

Part IIIB: Land Use Code-Zoning Code

**Title VIIA**  
**City of Cleveland**  
**Neighborhood**  
**Form-Based Code**

**DRAFT**

June 02, 2023



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CHAPTER 1.

# INTRODUCTORY PROVISIONS

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# Div. 1.1. Legal Requirements

## 1.1.1. Introduction

The following districts and standards were designed to preserve existing neighborhoods while promoting predictable urban development that aligns with the vision and policies in the Connecting Cleveland 2020 Citywide Plan. This Code defines a vision for growth that strives for a balance between maintaining the quality of existing neighborhoods and creating urban, mixed-use, walkable, neighborhood-friendly development that contributes to a high quality public realm.

## 1.1.2. Title

This document is the Cleveland Neighborhood Form-Based Code and is referred to or cited throughout this document as “this Code.”

## 1.1.3. Effective Date

This Code was adopted on \_\_\_\_\_ and became effective on \_\_\_\_\_.

## 1.1.4. Purpose

- A. This Code is intended to guide the future growth of the city of Cleveland in alignment with the vision set forth by the Connecting Cleveland 2020 Citywide Plan.
- B. This Code was developed to help foster more predictable results and a higher-quality public realm by prescribing the physical form of buildings and addressing the relationship between building facades and the public realm, the form and mass of buildings in relation to one another and the scale and types of streets and blocks.

## 1.1.5. Intent

- A. This Code is intended to balance conservation and development by:
  - 1. Ensuring conservation of land and natural resources.
  - 2. Promoting the preservation and enhancement of the city’s tree canopy.
  - 3. Guiding reinvestment in established neighborhoods that preserves and reinforces their unique characteristics.
  - 4. Promoting development along key corridors that enhance their function as mixed-use, walkable centers that serve surrounding residential neighborhoods.
  - 5. Providing standards for compatible transitions of use, building scale, and height between existing and new development.
  - 6. Providing clear and consistent procedures for appropriate and effective public involvement in land use and development decisions.
- B. This Code is intended to achieve design excellence in the built environment by:

1. Providing building and site design standards that address the public aspects of private development and how building form, placement, and uses contribute to the quality of the public realm.
  2. Providing parking and access standards that appropriately balance pedestrian and vehicular needs and result in safe pedestrian environments of the highest quality.
  3. Promoting quality landscape and building design that advance the function and beauty of Cleveland.
- C. This Code is intended to guide the City’s prosperous and sustainable future by:
1. Providing clear regulations and processes that result in predictable, efficient, and coordinated development review.
  2. Promoting conservation of land, energy, and natural resources.
  3. Promoting sustainable building and site design practices.
  4. Promoting diverse housing options.
  5. Providing standards for interconnected streets and development patterns that support all modes of travel (walking, bicycling, public transit, driving).

### 1.1.6. **Authority**

This Code is adopted under the authority of the Ohio Constitution XVIII, COC 76, 333.

### 1.1.7. **Application**

#### A. **Territorial Application**

This Code applies within portions of the following specified pilot areas as shown on the Zoning Map.

1. Detroit Shoreway.
2. Hough.
3. Opportunity Corridor.

#### B. **General Application**

In their interpretation and application, the provisions of this Code are the minimum requirements for the promotion and protection of the public health, safety and welfare.

#### C. **Required Conformance**

All buildings, structures or land, in whole or in part, must be used or occupied in conformance with this Code. All buildings or structures, in whole or in part, must be erected, constructed, moved, enlarged or structurally altered in conformance with this Code.

## D. Control Over Less Restrictive Private Agreements

This Code does not nullify any private agreement or covenant. However, where this Code is more restrictive than a private agreement or covenant, this Code controls. The City will not enforce any private agreement or covenant.

## E. Control Over Less Restrictive Laws and Regulations

If any condition or requirement imposed by this Code is more restrictive than a condition or requirement imposed by any other law, rule or regulation of any kind, the more restrictive condition or requirement governs.

## F. Conflicting Provisions

If any condition or requirement imposed by this Code contains an actual, implied or apparent conflict, the more restrictive condition or requirement controls.

## G. References to Other Laws

Whenever a provision of this Code refers to any other part of the City of Cleveland Code of Ordinances or to any other law, the reference applies to any subsequent amendment of that law.

## H. Text and Graphics

Illustrations, photographs and graphics are included in this Code to illustrate the intent and requirement of the text. In the case of a conflict between the text of this Code and any illustrations, the text governs.

## I. Existing Applications and Permits

1. Any project for which a valid and complete application for a permit was received prior to the effective date of this Code remains valid and, at the applicants option, may proceed to completion and permits may be issued under the regulations of the city of Cleveland in place immediately prior to the effective date of this Code, provided that the permit is or can be issued within 90 calendar days of this Code's effective date and all time frames associated with the permit are observed.
2. Any project for which a permit cannot be issued within 90 calendar days from the effective date of this Code must proceed in accordance with these regulations.
3. Administrative modifications in accordance with the provisions of *Div. 5.1* will be granted as necessary and appropriate where full compliance is not feasible or cannot reasonably be achieved because of the stage of development, limitations imposed by the site, or design parameters.

