TITLE 5: OVERLAYS

Chapter

1171 Overlay Districts Established
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CHAPTER 1171: OVERLAY DISTRICTS ESTABLISHED

Section

1171.01 Establishment of Overlay Districts

Cross-reference:

Commercial district use regulations, see §§ 1129.01 and 1129.02

§ 1171.01 ESTABLISHMENT OF OVERLAY DISTRICTS.

(a) Introduction. This Title and the associated districts and standards were written to guide development and redevelopment in areas of the City of East Cleveland where mixed uses and a diversity of housing types should be promoted.

(b) Overlay District Purpose. An overlay district is a mapped zone that establishes development standards that are different than those of the conventional "base" residential or commercial zoning district, such that any parcel of land lying in an overlay district shall also lie in one or more conventional residential or commercial district. An overlay district provides alternate development regulations that can advance community goals in areas where existing zoning does not adequately result in desired development.

(c) Districts Established. The following overlay districts are hereby established:

(1) RO: Residential Overlay District

(2) CO: Commercial Overlay District

(d) Applicability. The regulations of the overlay district apply to those areas of the city as designated on the Zoning Map and for the types of developments outlined in the individual districts.

(e) Districts Mapped. Overlay districts may be mapped and applied in the manner described in Chapter 1109: Changes and Amendments.

(f) Conflicts. If any requirements contained within this Title present an actual, implied, or apparent conflict, the regulations in this Title shall prevail.

CHAPTER 1173: RESIDENTIAL OVERLAY DISTRICT REGULATIONS

Section

1173.01 Purpose
1173.02 Applicability
1173.03 Use Regulations
1173.04 Development Standards
1173.05 Parking and Loading

Cross-reference:

Commercial district use regulations, see §§ 1129.01 and 1129.02
Conditional use permits, see §§ 1105.02, 1107.03 and 1107.06
Industrial district use regulations, see §§ 1131.01 and 1131.02
Local retail store district use regulations, see §§ 1127.01 and 1127.02
Nonconforming uses, see Ch. 1139
Residence district use regulations, see Ch. 1125

§ 1173.01 PURPOSE.

(a) District Purpose. The purpose of the Residential Overlay (RO) District is to strengthen the residential neighborhoods to which it applies in order to:

(1) Support the intent and objectives of plans adopted by the city;

(2) Right size regulations governing new development;

(3) Facilitate the construction, expansion, or renovation of a variety of housing types to promote housing for people of different income levels and at different stages of life;

(4) Foster a denser residential neighborhood consistent with traditional inner-ring residential development that is supportive of transit and surrounding commercial districts;

(5) Ensure that walking, biking, and riding transit is comfortable, convenient, and safe through enhanced streetscapes, amenities, and pedestrian-oriented buildings;

(6) Enhance the quality and aesthetic appeal of residential buildings to attract and retain residents and complement the architectural character of the neighborhood; and,

(7) Incorporate sustainable and green practices; enhance the reliability and resiliency of the local power grid; and make more efficient use of local infrastructure.

§ 1173.02 APPLICABILITY.

(a) Location and Applicability. The Residential Overlay (RO) District shall apply to areas indicated on the city's Zoning Map for the following types of development:

(1) All newly constructed buildings in the RO district shall meet the requirements of this Chapter.

(2) Expansion of existing buildings that results in an addition or expansion of 50% or more of the square footage of the existing building (as determined by the Building Official) shall meet the requirements of this Chapter.

(3) Expansion of existing buildings that results in an addition or expansion of less than 50% of the square footage of the existing building (as determined by the Building Official) may be developed under the applicable regulations of this overlay or under the regulations of the base zoning district, at the discretion of the applicant.

(b) Relationship to Other Development Standards.

(1) All of the provisions of the East Cleveland Zoning Code that are applicable to the underlying base district shall apply, except as specifically modified in this Title.

(2) In cases where there is a conflict between the provisions of the RO district and the provisions of the underlying base district, the provisions of this overlay district shall apply.

(c) Previously Approved Developments. The provisions of this overlay district shall not apply to developments for which approval was granted or building permits were issued prior to the adoption of the RO district.

§ 1173.03 USE REGULATIONS.

(a) Permitted Uses. Uses permitted in the RO district are provided for in Table 1173.03(A): RO District Use Regulations.

(b) Conditional Uses.

(1) Conditional uses in the RO district are provided for in Table 1173.03(A): RO District Use Regulations. All conditional uses provided for in the table may be permitted within the RO district under the conditions and in the manner prescribed in Section 1105.02, and provided they meet the following requirements:

A. The applicant satisfactorily demonstrates that the proposed use supports the general character and purposes of the district and will not substantially detract from the residential character of the area.

B. The applicant satisfactorily demonstrates that the proposed conditional use is the best use of the parcel of land it is proposed to be built upon due to the lot size, shape, natural features, adjacent uses, or other issue relevant to the location of the proposed use.

(2) Conditional uses listed in Section 1123.03 shall not be approved as conditional uses in the RO district unless listed in Table 1173.03(A).

(c) Additional Use Standards. Permitted uses identified with an asterisk are permitted only if additional use standards, outlined in Section 1177.03, are met. Conditional uses identified with an asterisk may be permitted under the conditions and in the manner described in 1173.03(b), in addition to being subject to additional use standards outlined in Section 1177.03.

(d) Substantially Similar Uses. Any substantially similar use which is classified and approved by action of the Board of Zoning Appeals to be of the same character, nature, and intensity of use as those permitted in this zoning district may be permitted subject to the procedure and standards set forth in Chapter 1107.

(e) Accessory Uses. See Chapter 1177 for permitted accessory uses and structures and associated development standards.

(f) Prohibited Uses. In addition to those uses listed in Section 1123.02, all other uses not listed in Table 1173.03(A) shall be considered prohibited such that no building or premises shall be used, erected, or altered for any use not included in Table 1173.03(A).

TABLE 1173.03(A): RO District Use Regulations

PERMITTED AND CONDITIONAL USES	
RESIDENTIAL	
Single-family dwellings	P
Two-family dwellings	P
Double house dwellings	P
Three-family dwellings	P
Townhouse developments[(a)]	P
Apartments[(a)(b)]	P*
Adult family home	P*
Residential facility family houses	P*
Family day care homes, Type B	P
Family day care homes, Type A	C*
PUBLIC FACILITIES	
Public park or playground	P
Place of worship	C*
Public utilities	C*
OTHER	
Agriculture	P*
[(a)] *Townhouse developments and apartments located within 700 feet of Euclid Avenue, as measured from the street centerline to the lot line by the shortest distance, are permitted. Townhouse developments and apartments located further than 700 feet from Euclid Avenue may be permitted as a conditional use.* [(b)] *No more than 24 units are allowed per apartment house in the RO district. An apartment house proposed with more than 24 units may be permitted as a conditional use.*	

P = *Permitted Use* C = *Conditional Use* * = *Additional Use Standards Apply (See Section 1177.03)*

§ 1173.04 DEVELOPMENT STANDARDS.

(a) Development Standards. Every permitted and conditional use of land and structures in the RO district shall be located on a zoning lot and sited in such a manner as to conform to the development standards outlined in this section.

(b) Lot Area and Width. Every lot within the RO district shall have frontage on a public right-of-way and shall conform to the minimum lot area and width set forth in Table 1173.04(A).

TABLE 1173.04(A): RO Lot Dimensions

LOT DIMENSIONS					
		Minimum Lot Area (sq ft)		Minimum Lot Width (ft)	
		A1 Base District	A2 Base District	A1 Base District	A2 Base District
Single-, Two-, or Three-family dwellings		4,800	3,250	40	32
Double house dwellings		2,400 / du	1,625 / du	20 / du	20 / du
Townhouse developments		1,800 / du	1,500 / du	20 / du	18 / du
Apartment houses	4-6 units	1,200 / du	825 / du	12 / du	10 / du
	More than 6 units	1,000 / du	800 / du	10 / du	8 / du
Public park or playground		None Required		None Required	
All other uses		4,800	3,250	40	32

/ du = *Per Dwelling Unit*

(1) Non-Conforming Lots: Any lot of record in the RO district existing at the time of the adoption of the RO district, which does not meet the minimum lot area and minimum lot width requirements, shall be considered buildable provided that the site plan meets all setback requirements established by the zoning code.

(c) Yard Dimensions and Building Height. Every lot within the RO district shall have a front, rear, and side yard, and shall conform to the minimum setbacks and maximum height, as set forth in Table 1173.04(B).

TABLE 1173.04(B): RO Yard Dimensions and Building Height

YARD DIMENSIONS AND BUILDING HEIGHT					
	Side Yard Setbacks (ft)		Minimum Front Yard Setback (ft)	Minimum Rear Yard Setback (ft)	Maximum Building Height (ft)
	Minimum One Side	Minimum Total Combined Yards			
Single-, Two-, or Three-family dwellings	3	10	See 1173.04(c)(1)	15	40
Double house dwellings	3[(a)]	10[(a)]			
Townhouse developments	5[a)]	10[(a)]	10	15	40
Apartment houses	10	20		30	45
Public park or playground	5	10		15	25
All other uses	3	10	See 1173.04(c)(1)	15	40
[(a)] *Side yard setbacks apply to the project as a whole. No side yard setbacks shall be required between dwelling units that share a wall, but each dwelling unit must be separated by a fireproof party wall.*					

(1) Front Yard Setbacks. Unless specified in Table 1173.04(B), front yard setbacks shall be determined by the following:

A. On streets where 50% or more of the total lot frontage on the block face has been developed for residential purposes:

1. The front yard setback shall be the median of front setbacks on the subject property's respective side of the street, or the average of the adjacent front yard setbacks, whichever is larger. However, in all instances the front yard setback shall be no less than ten (10) feet.
2. The Building Official may allow the front yard setback to be increased or decreased by up to two (2) feet at their discretion to allow for appropriate development of a lot.

B. On streets where less than 50% of the total lot frontage on the block face has been developed for residential purposes:

1. The front yard setback shall be at least ten (10) feet and no more than 25 feet.

(d) Minimum Dwelling Unit Size. All dwelling units shall be at least 400 square feet in size.

(e) Other Relevant Standards. See Chapter 1177 for additional standards that apply to developments in the RO district.

§ 1173.05 PARKING AND LOADING.

(a) General Provisions. Off-street parking and associated driveways shall conform to the parking requirements set forth in Chapter 1143, except as modified in this Title. Where there is a conflict between a provision in this Title and a provision in Chapter 1143, the requirements of this Title shall prevail.

(b) Parking of Motor Vehicles.

(1) All automobiles, motorcycles, or other motor vehicles shall be parked on a parking surface (e.g. driveway or parking area) made of concrete, asphalt, paving blocks, brick, other similar materials, or semi-pervious surfacing, or within a private garage, carport, etc.

(2) All motor vehicles on the premises shall be in operating condition and in compliance with all motor vehicle safety, equipment, and registration and licensing laws displaying proper tags and validation stickers unless parked or stored within an enclosed structure. A violation of this section may result in the vehicle being declared a nuisance.

(c) Modified Parking Standards.

(1) Parking shall be provided in accordance with the regulations outlined in Table 1173.05(A).

