

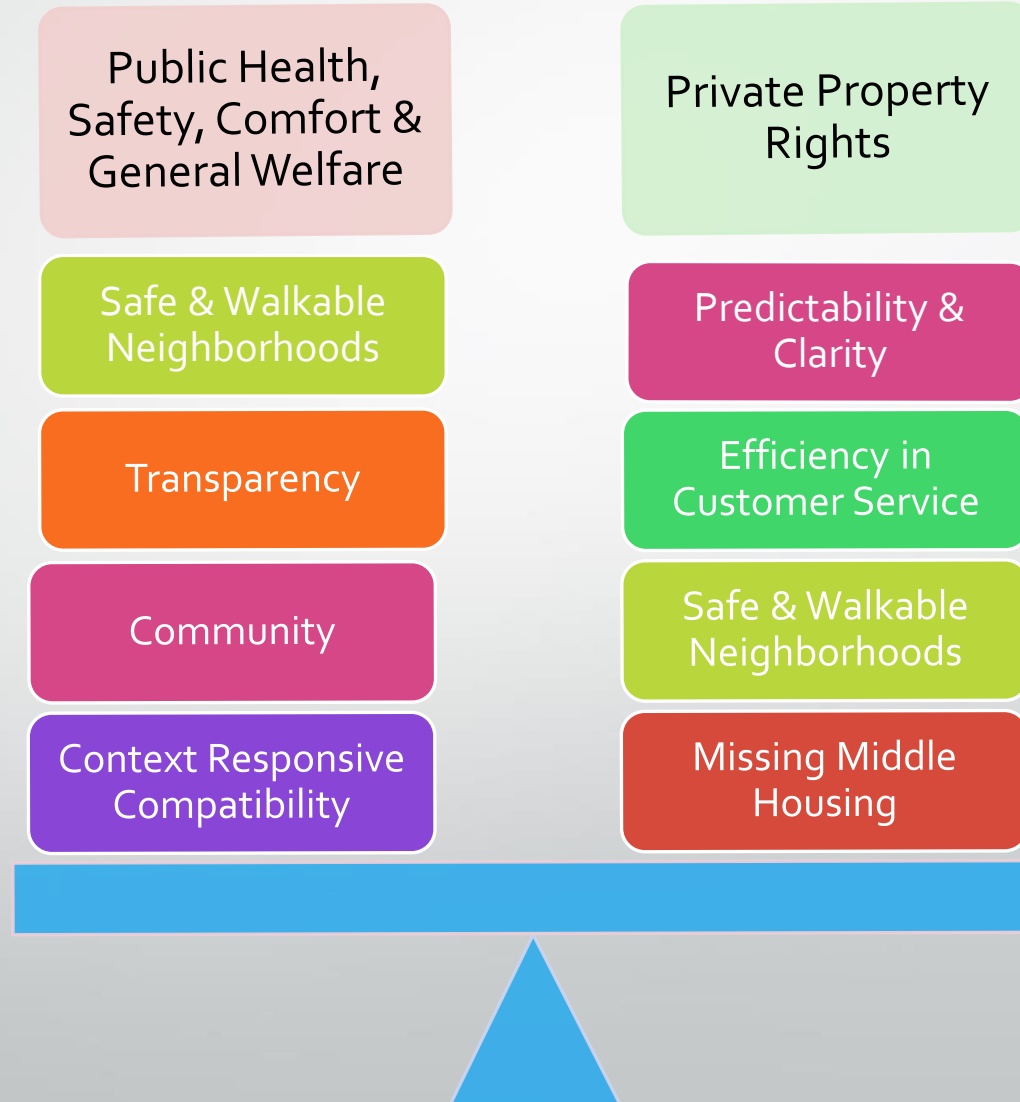
# 2023 Townhouse Code Update

Development, Planning & Sustainability  
November 21, 2023



# The Great Balancing Act

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# Public Comments

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- Clarify process and definitions based on user feedback
- Maintain current language regarding “Complimentary” / “Block Sensitive”
- Landscaping Requirements can be arbitrary – add outdoor amenity space
- Address TH fronting Alleys, when appropriate w/ 100 Ft
- Add Minimum Lot Area & Minimum Lot Sizes

# Public Comments

- Human Scaled Materials – should apply also to facades in auto Courts
- Differentiating pavers for motor courts – pedestrian vs. vehicle
- that is snow friendly
- Use words scale, complimentary, compatible
- Balance regulations for context sensitive projects + Allow for new, flexible and different design approaches / architectural style that is in scale w/ existing context



# General Feedback & Review

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- Developer + architect review
- Block Clubs
- Council Review
- Staff review
- Fire Official Review
- Chief Building Official
- Chief Zoning Administrator
- Landmarks
- Various organizations across the city/state
- Review of best practices of other similar cities
- Law Review