### 1.1.8. Separability

If for any reason any one or more sections, sentences, clauses or parts of this Code are held invalid by a court of competent jurisdiction, the judgment does not affect, impair, or invalidate the remaining provisions of this Code, but is confined in its operation to the specific section, sentence, clause, or part of this Code held invalid. The invalidity of any section, sentence, clause, or part of this Code in any one or more instances does not attest or prejudice in any way the validity of this Code in any other instance.

# Div. 1.2. Districts

## 1.2.1. Districts Established

In order to carry out the purposes and intent of this Code, the following zoning districts are established.

<b>HOUSE-SCALE</b>	<b>URBAN FLEX</b>
H3 House 3	UX3 Urban Flex 3
H4 House 4	UX4 Urban Flex 4
<b>NEIGHBORHOOD-SCALE</b>	UX5 Urban Flex 5
N2.5 Neighborhood 2.5	<b>URBAN NODE</b>
NX3 Neighborhood Flex 3	UN3 Urban Node 3
<b>COMMUNITY-SCALE</b>	UN4 Urban Node 4
C3 Community 3	UN5 Urban Node 5
CX3 Community Flex 3	<b>INDUSTRIAL FLEX</b>
C4 Community 4	IX3 Industrial Flex 3
CX4 Community Flex 4	IX5 Industrial Flex 5
C5 Community 5	IX7 Industrial Flex 7
CX5 Community Flex 5	<b>URBAN INNOVATION</b>
	UI4 Urban Innovation 4
	UIC Urban Innovation Campus
	<b>SPECIAL</b>
	CV Civic
	PK Park



CHAPTER 2.

# ZONING DISTRICTS

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# Div. 2.1. Applicability

All applications filed for activities regulated by this Code 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. 2.2.2	Site Width	●	○	○	○	○	○	○
Sec. 2.2.3	Dwelling Units per Site	●	○	○	○	●	○	○
Sec. 2.2.4	Amenity	●	●	●	○	●	○	○
Sec. 2.2.5	Walls & Fences	●	●	●	○	●	○	○
Sec. 2.2.6	Streetscape	●	●	●	○	○	○	○
Sec. 2.2.7	Setbacks	●	●	○	○	○	○	○
Sec. 2.2.8	Transitions	●	●	●	○	●	○	○
Sec. 2.2.9	Street Build-Out	●	●	○	○	○	○	○
Sec. 2.2.10	Parking Location	●	●	●	○	○	○	○
Sec. 2.2.11	Massing	●	●	○	○	○	○	○
Sec. 2.2.12	Story Height	●	●	○	○	○	○	○
Sec. 2.2.13	Windows	●	●	○	●	○	○	○
Sec. 2.2.14	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. 2.2*.