TABLE 1173.05(A): RO Modified Parking Requirements

USE TYPES	REQUIRED SPACES
Single-, Two-, or Three-family dwellings	1 space per dwelling unit
Double house dwellings	1 space per dwelling unit
Townhouse developments	1 space per dwelling unit
Apartment houses	0.75 spaces per dwelling unit
Public park or playground	None Required
All other uses	See Chapter 1143

(2) When parking requirements result in a fractional parking space, fractions of ½ or more are counted as 1 space.

(d) Location of Garages. The location of garages shall be regulated as follows:

(1) Detached garages shall only be permitted in the rear yard of a residential development.

(2) Attached garages shall not protrude past the front façade of the principal building.

(3) Attached garages shall not be wider than the width of the front façade of the principal building.

(4) Below grade garages must meet the minimum setback requirements of the principal building.

(e) Location of Off-Street Surface Parking. The location of off-street surface parking lots shall be regulated as follows:

(1) No designated parking is allowed in the front yard of a principal building.

(2) Parking may be located in the rear or side yard of a building, however, no more than 40% of the width of the lot along any street shall be devoted to parking or drives.

(f) Bicycle Parking Requirements. Bicycle parking shall be provided according to the regulations in Chapter 1177.

CHAPTER 1175: COMMERCIAL OVERLAY DISTRICT REGULATIONS

Section

1175.01 Purpose
1175.02 Applicability
1175.03 Use Regulations
1175.04 Development Standards
1175.05 Parking and Loading

Cross-reference:

Commercial district use regulations, see §§ 1129.01 and 1129.02
Conditional use permits, see §§ 1105.02, 1107.03 and 1107.06
Industrial district use regulations, see §§ 1131.01 and 1131.02
Local retail store district use regulations, see §§ 1127.01 and 1127.02
Nonconforming uses, see Ch. 1139
Residence district use regulations, see Ch. 1125

§ 1175.01 PURPOSE.

(a) District Purpose. The purpose of the Commercial Overlay (CO) District is to promote the redevelopment of commercial areas along major corridors and along transit routes as compact, mixed-use, walkable, and livable neighborhoods to:

(1) Support the intent and objectives of plans adopted by the city;

(2) Increase transit use and expand other mobility options by developing an environment that makes walking, biking, and riding transit comfortable, convenient, and safe through enhanced streetscapes, amenities, and pedestrian-oriented buildings;

(3) Encourage infill development and the reuse of existing buildings;

(4) Increase the density of residential and commercial uses to support walkable environments and an efficient transit system while reducing auto dependency and roadway congestion;

(5) Increase convenient access to important services, goods, and employment by mixing different uses and locating them near residential areas;

(6) Encourage an appropriate mix of residential options to promote housing for people of different income levels and at different stages of life;

(7) Enhance the quality of buildings, public spaces, and walking environments to establish a sense of identity and attract employers, businesses, residents, and visitors; and,

(8) Incorporate sustainable and green practices.

§ 1175.02 APPLICABILITY.

(a) Location and Applicability. The Commercial Overlay (CO) District shall apply to areas indicated on the city's Zoning Map for the following types of development:

(1) All newly constructed buildings in the CO district shall meet the requirements of this Chapter.

(2) Expansion of existing buildings that results in an addition or expansion of 50% or more of the square footage of the existing building (as determined by the Building Official) shall meet the requirements of this Chapter.

(3) Expansion of existing buildings that results in an addition or expansion of less than 50% of the square footage of the existing building (as determined by the Building Official) may be developed under the applicable regulations of this overlay or under the regulations of the base zoning district, at the discretion of the applicant.

(b) Relationship to Other Development Standards.

(1) All of the provisions of the East Cleveland Zoning Code that are applicable to the underlying base district shall apply, except as specifically modified in this Title.

(2) In cases where there is a conflict between the provisions of the CO district and the provisions of the underlying base district, the provisions of this overlay district shall apply.

(c) Previously Approved Developments. The provisions of this overlay district shall not apply to developments for which approval was granted or building permits were issued prior to the adoption of the CO district.

§ 1175.03 USE REGULATIONS.

(a) Permitted Uses. Uses permitted in the CO district are provided for in Table 1175.03(A): CO District Use Regulations.

(b) Conditional Uses.

(1) Conditional uses in the CO district are provided for in Table 1175.03(A): CO District Use Regulations. All conditional uses provided for in the table may be permitted within the CO district under the conditions and in the manner prescribed in Section 1105.02, and provided they meet the following requirements:

A. If part of a larger development proposal, the applicant satisfactorily demonstrates that the proposed use is in harmony with the entire development plan and supports the general character and purposes of the district and will not substantially hinder the future development of walkable, mixed-use, and livable neighborhoods.

B. If not part of a larger development proposal, the applicant satisfactorily demonstrates that the proposed use supports the general character and purposes of the district and will not substantially hinder the future development of walkable, mixed-use, and livable neighborhoods.

C. The applicant satisfactorily demonstrates that the proposed conditional use is the best use of the parcel of land it is proposed to be built upon due to the lot size, shape, natural features, adjacent uses, or other issue relevant to the location of the proposed use.

(2) Conditional uses listed in Section 1123.03 shall not be approved as conditional uses in the CO district unless listed in Table 1175.03(A).

(c) Additional Use Standards. Uses identified with an asterisk are permitted only if additional use standards, outlined in Section 1177.03, are met. Conditional uses identified with an asterisk may be permitted under the conditions and in the manner described in 1175.03(b), in addition to being subject to additional use standards outlined in Section 1177.03.

(d) Substantially Similar Uses. Any substantially similar use which is classified and approved by action of the Board of Zoning Appeals to be of the same character, nature, and intensity of use as those permitted in this zoning district may be permitted subject to the procedure and standards set forth in Chapter 1107.

(e) Accessory Uses. See Chapter 1177 for permitted accessory uses and structures and associated development standards.

TABLE 1175.03(A): CO District Use Regulations

PERMITTED AND CONDITIONAL USES	
COMMERCIAL	
Amphitheater	C
Artist Studio	C
Assembly hall or conference center	C*
Bank	P
Bar	P
Bed and breakfast	P
Bookstore	P
Brew pub	P*
Commercial recreation, indoor	P
Commercial recreation, outdoor	C
Day care facility, child and/or adult	C*
Funeral home	P*
Gym, health spa, yoga studio	P
Hospital	C
Hotel	P*
Indoor sales for used or secondhand merchandise	C
Medical office or health services clinic	P
Movie theater, excluding drive-ins	P
Office	P
Outdoor sales for used or secondhand merchandise	C
Public or private school	P*
Restaurant	P
Retail establishment, greater than 40,000 square feet	C
Retail establishment, less than 40,000 square feet	P
Service establishment, personal and/or business	P
Theater	P
Veterinary hospital	P*
RESIDENTIAL	
Apartments	P*
Townhouse developments	P*
Adult family homes	P*
Adult group homes	P*

Residential facility family houses	P*
Residential facility group homes	P*
Family day care homes, Type B	P
Family day care homes, Type A	C*
Live-work units	P*
MANUFACTURING	
Manufacturing, artisan	P
Microbrewery, microdistillery, or microwinery	P*
Research laboratory	P*
PUBLIC FACILITIES	
Community center building	P
Government buildings	P
Museum	P
Place of worship	P*
Public library	P
Public park or playground	P
Public safety facilities	P
OTHER	
Transit station	P
Parking lot (as a principal use)	C
Parking structure (as a principal use)	C

P = *Permitted Use* C = *Conditional Use* * = *Additional Use Standards Apply (See Section 1177.03)*

(f) Vertical and Horizontal Mixing of Uses.

(1) The vertical mixing of uses, including residential uses with nonresidential uses within a single building, is encouraged.

(2) The horizontal mixing of uses in the district is allowed, provided the developments are well-integrated in terms of complementary uses, access and circulation, and compatible design.

(g) Active Uses at Street Level.

(1) High-activity, non-residential uses such as retail establishments and restaurants must comprise at least 70% of the first floor facing the primary street to a depth of at least 15 feet. Non-residential, accessory uses such as lobbies, gyms, meeting rooms, or other amenity spaces may qualify as high-activity, non-residential uses, as determined by the Building Official.

(2) Stairs, storage, hallways, elevators, and indoor parking do not qualify as active uses.

(h) Prohibited Uses. In addition to those uses listed in Section 1123.02, all other uses not listed in Table 1175.03(A) shall be considered prohibited such that no building or premises shall be used, erected, or altered for any use not included in Table 1175.03(A). In addition, no building or premises shall be used, and no building shall be erected or altered for any of the uses listed in Table 1175.03(B): CO District Prohibited Uses.

TABLE 1175.03(B): CO District Prohibited Uses

PROHIBITED USES
Automobile service and repair
Battery or tire service station
Car washing (principal use)
Drive-in movie theater
Drive-in restaurant
Drive-thru associated with any use other than a pharmacy, bank or financial institution
Gasoline and oil filling station
Open-air lots for the sale of materials, supplies, or equipment
Outdoor or indoor new or used trailer sales
Outdoor or indoor used automobile sales
Pawn shop

§ 1175.05 DEVELOPMENT STANDARDS.

(a) Development Standards. Every permitted and conditional use of land and structures in the CO district shall be located on a zoning lot and sited in such a manner as to conform to the development standards outlined in this section.

TABLE 1175.05(C): CO District Development Standards

DEVELOPMENT STANDARDS	METRIC
LOT DIMENSIONS	
Minimum Lot Area (square feet)	None Required
Minimum Lot Width (feet)	None Required
YARD DIMENSIONS	
Minimum Front Yard Setback of Principal Building (feet)	5[(a)]
Maximum Front Yard Setback of Principal Building (feet)	15
Minimum Side Yard Setback of Principal Building (feet)	0[(b)]
Minimum Rear Yard Setback of Principal Building (feet)	20[(c)(d)]
LOT COVERAGE REQUIREMENTS	
Minimum Lot Coverage	60%[(e)]
Maximum Lot Coverage (for Buildings)	85%[(f)]
HEIGHT DIMENSIONS	
Minimum Height of Principal Building (feet)	22
Maximum Height of Principal Building (feet)	75[(g)]
DWELLING UNIT DIMENSIONS	
Minimum Dwelling Unit Size (square feet)	400
BUILDING WIDTH	
Minimum Building Frontage	60% *(See 1175.05(d))*

[(a)] *Existing buildings may have a minimum front yard setback of 0 feet.*
[(b)] *Where the side lot line of the lot adjoins a Class U1 or U2 District, the side yard shall not be less than 20 feet*
[(c)] *Minimum rear yard setbacks for principal buildings may be waived by the Planning Commission where such waiver would further the purposes of this district as outlined in Section 1175.01.*
[(d)] *Where the rear lot line of the lot adjoins a Class U1 or U2 District, the rear yard shall not be less than 30 feet.*
[(e)] *Minimum impervious surfaces may be reduced to 40% if the difference is developed as improved public open spaces or if ingress, egress, or other building or zoning code requirements would otherwise make the development infeasible. The Architectural Board of Review shall have final discretion in deciding if land constitutes improved open space for the purposes of this provision.*
[(f)] *Maximum lot coverage may be increased to 100% for mixed-use buildings or for historic structures.*
[(g)] *No portion of a building located within 50 feet of an existing one- or two-family dwelling in a residential zoning district shall be permitted to exceed 45 feet.*

(b) Lot Area Per Unit Requirements. There shall be no minimum lot area per unit required for developments in the CO district.