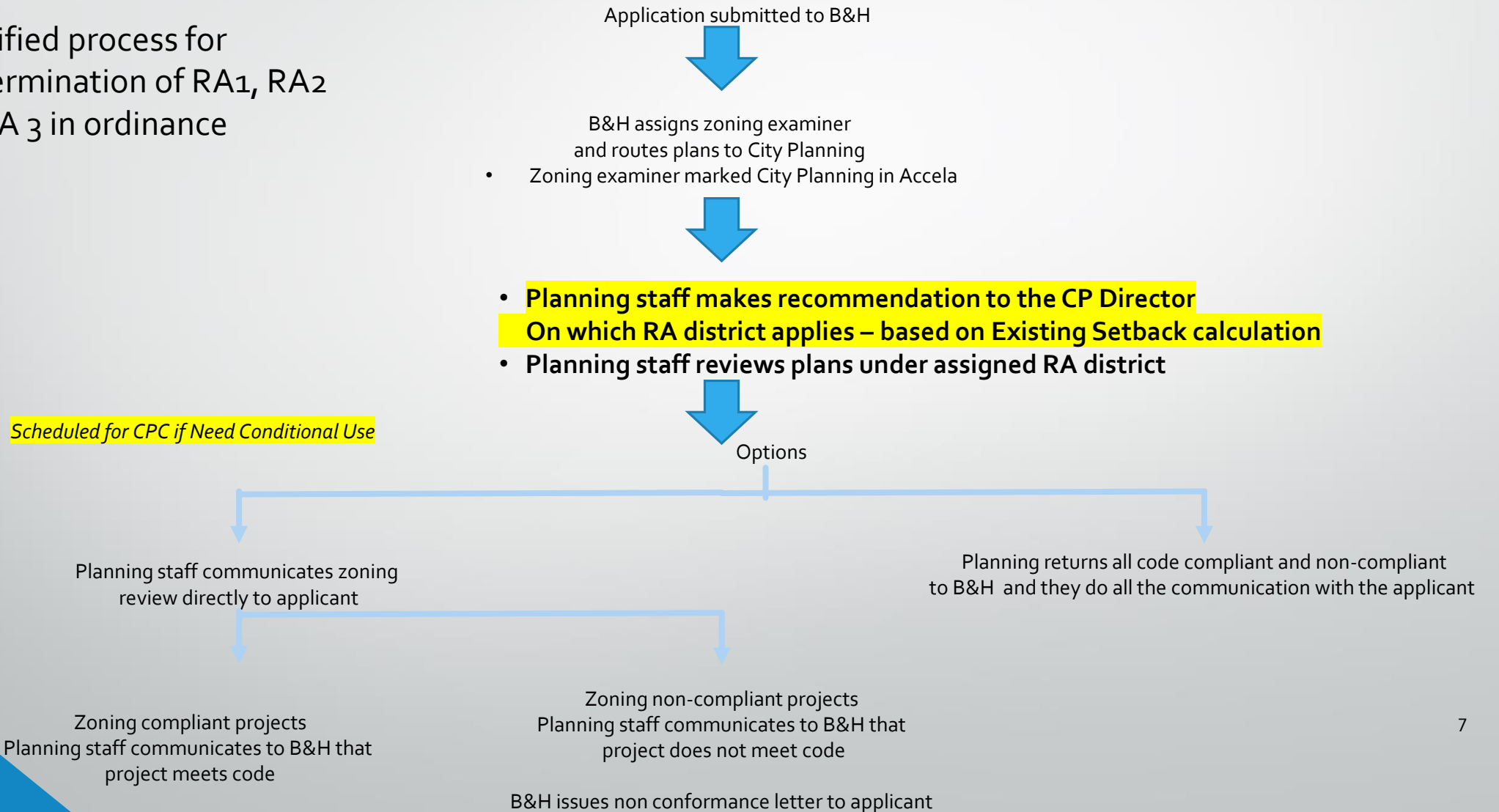
# Goals of the Update's update

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- Consider & process public comment
- Clarify process and definitions based on user feedback
- Refine 'Conditional Use in the Single and Two Family' provision
- New definitions and regulations for Motor Courts
- Address interior frontages, especially for interior lots

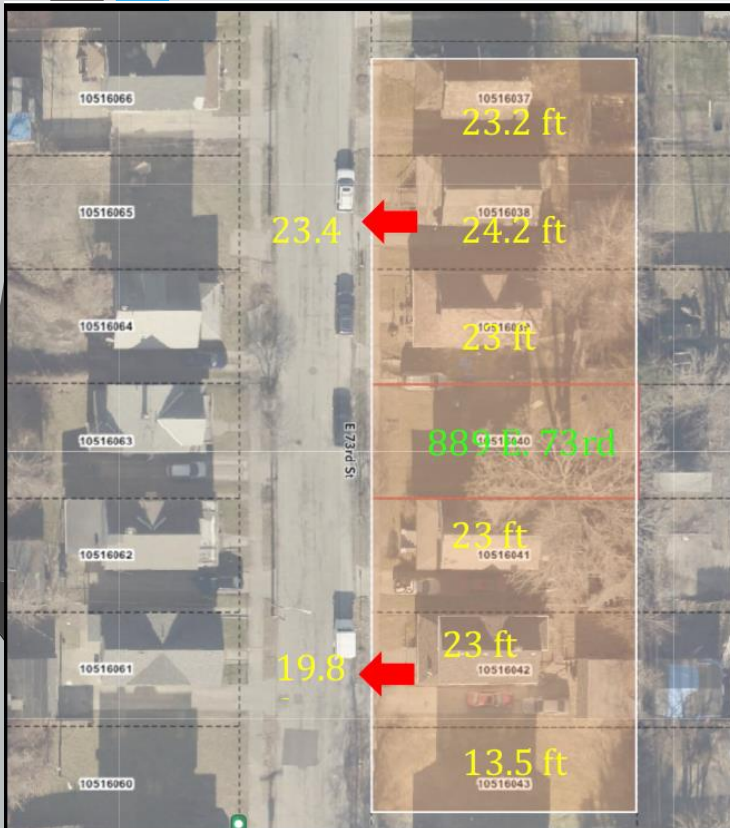
# Townhouse (projects) Application Process

Clarified process for determination of RA<sub>1</sub>, RA<sub>2</sub> or RA<sub>3</sub> in ordinance



# Townhouse (projects) Application Process

Clarified process for determination of RA<sub>1</sub>, RA<sub>2</sub> or RA<sub>3</sub> in ordinance



(4) *City Planning Director Action.* The City Planning Director, or his/her zoning designee, shall determine which RA District regulations are applicable to a project application. In all zoning districts other than a mapped Townhouse District, proposed townhouse projects shall be reviewed under the RA District whose front yard setback in division (f)(2)A most closely matches or compliments the zoning district of the proposed development. To determine which RA District the projects shall be reviewed under,;

- A. determine the existing typical front yard setback of the zoning district of the proposed development:
- B. For proposals to be constructed at mid-block, the RA District whose front yard setback range most closely aligns with the setback of the existing buildings on the block shall be applied as described in §357.06 (a)
- C. For proposals to be constructed on corners, context from the buildings on the adjacent corners of the intersection as well as those buildings on the specific block should be considered, and the RA District whose front yard setback range most closely aligns with the front yard setback of the existing buildings at the intersection shall be applied.



# Example of Townhouse review under the current code:

## Townhouse (RA) District Review:

Month, date, 2018

Example Address  
Cleveland, OH

	RA-1	RA-2	RA-3	Proposed	Comments
<b>(1) Lot Dimensions</b>	No min				
<b>(2) Setbacks</b>	Where applicable	Requirements			
A. Front Yard Depth <sup>1</sup> <small>See Section (b)(2) below for Frontage Diagram.</small>	Principal	Min: 20' or, if greater, the average setback of the buildings within 100' on both sides. Max: none	Min: 10' Max: 20'	Min: 0' Max: 10'	Franklin Boulevard Units A-G: 10' -12'  Max. setback of 10' Compliant - Units A, B, E, G  Non-compliant - Units C, D, F
	Secondary	Min: 7'	Min: 5'	Min: none	W 32 <sup>nd</sup> St: Unit A, H 7'-8'  Should align with existing duplex to north
	Interior	Min: 10'	Min: 8'	Min: 6'	Units I-M 10'  Compliant
C. Interior Side Yard Depth <sup>2</sup>	Adjoining 1 or 2-Family District	Min: 10'	Min: 5'	Min: 3'	Unit M: 10' Unit G 10'  Unit M & G Compliant  6' between buildings required
	Adjoining Other District	Min: 7'	Min: 5'	Min: none	N/A  N/A

Residents, developers, architects can now easily understand Conforming and non-conforming elements of any development

