

Form-Based Code Contract Extension

CITY PLANNING COMMISSION



CITY OF CLEVELAND

Mayor Justin M. Bibb

Cleveland's Form Based Code 'The Land Code' Status Update



Cleveland City Council

June 5, 2023

FBC Project Update



REVIEWS

- 12 Internal Reviews
- 4 Interdepartmental Reviews
- 16 External Reviews
- Consolidated Comments
- Outside counsel confirmed
- Public Posting June 1-July 10
- Initial Law Review – Consultant



NEXT STEPS

- FBC Charrette Weekend June 8-June 9
- Revisit pilot neighborhoods' residents, stakeholders, CDCs, & educate new Council
- CPC Special Presentation – Recap – June 16
- Formal CPC Hearing
- Formal Council Process



CONTRACT EXTENDED

- Remaining Contract Extended
- Public Comment Revisions
- Staff Comment Revisions
- Consultant assists with Adoption at Council

Adoption – Q3



Goals of The Land Code (FBC Pilot)



PRODUCE BETTER OUTCOMES

- ❑ The new form-based code will better reflect resident's vision for change and growth in their neighborhood.
- ❑ Rather than the one size fits all zoning code Cleveland has today, the new form-based code will be based on a neighborhood plan developed through a community process.
- ❑ By codifying the plan into a form-based code there can be greater clarity and predictability about what will be built and what uses will be permitted.



DELIVER A SIMPLE, EASY TO READ CODE

- ❑ Getting a Building Permit in Cleveland can take longer than in some of our peer cities in the region and across the state.
- ❑ In many instances today's zoning code is out of sync with modern development typologies resulting in denied permits and trips to the Board of Zoning Appeals.
- ❑ A new, modern form-based code will seek to reduce the time a project spends in zoning review by codifying the neighborhood plans into the zoning and allowing building types prescribed in the plan by-right.



Goals of The Land Code (FBC Pilot)

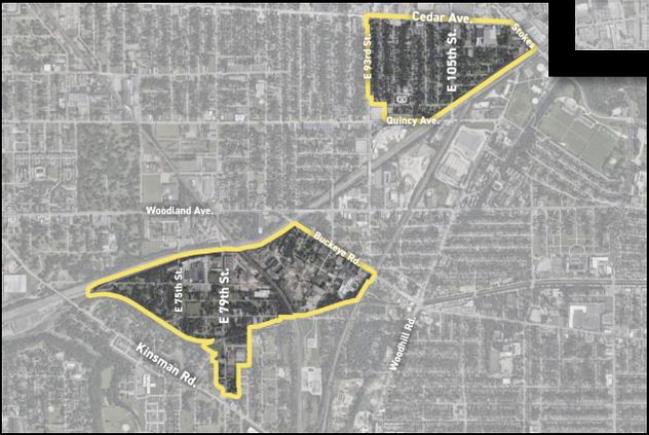
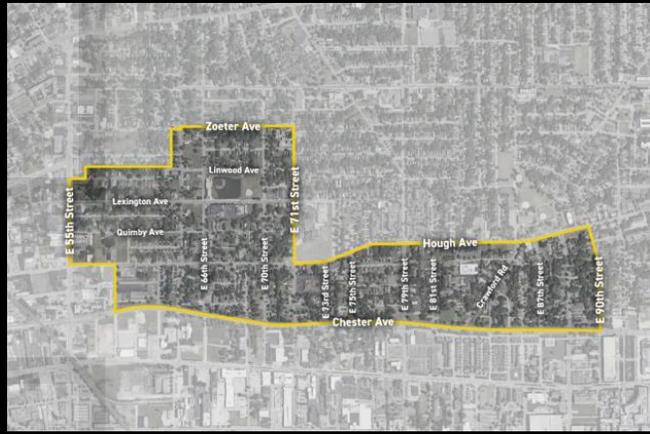
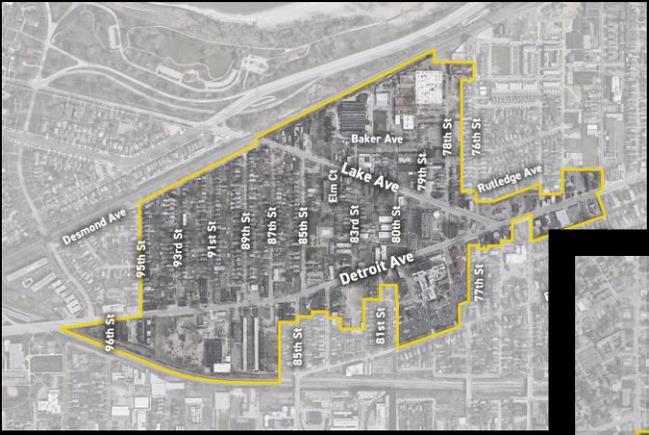


REDUCE APPROVAL TIME

- ❑ Cleveland's current zoning code was first adopted in 1929 and was written by the City's 'zoning engineers'. Over the decades it has been amended and revised, resulting in a disjointed and cumbersome zoning code that does not reflect the vision of Cleveland in the 21st century.
- ❑ A new form-based code that is clear, concise and rationally organized will give residents, developers and other stakeholders greater clarity about what can happen in their neighborhood and on any individual property.
- ❑ The new form-based code will be highly visual with a modern vocabulary and straightforward organizational system.



Why 3 Pilot Geographies?