# Div. 2.2. Rules of Interpretation

## 2.2.1. General Provisions

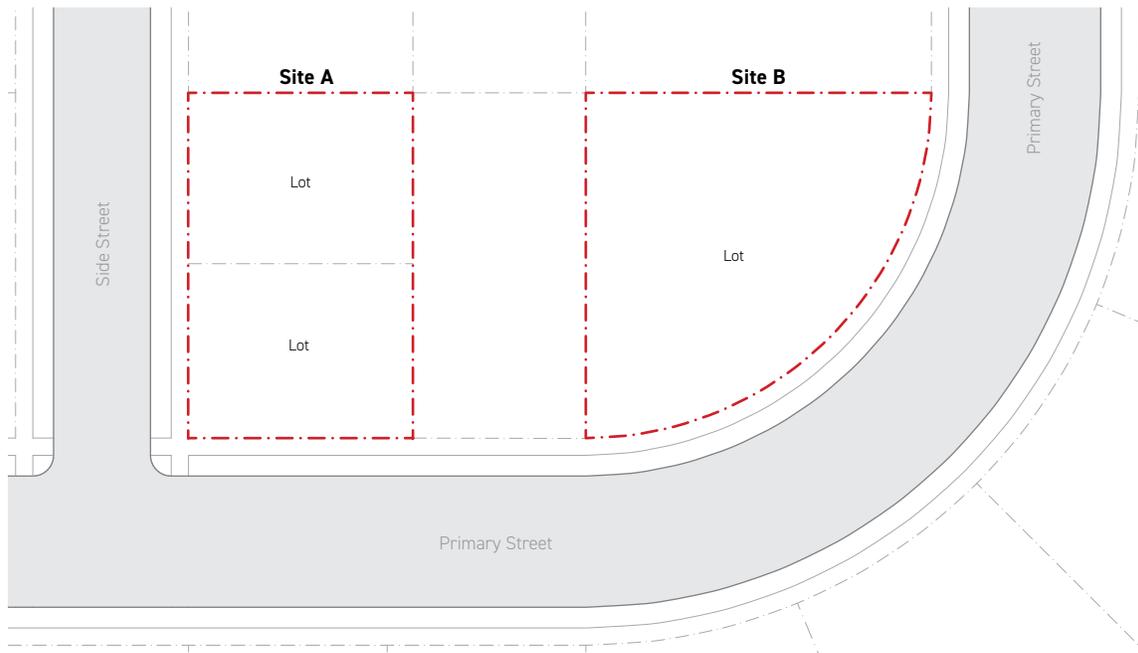
### A. Specific Terms

#### 1. Site

- a. A single lot or group of connected lots owned or functionally controlled by the same person or entity, assembled for the purpose of development.
- b. A site must abut a primary street, side street or alley.

#### 2. Lot

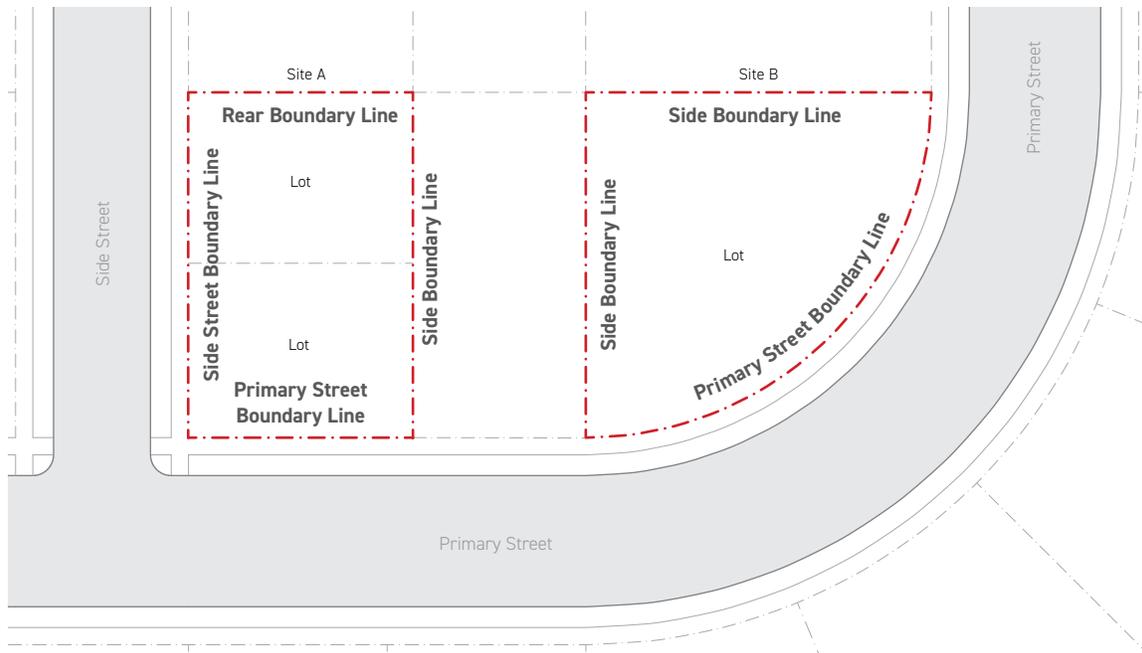
- a. A parcel of land either vacant or occupied intended as a unit for the purpose, whether immediate or for the future, of transfer of ownership or possession or for development.
- b. A lot does not have to abut a primary street, side street or alley but must abut a permanent vehicle access easement of at least 8 feet in width or permanent pedestrian access easement of at least 5 feet in width.



## B. Site Boundary Designations

### 1. General

- a. Each boundary line must have one of the following designations and no boundary line can have more than one of the following designations:
  - i. Primary street boundary line;
  - ii. Side street boundary line;
  - iii. Rear boundary line;
  - iv. Side boundary line; or
  - v. Alley boundary line.



- b. In addition to these required designations, boundary lines may also be included into one of the following categories:
  - i. Street boundary line; or
  - ii. Common boundary line.

### 2. Primary Street Boundary Line

- a. Any boundary line that abuts a primary street right-of-way.
- b. Each site must have at least one primary street boundary line. A site may have more than one primary street boundary line.
- c. For sites that abut multiple streets, a primary street boundary line is determined using the following:
  - i. The street or streets with the highest classification;

- ii. The established orientation of the block;
  - iii. The street abutting the longest face of the block;
  - iv. The street parallel to an alley within the block;
  - v. The street that the site takes its address from; and
  - vi. The primary street designation of adjacent development, either existing or approved.
- d. A boundary line abutting a park, open space, river, trail or pedestrian path can be designated as a primary street boundary line.
  - e. Once designated for a site, a primary street boundary line cannot be changed (e.g., a primary street boundary line cannot, for purposes of subsequent development, be re-designated a side street boundary line) unless all standards of the applicable zoning district are met based on the proposed change in street boundary line designation.