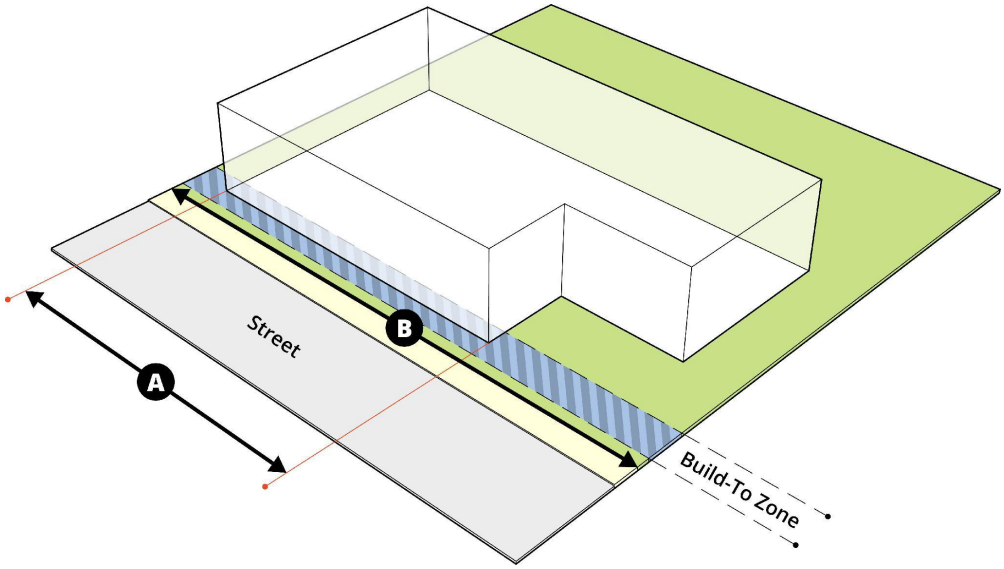
(c) Floor-Area-Ratio Requirements. There shall be no maximum floor-area-ratio required for developments in the CO district.

(d) Minimum Building Frontage.

(1) The space between the minimum front yard setback and the maximum front yard setback shall be considered the Build-To Zone, as shown in Figure 1175.03(A).
(2) The minimum building frontage requirement specifies the amount of the front building facade (Ⓑ) that must be located in the Build-To Zone, measured as a percentage of the width of the lot (Ⓐ), as shown in Figure 1175.03(A).

(3) No building or portion of a building can be located outside of the Build-To Zone until the minimum building frontage requirements have been met.

FIGURE 1175.03(A): Minimum Building Frontage



(e) Other Relevant Standards. See Chapter 1177 for additional standards that apply to developments in the CO district.

§ 1175.06 PARKING AND LOADING.

(a) General Provisions. Off-street parking and associated driveways shall conform to the parking requirements set forth in Chapter 1143, except as modified in this Title. Where there is a conflict between a provision in this Title and a provision in Chapter 1143, the requirements of this Title shall prevail.

(b) Modified Parking Standards.

(1) There shall be no minimum number of required parking spaces for uses in the CO district.

(2) The maximum amount of parking provided shall not exceed 125% of the standards contained in Chapter 1143. The maximum provision shall not apply to park-and-ride facilities, public parking garages, or other parking provided as part of a transit facility.

(c) Location of Off-Street Parking.

(1) No designated parking is allowed in the front yard of a principal building.

(2) Parking may be located in the rear or side yard of a building or below the building, however, no more than 40% of the width of the lot along the primary street shall be devoted to parking or drives.

(3) Below grade garages must meet the minimum setback requirements of the principal building.

(d) Bicycle Parking Requirements. Bicycle parking shall be provided according to the regulations in Chapter 1177.

CHAPTER 1177: ADDITIONAL OVERLAY DISTRICT STANDARDS

Section

1177.01 Principal Uses and Structures
1177.02 Accessory Uses and Structures
1177.03 Additional Use Standards
1177.04 Design Standards
1177.05 Bicycle Parking Standards
1177.06 Access, Circulation, and Connectivity Standards
1177.07 Open Space, Landscaping, and Screening Standards
1177.08 Lighting Standards
1177.09 Performance Standards
1177.10 Definitions

§ 1177.01 PRINCIPAL USES AND STRUCTURES.

(a) Principal Uses and Structures.

(1) Principal uses are the primary or predominant use to which a property is or may be devoted and to which all other uses on the premises are accessory.

(2) Principal structures are the main structure erected on a lot.

(3) Principal uses are permitted by right, are permitted subject to additional use regulations, are permitted with a required conditional use permit, are permitted with a required conditional use permit and additional use regulations, or are prohibited as outlined in Use Regulations tables in the RO and CO districts.

§ 1177.02 ACCESSORY USES AND STRUCTURES.

(a) Accessory Uses and Structures.

(1) Accessory uses and structures are customarily incidental to and located on the same lot with a principal use or structure. Accessory uses and structures are permitted in conjunction with principal uses.

(2) No accessory use or structure may be established on a site prior to the establishment of a principal use.

(3) The Building Official is authorized to determine when a use or structure meets the definition of accessory. In order to classify a use or structure as accessory, the Building Official must determine that the use of the structure:

A. Is subordinate to the principal use in terms of area, extent, and purpose;

B. Contributes to the comfort, convenience, or necessity of occupants of the principal use served;

C. Does not involve operations not in keeping with the character of the principal use; and

D. Is not of a nature likely to attract visitors in larger numbers than would normally be expected for the principal structure or use.

(b) Development Standards.

(1) Accessory uses and structures are permitted in yards according to Table 1177.02(A) unless otherwise specifically provided.

(2) Accessory uses and structures must meet all applicable requirements of the principal structure unless otherwise specifically provided for in Table 1177.02(A), and so long as natural light and ventilation are not substantially obstructed.

TABLE 1177.02(A): PERMITTED ACCESSORY USES AND STRUCTURES, AND LOCATION

ACCESSORY USES	ALLOWED LOCATIONS			
	All Yards	Side and Rear Yards Only	Setback from Principal Building (ft)	Setback from Lot Line (ft)
Accessory building[(a)]		■	10	3
Accessory off-street private garage[(a)]		■	10	3
Agriculture	Shall Conform to Regulations in Section 1177.03(a)(3)			
Arbors and trellises	■		N/A	3
Awnings and canopies	■		N/A	
Child day care home	Contained within Principal or Accessory Building			
Central air conditioning units		■		3
Chimneys which project no more than one foot into a required yard	■		N/A	
Cornices and belt courses not extending more than one foot into a required yard	■		N/A	
Drive-thru associated with a pharmacy, bank or financial institution[(a)]		■	N/A	10
Eaves, gutters, or downspouts which project no more than sixteen inches into a required yard	■		N/A	
Electric Vehicle (EV) Charging Stations[(a)]		■		
Home-based business[(a)]	Contained within Principal or Accessory Building			
Fire escapes		■	N/A	3
Flagpoles	■		N/A	
Outdoor dining[(a)]	■		N/A	
Parking structure		■	N/A	10
Porches and stoops[(a)]	■		N/A	
Solar energy systems[(a)]		■	N/A	
Steps, excluding fire escapes	■		N/A	
Swimming pools[(a)]		■	N/A	4
Walls and fences	Shall Conform to Regulations in Section 1125.06			
Window air conditioners	■		N/A	
[(a)] *See supplemental regulations provided in Section 1177.02(c).*				

(1) Lot Coverage. Accessory structures shall not cover more than thirty-five percent (35%) of a zoning lot.

(2) Height. The maximum permitted height for an accessory structure is fifteen (15) feet, unless otherwise provided herein.

(c) Supplemental Regulations for Accessory Uses and Structures.

(1) Accessory off-street private garage.

A. In the RO district, accessory off-street private garages may have an area of up to 550 square feet for each lot having an area of 4,000 square feet or less. An additional floor area of 250 square feet may be provided for each 2,000 square feet of lot area by which such lot area exceeds 4,000 square feet.

B. In the CO district, there shall be no maximum garage floor area.

(2) Drive-thru associated with a pharmacy, bank or financial institution. Drive-thrus associated with a pharmacy, bank or financial institution are permitted in the CO district provided that:

A. Such facilities shall be accessed via a street in an area least disruptive to pedestrian and vehicular traffic.

B. Any proposed loudspeaker system must be submitted as part of an application packet and requires the approval of the Building Official.

C. All access drives shall be located as far as practicable from an existing intersection in order to minimize congestion.

D. Vehicular approaches to the property shall be designed so as not to create an interference with traffic on surrounding public streets or roads.

E. The hours of operation for any drive-through service shall not begin before 6:00 A.M. nor end later than 11:00 P.M. for any site adjacent to any residential district.

(3) Electric Vehicle (EV) Charging Stations. All electric vehicle (EV) charging stations shall be reviewed by Building Official in line with internal policies adopted by the City.

(4) Home-based businesses. Home-based businesses are permitted in the RO district provided that:

A. The business does not alter the residential character of the structure.

B. The dwelling is in continuous use as the established place of residence and primary dwelling of the business owner.

C. Business operations shall cease when such use is deemed to be detrimental to the public health, safety, and welfare, or constitutes a nuisance, or when the use is in violation of any statute, ordinance, law or regulation.

D. Activities do not include any of the following:

1. Any alteration of the exterior of the dwelling or appurtenant structures that would change the residential character of the premises;

2. Use of the dwelling by more than three nonresidents of the dwelling as employees at any one time;

3. The parking of more vehicles than can be accommodated in the dwelling's driveway such that no obstruction of the sidewalk occurs, or the parking of more than five (5) on-street parking spaces, all of which must be within twenty-five (25) feet of the home-based business;

4. Generation of pedestrian or automobile traffic and/or parking of clients and associates that is not normal to a residential district;

5. Generation of commercial truck traffic other than normal parcel delivery services;

6. Use of the dwelling to produce or sell products that may in themselves, or whose ingredients may, pose a danger to the health of employees or neighbors, or to the integrity of the building itself;
7. Creation of noise, dust, heat, fumes, odors, smoke, vibration, or other nuisances, including electrical or radio frequency interference;
8. Generation of excessive amounts of trash, materials, or yard waste placed on the curb for pickup by the city's garbage collection contractor.

(5) Solar energy systems.

A. General Provisions.

1. All Solar Energy Systems shall comply with applicable building and electrical code regulations.
2. All solar energy systems shall be reviewed by Building Official in line with internal policies adopted by the City.

B. Decommissioning.

1. All solar energy systems shall be well-maintained and remain in working order. If not, then all equipment and associated materials shall be removed or replaced.
2. Subsections (3) through (5) of Section (5)(B) apply only to solar energy systems with a rated capacity greater than 100 kW.
3. A decommissioning plan shall be required to ensure that facilities are properly removed after their useful life.
4. Decommissioning of the system must occur in the event the project does not produce power for 12 consecutive months. An owner may petition for an extension of this period upon showing of reasonable circumstances that have caused the delay in the start of decommissioning.
5. The plan shall include provisions for removal of all structures and foundations to a depth of 48”, restoration of soil and vegetation, and assurances that financial resources will be available to fully decommission the site.