- Pilot and evaluate the Code
- Pick areas adjacent to other large investments
- Area with diverse building typology and use uses:
 - Single family on residential streets different zoning tools than mixed use buildings on busy thoroughfares or manufacturing facilities in industrial areas

What is a FORM-BASED CODE?

A **form-based code** is a way to translate the ideals of a plan into regulatory language to create the physical “place” envisioned by the community. Form-based codes address the relationship between:

- *building facades and the public realm*
- *the form and mass of buildings*
- *the scale and types of streets and blocks*

FORM



SITING



HEIGHT



USE



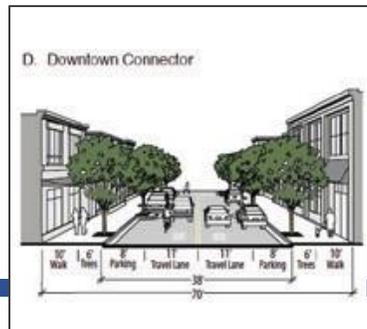
Code Components



PLACE-SPECIFIC MAP.
A fine-grained zoning map - detailed to the level of individual lots, blocks and streets - a level of detail not found in a conventional zoning code.



ILLUSTRATION OF ZONING DISTRICTS.
A drawing and intent statement that defines and illustrates the main characteristics of each district.



PUBLIC SPACE STANDARDS.
A plan or map of the zoning districts designating the locations where different standards apply.