### **3. Side Street Boundary Line**

Any boundary line that abuts a side street right-of-way. Any street boundary line not determined to be a primary street boundary line is considered a side street boundary line.

### **4. Rear Boundary Line**

Any boundary line that does not abut a street or alley right-of-way and is opposite and most distant from a primary street boundary line.

- a. A site may have no more than one boundary line designated as a rear.
- b. In the case of a site that fronts two streets on opposite sides, a site may have no rear boundary line.
- c. Where no boundary line is clearly opposite to the primary street boundary line or where there are multiple primary street boundary lines, the boundary line having the highest portion of its length serving as the rear boundary line of abutting sites is the rear boundary line.

### **5. Side Boundary Line**

Any boundary line not determined to be a primary street, side street, rear or alley boundary line.

### **6. Alley Boundary Line**

Any boundary line separating a site from an alley right-of-way. Even when a boundary line qualifies as a rear boundary line or side boundary line, all boundary lines that abut an alley right-of-way are considered an alley boundary line.

### **7. Street Boundary Line**

Any boundary line that abuts a street right-of-way. Street boundary lines include all primary street boundary lines and side street boundary lines.

## 8. Common Boundary Line

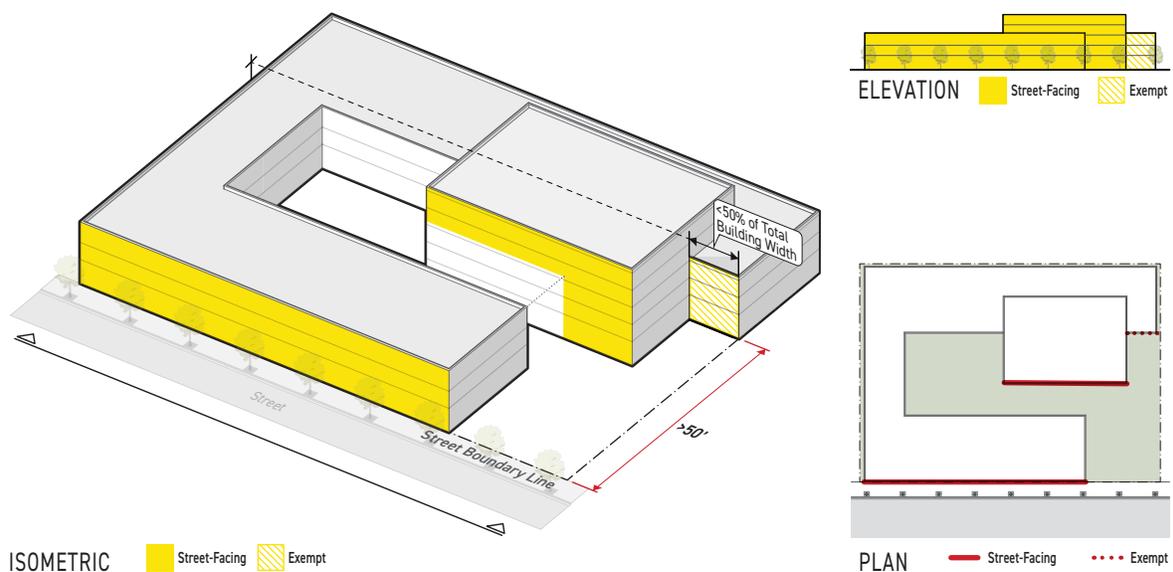
Any boundary line shared by multiple lots. Common boundary lines include all side and rear boundary lines.

## C. Residential and Nonresidential Uses

1. Residential uses include all uses listed in the residential category if allowed in the zoning district - see *Sec. 3.2.2*.
2. Nonresidential uses include all uses listed in the commercial or industrial categories if allowed in the zoning district - see *Sec. 3.2.2*.

## D. Street-Facing Building Facades

1. The portions of a building facade (when projected parallel to the street) with no permanent structure located between the building facade and a primary or side street boundary line are considered street-facing building facades.
2. Building facades located more than 50 feet behind the primary or side street boundary line are exempt from any street-facing requirements, provided that the cumulative width of the exempted facade is no wider than 50% of the total building width.