D. Rear Yard Depth	Rear lot line adjoining 1 or 2-Family District	Min: 15'	Min: 10'	Min: 6'	Parcel lines not shown; likely does not apply	Unknown
	Rear lot line adjoining Other District	Min: 10'	Min: 10'	Min: none	N/A	N/A
<b>(3) Building Design Features</b>					Most measurements scaled off drawings	
A. First-story glazing  % of façade required to be transparent windows and doors between 3' and 7' above finished floor.	Principal	Min: 35%  Where the finished first floor is 48" or more above grade: Min. 20% glazing between grade and the finished first floor, less Frontage Feature areas.	Units A-G 30+ sq. ft.		Units A-G Compliant	
	Secondary	Min: 25%  Where the finished first floor is 48" or more above grade: Min. 20% glazing between grade and the finished first floor, less Frontage Feature areas.	Unit A – 42sq. ft. req.  Unit H – 40sq. ft. req.	Unit A Compliant  Unit H – 0' sq. ft. provided non-compliant		
	Interior	Min: 20%	Unit H, M– 16sq req Unit I – 15.2 sq req Units J-L 14.4 sq. req.	All units compliant		
B. Active uses on first story	Principal	Required on 60 % of total Frontage Buildout. Min depth: 9'	Active space provided at all width & at least 9' deep		All units compliant	
	Secondary	No requirement	[No Title]		Compliant	
	Interior	No requirement	N/A		Compliant	
C. Floor Area Ratio	No requirement			No requirement	Compliant	

# Purpose

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Section 337.031

Townhouse (RA) Districts

**(a) Purpose.**

Townhouse Districts (i.e., Residential Attached Districts) are established to set the requirements for the form, site plan and building features of ~~townhouse developments~~ **townhouse projects**.

Safe sidewalks, inviting streets and compelling urban form are essential elements of vibrant, walkable urban neighborhoods. The inherent density of townhouses is a key component of this vision, but without thoughtful site planning and **architectural** design, this goal will not be fully realized. **The provisions and standards of this section are intended to accommodate a variety of innovative housing typologies for infill development and to ensure compatibility of such units** ~~to make these elements the standards for developments~~ in Cleveland's neighborhoods.

The following regulations provide clear guidance for the development and design of high quality Townhouse Projects in Cleveland that protect the health, safety, and general welfare of all citizens. The standards set forth in division (f) of this section are applied uniformly and are the minimum standards for any townhouse project.

# Definitions in the Zoning Code

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- **Not required to/should NOT be the same as the definitions in Ohio Building Code**
- **Cleveland/Ohio Building Code draws from International Building Code**
- **Zoning Code Definitions are context based to meet a purpose and not general**
- **Zoning Code definitions call out in any chapter are for a specific context (ie: related to townhouse project development or some type of overlay district)**
- **Specific definitions take precedence over general definitions**

# Definitions

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**"Townhouse Unit"** is a single or two (2) family dwelling on its own lot, served by its own exclusive exterior pedestrian entrance, and attached to one or more other such units by firewall or fire separation walls.

**"Townhouse Project"** is any combination of single family detached dwelling units, townhouse units, and/or Townhouse Buildings submitted to the City as a unified development proposal. **When single family detached dwelling units are part of a Townhouse Project proposal and are located adjacent and fronting to public right of way, they must be contiguous with other units .**

Single Family detached dwelling units may not exceed 1/3 of the total unit count for the Project in order to be reviewed under this code"