Building Height		Setback	
Building height (feet)	2 stories / 30'	Setback (feet)	5'
2nd floor	3 stories / 40'	Setback (feet)	10'
3rd floor	4 stories / 50'	Setback (feet)	15'
4th floor	5 stories / 60'	Setback (feet)	20'
5th floor	6 stories / 70'	Setback (feet)	25'
6th floor	7 stories / 80'	Setback (feet)	30'
7th floor	8 stories / 90'	Setback (feet)	35'
8th floor	9 stories / 100'	Setback (feet)	40'
9th floor	10 stories / 110'	Setback (feet)	45'
10th floor	11 stories / 120'	Setback (feet)	50'
11th floor	12 stories / 130'	Setback (feet)	55'
12th floor	13 stories / 140'	Setback (feet)	60'
13th floor	14 stories / 150'	Setback (feet)	65'
14th floor	15 stories / 160'	Setback (feet)	70'
15th floor	16 stories / 170'	Setback (feet)	75'
16th floor	17 stories / 180'	Setback (feet)	80'
17th floor	18 stories / 190'	Setback (feet)	85'
18th floor	19 stories / 200'	Setback (feet)	90'
19th floor	20 stories / 210'	Setback (feet)	95'
20th floor	21 stories / 220'	Setback (feet)	100'
21st floor	22 stories / 230'	Setback (feet)	105'
22nd floor	23 stories / 240'	Setback (feet)	110'
23rd floor	24 stories / 250'	Setback (feet)	115'
24th floor	25 stories / 260'	Setback (feet)	120'
25th floor	26 stories / 270'	Setback (feet)	125'
26th floor	27 stories / 280'	Setback (feet)	130'
27th floor	28 stories / 290'	Setback (feet)	135'
28th floor	29 stories / 300'	Setback (feet)	140'
29th floor	30 stories / 310'	Setback (feet)	145'
30th floor	31 stories / 320'	Setback (feet)	150'
31st floor	32 stories / 330'	Setback (feet)	155'
32nd floor	33 stories / 340'	Setback (feet)	160'
33rd floor	34 stories / 350'	Setback (feet)	165'
34th floor	35 stories / 360'	Setback (feet)	170'
35th floor	36 stories / 370'	Setback (feet)	175'
36th floor	37 stories / 380'	Setback (feet)	180'
37th floor	38 stories / 390'	Setback (feet)	185'
38th floor	39 stories / 400'	Setback (feet)	190'
39th floor	40 stories / 410'	Setback (feet)	195'
40th floor	41 stories / 420'	Setback (feet)	200'
41st floor	42 stories / 430'	Setback (feet)	205'
42nd floor	43 stories / 440'	Setback (feet)	210'
43rd floor	44 stories / 450'	Setback (feet)	215'
44th floor	45 stories / 460'	Setback (feet)	220'
45th floor	46 stories / 470'	Setback (feet)	225'
46th floor	47 stories / 480'	Setback (feet)	230'
47th floor	48 stories / 490'	Setback (feet)	235'
48th floor	49 stories / 500'	Setback (feet)	240'
49th floor	50 stories / 510'	Setback (feet)	245'
50th floor	51 stories / 520'	Setback (feet)	250'
51st floor	52 stories / 530'	Setback (feet)	255'
52nd floor	53 stories / 540'	Setback (feet)	260'
53rd floor	54 stories / 550'	Setback (feet)	265'
54th floor	55 stories / 560'	Setback (feet)	270'
55th floor	56 stories / 570'	Setback (feet)	275'
56th floor	57 stories / 580'	Setback (feet)	280'
57th floor	58 stories / 590'	Setback (feet)	285'
58th floor	59 stories / 600'	Setback (feet)	290'
59th floor	60 stories / 610'	Setback (feet)	295'
60th floor	61 stories / 620'	Setback (feet)	300'
61st floor	62 stories / 630'	Setback (feet)	305'
62nd floor	63 stories / 640'	Setback (feet)	310'
63rd floor	64 stories / 650'	Setback (feet)	315'
64th floor	65 stories / 660'	Setback (feet)	320'
65th floor	66 stories / 670'	Setback (feet)	325'
66th floor	67 stories / 680'	Setback (feet)	330'
67th floor	68 stories / 690'	Setback (feet)	335'
68th floor	69 stories / 700'	Setback (feet)	340'
69th floor	70 stories / 710'	Setback (feet)	345'
70th floor	71 stories / 720'	Setback (feet)	350'
71st floor	72 stories / 730'	Setback (feet)	355'
72nd floor	73 stories / 740'	Setback (feet)	360'
73rd floor	74 stories / 750'	Setback (feet)	365'
74th floor	75 stories / 760'	Setback (feet)	370'
75th floor	76 stories / 770'	Setback (feet)	375'
76th floor	77 stories / 780'	Setback (feet)	380'
77th floor	78 stories / 790'	Setback (feet)	385'
78th floor	79 stories / 800'	Setback (feet)	390'
79th floor	80 stories / 810'	Setback (feet)	395'
80th floor	81 stories / 820'	Setback (feet)	400'
81st floor	82 stories / 830'	Setback (feet)	405'
82nd floor	83 stories / 840'	Setback (feet)	410'
83rd floor	84 stories / 850'	Setback (feet)	415'
84th floor	85 stories / 860'	Setback (feet)	420'
85th floor	86 stories / 870'	Setback (feet)	425'
86th floor	87 stories / 880'	Setback (feet)	430'
87th floor	88 stories / 890'	Setback (feet)	435'
88th floor	89 stories / 900'	Setback (feet)	440'
89th floor	90 stories / 910'	Setback (feet)	445'
90th floor	91 stories / 920'	Setback (feet)	450'
91st floor	92 stories / 930'	Setback (feet)	455'
92nd floor	93 stories / 940'	Setback (feet)	460'
93rd floor	94 stories / 950'	Setback (feet)	465'
94th floor	95 stories / 960'	Setback (feet)	470'
95th floor	96 stories / 970'	Setback (feet)	475'
96th floor	97 stories / 980'	Setback (feet)	480'
97th floor	98 stories / 990'	Setback (feet)	485'
98th floor	99 stories / 1000'	Setback (feet)	490'
99th floor	100 stories / 1010'	Setback (feet)	495'
100th floor	101 stories / 1020'	Setback (feet)	500'
101st floor	102 stories / 1030'	Setback (feet)	505'
102nd floor	103 stories / 1040'	Setback (feet)	510'
103rd floor	104 stories / 1050'	Setback (feet)	515'
104th floor	105 stories / 1060'	Setback (feet)	520'
105th floor	106 stories / 1070'	Setback (feet)	525'
106th floor	107 stories / 1080'	Setback (feet)	530'
107th floor	108 stories / 1090'	Setback (feet)	535'
108th floor	109 stories / 1100'	Setback (feet)	540'
109th floor	110 stories / 1110'	Setback (feet)	545'
110th floor	111 stories / 1120'	Setback (feet)	550'
111th floor	112 stories / 1130'	Setback (feet)	555'
112th floor	113 stories / 1140'	Setback (feet)	560'
113th floor	114 stories / 1150'	Setback (feet)	565'
114th floor	115 stories / 1160'	Setback (feet)	570'
115th floor	116 stories / 1170'	Setback (feet)	575'
116th floor	117 stories / 1180'	Setback (feet)	580'
117th floor	118 stories / 1190'	Setback (feet)	585'
118th floor	119 stories / 1200'	Setback (feet)	590'
119th floor	120 stories / 1210'	Setback (feet)	595'
120th floor	121 stories / 1220'	Setback (feet)	600'
121st floor	122 stories / 1230'	Setback (feet)	605'
122nd floor	123 stories / 1240'	Setback (feet)	610'
123rd floor	124 stories / 1250'	Setback (feet)	615'
124th floor	125 stories / 1260'	Setback (feet)	620'
125th floor	126 stories / 1270'	Setback (feet)	625'
126th floor	127 stories / 1280'	Setback (feet)	630'
127th floor	128 stories / 1290'	Setback (feet)	635'
128th floor	129 stories / 1300'	Setback (feet)	640'
129th floor	130 stories / 1310'	Setback (feet)	645'
130th floor	131 stories / 1320'	Setback (feet)	650'
131st floor	132 stories / 1330'	Setback (feet)	655'
132nd floor	133 stories / 1340'	Setback (feet)	660'
133rd floor	134 stories / 1350'	Setback (feet)	665'
134th floor	135 stories / 1360'	Setback (feet)	670'
135th floor	136 stories / 1370'	Setback (feet)	675'
136th floor	137 stories / 1380'	Setback (feet)	680'
137th floor	138 stories / 1390'	Setback (feet)	685'
138th floor	139 stories / 1400'	Setback (feet)	690'
139th floor	140 stories / 1410'	Setback (feet)	695'
140th floor	141 stories / 1420'	Setback (feet)	700'
141st floor	142 stories / 1430'	Setback (feet)	705'
142nd floor	143 stories / 1440'	Setback (feet)	710'
143rd floor	144 stories / 1450'	Setback (feet)	715'
144th floor	145 stories / 1460'	Setback (feet)	720'
145th floor	146 stories / 1470'	Setback (feet)	725'
146th floor	147 stories / 1480'	Setback (feet)	730'
147th floor	148 stories / 1490'	Setback (feet)	735'
148th floor	149 stories / 1500'	Setback (feet)	740'
149th floor	150 stories / 1510'	Setback (feet)	745'
150th floor	151 stories / 1520'	Setback (feet)	750'
151st floor	152 stories / 1530'	Setback (feet)	755'
152nd floor	153 stories / 1540'	Setback (feet)	760'
153rd floor	154 stories / 1550'	Setback (feet)	765'
154th floor	155 stories / 1560'	Setback (feet)	770'
155th floor	156 stories / 1570'	Setback (feet)	775'
156th floor	157 stories / 1580'	Setback (feet)	780'
157th floor	158 stories / 1590'	Setback (feet)	785'
158th floor	159 stories / 1600'	Setback (feet)	790'
159th floor	160 stories / 1610'	Setback (feet)	795'
160th floor	161 stories / 1620'	Setback (feet)	800'
161st floor	162 stories / 1630'	Setback (feet)	805'
162nd floor	163 stories / 1640'	Setback (feet)	810'
163rd floor	164 stories / 1650'	Setback (feet)	815'
164th floor	165 stories / 1660'	Setback (feet)	820'
165th floor	166 stories / 1670'	Setback (feet)	825'
166th floor	167 stories / 1680'	Setback (feet)	830'
167th floor	168 stories / 1690'	Setback (feet)	835'
168th floor	169 stories / 1700'	Setback (feet)	840'
169th floor	170 stories / 1710'	Setback (feet)	845'
170th floor	171 stories / 1720'	Setback (feet)	850'
171st floor	172 stories / 1730'	Setback (feet)	855'
172nd floor	173 stories / 1740'	Setback (feet)	860'
173rd floor	174 stories / 1750'	Setback (feet)	865'
174th floor	175 stories / 1760'	Setback (feet)	870'
175th floor	176 stories / 1770'	Setback (feet)	875'
176th floor	177 stories / 1780'	Setback (feet)	880'
177th floor	178 stories / 1790'	Setback (feet)	885'
178th floor	179 stories / 1800'	Setback (feet)	890'
179th floor	180 stories / 1810'	Setback (feet)	895'
180th floor	181 stories / 1820'	Setback (feet)	900'
181st floor	182 stories / 1830'	Setback (feet)	905'
182nd floor	183 stories / 1840'	Setback (feet)	910'
183rd floor	184 stories / 1850'	Setback (feet)	915'
184th floor	185 stories / 1860'	Setback (feet)	920'
185th floor	186 stories / 1870'	Setback (feet)	925'
186th floor	187 stories / 1880'	Setback (feet)	930'
187th floor	188 stories / 1890'	Setback (feet)	935'
188th floor	189 stories / 1900'	Setback (feet)	940'
189th floor	190 stories / 1910'	Setback (feet)	945'
190th floor	191 stories / 1920'	Setback (feet)	950'
191st floor	192 stories / 1930'	Setback (feet)	955'
192nd floor	193 stories / 1940'	Setback (feet)	960'
193rd floor	194 stories / 1950'	Setback (feet)	965'
194th floor	195 stories / 1960'	Setback (feet)	970'
195th floor	196 stories / 1970'	Setback (feet)	975'
196th floor	197 stories / 1980'	Setback (feet)	980'
197th floor	198 stories / 1990'	Setback (feet)	985'
198th floor	199 stories / 2000'	Setback (feet)	990'
199th floor	200 stories / 2010'	Setback (feet)	995'
200th floor	201 stories / 2020'	Setback (feet)	1000'