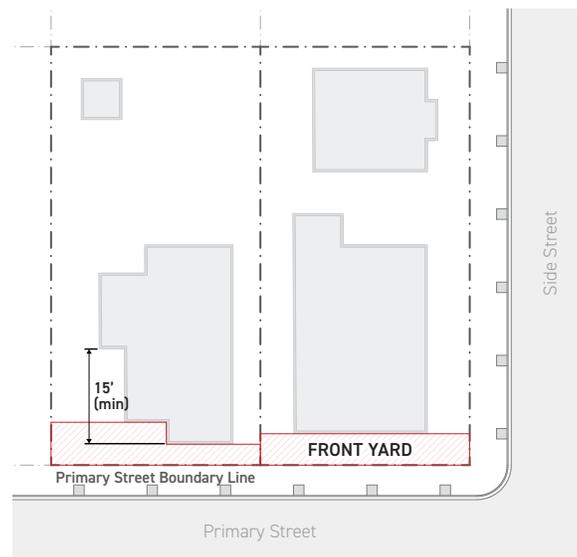
## E. Yard Designations

### 1. General

- a. All portions of a site between exterior walls of a building and a property line must be designated as either a front yard, side street yard, side yard, or rear yard.
- b. No portions of a site may have more than one yard designation.

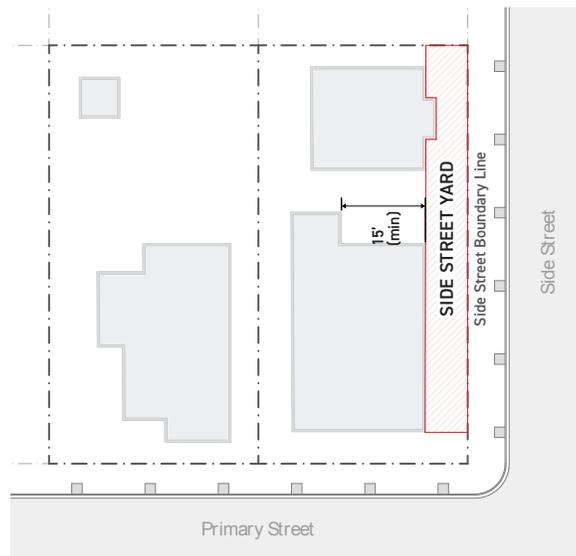
### 2. Front Yard

- a. All portions of a site between a primary street boundary line and a principal structure facing a primary street boundary line extending the full width of the site.
- b. A front yard does not include any building facade set back more than 15 feet from the principal building's street-facing facade.
- c. Portions of a site that meet the criteria for front yard designation cannot be designated as any other yard.



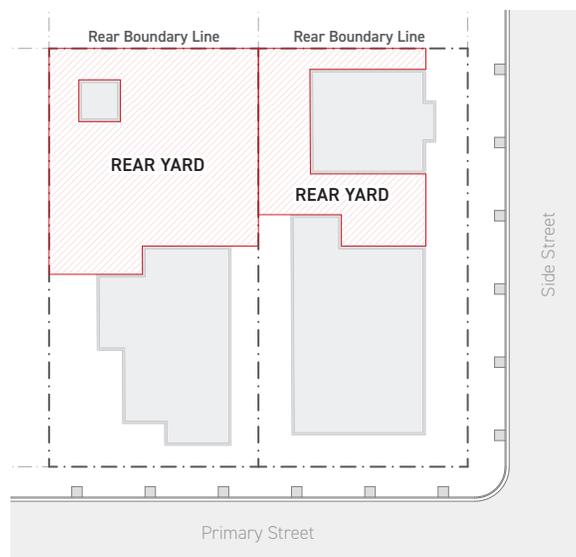
### 3. Side Street Yard

- a. All portions of a site between a side street boundary line and a principal structure facing a side street boundary line extending the full depth of the site.
- b. A side street yard does not include any building facade set back more than 15 feet from the principal building's street-facing facade.
- c. Portions of a site that meet the criteria for side street yard designation cannot be designated as any other yard.
- d. For portions of the site where no principal structure abuts the side street yard, the side street yard includes only portions of the site included in the side street setback.



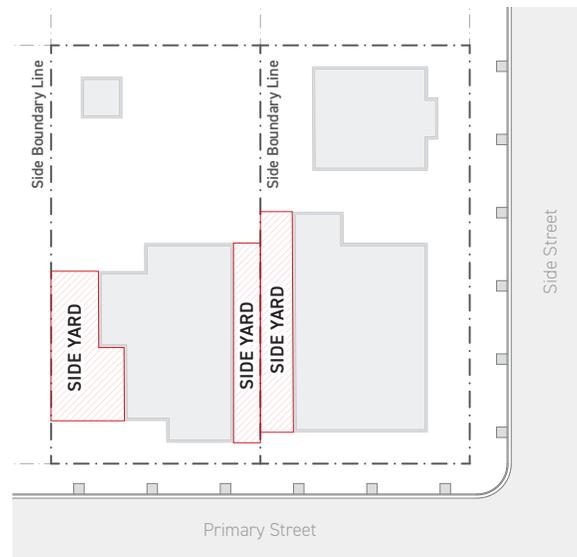
### 4. Rear Yard

All portions of a site between a rear boundary line and a principal structure for the full width of the site. Portions of a site that meet the criteria for rear yard designation cannot be designated as any other yard.



## 5. Side Yard

All portions of a site between a side boundary line and a principal structure. Portions of a site that do not meet the yard designation criteria for any other yard are designated as a side yard.