C. Rooftop solar systems.

1. Rooftop solar systems shall be placed in a manner that maintains access to all utilities and accessory features such as chimneys and vents.
2. Solar panels shall be sited to maintain at least three (3) feet from all edges of the roof and from the ridge of the roof.
3. Solar panels on flat roofs shall not extend more than five (5) feet above the horizontal plane of the roof. Solar panels shall not extend more than two (2) feet above the plane of the roof on all other roof types.
4. Solar panels placed on a flat roof should be setback 10 feet from the front-facing facade of the structure. Structures with gable or hipped roofs do not require a setback from the front facade.
5. Solar panels may be placed up to the edge of a hipped roof if no panels are placed on the adjacent plane of the roof.

6. When solar panels are placed on two adjacent planes of a hipped roof, solar panels may be placed one and a half (1.5) feet from a hipped edge or valley of a roof, so long as a total of three (3) feet of roof space is maintained between the solar panels.

D. Ground-mounted solar systems.

1. In the RO district, ground-mounted solar systems shall conform to all setback regulations when oriented at a minimum design tilt, except as otherwise allowed for building mechanical systems.

2. In the CO district, ground-mounted solar systems shall be setback from the front lot line at a minimum of twenty (20) feet and from all side and rear lot at a minimum of ten (10) feet.

3. Ground-mounted solar systems shall not exceed fifteen (15) feet in height when oriented at maximum tilt.

4. Ground-mounted solar systems are exempt from lot coverage standards when the soil under the collector is maintained as vegetation and not compacted.

5. Ground-mounted solar systems shall be screened consistent with the regulations for Mechanical and Electrical Equipment, as outlined in Section 1177.07.

(6) Outdoor dining. Outdoor dining is permitted in the CO district provided that:

A. Outdoor dining shall be located entirely on private property and shall not obstruct a public right-of-way or sidewalk nor any entrance or exit to the restaurant, service entrance, retail and non-primary building entrances, or building projections such as stoops, steps, stairs, etc.

B. Outdoor dining shall be allowed only in association with a permitted use.

C. Outdoor dining shall not be allowed within ten (10) feet of a fire hydrant, Fire Department standpipe connection, fire escape, bus stop, loading zone, mailboxes, or traffic signal stanchions.

D. All outdoor dining areas shall be contiguous to the principal building and shall not exceed the property width.

E. There are no setback requirements from adjacent outdoor dining areas. A fence may be placed next to the neighboring fence of an outdoor dining area.

F. Structural Requirements. In addition to the relevant provision of the Zoning, Building, or Fire Codes, approval of any outdoor dining facility shall not be granted unless the following further conditions are met prior to the use of such facility:

1. Dimensions. The number of seats in an outdoor dining facility shall be no greater than thirty percent (30%) of the number of seats inside the associated restaurant, and outdoor dining facilities shall be limited to seating only and shall not include table bussing facilities, cooking facilities, or trash facilities.

(i) The Building Official may specifically permit outdoor cooking facilities in the side or rear yard subject to all the requirements of the Health Code.

2. Flooring. The floor space of any outdoor dining facility and any walkway connecting such facility with the restaurant property, the parking lot, or any sidewalk shall be hard-surface and constructed of either wood, brick, slate, tile or concrete.

(i) No ground coverings, such as rugs or artificial turf, are permitted.

3. Barriers. Perimeter treatment is required, must clearly demarcate the outdoor dining area, and shall meet the following requirements:

   (i) Must be a removable and self-supporting base wall, railing, planter, fence, or stanchion and rope.

   (ii) Cannot be permanently affixed to the sidewalk.

   (iii) Must be a minimum height of 2 feet 5 inches (30 inches) and maximum height of 3 feet 5 inches (42 inches).

4. Tables and Chairs.

   (i) Must be easily removable and lightweight.

   (ii) Must be located to allow for service of patrons solely from within the perimeter of the outdoor dining area.

   (iii) Must be ADA-compliant.

   (iv) Must not interfere with pedestrian movement on sidewalks, ingress into or egress from buildings, or otherwise interfere with the proper and safe movement of people or vehicles in parking areas or on City streets, alleys, rights-of-way, or other municipally owned property.

5. Design Standards. Outdoor dining shall meet design standards outlined in Section 1177.04.

6. Open Space, Landscaping, and Screening Standards. Outdoor dining shall meet open space, landscaping, and screening standards outlined in Section 1177.07.

7. Lighting. Outdoor dining shall meet lighting standards outlined in Section 1177.08.

G. Weather protection. Weather protection within the outdoor dining area may be temporary or permanent.

1. Temporary weather protection may include, but is not limited to, canopies and retractable awnings, vinyl wind/rain screens, umbrellas, or other such devices.

   (i) Temporary weather protection shall be properly stored upon close of business each day, unless the requirement is waived by the Planning Commission.

2. Permanent weather protection may include, but is not limited to, nonretractable awnings, roofed structures, retractable doors, accordion windows, or other such devices.

3. All weather protection shall comply with all state and local Zoning, Building, and Fire Codes.

4. Outdoor heaters are permitted and must be placed within the designated outdoor dining area; and shall comply with all state and local Zoning, Building, and Fire codes.

H. Hours and Dates. An outdoor dining facility may operate only between the hours of 8:00 am-11:00 pm, Sunday through Thursday, and 8:00 am-1:00 am, Friday and Saturday.

I. Service of Alcoholic Beverages. Alcoholic beverages may be served in outdoor dining facilities only in conjunction with the service of food and meals and as regulated by the Ohio Division of Liquor Control.

(7) Porches and stoops. Porches and stoops may project from the major exterior wall into required yards for the separately indicated distances:

A. Front porches. An unenclosed porch for not more than nine (9) feet, provided that a minimum of five (5) feet of unencumbered front yard space is provided on the property.

B. Side porches. An unenclosed porch for not more than nine (9) feet, provided that a minimum of three (3) feet of unencumbered side yard space is provided between the outer edge of the porch and the side lot line.

C. Entries. For not more than four (4) feet if not over one and one-half stories in height.

D. Stoops. Front and side stoops or steps for not more than nine (9) feet, provided that a minimum of five (5) feet of unencumbered front yard space and three (3) feet of unencumbered side yard space is provided between the outer edge of the stoops or steps and the lot line.

(8) Swimming pools. A swimming pool shall be permitted as an accessory use, subject to the following regulations:

A. In the RO district, the pool is intended and used for the sole enjoyment of the occupants of the principal residential use and their guests. The pool cannot in any way be operated as a club or for profit.

B. Only in-ground swimming pools are permitted. Permanent above-ground pools are strictly prohibited.

C. Temporary, portable, or inflatable wading pools are exempt from these regulations and permitted by right, provided they are not normally capable of containing water to a depth greater than two feet, have a diameter of less than 12 feet, and have a total area of less than 100 square feet. Any temporary pool exceeding these dimensions is classified as a prohibited above-ground pool.

D. Any swimming pool, bathhouse, cabana, filtration house, or similar appurtenance greater than five (5) feet in height shall be subject to the same yard setback regulations as those governing the principal use in each district.

E. The immediate surrounds of the swimming pool, or the yard in which it is located, shall be enclosed by a fence at least four (4) feet in height. The fence must be equipped with a self-latching gate and a self-closing lock to prevent uncontrolled access and secure the pool from unauthorized entry.

F. All swimming pool construction and operations shall be in accordance with the standards and regulations established by the Cuyahoga County and Ohio Health Departments, the City Ordinances, and any other regulations governing the construction and operation of such facilities.

§ 1177.03 ADDITIONAL USE STANDARDS.

(a) Additional Use Standards for Permitted or Conditional Principal Uses. Permitted uses identified with an asterisk in the Use Regulations tables are permitted only if additional use standards, outlined in

this Section, are met. If the uses do not conform to the standards, they may be permitted by the Planning Commission as a conditional use. Conditional uses identified with an asterisk may be permitted under the conditions and in the manner described in 1173.03(b) or 1175.03(b), as appropriate, in addition to being subject to additional use standards outlined in this Section.

(1) Adult family homes.

A. The architectural design and site layout of the facility and the height of any walls, screens, or fences connected with any said facility shall be compatible with adjoining land uses and the residential character of the neighborhood.

B. The applicant shall demonstrate that adequate qualified supervision will exist in the home on a 24-hour per day basis.

C. The facility shall meet local fire safety and building code requirements for the proposed use and level of occupancy.

D. Evidence shall be presented that the proposed facility meets the certification, licensing, or approval requirements of the appropriate state agency. Failure to maintain such license, certification, or other approval requirements shall result in immediate revocation of the facility's permitted use zoning certificate..

(2) Adult group homes. Adult group homes shall conform to the additional use standards governing Adult family homes. See Section 1177.03(a)(1).

(3) Agriculture. Agriculture shall include the following uses:

A. Gardens.

1. Gardens shall be limited to the cultivation of fruits, vegetables, herbs, plants, and flowers.

2. Gardens shall be run by a public entity, nonprofit entity, community group, or neighborhood group acting as a garden coordinator. Gardens may be run by a private or for-profit entity when associated with a restaurant or eating establishment located within 600 feet of the garden.

3. The garden shall be served by a water supply sufficient to support the cultivation practices on the site. A small storage shed, 100 square feet or less, is permitted, but it shall meet the front setback for the respective district, shall be at least four feet from side and rear lot lines, and shall not be greater than 15 feet in height.

4. Greenhouses and/or hoophouse structures associated with a community garden shall follow the dimensional standards of the zoning district.

(4) Apartments.

A. Every dwelling unit leased or rented for residential purposes shall have direct access to a public stairway, hallway, corridor, or other means of egress without passing through any other dwelling unit. Every public hallway, corridor, stairway, exit, or other means of egress shall be protected against fire with construction having a required fire resistance rating and shall be kept clear and unobstructed at all times, so as to afford safe passage from each dwelling unit to open space at ground level.

B. In every dwelling structure, all public hallways, corridors, and stairways shall be provided at all times with required illumination for the safe usage thereof, and all other common areas,

such as boiler rooms, laundry, basements, cellars, locker rooms, and meter rooms, shall be provided with electrical lighting facilities, which when lighted, provide required illumination for the safe usage thereof.

C. In every dwelling structure, the owner, operator or his or her agent shall be responsible for providing and maintaining suitable approved receptacles, incinerators, or other conveniences for the disposal of rubbish, garbage, refuse, or other waste matter.

D. Each dwelling unit must be identified with permanent numerals or letters placed on the front entrance of such dwelling unit.

(5) Assembly hall or conference center.

A. The proposed use shall not generate excessive noise beyond the premises.

B. Any part of such establishment fronting a primary street should be located so as to minimize the amount of space that is inactive during normal business hours. Such facilities are encouraged to have associated retail uses located in the first-floor space nearest the street or sidewalk to contribute to the retail environment of the zoning district, except if such establishments are located on the upper floor of buildings along streets, or provide additional retail uses or developments near the street or sidewalk.

(6) Brew pub. No brewing equipment or storage is permitted on the exterior of the building.

(7) Day care facility, child and/or adult.

A. No such facility may be located within 600 linear feet of any existing day care facility or family day care home, measured from property line to property line by the shortest distance.

B. Outdoor recreation or play areas shall be screened with a sight obscuring fence, wall, or hedge as regulated by Section 1125.06.

(8) Family day care homes, Type A.

A. The operation of family day care homes shall be in a manner that preserves the residential character of neighborhoods.

B. No such facility may be located within 600 linear feet of any existing day care facility or family day care home, measured from property line to property line by the shortest distance.

C. A copy of the site plan and descriptive plan of operation submitted to the applicable State agency as part of the license application shall be submitted to the City.