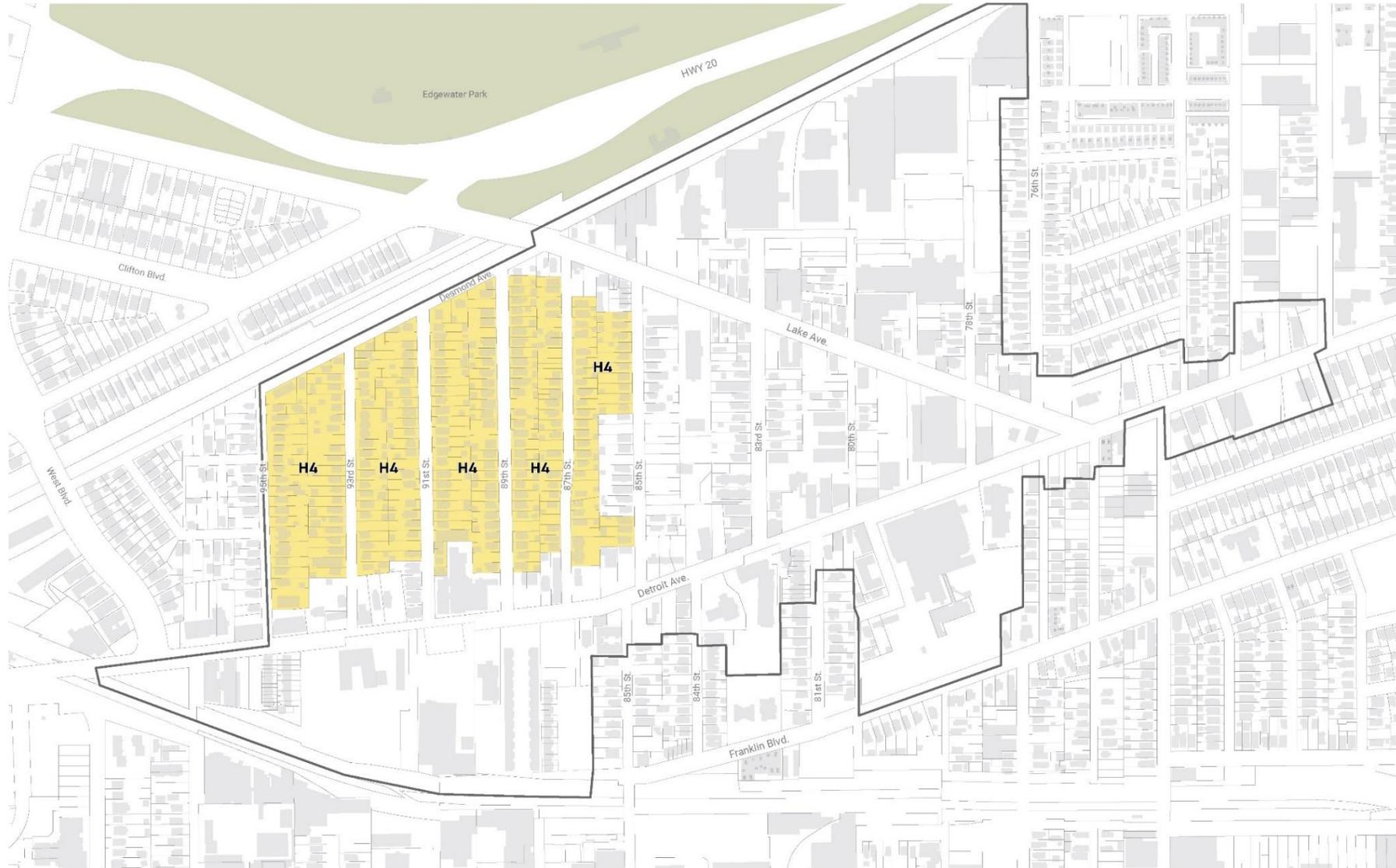
BUILDING FORM STANDARDS.
Regulations controlling the configuration, features, and functions of buildings that define and shape the public realm.