## 2.2.2. Site Width

The length of primary street boundary lines bounding a site.

### A. Intent

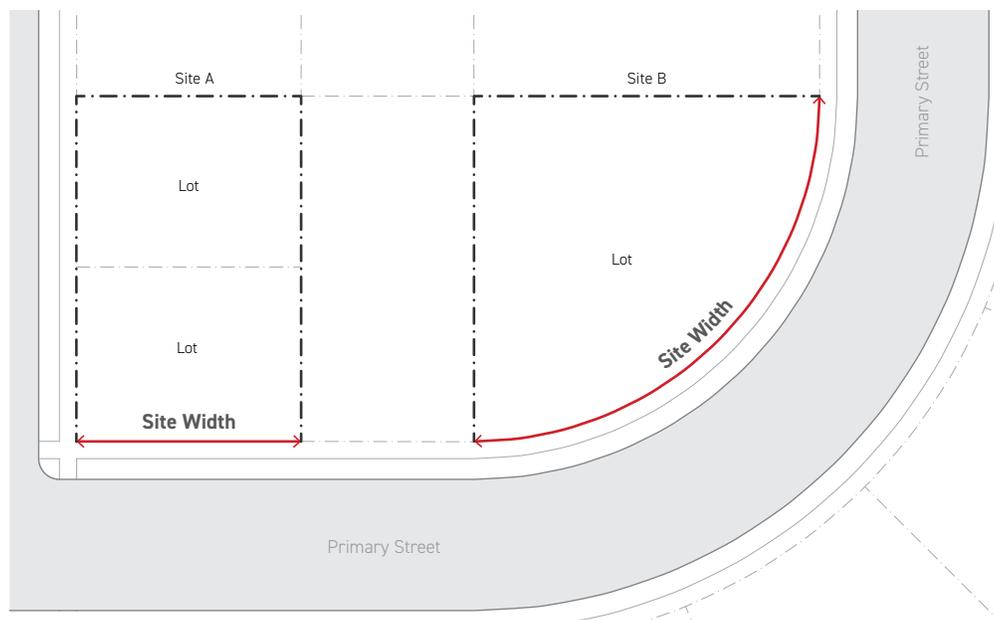
To help ensure new developments are generally consistent with the character of the neighborhood and other properties within the same zoning district and to help ensure safe and adequate vehicular access to and from a site.

### 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.



## D. Relief

A reduction of up to 20% of the minimum site width may be requested in accordance with *Div. 5.1*.

## 2.2.3. Dwelling Units per Site

*The maximum number of dwelling units allowed on a site.*

### A. Intent

To help ensure new developments can support a variety of housing options at an intensity that is generally consistent with surrounding properties.

### B. Applicability

The limitation on the number of dwelling units per site applies to all sites.

### C. Standards

1. A site cannot exceed the maximum number of dwelling units allowed by the zoning district.
2. Dwelling units may be detached or attached.

### D. Relief

See *Sec. 329.03, Variance, of the Zoning Code*.

## 2.2.4. Amenity

An area on a site reserved for active or passive recreation.

### A. Intent

To help provide adequate recreation and open space areas for residents and tenants, and to ensure such spaces are accessible, usable, and safe.

### B. Applicability

1. All sites developed after the effective date of this Code.
2. Sites 20,000 square feet or less are not required to provide outdoor amenity space.

### C. Outdoor Amenity Space

1. A site must provide the minimum percentage of outdoor amenity space required by the zoning district.
2. The required outdoor amenity space may be achieved by providing common amenity space or pedestrian amenity space or both.
3. The minimum required outdoor amenity space is calculated by dividing the cumulative area allocated for all outdoor amenity space on the site by the total site area.
4. Lots part of the larger site do not have to individually meet the outdoor amenity space requirement. The outdoor amenity space requirement must be met on the site associated with the project.



5. Outdoor amenity space cannot be fully enclosed.



- c. Common outdoor amenity space must have a minimum area of 400 square feet, and no horizontal dimension less than 15 feet, measured perpendicular to any boundary of the space.
- d. Building facades adjacent to common outdoor amenity space must have a minimum transparency of 15% for each story.
- e. Common outdoor amenity space cannot be located in a transition area.
- f. A minimum of 20% of the total area of the common outdoor amenity space must be planting area. Planting areas can have no horizontal dimension less than 3 feet and each planting area must have a minimum plant coverage of at least 75%. Plant coverage is measured as 70% of the plant's anticipated canopy diameter or spread at maturity.

