our affordable housing program using HOME funds. Approximately 10 properties have been disposed.
- Only a few to adjacent neighbors to extend yard
- Side Yard Program - 21 parcels sold or in progress between 2019 and 2021. Vacant Lot Program (for purposes other than side yard, including new construction) - 17 parcels sold or in progress between 2019 and 2021.
- Property tax abatement (CRA program). the entire City is included in the CRA except for University Square.
- City Landbank
- [The city] offers a 15 year and 100% tax abatement on the value of new construction for infill homes.
- We give half of the lot to each of the adjacent neighbors
- Cuyahoga County Demo Fund; Neighborhood Stabilization Grant; 90 Homes
- The tax abatement program

QUESTION M

HOW MUCH OF A PRIORITY IS ENCOURAGING SINGLE-FAMILY INFILL DEVELOPMENT IN YOUR COMMUNITY? PLEASE SELECT ON A SCALE FROM 1 – 5, WITH 1 BEING THE HIGHEST PRIORITY.

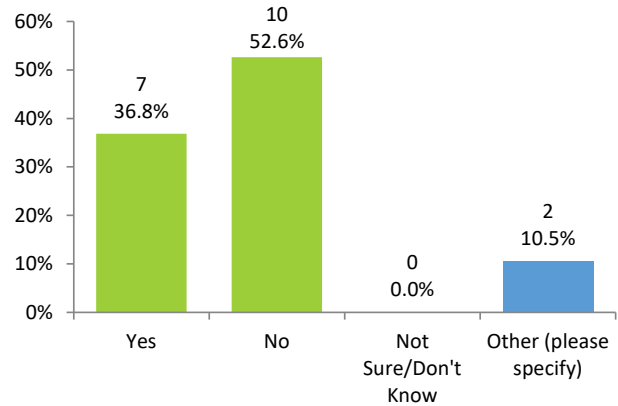


Comments:

- Developing new single-family housing opportunities is a priority; however, the city doesn't have the opportunity to accomplish this goal through infill.

QUESTION N

DOES YOUR COMMUNITY HAVE ANY TARGET AREAS WITHIN EXISTING NEIGHBORHOODS THAT COULD BE GOOD CANDIDATES FOR SINGLE-FAMILY RESIDENTIAL INFILL DEVELOPMENT?



Comments:

- The City is built-out at this time; however, the vast majority of the City's housing stock is single-family residential so if there were demolitions in the future which were to occur, those lots would be prime for single-family builds.
- Vacant Lot locations vary, and thus lead to scattered infill. So maybe the answer is "no" with a few exceptions.

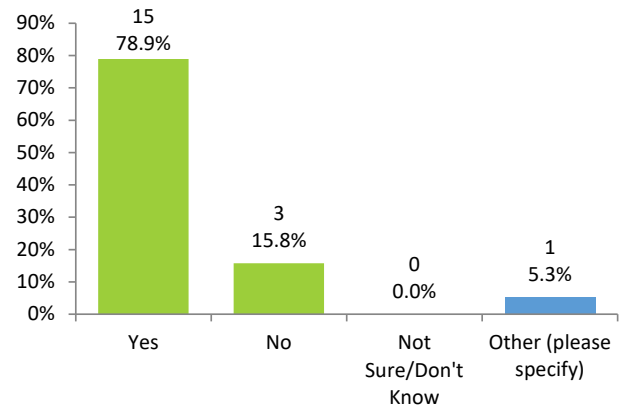
QUESTION O

WHAT IS THE PROCESS YOUR COMMUNITY HAS UNDERTAKEN TO ATTRACT DEVELOPERS TO BUILD SINGLE-FAMILY HOMES ON INFILL LOTS?

- The City has solicited developers to look at certain areas and the City offers tax abatement as well as down payment assistance.
- The City has established a Neighborhood Redevelopment program and through that program has issued a number of RFQ/RFPs.
- Marketing them through our CDC - have issued RFQs and worked with the CCLRC
- Marketing through city website; 10 year 100 % tax abatement in some areas of Moreland neighborhood.
- The city has spoken to several developers with regard to infill housing, the challenges remain the same. The cost of construction vs comps in that particular area for lending
- Housing market has been strong, RFPs are sent directly to developers to encourage proposals.
- We've had some discussions here and there and some developers the City Manager or myself know have looked at the lots but the scattered nature of our lots is not appealing to them.
- In 2020, the City updated its property tax abatement program to maximize the incentive available. I am monitoring new construction in First Suburbs communities to see who is familiar with doing work on smaller lots and in our communities and cold call them. This was recently successful with Amato Homes, who is currently developing 4 new homes in the City.
- The city has only had a few new-builds within the past five years and is almost completely built out, save for a couple of vacant lots which are City owned, and another few which are privately owned.
- Shorten permitting process, familiarize with developers who have proven success, build relationships.
- Generally, we have more people looking for infill lots than we have available infill lots. When a vacant lot hits the market, it is sold relatively quickly if the price is reasonable.
- Real estate market
- Posting available sites on-line and follow-up with local realtors and developers

QUESTION P

DOES YOUR COMMUNITY OFFER INCENTIVES FOR INFILL SINGLE-FAMILY HOUSING, SUCH AS ABATEMENTS OR OTHER SIMILAR PROGRAMS, THAT MAKE BUILDING ON A RESIDENTIAL INFILL LOT EASIER AND/OR MORE ECONOMICALLY FEASIBLE?