Section 7. Administration	
7.1. Project Site Review	
A. Applicability	
1. Project Site Review is applicable to all projects that require a Project Site Review as defined in the Code.	2. The Building and Planning Coordinator will review the project site plan and provide a preliminary list of issues that will apply to the project during formal application review. Suggested possible modifications to the project and identify any technical issues that may be necessary for the review process after a formal application is submitted.
3. A variance or special use permit is required for the proposed construction, renovation, alteration or change of use of any building used within the boundaries of the Downtown Form-Based Code.	4. Any construction held by the Application Committee are informal and shall not be binding on either the applicant or the Code.
B. Authority	
1. The Building and Planning Coordinator is authorized to approve applications for Project Site Review within the boundaries of the Downtown Form-Based Code.	2. The Building and Planning Coordinator may delegate review of all or part of any application proposed Project Site Review to other, including but not limited to planning staff, building staff, consultants or other such personnel or entities that may assist in review of a project after its approval.
C. Conceptual Review Meeting	
1. Prior to completion of project design and formal submission of the required application, an applicant must schedule a Conceptual Review Meeting to discuss the project with the Planning Board.	2. The Conceptual Review Meeting shall be open to the public with opportunity to comment on the proposed development. The public, including adjacent property owners, shall be notified of the meeting in accordance with the procedures set forth in § 161.02(C)(2) of the Downtown Form-Based Code.
3. The Building and Planning Coordinator will schedule the Conceptual Review Meeting at the earliest possible date available to the applicant.	

ADMINISTRATION.
A clearly defined application and project review process.



Code Districts



DRAFT January 04, 2021

0 125 250 500 750 1,000 Feet



CITY OF CLEVELAND
Mayor Justin M. Bibb

Div. 2.1. Applicability

All activity filed after the effective date of this Code must comply with the standards in this Chapter, as further specified below.

2.1.1. General Applicability

A. Standards apply based on the type of activity proposed, as shown in the table below. For all zoning districts, the standards apply as shown in the table below:

		New Construction	Addition	Site Modification	Facade Modification	Change of Use	Renovation	Maintenance & Repair
Sec. 2.10.2	Site Width	●	○	○	○	○	○	○
Sec. 2.10.3	Dwelling Units per Site	●	○	○	○	●	○	○
Sec. 2.10.4	Amenity	●	●	●	○	●	○	○
Sec. 2.10.5	Walls & Fences	●	●	●	○	●	○	○
Sec. 2.10.6	Streetscape	●	●	●	○	○	○	○
Sec. 2.10.7	Setbacks	●	●	○	○	○	○	○
Sec. 2.10.8	Transitions	●	●	●	○	●	○	○
Sec. 2.10.9	Street Build-Out	●	●	○	○	○	○	○
Sec. 2.10.10	Parking Location	●	●	●	○	○	○	○
Sec. 2.10.11	Massing	●	●	○	○	○	○	○
Sec. 2.10.12	Story Height	●	●	○	○	○	○	○
Sec. 2.10.13	Windows	●	●	○	●	○	○	○
Sec. 2.10.14	Doors	●	●	○	●	○	○	○

● = Standards apply ○ = Standards do not apply

B. The general applicability may be further specified in the applicability provisions for each set of standards in Div. 2.10.