**"Principal Street Frontage"** changed to **"Primary Street Frontage"**



EXISTING BUILDING

EXISTING HOUSE



EXISTING HOUSE

EXISTING HOUSE

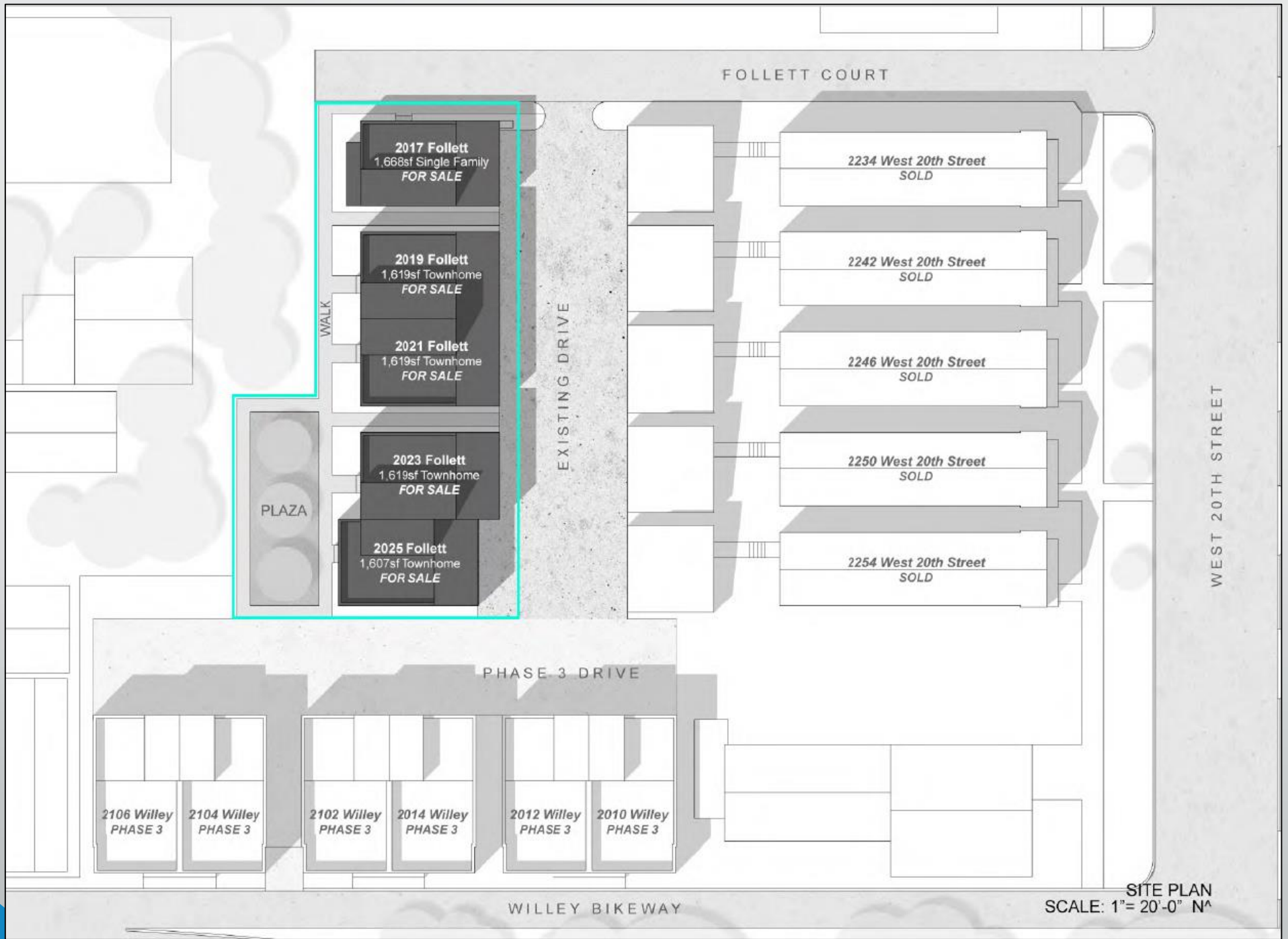
EXISTING HOUSE

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WEST 48TH STREET



SITE PLAN  
SCALE: 1"= 20'-0" N<sup>^</sup>



AERIAL LOOKING NE



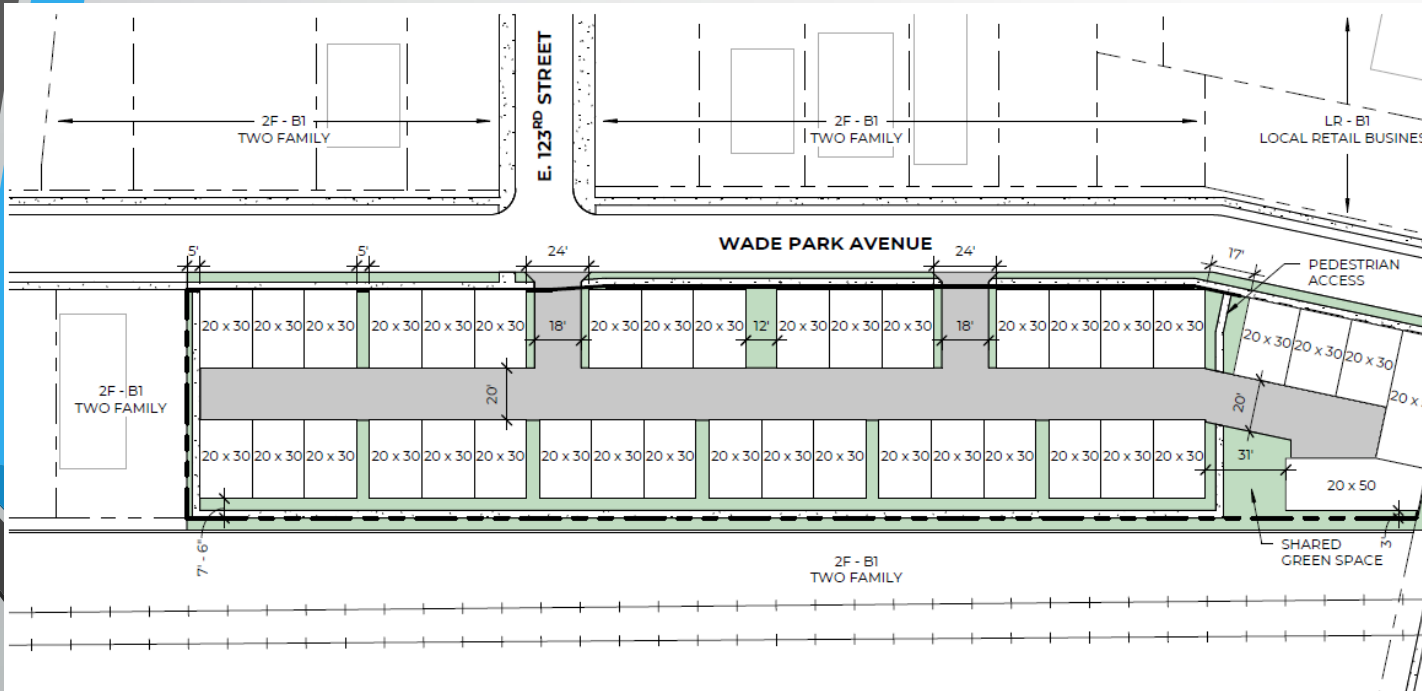
# Definitions

“**Auto Motor Court**” is an internal alley-private road’ for a Townhouse Project allowing vehicular, pedestrian, and bicycle access from a public ROW to private garages. Court regulations in §357.16 do not apply to Townhouse Projects.

## § 325.04 Alley

“Alley” means any public space or thoroughfare twenty (20) feet or less in width, but not less than ten (10) feet in width, which has been dedicated or deeded to the public for public travel and affords access to abutting proper

**Private Road** means a privately owned or controlled and maintained drive, street, road or lane that provides the primary means of vehicular ingress or egress to where two or more lots, or dwelling units share a common access drive even if such lot has the required frontage on a public road





EXISTING BUILDING

EXISTING HOUSE



EXISTING HOUSE

EXISTING HOUSE

EXISTING HOUSE

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EXISTING HOUSE

WEST 48TH STREET

# Definitions

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**“Principal Pedestrian Entrance”** is the exterior door exclusive to the dwelling unit that offers a pedestrian the most visible and direct means of ingress and to a public right of way **or private walkway”**

**“Private walkway”** is any sidewalk or passageway located on privately-owned property.

**“Mews Unit”** is any Townhouse Unit on an Interior Frontage and who’s Principal Pedestrian Entrance is located opposite of a “Motor Court” fronting a “Private Walkway at the side lot line”.

**“Transition”** is an additional setback, a buffer requirement and reduced height allowance when certain districts abut specifically defined districts with a lower height intensity or more restrictive use

# 'Townhouses & Townhouse Projects in Single or Two Family Districts'

**CU**

CONDITIONAL USE  
ZONING NOTICE

Townhouse Project

ADDRESS:

DESCRIPTION:

HEARING DATE/TIME:

LOCATION:



<https://planning.clevelandohio.gov/bca/cpc>

- Townhouses and Townhouse projects are permitted as a Conditional Use in any district where such use is not permitted by right (Single & Two-Family Districts).
- City Planning Commission shall determine whether the proposal meets all applicable site planning & architectural design standards established (subsection e) to ensure proper design and compatibility with existing uses
- All Townhouses go through either Housing or Local Design Review (City Planning or Landmarks, respectively)

# Existing 'Use in the Single and Two Family' provision

## **(e) Site Planning and Design.**

No Building Permit shall be issued for the original construction of a townhouse unit or Townhouse Building without design approval by the City Planning Commission, or its Director, who shall seek to ensure that the development meets the spirit and intent of subsection (a) by applying the design and form standards set forth below, except that such approval shall not apply to Townhouse Projects that are designated as Landmarks, or are located in Landmark Districts, for which design approval shall be the responsibility of the Landmarks Commission.

(1) *Compatibility.* The development shall be visually compatible with nearby properties with respect to such residential design elements as scale, height, setbacks, orientation to existing streets, roof lines, architectural character, materials, colors, and proportions of architectural features.

(2) *Site Layout.* Buildings, structures and landscape features shall be arranged so as to create visual interest, promote security and personal safety, promote safe, efficient, and comfortable pedestrian circulation, facilitate safe and efficient vehicular circulation, conserve natural features and provide usable common and private open space.