Comments:

- Exploring options for incentives

QUESTION Q

PLEASE DESCRIBE ANY INCENTIVE OR ABATEMENT PROGRAMS YOUR COMMUNITY OFFERS FOR INFILL HOUSING, INCLUDING THE AMOUNT AND LENGTH OF INCENTIVE OR ABATEMENT.

- CRA
- The City has solicited developers to look at certain areas and the City offers tax abatement as well as down payment assistance.
- The City does not have a one-size fits all approach. Available abatements for infill housing start at 5 years and 25% and go up to the maximum 15 years and 100% depending on the location and project.
- 5-year, 75% abatement for new construction on previously developed land
- 10 year 100% tax abatement; more flexible design standards
- The city offers 75% tax abatement for 15 years on new construction
- We have Community Reinvestment Areas (CRA) tax credits for new construction.
- City CRA abatement on improvements, certain census tracts have a CRA for new build residential.
- 50% abatement for 5 years
- The city offers a CRA for new single-family construction - 35% abatement for 5 years
- For new residential construction, a 100% 15-year property tax abatement is offered.
- 15 year tax abatement- 100% on the structure if the structure is built on a vacant lot. If it is built where a property was demolished, then the tax abatement would cover the difference between the taxable value of what was there previously and the new build. This falls under the CRA.
- Abatements - although I'm not fully sure of our policy. They are not given to all developments across the board, however.
- [The City] offers a 15 year and 100% abatement on the value of new construction of infill homes.
- The CRA tax abatement: 10 years at 100%

QUESTION R

IS THERE ANYTHING ELSE WE SHOULD KNOW ABOUT SINGLE-FAMILY ZONING AND/OR RELATED POLICIES AND PROGRAMS WITHIN YOUR COMMUNITY?

- The Building Code will need to be examined as well, as we have heard that many issues arise when people apply for a building permit.
- We need to look at facilitating ADFs and allowing for more flexibility to meet lifestyle trends
- We are starting to prioritize that. Looking for possible builders, etc.
- We have sample designs available on our website to help stimulate ideas about what is possible on the lots. We created a small lot infill development overlay in 1 neighborhood as a pilot.
- We would like a map that we can update as zoning changes.
- [The city] is open new zoning recommendations to be able to offer more options on our available lots.
- [The city]'s single-family housing market is stable. This results in limited opportunities for infill housing.
- Single-family zoning is an important part of our work on promoting development, but ensuring that the code is flexible for ADUs and two-family or three-family development is also important. We want to make sure that, when someone makes an investment in [the City], they can stay in [the City] as their family needs change.
- The City is currently having its zoning code reviewed and it will be updated soon.
- Do other cities use infill lots to create stormwater detention instead of rebuilding houses?

QUESTION 5

OUTSIDE OF SINGLE-FAMILY INFILL ZONING REGULATIONS, ARE THERE ANY OTHER PARTS OF YOUR ZONING CODE OR ISSUES IN YOUR ZONING REGULATIONS THAT YOU NEED ASSISTANCE ON?

- Yes, the City needs to look at our entire zoning and update it to ensure future developments are brought in with a plan.
- We are hoping to take a comprehensive look at our zoning code in the near future. We have begun to discuss with our Planning Commission ways to update the zoning code, including issues of equity.
- We are interested in pursuing form-based code and overlay districts to encourage mixed use and enhance commercial corridors
- Updating the Master Plan (which is in process)
- Accessory dwelling units
- Parking rules often require variances and while not a problem we are [open to] suggestions about how to approach commercial parking issues.
- Not at this time. One major zoning update taking a large retail district (former Meadowbrook shopping center at Northfield and Rockside) which was redistricted to mixed-use. City administration is considering Master Plan update in the next few years.
- [The city] just started a process to rewrite the entire planning and zoning code to implement the recently adopted Master Plan.
- Similar to what was described above, making sure that ADUs and limited multi-family is permitted to meet multi-generational households' needs and to promote more density around accessible (bikable and transit-oriented) parcels is important.
- Our commercial/retail zone needs to be updated
- Parking in dense urban areas vs. non-dense urban areas
- Entire code needs updating



County Planning

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FOR OUR REGION
FOR OUR FUTURE