## E. Pedestrian Outdoor Amenity Space

1. Each square foot of pedestrian outdoor amenity space counts as 2 square feet of required outdoor amenity space.
2. Where pedestrian outdoor amenity space is provided to satisfy the requirement for outdoor amenity space, it must meet the following standards:
  - a. Pedestrian outdoor amenity space must meet the requirements of *Sec. 2.2.4.C, Outdoor Amenity Space*.
  - b. Pedestrian amenity space must have a minimum area of 400 square feet, and no horizontal dimension less than 15 feet, measured perpendicular to any boundary of the space.
  - c. The finished floor or ground surface of a pedestrian amenity space must be located within the minimum and maximum ground floor elevations required by the zoning district.
  - d. Pedestrian amenity space must abut and be directly accessible from a public sidewalk. Pedestrian amenity space cannot be separated from the public sidewalk by any structure for more than 40% of the width, with the exception of a wall or fence with a maximum height of 42 inches.
  - e. All facades facing pedestrian amenity space must meet the applicable window and door standards required by the zoning district for the applicable street boundary line.
  - f. Mechanical and utility equipment cannot be located within a pedestrian amenity space, or between a pedestrian amenity space and an adjacent building facade.
  - g. A minimum of 20% of the total area of the pedestrian outdoor amenity space must be planting area. Planting areas can have no horizontal dimension less than 3 feet and each planting area must have a minimum plant coverage of at least 75%. Plant coverage is measured as 70% of the plant's anticipated canopy diameter or spread at maturity.

## F. Relief

1. A reduction of up to 10% of the total required area of outdoor amenity space may be requested in accordance with *Div. 5.1*.
2. A change of up to 20% from an amenity dimensional standard may be requested in accordance with *Div. 5.1*.

## 2.2.5. Walls and Fences

See Sec. 4.3.3.

## 2.2.6. Streetscape

Portion of the public realm that includes sidewalks, street furniture and street trees.

### A. Intent

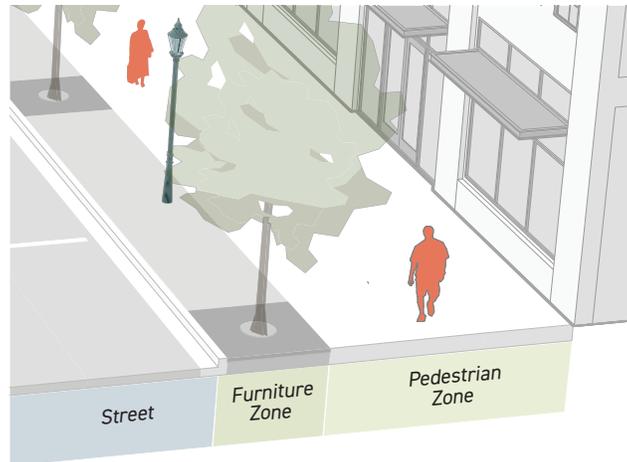
To help ensure an attractive and inviting public realm that provides a safe and protected walkway for pedestrians.

### B. Applicability

The streetscape requirements apply to all sites developed after the effective of this Code.

### C. General

A site must meet the streetscape requirements of the zoning district.



### D. Pedestrian Zone

1. The pedestrian zone is the area between the street boundary line and the furniture zone.
2. The pedestrian zone must remain clear of obstacles at all times and be constructed to meet all City and ADA specifications.
3. Where there is not enough room available in the right-of-way for the required pedestrian zone, the pedestrian zone must be provided on-site as a public access easement.

### E. Furniture Zone

1. The furniture zone is the area between the street and the pedestrian zone.
2. One large tree must be planted in the furniture zone every 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.

3. Tree lawns and pits must be a minimum width of 6 feet and a minimum depth of 2 feet. Soils cannot be compacted and the surface area of the tree lawn or pit must be impervious.
4. Tree pits must be a minimum length of 8 feet.
5. The following encroachments are permitted in the furniture zone subject to City approval:
  - a. Benches, trash receptacles and bicycle racks.
  - b. Utility boxes, meters, man hole covers, regulatory signs and fire suppression equipment.
  - c. Pedestrian lighting.
  - d. Landscaping, sidewalk, trees and planters.

## F. Relief

A change of up to 20% from a streetscape dimensional standard may be requested in accordance with *Div. 5.1*.

## 2.2.7. Setbacks

The area on a site not intended for buildings and structures. Includes primary street setbacks, side street setbacks, side setbacks, rear setbacks, and alley setbacks.