(3) *Building Features.* Townhouses shall contribute to the character of the public realm by drawing from the best examples of architecture and urbanism. Townhouses shall be designed to create active, attractive, street frontages that promote safety and walkability using the essential elements of traditional urban architecture as regulated in section (g) of this code.

(4) *Circulation and Parking.* Circulation and parking shall be designed to achieve the following:

- A. Provide proper access for service and safety vehicles
- B. Minimize conflicts between pedestrians and vehicles
- C. Minimize the number of curb cuts
- D. Maximize opportunities for on-street parking, transit waiting environments, bike lanes, drop-off zones, street furniture, public amenities and preserving street trees by prohibiting front loaded garages and unenclosed parking in front yards
- E. Prohibits placement of garage doors so close to sidewalks as to impair pedestrian safety

CPC will use these 4 categories to determine if use meets the criteria for conditional use (Compatibility, Site layout, Building Features, Circulation and Parking)

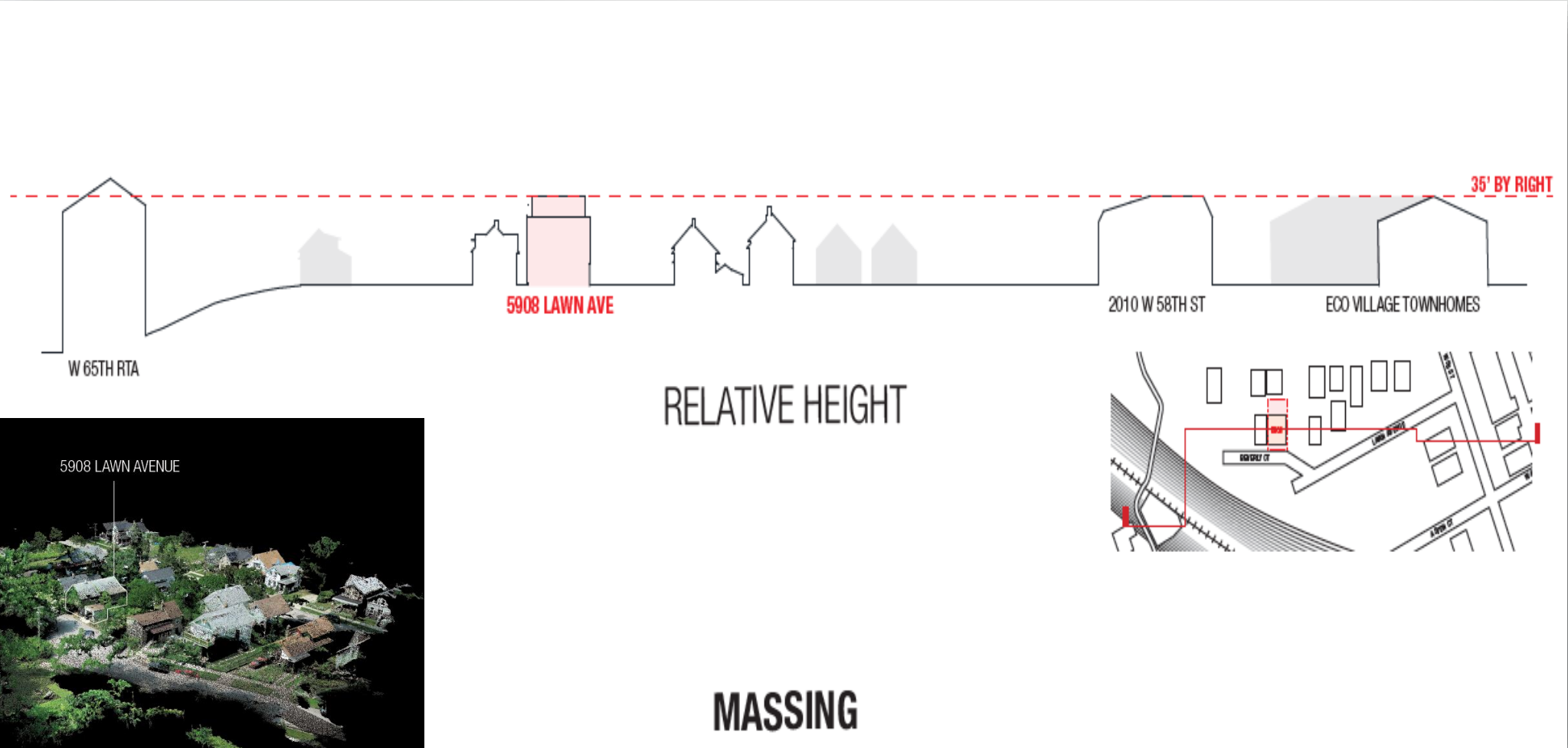


# Site Planning & Design should meet - Height, Front Yard Setback

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# Relative Height & Massing + Surrounding Context





# Roof Forms & Frontage Features

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	RA-1 District	RA-2 District	RA-3 District
Frontage feature (See Figure (h)(1) of this section)	A or B Required Min. porch depth: 6'	B, C or E Required Min. area: 16 sq. ft.	B, C, D or E Required Min. area: 16 sq. ft.

### Required Frontage Features

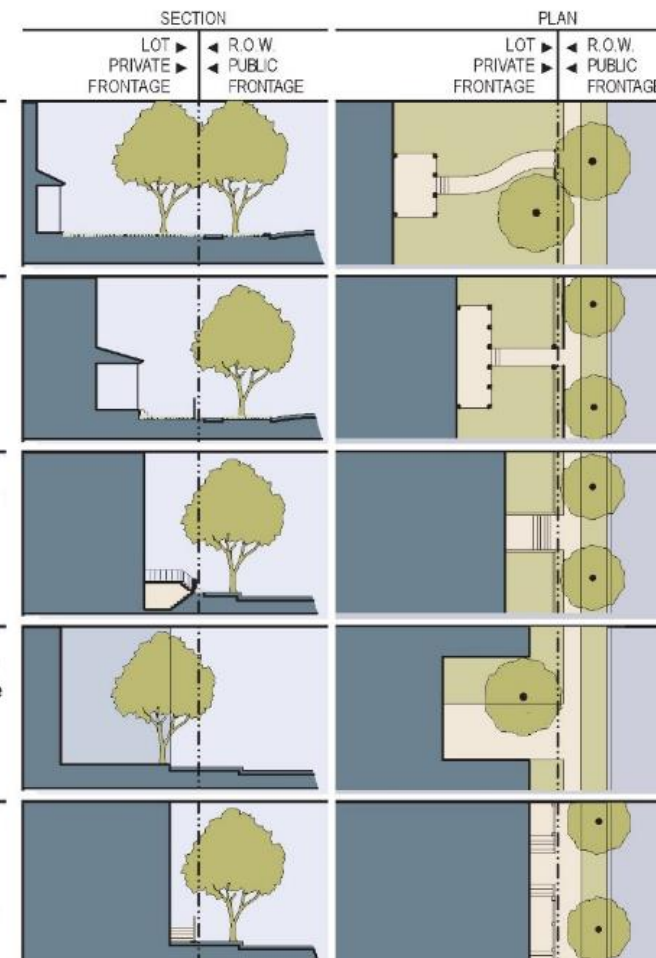
**a. Common Yard:** A planted frontage wherein the building façade is set back substantially from the right of way line. The front yard created may remain unfenced and be visually continuous with adjacent yards. This frontage is found where deep front yards are consistent with the surrounding context. The deep front yard setback can provide a buffer from higher speed thoroughfares.