D. Exterior lighting shall be residential in character and compatible with the surrounding neighborhood.

E. No exterior changes shall be made that are non-residential in character.

(9) Funeral home. Site plans shall provide for the separation of incoming and outgoing vehicles during high volume periods and shall provide a safe drop-off point for visitors that will not impede other traffic.

(10) Hotel.

A. Hotel rooms may include kitchens; however, no room shall be rented to any person for continuous occupancy for more than four months.

B. There shall be provided a separate drop-off area for hotel guests that must not interfere with the principal driveway or road network.

(11)Live-work units. Live-work units are permitted in the CO district provided that:

A. The workspace shall occupy less than fifty percent (50%) of the dwelling unit's gross floor area.

B. The dwelling is in continuous use as the established place of residence and primary dwelling of the business owner.

C. Business operations shall cease when such use is deemed to be detrimental to the public health, safety, and welfare, or constitutes a nuisance, or when the use is in violation of any statute, ordinance, law or regulation.

D. Activities do not include any of the following:

1.

2. Use of the dwelling by more than three nonresidents of the dwelling as employees at any one time;

3. Use of the dwelling to produce or sell products that may in themselves, or whose ingredients may, pose a danger to the health of employees or neighbors, or to the integrity of the building itself;

4. Creation of noise, dust, heat, fumes, odors, smoke, vibration, or other nuisances, including electrical or radio frequency interference;

5. Generation of excessive amounts of trash, materials, or yard waste placed on the curb for pickup by the city's garbage collection contractor.

(12)Microbrewery, microdistillery, or microwinery.

A. No brewing equipment or storage is permitted on the exterior of the building.

B. Facilities shall be no greater than 10,000 square feet of floor area. Additional floor area may be permitted as a conditional use.

(13)Place of worship. The proposed use cannot exceed 12,000 square feet in floor area. Additional floor area may be permitted as a conditional use.

(14)Public utilities.

A. A set of plans, specifications, and plot plans, and a statement setting forth the need and purpose of the installations, must be filed with the Building Official.

B. Proof must be furnished to the Building Official that the proposed installation in a specific location is necessary for the convenient and efficient operation of the public system, or for the satisfactory and convenient provision of service by the utility to the city or to the area in which the particular use is to be located.

C. The design of a public utility structure must be compatible with the design, bulk, and general landscaping of the area in which it is located and will in no way adversely affect the safe and comfortable enjoyment of property rights of the zone in which it is located. Adequate and attractive walls and other safety devices shall be provided in conjunction with such use, and sufficient landscaping, including trees, shrubs, and lawn, shall also be provided.

(15)Public or private school. The proposed use shall not generate excessive noise beyond the premises.

(16)Research laboratory.

A. The use of any hazardous material, or any scientific process that creates hazardous waste must be permitted and approved by the State of Ohio, Federal Government, or other appropriate regulatory authority.

B. The use, storage, and disposal of any hazardous material or waste must meet all state and federal regulations. Provisions for the appropriate use, storage, or disposal of hazardous materials or waste shall be demonstrated before approval of such use.

C. The proposed use shall not generate excessive noise, odors, or other such nuisances beyond the premises.

(17)Residential facility family houses.

A. Residential facility family houses shall conform to the additional use standards governing Adult family homes in Section 1177.03(a)(1).

B. The applicant shall comply with the applicable parking regulations of the zoning code and shall make adequate provision for on-site parking of vehicles used by visitors and the home supervisors.

C.

(18)Residential facility group homes. Residential facility family houses shall conform to the additional use standards governing Residential facility family houses. See Section 1177.03(a)(17).

(19)Townhouse developments.

A. In the CO district, townhouses must front on a secondary street. Townhouses that front on a primary street between Lakeview Road and Superior Avenue may be permitted as a conditional use.

B. Townhouses do not need to conform to the Active Uses at Street Level requirement outlined in Section 1175.03(g).

(20)Veterinary hospital.

A. Outdoor spaces for animals are limited to supervised play areas and runs, and all animals kept overnight must be located in a fully enclosed, noise-attenuated structure.

B. No dead animals may be buried on the premises, and no incineration of dead animals shall be permitted.

C. The facility shall properly manage animal waste, pursuant to applicable local and state regulations, so as to not create a nuisance or health hazard to adjoining or nearby property owners.

D. Odor and noise shall be adequately controlled to ensure that animals do not create a nuisance.

§ 1177.04 DESIGN STANDARDS.

(a) Approval by Architectural Board of Review Required. Projects developed under the regulations and process of Title 5: Overlays must be reviewed by the Architectural Board of Review as outlined in Chapter 1333. No building permit shall be issued unless plans and specifications therefor have been approved in writing by the Architectural Board of Review.

(b) Consistency with Adopted Plans and Guidelines. Where a plan or design guidelines or standards have been adopted by the city, the arrangement and design of land uses, buildings, open spaces, and streets should be consistent with the intent of that plan.

§ 1177.05 BICYCLE PARKING STANDARDS.

(a) Purpose. To promote sustainable transportation, community accessibility, and the use of bicycles as a viable mode of transportation by integrating cycling infrastructure into proposed developments.

(b) General Provisions.

(1) Applicability. The Bicycle Parking Standards shall apply to all projects developed under the regulations of the CO or RO districts.

(c) Standards.

(1) Number of Required Bicycle Parking Spaces.

Bicycle parking shall be provided in accordance with the regulations outlined in Table 1177.05(A).

TABLE 1177.05(A): Bicycle Parking Requirements

USE TYPES	REQUIRED SPACES
Commercial or manufacturing	1 space per 2,500 square feet of gross floor area
Residential[(a)]	1 space per every 4 dwelling units
Public facilities	1 space per 10,000 square feet of gross floor area
Other uses	1 space per 10,000 square feet of gross floor area
[(a)] *Developments with fewer than 4 dwelling units are not required to provide bicycle parking for residential uses.*	

A. When bicycle parking requirements result in a fractional bicycle parking space, fractions of ½ or more are counted as 1 space.

B. No development shall be required to provide more than 40 spaces.

C. Required bicycle parking space requirements may be fulfilled with short-term or long-term spaces.

(2) Design of Bicycle Parking Spaces.

A. Bicycle parking must consist of bicycle racks that support the bicycle frame at two points and allow for the bicycle frame and at least one wheel to be locked to the rack.

B. Bicycle spaces must be no less than 2.5 feet wide by 6 feet in length, with a vertical clearance of at least 7 feet, as shown in Figure 1177.05(A).

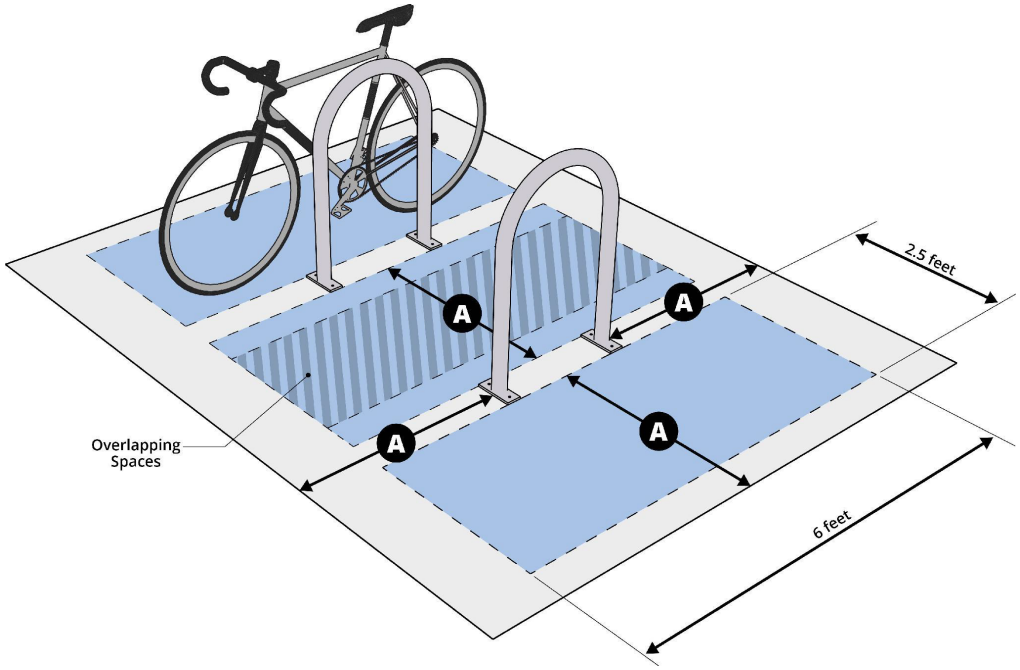
C. If bicycles can be locked to each side of the rack, each side can be counted as a required space. Where bicycle racks are placed in a parallel series, with each rack 36" apart, bicycle spaces may overlap up to two (2) feet, as shown in Figure 117.05(A).

D. Bicycle parking must be well lit if accessible to the public or bicyclists after dark.

E. All bicycle parking spaces must be located on a surface with a slope no greater than 3%.

F. Bicycle racks used for short-term bicycle parking must be securely attached to concrete footings and made to withstand severe weather and permanent exposure to the elements.

FIGURE 1177.05(A): Bicycle Parking Design



(3) Placement of Bicycle Parking Spaces.

A. All bicycle racks must be located at least 36 inches in all directions from any obstruction, including but not limited to other bicycle racks, walls, doors, posts, columns, or exterior or interior landscaping, as shown in Ⓐ in Figure 1177.05(A).

B. Bicycle parking spaces shall be sited to ensure significant visibility to the public or by building users, except in the case of long-term bicycle parking that is located in secure areas only accessible to employees, staff, or residents.

C. Short-term bicycle parking must be located either (a) within 100 feet of the main public entrance of the building or facility or (b) no farther than the nearest non-accessible motor vehicle parking space to the main public entrance, whichever is closer. If the development contains multiple buildings or facilities, the required bicycle parking shall be distributed so as to maximize convenience and use.

D. Short-term bicycle parking spaces may be located either (a) on-site or (b) in the public right-of-way, provided the necessary permit is obtained for the installation and it meets all other requirements of the law. If bicycle racks are located on public sidewalks, they must provide at least five (5) feet of pedestrian clearance and be at least two (2) feet from the curb.

(d) Modification of Requirements.

(1) In the event that satisfying all of the bicycle parking requirements would be infeasible due to the unique nature of the site or cause an unintended consequence that undermines the purpose of these requirements, a property owner (or designee) may submit a written request to the Building Official for a modification of the requirements.

(2) The Building Official may reduce the number of bicycle parking spaces required; however, in no case shall the requirement be less than two (2) spaces.

(3) In making the determination to modify requirements, the Building Official shall ensure that the proposed modification supports the general character and purposes of the overlay district.

§ 1177.06 ACCESS, CIRCULATION, AND CONNECTIVITY STANDARDS.

(a) Purpose. To optimize urban functionality, ensure safe and efficient movement of people and vehicles, and foster a well-connected built environment by regulating the placement, size, and connections of pedestrian and vehicle areas.

(b) General Provisions.

(1) Applicability. The Access, Circulation, and Connectivity Standards shall apply to all projects developed under the regulations of the CO or RO districts.

(c) Standards.

(1) Driveways.

A. Number of Driveways Permitted.

1. All existing and proposed developments that provide on-site parking or loading must provide a satisfactory means of vehicle access to and from a street or alley.