Div. 2.2. House-Scale



2.2.1. Intent

A walkable neighborhood environment intended to accommodate a variety of low-intensity housing options including single-family homes, duplexes, triplexes and fourplexes, supporting and within walking distance of neighborhood-serving retail, food and service uses.

H3	H4
3 dwellings units per site	4 dwellings units per site
20' site width	20' site width
2.5 stories/32' in height	2.5 stories/32' in height
35' building width	35' building width

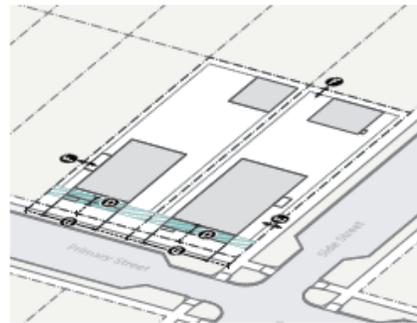
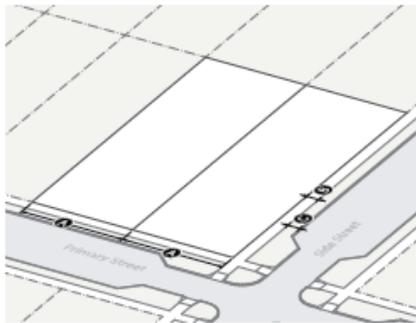


District Example

2.2.3. H4 HOUSE 4

H4

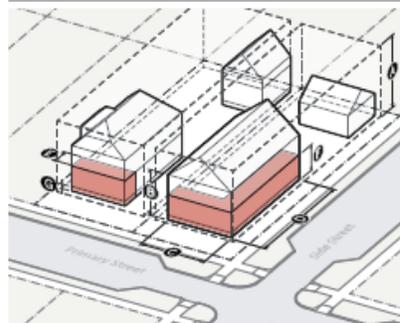
A. SITE



1. Size	Sec. 2.10.2
A Width (min)	
Front access	35'
Side/rear access	20'
2. Dwelling Units	Sec. 2.10.3
Max per site	4
3. Amenity	Sec. 2.10.4
Outdoor amenity space (min)	n/a
4. Walls & Fences	Sec. 2.10.5
Front yard height (max)	Type C2 4'
Side street yard height (max)	
Within 3' of boundary line	Type C2 4'
More than 3' from boundary line	Type C3 6'
Side/rear yard height (max)	Type C5 6'
5. Streetscape	Sec. 2.10.6
B Pedestrian zone (min)	6'
C Furniture zone (min)	6'
Planting strip type	Tree lawn
Trees in planting strip	30' avg. on center

6. Setbacks	Sec. 2.10.7
D Primary street boundary line (min/max)	Established setback range of 10'/20'
E Side street boundary line (min)	3'
F Rear/side boundary line (min)	
Up to 15' in height	1.5'
15' or more in height	3'
Alley boundary line	3' or 20' min
7. Transitions	Sec. 2.10.8
Setback from transition boundary line	n/a
8. Street Build-Out	Sec. 2.10.9
G Primary street (min)	50%
Side street (min)	n/a
9. Parking Location	Sec. 2.10.10
Front yard	Not allowed
Side street yard	Allowed
Side yard	Allowed
Rear yard	Allowed

B. BUILDING



1. Massing	Sec. 2.10.11
Height (max)	
A Stories/feet	2.5/32'
B Top plate	25'
Width (max)	
C Primary street	35'
D Side street	70'
E Active depth (min)	9'
Dwelling units per building (max)	4
2. Story Height	Sec. 2.10.12
F Ground story height (min)	9'
G Ground floor elevation (min/max)	2'/5.5'

	Primary St.	Side St.
3. Windows	Sec. 2.10.13	
H Ground story (min)	35%	30%
I Upper story (min)	15%	15%
J Blank wall width (max)	10'	20'
4. Doors	Sec. 2.10.14	
K Street-facing entry spacing (max)	30'	50'



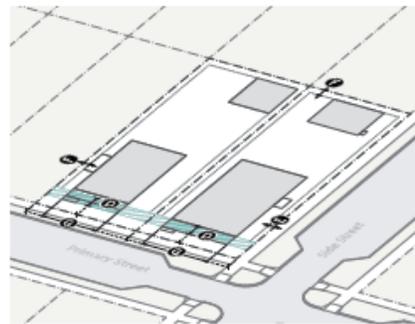
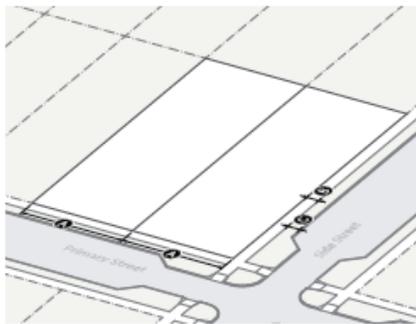
Rules of Interpretation

CHAPTER 2 ZONING DISTRICTS

HOUSE-SCALE

2.2.3. H4 HOUSE 4

A. SITE



1. Size	Sec. 2.10.2
Width (min)	
Front access	35'
Side/rear access	20'
2. Dwelling Units	Sec. 2.10.3
Max per site	4
3. Amenity	Sec. 2.10.4
Outdoor amenity space (min)	n/a
4. Walls & Fences	Sec. 2.10.5
Front yard height (max)	Type C2 4'
Side street yard height (max)	
Within 3' of boundary line	Type C2 4'
More than 3' from boundary line	Type C3 6'
Side/rear yard height (max)	Type C5 6'
5. Streetscape	Sec. 2.10.6
Pedestrian zone (min)	6'
Furniture zone (min)	6'
Planting strip type	Tree lawn
Trees in planting strip	30' avg. on center