**b. Porch & Fence:** A planted frontage wherein the building façade is set back from the front yard line, with an attached porch as a permitted yard encroachment. A fence at the right of way line maintains the spatial definition of the street and provides delineation between public and private space.

**c. Terrace or Lightwell:** A frontage wherein the building façade is set back from the right of way line, with an elevated terrace or a sunken lightwell. This frontage feature buffers residential uses from urban sidewalks. Synonym: Dooryard.

**d. Forecourt:** A frontage wherein a portion of the building façade is set back from the right of way line, and the rest of the façade is set close to the right of way line. This frontage feature is often used in apartment buildings. This frontage feature is usually used in conjunction with other frontage features.

**e. Stoop:** A frontage wherein the building façade is close to the right of way line. An exterior stair and landing provide access to the main building entrance. The First Story is elevated from the sidewalk level sufficiently to ensure privacy for First Story windows. This frontage feature is recommended for First Story residential uses. The Stoop is a permitted yard encroachment.





# Circulation & Parking



Intersection of West 58th and Herman Avenue



Cass Ave and Industrial Context



Residential Context (South of Herman Avenue)



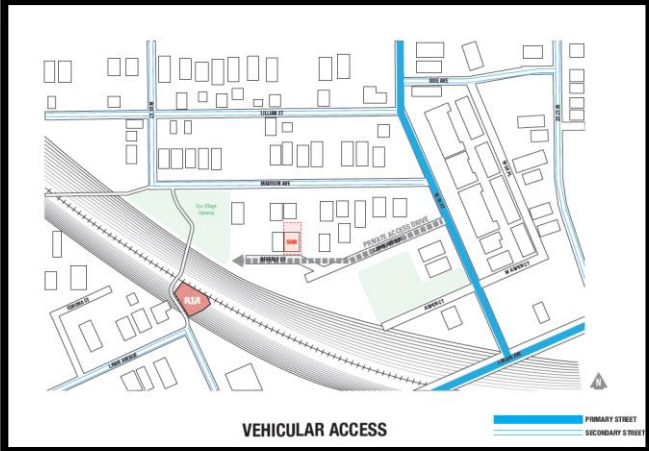
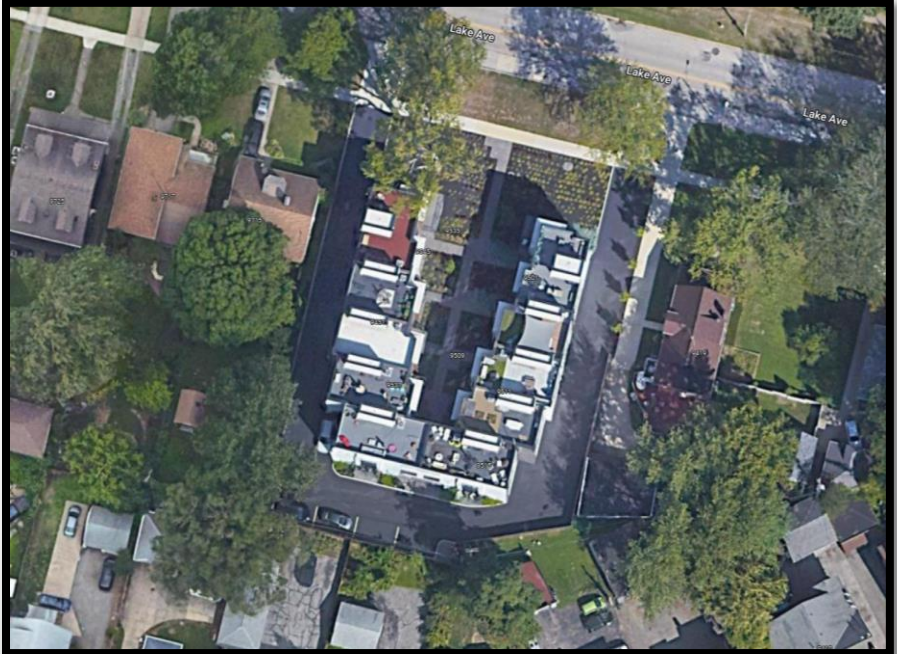
Herman Park and Adjacent Single Family Homes



- Site
- Bike Transit
- Bus Transit

Vicinity Map

## URBAN CONTEXT



VEHICULAR ACCESS

- PRIMARY STREET
- SECONDARY STREET



# Mews Units



Fulton Court

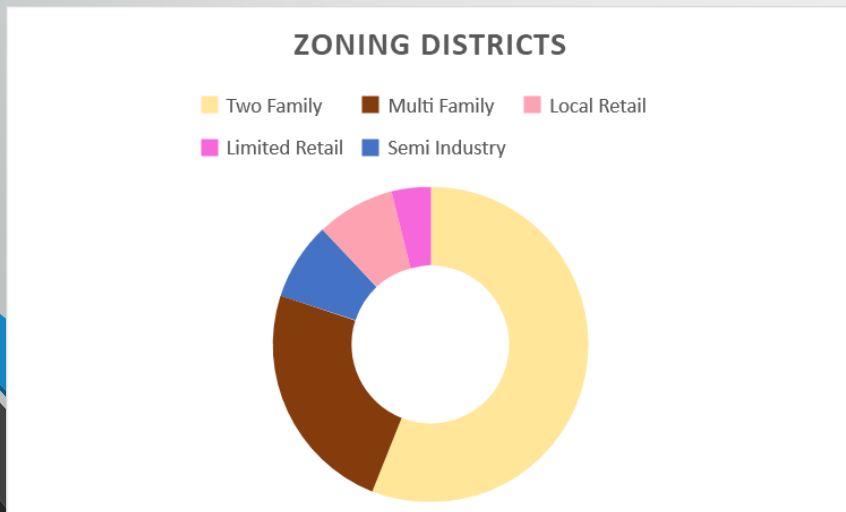




# Area, Yard, Siting & Design Standards

	Parcels Less than 4800 SF	Parcels in 1F Districts	
1F Districts	13,783	41,512	33%

	Parcels less than 6000 SF	Parcels in 2F Districts	
2F Districts	62,901	75,290	84%