2. The number of driveways shall be limited in accordance with the regulations outlined in Table 1177.06(A).

TABLE 1177.06(A): Number of Driveways Permitted

DEVELOPMENT SIZE	MAXIMUM NUMBER OF DRIVEWAYS
Developments of one (1) acre or less	1
Developments of more than one (1) acre	2

3. Developments shall not be limited in the number of driveways accessed via an alley.

B. Driveway Location and Spacing.

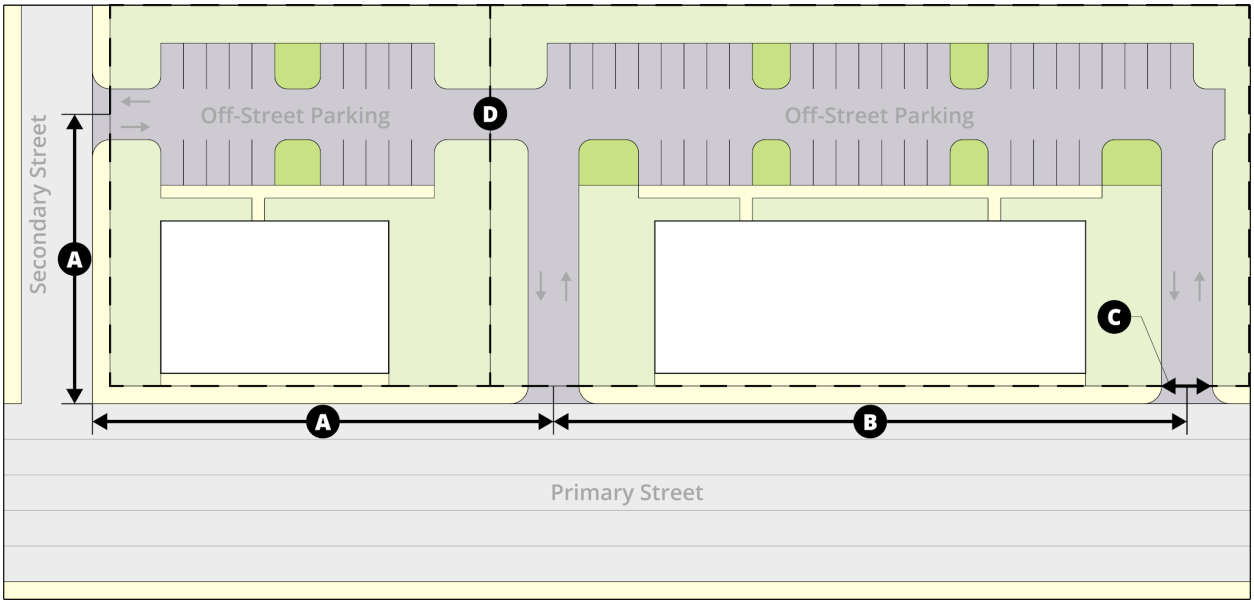
1. All surface parking lots shall be designed so that driveway access is off of a secondary street or alley, when such secondary street or alley can be accessed from the site. Driveway access to a parking lot may be achieved through inter-parcel connection to a street or alley, with approval of the Building Official.

2. Driveways must be located a minimum of 250 feet away from any other existing or proposed driveway along the same street frontage, provided, however, that all developments are allowed at least one (1) driveway, as shown in Ⓑ in Figure 1177.06(A) Driveway Design.

3. Distances between driveways shall be measured along the right-of-way line from the center line of the proposed driveway at the right-of-way to the center line at the right-of-way of any other proposed or existing driveway.

4. Driveways shall be a minimum of 100 feet from any intersection, as measured from the driveway center line to any intersection, as shown in Ⓐ in Figure 1177.06(A) Driveway Design.

FIGURE 1177.06(A): Driveway Design



C. Design of Driveways.

1. Driveway width shall be measured at the intersection of the public right-of-way, as shown in C in Figure 1177.06(A) Driveway Design.
2. Driveways shall be designed in accordance with the regulations outlined in Table 1177.06(B).

TABLE 1177.06(B): Driveway Design Requirements

METRIC	DESIGN STANDARD
RESIDENTIAL	
Driveway width (maximum)[(a)]	24 feet
Driveway lane width (minimum/maximum)	8 feet/12 feet
ALL OTHER DEVELOPMENT, INCLUDING MIXED-USE	
Driveway width (maximum)[(a)]	36 feet
Driveway lane width (minimum/maximum)	10 feet/12 feet
[(a)] *In no case shall the total combined width of driveways and off-street surface parking along the applicable street frontage exceed forty percent (40%) of the lot width, pursuant to Sections 1173.05(e)(2) and 1175.06(c)(2). Where the 40% lot width calculation results in a dimension smaller than the maximum driveway widths listed in this table, the stricter (smaller) dimension shall govern.*	

(2) Drive Aisles.

A. The width of any one-way drive aisle shall not be less than 10 feet.

B. The width of any two-way drive aisle shall not be less than 20 feet.

(3) Parking Space Design.

A. The depth of any parking stall measured perpendicularly to the parking aisle shall not be less than 17 feet.

B. The width of any parking stall measured perpendicularly to the parking aisle shall not be less than 9 feet.

(4) Pedestrian Connectivity. A minimum five (5) foot wide sidewalk or internal pedestrian path shall be provided to connect all areas of the parking lot to convenient pedestrian-oriented building entrances on the site and to any existing adjacent sidewalk networks and transit stops.

(5) Inter-parcel Connectivity. Wherever possible, parking lots on adjacent properties shall be designed to allow for shared driveway access and internal circulation between the parking areas so as to reduce the number of curb cuts along the street, as shown in Ⓓ in Figure 1177.06(A) Driveway Design.

A. The design of any new parking lot shall anticipate and not preclude future inter-parcel connections from adjoining lots, if at all possible.

(6) Abutting Parking Lots. On lots utilizing a cooperative parking agreement or part of a common development, parking areas may abut or cross lot lines.

(d) Modification of Requirements.

(1) In the event that satisfying all of the access, circulation, and connectivity requirements would be infeasible due to the unique nature of the site or cause an unintended consequence that undermines the purpose of these requirements, a property owner (or designee) may submit a written request to the Building Official for a modification of the requirements.

(2) The Building Official may increase the number of allowed driveways by up to one (1), may decrease the number of required off-street loading spaces by up to two (2), may adjust the spacing of driveways up to 10% of the distance required, and may increase the maximum width of driveways and lanes up to 10% of the allowed width.

(3) In making the determination to modify requirements, the Building Official shall ensure that the proposed modification supports the general character and purposes of the overlay district.

§ 1177.07 OPEN SPACE, LANDSCAPING, AND SCREENING STANDARDS.

(a) Purpose. To enhance the aesthetic quality and environmental sustainability of new developments through enhanced greenery while protecting pedestrian spaces and sensitive uses from negative impacts.

(b) General Provisions.

(1) Applicability. The Open Space, Landscaping, and Screening Standards shall apply to all projects developed under the regulations of the CO or RO districts.

(2) Landscaping Plan Required. A Landscaping Plan shall be submitted for the entire site. The Landscaping Plan shall demonstrate compliance with the standards of this section and shall include the following items:

A. A site plan showing the location of all existing and proposed landscaping, open space, screening, and other site features.

B. Property boundaries, building location(s), parking lot layout, service areas, mechanical equipment, pedestrian paths, adjacent rights-of way, north arrow, and scale.

C. The location, quantity, size at planting and at maturity, and name, both botanical and common names, of all proposed planting materials, including ground cover.

D. Any other information and data deemed necessary by the Building Official.

(3) Streetscaping Plan Required. A Streetscaping Plan shall be submitted for the entire site. The Streetscaping Plan shall demonstrate compliance with the standards of this section and shall include the following items:

A. A plan showing the location and relationship between vehicular and pedestrian traffic, and all existing and proposed pedestrian facilities, street and sidewalk lighting, landscaping, street furniture, lighting fixtures, trash receptacles, and transit stops.

B. Property boundaries, building location(s), parking lot layout, pedestrian paths, adjacent rights-of way, north arrow, and scale.

C. Specifications and drawings or photographs for all street furniture, trash receptacles, and transit stops.

D. The location, quantity, size at planting and at maturity, and name, both botanical and common names, of all proposed planting materials, including ground cover.

E. Any other information and data deemed necessary by the Building Official.

(4) Selection, Installation, and Maintenance of Plant Material.

A. Plant materials shall be selected that are of good quality, require minimal maintenance, are native or naturalized, and are capable of withstanding the extremes of individual site microclimates.

B. The owner of the premises shall be responsible for the maintenance, repair, and replacement of all landscaping materials.

C. All landscaping materials shall be maintained in good condition so as to present a healthy, neat, and orderly appearance.

D. All trees must be a minimum caliper of 1.5 inches at time of planting.

E. Large trees must have a minimum canopy spread at maturity of at least 30 feet.

F. Small trees must have a minimum canopy spread at maturity between 15 feet and 30 feet.

G. All shrubs must be at least two (2) feet in height at time of planting.

(c) Standards.

(1) Landscaping.

A. Landscaping, such as ornamental trees, flowering shrubs, and perennials, should be used to define public entrances, to soften walls and fences, and to line foundations.

B. Landscaping should be designed to promote sustainable practices of on-site water management and infiltration such as through the use of native plants, swales, and filter strips.

C. Landscaping should seek to incorporate existing natural features, especially large, existing trees, where possible.

D. Tree preservation and protection strategies, such as fencing and other structures, shall be employed to preserve existing trees during construction.

E. Where commercial developments, mixed-use developments, or residential structures of more than four units abut properties zoned for single-, two-, or three-family dwellings, required setbacks (on the property of the commercial, mixed-use, or residential structure of more than four units) shall be sufficiently landscaped to provide a year-round visual screen along those boundary lines.

(2) Open Space.

A. Developments on sites of 40,000 square feet or larger shall dedicate 10% of the site to open space.

B. Required open space shall be in the form of designated areas for active or passive recreation, such as parks, plazas, courtyards, landscaping, rooftop gardens, and playgrounds.

1. To count toward open space requirements, rooftop gardens must be made available to all tenants of a building, at no cost, from sunrise to sunset daily or during the hours of operation of the building, whichever results in a longer period of time.

C. The required open space shall be conveniently accessible by sidewalk or internal pedestrian path to all buildings on the site. To the extent feasible, linear open space corridors shall be provided to facilitate pedestrian and bicycle connectivity.

D. Open space may incorporate a mixture of hardscapes and planting zones.

E. Areas required for screening cannot be counted toward open space requirements, and the open space shall not be used for parking, loading, or vehicular access except emergency or maintenance vehicular access.

F. Mechanical and utility equipment cannot be located within required open space areas.

(3) Streetscaping.

A. Where a streetscape plan has been adopted by the city, the arrangement and design of streetscapes should be consistent with the intent of that plan.

B. The design of streets, pedestrian ways, landscaping, lighting, and street furniture shall be coordinated and integrated throughout the site.

C. Street trees shall be planted within tree lawns along all public rights-of-way. A minimum of one large tree shall be planted for every development site, and street trees shall be planted at intervals of no more than 30 feet on-center, on average. Where overhead utilities exist, one small tree must be planted every 20 feet on-center, on average. Tree spacing is measured as an average to account for driveways, utilities, and other potential conflicts.

D. Where a street tree is not possible or where tree lawns are less than three (3) feet wide, a tree shall be planted in the required front yard space, if such front yard is at least ten (10) feet deep.