6. Setbacks	Sec. 2.10.7
Primary street boundary line (min/max)	Established setback range of 10'/20'
Side street boundary line (min)	3'
Rear/side boundary line (min)	
Up to 15' in height	1.5'
15' or more in height	3'
Alley boundary line	3' or 20' min
7. Transitions	Sec. 2.10.8
Setback from transition boundary line	n/a
8. Street Build-Out	Sec. 2.10.9
Primary street (min)	50%
Side street (min)	n/a
9. Parking Location	Sec. 2.10.10
Front yard	Not allowed
Side street yard	Allowed
Side yard	Allowed
Rear yard	Allowed

2.10.2. Site Width

The length of primary street boundary lines bounding a site.

A. Intent

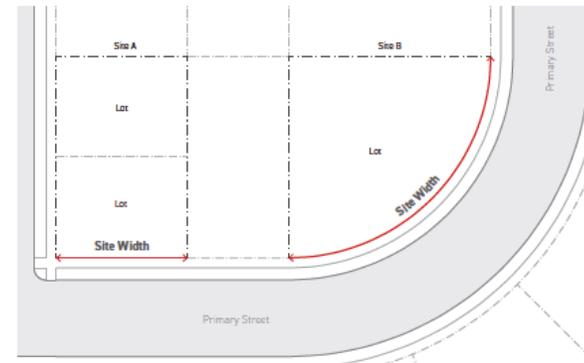
To help ensure new developments are generally consistent with the character of the neighborhood and other properties within the same zoning district and to help ensure safe and adequate vehicular access to and from a site.

B. Applicability

1. The minimum width requirement applies only to sites officially approved and recorded on or after the effective date of this Code.
2. Any use allowed in the zoning district may be established on a site officially approved and recorded before the effective date of this Code, regardless of the width of the site, provided, that all other requirements of this Code are met and in no instance can a site have a width of less than 15 feet.

C. Standards

1. No applicable site can be less than the minimum width required by the zoning district
2. Site width is measured following the geometry of all primary street boundary lines that bound the site.
3. Where a site has 2 or more primary street boundary lines facing different streets, all primary street boundary lines must meet the minimum site width standard.
4. Sites that take vehicular access from a primary street must meet the minimum width requirement for sites with front access.
5. Sites that take vehicular access from either a side street, side, rear or alley boundary line can meet the minimum width requirement for sites with side or rear access.



Use Standards and Guidelines

CHAPTER 2 ZONING DISTRICTS

HOUSE-SCALE

2.2.4. Summary of Allowed Uses

Summary of Use Standards		Add. Stds.
1. Residential		
Household Living	P	
Group Living	C*	Residents: 10 max 3.2.3.B
Social Services	--	
2. Open		
Parks & Open Space	P	
Urban Agriculture	P*	3.2.3.C
3. Public		
Community Service	P*	Building size: 5,000 SF max 3.2.3.D
Day Care	--	
Education	P*	Parcel size: 4 acres max 3.2.3.E
Government	P	
Religious Assembly	P*	Building size: 5,000 SF max 3.2.3.F
Transit Station	--	
4. Commercial		
Adult Entertainment	--	
Animal Care	--	
Auto-Related	--	
Eating & Drinking	--	
Indoor Entertainment	--	
Lodging	P*	Lodging units: 5 max 3.2.3.J
Medical Hospital	--	
Medical Laboratory	--	
Medical Services	--	
Office	--	
Outdoor Recreation	--	
Personal Service	--	
Retail	--	
Self-Storage	--	
Vehicle Sales & Rental	--	
5. Industrial		
Heavy Industrial	--	
Light Industrial	--	
Makerspace	--	
Research & Development	--	
Warehouse & Distribution	--	

Key: P Permitted Use * Use Standard applies C Conditional Use -- Not Permitted

Div. 3.1. General Provisions

3.1.1. Use Categories

- A. In order to regulate uses more efficiently, categories of uses have been established.
- B. Use categories provide a systematic basis for assigning land uses to appropriate districts. Use categories classify land uses and activities based on common functional, product, or physical characteristics.
- C. Characteristics include the type and amount of activity, the type of customers or residents, how goods or services are sold or delivered, likely impact on surrounding properties, and site conditions.

3.1.2. Principal Uses

Principal uses are grouped into categories of uses. Permitted uses are shown in [Div. 3.2, Allowed Uses](#). The use categories used in the use table are listed in [Div. 3.3, Use Categories](#). The examples of permitted uses listed are not an exhaustive list. The Planning Director is responsible for categorizing uses - see [Sec 3.14](#).

3.1.3. Accessory Uses

Accessory uses are allowed in conjunction with a permitted principal use - see [Div. 3.4, Accessory Uses and Structures](#).