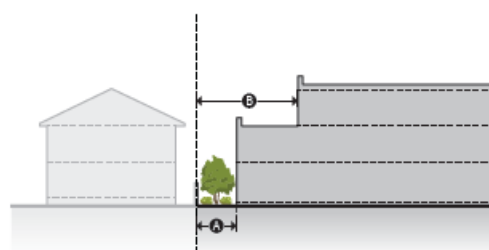
		RA-1	RA-2	RA-3
<b>(1) Lot Dimensions</b>		No min		
<b>(2) Setbacks</b>	Where applicable	Requirements		
A. Front Yard Depth <sup>1</sup> <small>See Section (h)(2). below for Frontage Diagram.</small>	Principal	Min: 20' or, if greater, the average setback of the buildings within 100' on both sides. Max: none	Min: 10' Max: 20'	Min: 0' Max: 12'
	Secondary	Min: 7'	Min: 5'	Min: 0'
	Interior	Min: 10'	Min: 8' - 10'	Min: 7' - 10'
	Mews Unit	Min: 10'	Min: 10'	Min: 10'
B. Interior Side Yard Depth <sup>2</sup>	Adjoining 1 or 2-Family District	Min: 10'	Min: 5'	Min: 3'
	Adjoining Other District	Min: 7'	Min: 5'	Min: 0' - 3'
C. Rear Yard Depth <sup>3</sup>	Rear lot line adjoining 1 or 2-Family District	Min: 15'	Min: 10'	Min: 7'
	Rear lot line adjoining Other District	Min: 10'	Min: 10'	Min: 0' - 3'

# Building Design Features



Figure 1: Transition downward in height and scale to lower-scale area.

An applicable site must meet the following transition requirements.



	Secondary	No requirement		
	Interior	No Requirement		
	Mews Unit	Required		
C. Floor Area Ratio	No requirement			
D. Entrances	Each unit with a Street Line shall provide a Principal Pedestrian Entrance directly to that Street Line or Interior Frontage. Corner lots are required only one (1) Principal Pedestrian Entrance.			
	Mews Units	Any Mews Unit more than 150' from a Street Line shall provide a pedestrian entrance directly to the Motor Court.		
E. Frontage feature (See Figure (h)(1). of this section)	A or B Required Min. porch depth: 6'	B, C or E Required Min. area: 16 sq. ft.	B, C, D or E Required Min. area: 16 sq. ft.	
F. Height of finished first floor above grade	Principal Min: 18" Max: 4'	Secondary Min: 18" Max: 4'	Interior Min: 12" Max: 5'6"	Mews Unit Min: 12" Max: 5'6"
G. Private Open Space (sq. ft per unit) <sup>a</sup>	All	150'	100'	0'
H. First floor materials; Principal, Secondary	Human scaled: ex. brick, stone, lap siding, wood, terra cotta or similar Above first-story: Materials in any dimension are permitted. Prohibited Materials on Principal and Secondary Street Frontage: plain and split-face concrete masonry units and synthetic stucco.			
I. Transitions	10' Setback from any common property line of a zoning district that has a maximum height of 35 feet or less. 20' Additional setback above 24/2 <sup>nd</sup> story (min) – measured from common property line.			



# Building Design – Townhouses permitted after the code was adopted

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# Garages, Car Openings, Driveways, & Motor Courts