E. Streetscaping shall not reduce the minimum clear walking space of a sidewalk. The pedestrian zone must remain clear of obstacles at all times and be constructed to meet all City and ADA specifications.

(4) Parking Lot Landscaping and Screening.

A. Perimeter Screening.

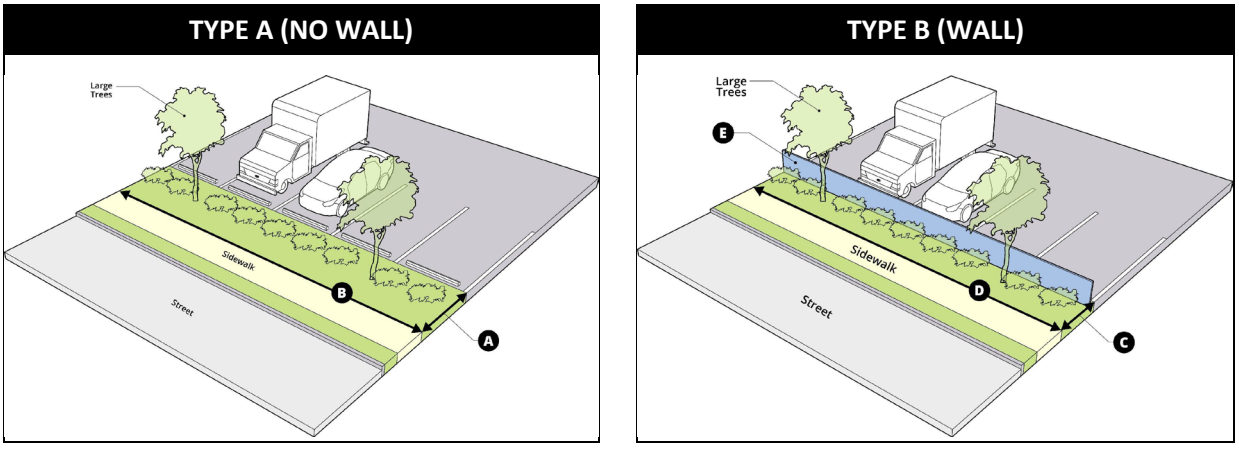
1. All surface parking lots must meet perimeter screening requirements.

2. Where a parking lot (or drive aisle or other type of area designed for motor vehicles) is located within twenty (20) feet of a lot line, perimeter screening of Type A or Type B is required, in accordance with Table 1177.07(A) Perimeter Screening Types and Figure 1177.07(A) Perimeter Screening Types.

TABLE 1177.07(A): Perimeter Screening Types

METRIC	TYPE A (NO WALL)	TYPE B (WALL)
Minimum Landscape Strip Depth	10' (A)	7' (C)
Percent of Perimeter Frontage Screened	75% (B)	75% (D)
Number of Trees Required (minimum per thirty (30) feet of frontage)	1 Large or 2 Small	1 Large or 2 Small
Minimum Height of Walls & Fences	n/a	3.5' (E)

FIGURE 1177.07(A): Perimeter Screening Types



3. Landscape screening along front yards and corner side yards shall consist of evergreen or dense deciduous shrubs. Landscaping in rear and interior side yards shall consist of dense evergreen landscaping.

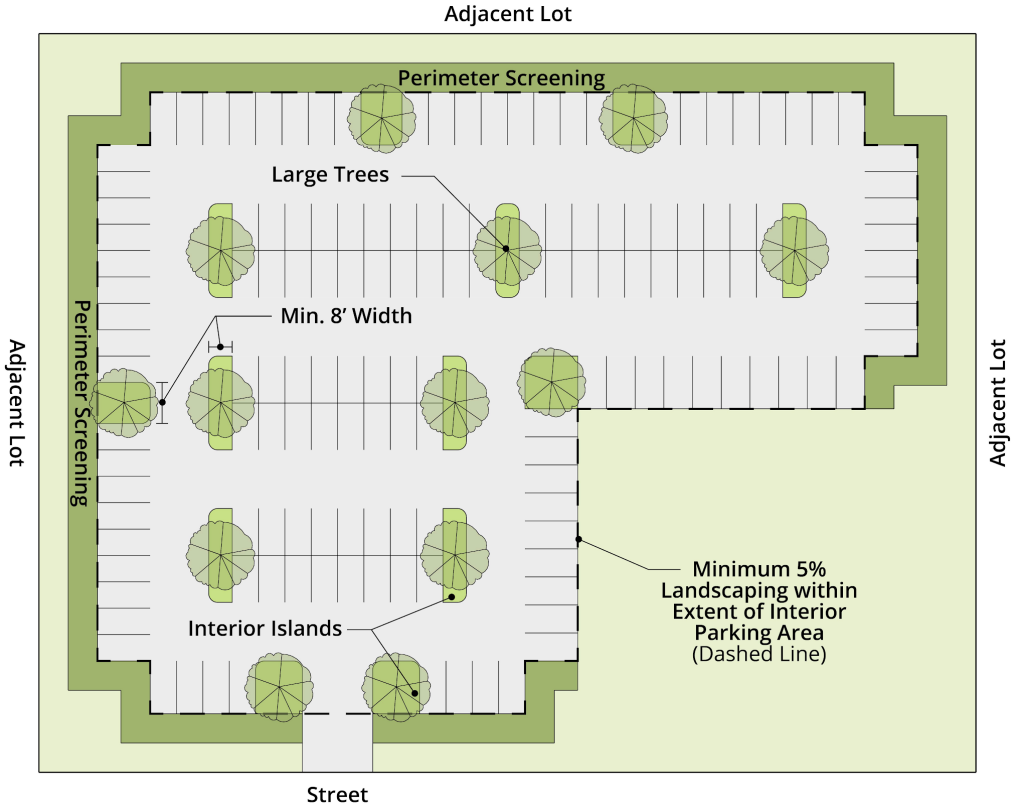
4. Perimeter screening shall have a minimum height of three (3) feet at maturity. The minimum height of shrubs may be reduced if berming is provided so that the combined height of shrubs and berming is not less than the minimum required height.

5. Required perimeter screening may be located within required setbacks.

B. Interior Landscaping.

1. All surface parking lots designed for twenty (20) or more parking spaces must devote at least 5% of the interior parking area to landscaping, as shown in Figure 1177.07(B).
2. Multiple parking lots contained on a single site and any separate parking areas connected with drive aisles are considered a single parking area.
3. Interior islands must be distributed evenly throughout the parking lot. Interior islands may be consolidated or intervals may be expanded in order to preserve existing trees.
4. An interior island must be a minimum of 8 feet in width and 100 square feet in area. Each island must include at least one (1) large tree or two (2) small trees, as shown in Figure 1177.07(B).
5. Interior islands must be protected by wheel stops or a 6-inch curb, except where necessary to direct stormwater runoff.
6. Interior islands may be installed below the level of the parking lot surface to allow for runoff capture.

FIGURE 1177.07(B): Interior Landscaping



(5) Screening.

A. Outdoor Storage and Waste Disposal Facilities.

1. Permitted outdoor storage and waste disposal facilities shall be located within the building or in the rear yard only, and shall be screened when adjacent to a residential lot or visible from a public street.

2. Outdoor storage and waste disposal facilities shall be completely screened by a combination of walls, fencing, or hedges, with a gate. Screening must be a minimum of six (6) feet in height and at least 90% opaque.

3. Temporary storage of materials for construction on the premises may be located outdoors and does not require screening.

B. Mechanical and Electrical Equipment.

1. Mechanical and electrical equipment cannot be located in a front yard or in a side yard when the side yard abuts a street (not including an alley).

2. Mechanical and electrical equipment shall be completely screened by a combination of walls, fencing, or hedges. Screening must be at least six (6) inches higher than the topmost point of the equipment being screened and must be at least 75% opaque.

(d) Modification of Requirements.

(1) In the event that satisfying all of the open space, landscaping, and screening requirements would be infeasible due to the unique nature of the site or cause an unintended consequence that undermines the purpose of these requirements, a property owner (or designee) may submit a written request to the Building Official for a modification of the requirements.

(2) The Building Official may decrease required open space to 5% of the site, may reduce the required number of trees by 10%, may reduce interior parking lot landscaping by up to 10%, and may reduce the width of landscape strips by two (2) feet.

(3) In making the determination to modify requirements, the Building Official shall ensure that the proposed modification supports the general character and purposes of the overlay district.

§ 1177.08 LIGHTING STANDARDS.

(a) Purpose. To provide for appropriate and efficient outdoor lighting that promotes public safety, enhances the visual environment, and ensures responsible energy usage.

(b) General Provisions.

(1) A Lighting Plan shall be submitted for the entire site. The Lighting Plan shall demonstrate compliance with the exterior lighting standards of this section and shall include the following items:

A. A site plan showing the location of all existing and proposed exterior light fixtures, controllers, and transformers.

B. Property boundaries, building location(s), parking lot layout, pedestrian paths, adjacent rights-of way, north arrow, and scale.

C. Specifications and drawings or photographs for all exterior light fixture types, poles, conduit, and appurtenant construction.

D. Lamp wattage of all proposed luminaires.

E. Any other information and data deemed necessary by the Building Official.

(c) Standards.

(1) Unless otherwise stated in these regulations, all lighting shall be controlled in such a way as to not unreasonably shine up into the sky or on any neighboring properties. Examples of ways in which this shall be accomplished are the use of fully shielded cut-off fixtures, directing light fixtures downward rather than upward, or shielding the light in such a way that the light-emitting portion of the fixture cannot be seen at a reasonable distance.

(2) Lighting shall be provided at pedestrian-scale, meaning lighting fixtures should be positioned at a maximum height of 12 ft.—directing more light onto a smaller space—and spaced no further than 50 feet apart.

(3) The spacing of lighting fixtures, as established in (c)(2), shall be coordinated with landscaping and tree planting .

(4) Where used for security purposes or to illuminate walkways, roadways, equipment yards, and parking lots, only fully shielded cut-off style light fixtures shall be utilized.

(5) All forms of flashing, rotating, moving, or digital lights shall be prohibited.

(6) The illumination level at the property line of a parcel adjacent to a residence shall not exceed one foot-candle power.

(7) Lighting intended to enhance or accent architectural features, fascia, landscaping, or art may utilize non-cutoff fixtures in the following instances:

A. Where lights terminate on opaque surfaces and do not directly illuminate other areas of the site; or

B. Uplighting may be used to illuminate landscaping or foliage provided that only the intended landscape feature or foliage is illuminated; or

C. Uplighting may be used to illuminate architectural features or fascia provided that the light is effectively contained by the structure. Shielding shall be used as necessary to prevent illumination from projecting beyond the highest point of the structure or beyond the structure's edge to the extent physically possible; or

D. Uplighting may be used to illuminate statues, art, or other objects that cannot be illuminated from above provided that the up-light is confined to the object of interest to the extent physically possible.

(8) Lighting of outdoor recreational facilities (public or private), such as, but not limited to stadiums, football fields, soccer fields, baseball fields, softball fields, or tennis courts shall be shielded and focused to minimize shining into the sky and upon neighboring properties.

(9) All outdoor light fixtures installed and maintained upon private property shall be turned off between 11:00 PM and sunrise, except that they may be illuminated while the business facility is open to the public or when used for security purposes or to illuminate walkways and roadways.