3.1.4. Planning Director Responsibility

- A. The Planning Director is responsible for categorizing all principal uses. If a proposed use is not listed in a use category, but is similar to a listed use, the Planning Director will place the proposed use under that use category.
- B. When determining whether a proposed use is similar to a listed use in [Div. 3.3, Use Categories](#), the Planning Director will consider the following criteria:
 1. The actual or projected characteristics of the proposed use.
 2. The relative amount of site area or floor area and equipment devoted to the proposed use.
 3. Relative amounts of sales.
 4. The customer type.
 5. The relative number of employees.
 6. Hours of operation.
 7. Building and site arrangement.
 8. Types of vehicles used and their parking requirements.
 9. The number of vehicle trips generated.



Accessory Uses in H3/H4

Div. 3.4. Accessory Uses and Structures

3.4.1. General Provisions

- A. Unless otherwise expressly stated, accessory uses and structures are permitted in conjunction with allowed principal uses. Accessory uses and structures must be accessory and customarily incidental and subordinate to a permitted principal use.
- B. No accessory uses and structures may be established on a site prior to the establishment of a permitted principal uses.
- C. The Planning Director 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 Planning Director must determine that the use or structure:
 1. Is subordinate to the principal use in terms of area, extent and purpose;
 2. Contributes to the comfort, convenience or necessity of occupants of the principal use served;
 3. Is located on the same site as the principal structure or use, or on a contiguous site in the same ownership;
 4. Does not involve operations not in keeping with the character of the principal use served; and
 5. Is not of a nature likely to attract visitors in larger numbers than would normally be expected for the principal structure or use.

3.4.2. Accessory Structures

All accessory structures must meet all applicable principal structure requirements except:

- A. Accessory structures cannot encroach into a front yard.
- B. Accessory structures can encroach into a side street yard provided:
 1. They are screened by a wall or fence a minimum height of 6 feet;
 2. The wall or fence is at least 90% opaque; and
 3. They do not in total occupy more than 50% of the area of any side street yard.

3.4.3. Accessory Uses

A. Family Day Care Home

A family day care home is intended to promote and allow for child care services within a residential dwelling. A family day care home is permitted in all districts provided the following standards are met.

1. A maximum of 1 family day care home is allowed per dwelling unit.
2. At least 1 person engaged in the family day care home must reside in the dwelling unit in which the family day care home is located as their primary place of residence.

3. In a House (H) or Neighborhood (N) district, family day care homes are limited to caring for up to 6 children at any given time and must meet the standards for a Type B family day care home in *Ohio Revised Code, Chapter 5104*.
4. In a Community (C) district - by-right, family day care homes are limited to caring for up to 6 children at any given time and must meet the standards for a Type B family day care home in *Ohio Revised Code, Chapter 5104*. Up to 12 children may be permitted through the conditional use process (see *Sec. XX*).
5. Business signage is limited to one unlit wall or projecting sign no larger than 6 square feet in area, attached to the structure housing the family day care home.
6. Day cares in remaining districts are allowed as a principal use - see *Div. 3.2, Allowed Uses*.

B. Home-Based Business

A home-based business is intended to permit limited nonresidential activity in a residential dwelling, provided such activity does not impact or detract from the residential character of the neighborhood or building. A home-based business is permitted in all districts provided the following standards are met.

1. General

- a. A maximum of 1 home-based business is allowed per dwelling unit.
- b. At least 1 person engaged in the home-based business must reside in the dwelling unit in which the home-based business is located as their primary place of residence.
- c. No more than 1 vehicle used in association with the home-based business may be parked on-site at any one time.

2. Exterior Appearance

- a. All activities associated with the home-based business must be conducted in a completely enclosed structure, excluding activities or services that, by their nature, must be conducted off site (such as house painting, landscape maintenance or chauffeuring services).
- b. The home-based business must operate so as not to create or cause a nuisance or subject neighbors to adverse operational or land use impacts (such as excessive noise or traffic or public safety hazards) that are not typical of the neighborhood.
- c. The dwelling unit and site must remain residential in appearance and characteristics. External changes that make the dwelling appear less residential in nature or function are not allowed.
- d. Interior display of goods or equipment associated with the home-based business must not be viable from the street.
- e. No equipment or process can be used in connection with the home-based business that creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses, off the premises.
- f. Business signage is limited to one unlit wall or projecting sign no larger than 6 square feet in area, attached to the structure housing the home-based business.



Development Standards

Div. 4.1. Applicability

All activity filed after the effective date of this Code must comply with the standards in this Chapter, as further specified below.

4.1.1. General Applicability

- A. Standards apply based on the type of activity proposed, as shown in the table below. For all zoning districts, the development standards apply as shown in the table below:

		New Construction	Addition	Site Modification	Facade Modification	Change of Use	Renovation	Maintenance & Repair
Sec. 4.2.1	Access	●	○	○	○	○	○	○
Sec. 4.2.2	Parking	●	○	○	○	○	○	○
Sec. 4.2.3	Bicycle Parking	●	●	●	○	●	●	○
Sec. 4.3.1	Parking Lot Landscaping	●	○	●	○	○	○	○
Sec. 4.3.2	Screening	●	○	○	○	●	○	○
Sec. 4.3.3	Walls & Fences	●	●	●	○	●	○	○
Sec. 4.3.4	Plants & Plant Material	●	●	●	○	●	○	○
Sec. 4.4.1	Outdoor Site Lighting	●	○	○	○	○	○	○

● = Standards apply ○ = Standards do not apply

- B. The general applicability may be further specified in the applicability provisions for each set of development standards in Div. 4.2, 4.3 and 4.4.





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Questions?



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