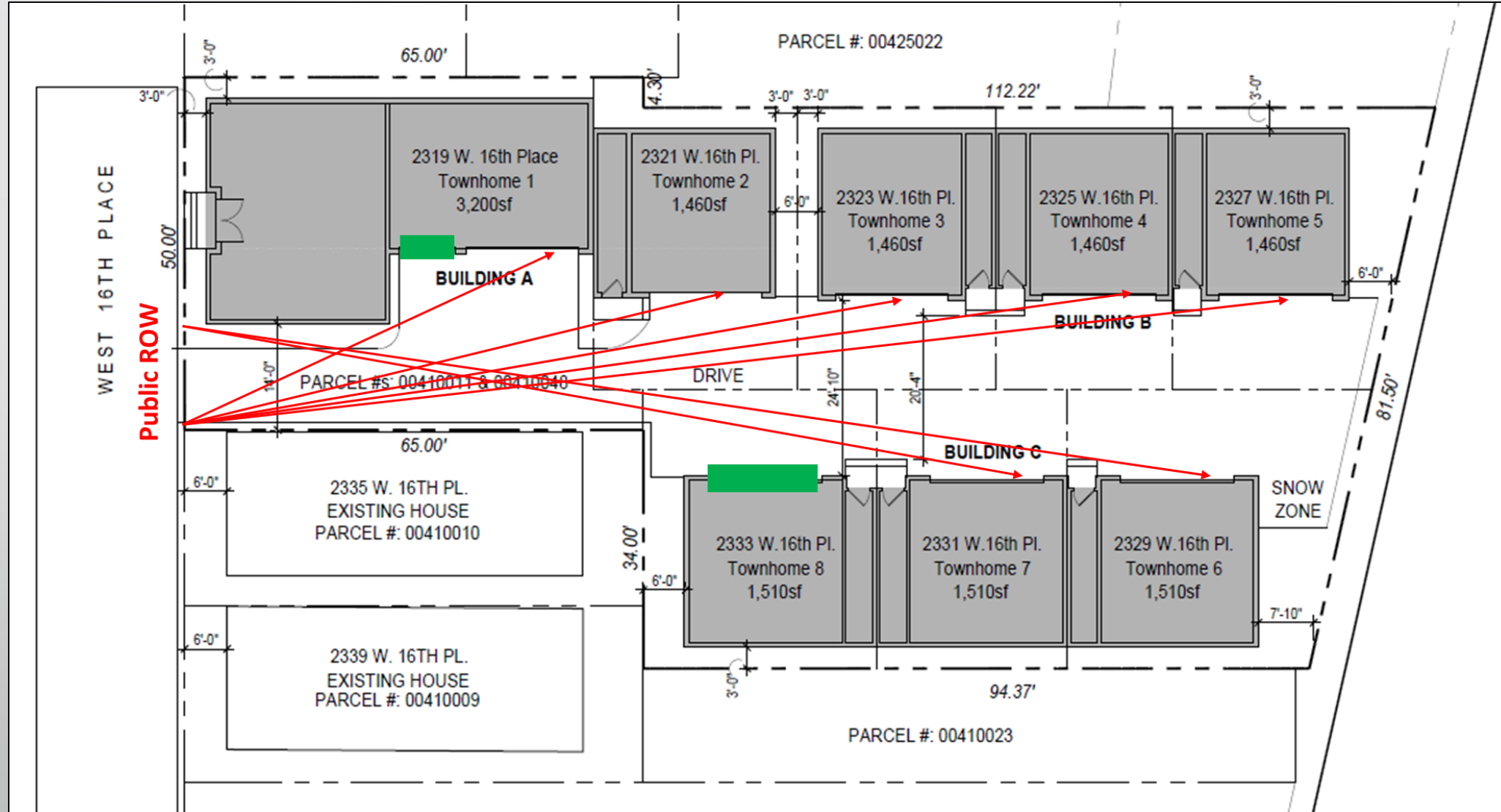


B. Garage or Car Openings perpendicular to a Principal and Secondary Street Frontage	Streetscreen or fence required at actual Principal and Secondary Street setback, minus permitted driveways. Streetscreens or fence shall be a min. 3.5' in height, max. height as allowed by the Zoning Code.
C. Garage or Car Openings within an established front yard setback on a Secondary Street	Streetscreen or fence is required along the shared rear/side yard property line. Streetscreen or fence shall be a min. 3.5' in height, max. height as allowed by the Zoning Code.
D. Alley access <sup>6</sup>	Where an alley abuts the development, no curb cuts shall be permitted on Principal or Secondary Street Frontage.
E. One-way vehicular driveway width	Max: 11'
F. Two-way vehicular driveway serving multiple units width	Max: 18' 20'
G. Motor Court landscaping	25 sq. ft. of dedicated landscape area in the Motor Court for every 32 linear feet of garage door or garage entry that is visible from a public street immediately adjacent to the property, not including alleys.
H. Motor Court paving material	Any whole or portion of a Motor Court with garage doors or garage entry visible from a public street immediately adjacent to the property, not including alleys, shall have at least 60% of its surface area paved with human-scaled materials or distinctive characteristics to give visual cues to delineate space between pedestrians and vehicles.
I. Continuous at-grade sidewalk and apron	Required

- 1 Except that any mapped or established setback shall prevail over the setbacks of this section.
- 2 Does not apply to lot lines separating attached dwellings as a non-condominium townhome development
- 3 Rear yards or Interior Frontages may be 0' if building is abutting a driveway or Motor Court and an access easement is provided.
- 4 For infill townhouses: Height of Finished Floor above grade shall match the typical height found in the adjacent context. Where the Height of Finished Floor above grade in the adjacent context is outside the range set forth in subsection (e) (3) D, the Height of Finished Floor above grade shall be set at the min or max permitted by subsection (e) (3) D.
- 5 garden, deck, patio, balcony, solarium or other similar open space adjacent to the residence, for the private use of the resident household

7 16' garage doors visible = 112 linear foot of garage door visible from the ROW

112/32 = 100 sq. ft. of landscaping in Motor Court





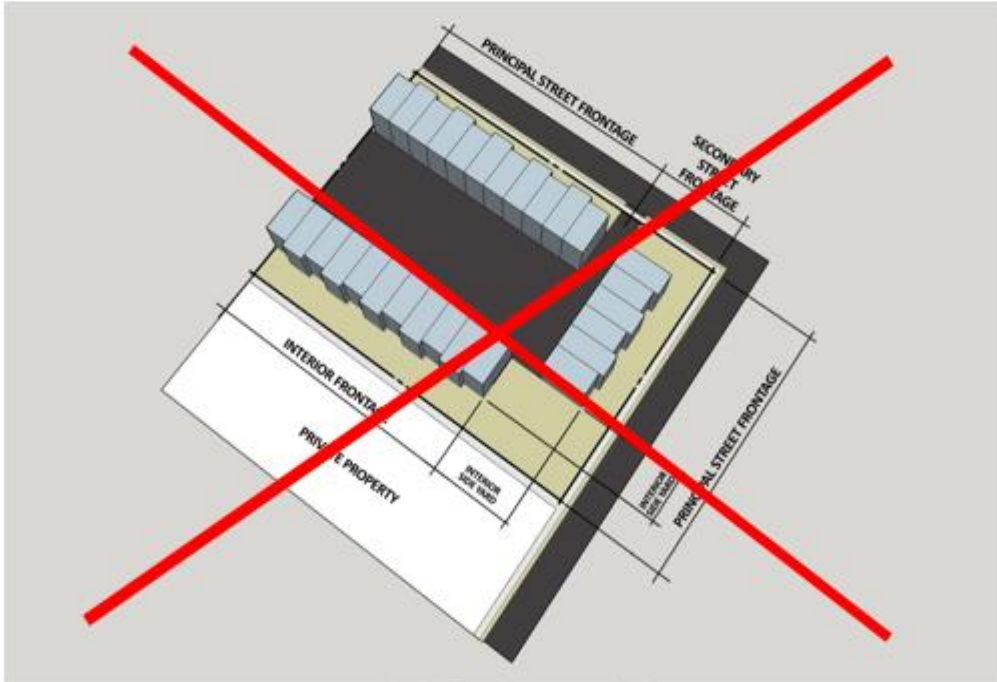




# Clarify procedures



## (2) Frontage Diagram (to be removed)



(3) *Administrative modifications.* The Director of City Planning may require a numerical standard that is different from the standard under section (f) of up to twenty (20) percent in any direction if it is determined that such relief will result in a townhouse or townhouse building that is more appropriately situated and/or more consistent with its context. This provision shall not apply to section (f)(3)F.

Example application of Director's discretion:

In the RA-3 District the Director may administratively reduce the required Interior Front Yard Depth from the numerical standard of 7' to 5'7" ( $7' \times 0.8 = 5'7"$ ).

## (h) Procedures and Appeals.

- (1) *Submission of an Application.* An application to construct a townhouse project subject to the regulations of this chapter shall be submitted to the Division of Building & Housing as part of a Building Permit application. The application shall include a scaled site plan with street elevations and photographs showing the proposed construction in either direction, within 250 feet of the site and the relevant area of context.
- (2) *Determination of Compliance.* The Division of Building and Housing shall determine if the application conforms to the requirements of this chapter and other applicable regulations of the City of Cleveland, except for those provisions that require a determination by the City Planning Commission or its Director.
- (3) *Referral to City Planning Commission.* For proposals subject to approval by the City Planning Commission or Landmarks Commission for design review, under
- (5) *City Planning Commission Action.* For townhouse projects located in any zoning district where a townhouse use is not permitted by right (i.e.: One-Family or Two-Family District), the City Planning Commission shall review any application subject to conditional approval and shall determine whether the proposal meets all applicable standards established ***in division (e) of Site Planning & Design*** to ensure proper design and compatibility with surrounding uses. The City Planning Commission shall take action on the application at a public meeting, subsequent to providing public notice. The Commission may require modifications to the proposal as condition of approval. The Commission may disapprove an application if it determines that the proposed site plan and application does not meet the standards set forth in this chapter. No Building Permit shall be issued without the approval of the City Planning Commission for an application subject to conditional approval.





# 2023 Townhouse Code Update

## Questions/Comments



[cityplanning@clevelandohio.gov](mailto:cityplanning@clevelandohio.gov)