§ 1177.09 PERFORMANCE STANDARDS.

(a) Purpose. To foster responsible development that safeguards against nuisances that could adversely affect residents and the surrounding environment.

(b) General Provisions. No land or building in any district shall be used or occupied in any manner so as to create any dangerous, injurious, noxious, or otherwise objectionable element or condition.

(c) Standards.

(1) Fire Hazards. Any activity involving the use of flammable or explosive materials shall be protected by adequate firefighting and fire suppression equipment and by such safety devices as required by the Ohio Fire Prevention Code.

(2) Radioactivity or Electrical Disturbances. No activity shall emit dangerous radioactivity at any point, or electrical disturbance adversely affecting the operation of any equipment other than that of the creator of such disturbance.

(3) Noise. Noise which is objectionable due to volume, frequency, or beat shall be muffled or otherwise controlled, except during construction operations. Air raid sirens and related apparatus used solely for public purposes are exempt from this requirement.

(4) Vibration. No vibration shall be permitted which is discernible without instruments on any adjoining lot or property.

(5) Air Pollution. Air pollution shall be subject to the requirements and regulations established by the Director of the Ohio Environmental Protection Agency.

(6) Glare. No direct or reflected glare, including from high temperature processes such as combustion or welding or otherwise, shall be permitted which is visible from any adjacent property or from any public street, road, or highway.

(7) Erosion. No erosion, by either wind or water, shall be permitted which will carry objectionable substances onto neighboring properties.

(8) Waste Materials.

A. No garbage, rubbish, waste matter, empty containers, or waste processing equipment shall be permitted outside of any building, unless a specific outside storage area is approved by the city and meets container, screening, and other requirements of this code.

B. No liquid waste shall be discharged into an open body of water or a sewer, unless treated or controlled so that the amount of solid substances, oils, grease, acids, alkalines, and other chemicals does not exceed the amount permitted by other codes of the State, County, or City. No waste containing material harmful to the sewerage system or the sewage treatment process shall be discharged into the municipal sewerage system. Damage resulting from accidental spills or emissions of solid, liquid, or gaseous waste shall be the responsibility of the offenders.

§ 1177.10 DEFINITIONS.

(a) The following definitions are applicable to this Title in addition to definitions in Chapter 1101 of this zoning code.

(1) Adult-Use Cannabis Dispensary. A person or entity licensed pursuant to Section 3780.15 of the Ohio Revised Code, and any rules promulgated thereunder, to sell adult-use cannabis as authorized.

(2) Assembly hall. An establishment providing meeting space for social gatherings, including but not limited to wedding receptions, graduations parties, and business or retirement functions. This term includes, but is not limited to, banquet hall, rental hall, or conference center.

(3) Artist Studio. A place of work for an artist, artisan, or craftsperson, including persons engaged in the application, teaching, or performance of fine arts such as, but not limited to drawing, vocal or instrumental music, painting, pottery (ceramics), sculpture, scrapbooking, photography, graphic design, cinematography, animation, and writing.

(4) Berming. An earthen mound designed to provide visual interest, screen undesirable views, or help slow water runoff.

(5) Bicycle rack. A device consistent with industry standards that is capable of supporting a bicycle in a stable position, is made of durable materials, and permits the securing of the bicycle frame and at least one wheel.

(6) Bicycle parking, long-term. Bicycle parking that is primarily intended for bicyclists who need bicycle parking for more than three hours and is fully protected from the weather. This term includes, but is not limited to, bicycle lockers, indoor rooms, or areas specifically designated for bicycle parking.

(7) Bicycle parking, short-term. Bicycle parking primarily intended for bicyclists who need bicycle parking for three hours or less.

(8) Bicycle parking space. A physical space that is a minimum of 2.5 feet in width by 6 feet in length with a vertical clearance of at least 7 feet that allows for the parking of one bicycle.

(9) Build-to-zone. The space between the minimum front yard setback and the maximum front yard setback.

(10) Building frontage. The length of a building facade measured in a single straight parallel line with the abutting street(s) or parking lot(s).

(11) Brew pub. A restaurant-brewery that sells 25 percent or more of its beer on-site and operates significant food services. Brew pubs may also include the sale of beer to-go for off-site consumption, if permitted by law.

(12) Buffer. strip of land of a certain width generally intended for vegetation such as trees or shrubs or other man-made elements, with the purpose of separating and/or partially screening the view of two adjacent uses or properties from one another.

(13) Day care center, child and/or adult. An establishment in which the operator is provided with compensation in return for providing individuals with care for less than 24 hours at a time. This term includes, but is not limited to, a day nursery, nursery school, pre-school, adult day care center, or other supplemental care facility.

A. Adult day care center. An adult day care center shall not include a convalescent home, hospital, or any other full-time care facility.

B. Child day care center. Any place that provides day care or publicly funded day care to 13 or more children at one time; or any place that is not the residence of the licensee or administrator where child day care is provided to 7 to 12 children at one time.

(14) Driveway. A paved area that provides vehicular access to and from a property and the public right-of-way.

(15)Drive aisle. The vehicular travel ways within a parking lot, allowing for vehicular circulation.

(16)Drive-thru facility. Any portion of a building 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-thru” shall also include “drive-up” and “drive-in” but shall not include Car Wash, Gasoline Station, Automobile Service Station, and drive-in Movie Theaters.

(17)Electric Vehicle (EV) Charging Stations. Specialized infrastructure supplied with a charging port that allows electric vehicles to recharge their batteries.

(18)Fascia. A horizontal board or paneling that runs along a building's roofline, which protects the roof's edges from water damage and provides a smooth appearance.

(19)Family day care home, Type A. A permanent residence of the administrator in which child day care or publicly funded child day care is provided for seven to twelve children at one time, or a permanent residence of the administrator in which child day care is provided for four to twelve children at one time if four or more children at one time are under two years of age. In counting children for the purposes of this definition, any children under six years of age who are related to a licensee, administrator, or employee and who are on the premises of the type-A home shall be counted. It does not include a residence in which the needs of the children are being administered to if all of the children whose needs are being administered to are siblings of the same immediate family and the residence is the home of the siblings.

(20)Family day care home, Type B. A permanent residence of the day care provider in which child day care is provided for 1 to 6 children at one time. No more than 3 of these children shall be under two years of age at one time. It does not include a residence in which the needs of the children are being administered to if all of the children whose needs are being administered to are siblings of the same immediate family and the residence is the home of the siblings.

(21)Foot-candle. A measurement of light intensity in which one foot-candle is defined as enough light to saturate a one-foot square with one lumen of light.

(22)Historic structure. Structures listed on the National Register of Historic Places or identified in a locally defined historic district.

(23)Home-based business. A business that is operated from one’s primary residence but is considered an accessory use and does not alter the residential character of the structure or home.

(24)Live-work unit. A dwelling unit within an apartment or multi-use building that serves as both one’s primary residence and dedicated workspace.

(25)Lot coverage. That portion of a lot, which, when viewed directly above, would be covered by a building or structure, parking and loading areas, and other surfaces that are impermeable or substantially impervious to water.

(26)Luminaire. A complete lighting unit consisting of a light source and all necessary mechanical, electrical, and decorative parts.

(27)Manufacturing, artisan. The on-site production, display, and sale of hand-fabricated or hand-manufactured parts and custom or craft consumer goods based on the skill and knowledge of the artisan and the use of hand tools or small-scale, light mechanical equipment. This can include, but is not limited to, the custom production of artisan products such as apparel,

cabinetry, glass working, jewelry making, metal working, pottery, sculpture, wood working, and leather working.

(28)Microbrewery, microdistillery, or microwinery. A facility in which a limited quantity of beer, wine, or other alcoholic beverages are brewed, fermented, or distilled for distribution and consumption, and which possesses the appropriate licenses from the State of Ohio. Tasting rooms for the consumption of on-site produced beer, wine, or distilled products are permitted on the premises.

(29)Research facility. A building or group of buildings used 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.

(30)Retail establishment. An establishment engaged in the selling of goods or merchandise to the general public for personal or household consumption, and rendering services incidental to the sale of such products. Such an establishment is open to the general public during regular business hours and has display areas that are designed and laid out to attract the general public. In determining a use to be a retail use, the proportion of display area vs. storage area and the proportion of the building facade devoted to display windows may be considered. Examples of businesses within this definition include hardware stores, jewelry stores, clothing stores, grocery stores, gift shops, and novelty stores. This term does not include any sexually oriented businesses; nor does it include the cultivating, processing, testing, or dispensing of medical marijuana or marijuana sold at an adult-use cannabis dispensary.

(31)Semi-pervious surface. A surface that allows precipitation to filter into the ground rather than immediately running off into streets or storm drains. Such materials shall be installed and maintained in accordance with industry and manufacturer standards. Qualifying surfaces include gravel, permeable interlocking pavers, permeable concrete, permeable asphalt, reinforced turf systems, and other driveway materials demonstrating comparable properties.

(32)Service establishment, business. An establishment providing services to business establishments on a fee or contract basis, including, but not limited to, advertising and mailing services, employment services, business equipment and furniture sales or rental, photocopy services, protective services, or similar services.

(33)Service establishment, personal. An establishment providing services that are of a recurring and personal nature to individuals residing within close proximity to the establishment, such that the establishment primarily serves those residents as a neighborhood business. This term includes, but is not limited to, a barber shop, beauty salon, shoe repair shop, seamstress, tailor, and tanning salon. This term does not include a health club, repair shop for household items, or a tattoo/body piercing parlor, or any other establishment that does not primarily serve the immediate residents of the neighboring area.

(34)Screening. A method of visually shielding, obscuring, or concealing one abutting or nearby structure or use from another using fencing, walls, berms, or densely planted vegetation.

(35)Smoke shop. An establishment whose primary source of income is derived from tobacco, tobacco products, tobacco paraphernalia, or e-cigarettes or vape products.

(36)Solar energy systems. A structurally integrated design feature or a device that can be roof-mounted, ground-mounted, or built as a canopy meant for the generation or storage of electricity from sunlight, or the collection, storage, and distribution of solar energy using a variety of techniques including the use of photovoltaic panels to harness the energy.

(37)Street, primary. Unless otherwise designated in this Code, a primary street is the sole or principal public road that provides access to the property. Where a property has two or more street frontages, the primary street is that with the highest classification, as determined by the Federal Highway Administration's Road Function Classification system. If multiple streets abutting a property have the same road function classification, then all streets with the highest classification shall be identified as primary streets.

A. The following streets shall always be considered primary streets:

1. Euclid Avenue
2. Superior Avenue

(38)Street, secondary. Any street that abuts a proposed development that is not determined to be a primary street.

(39)Swimming Pool. Any pool, open tank, or receptacle containing or normally capable of containing water to a depth greater than two (2) feet.

(40)Three-family dwelling. A residential structure designed for and occupied by three families living independently of each other, in which dwellings are stacked vertically on one lot, and each dwelling contains at least one living area, bathroom, and kitchen.

(41)Townhouse development. A residential development that consists of three or more dwellings placed side-by-side and that share walls with other dwellings on one or both sides.

(42)Transparency. The percentage of a building façade that is occupied by the transparent glass surface of windows and doors that allows visual permeability into and out of the building. Also referred to as "glazing."

(43)Veterinary hospital. A facility where domestic animals are given medical or surgical treatment and the boarding of animals occurs only as an incidental use for not more than 30 days.