### A. Intent

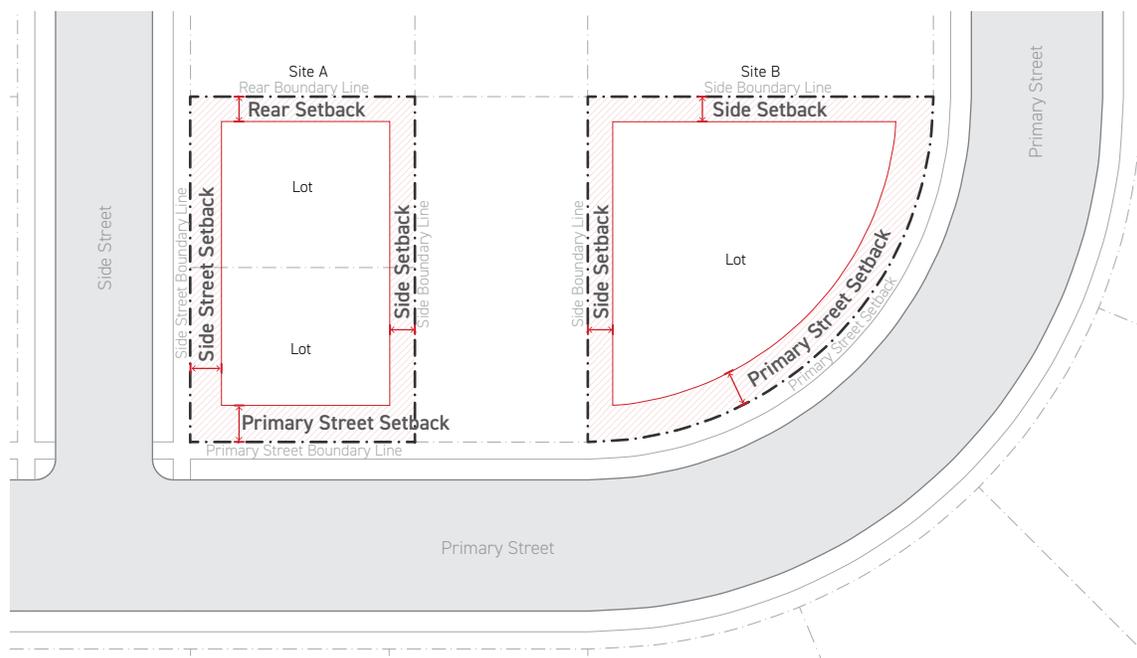
To provide open areas and help reduce the impact of buildings or structures on abutting sidewalks and neighboring development.

### B. Applicability

1. The building setback requirements apply to all sites.
2. Building setbacks apply only to the perimeter edges of a site. Building setbacks do not apply to individual lots that are part of a larger site.

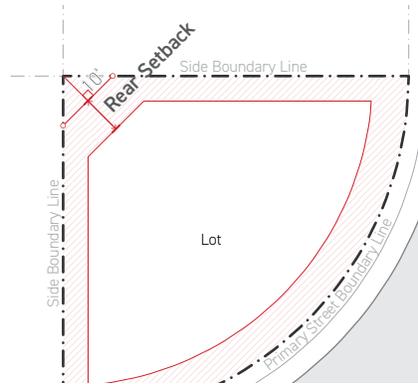
### C. Standards

All buildings and structures on the site must be located on or behind a minimum building setback requirement of the zoning district, unless listed as an encroachment in [Sec. 2.2.7.D](#). All building setbacks are measured perpendicular to the applicable boundary line. Where a boundary line abuts an access easement, the setback may be measured from the interior edge of the easement rather than the boundary line.



1. A primary street setback is measured inward from the primary street boundary line.
2. A side street setback is measured inward from the side street boundary line.
3. A side setback is measured inward from the side boundary line.
4. A rear setback is measured inward from the rear boundary line.

- a. For the purpose of measuring rear setback on triangular or gore-shaped lots, the rear setback is determined based on a line 10 feet wide, parallel to the primary street boundary line that intersects the two applicable boundary lines at its endpoints.

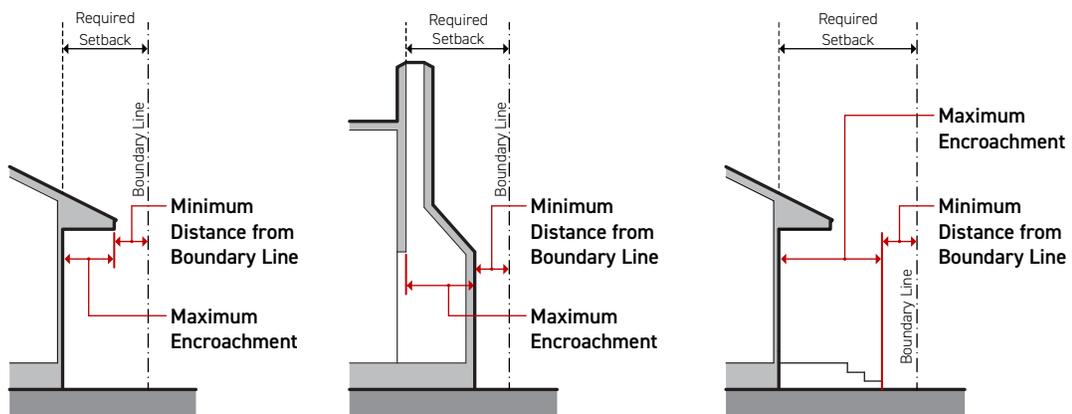


- b. Where the primary street boundary line is not straight, the rear setback line must be parallel to a line connecting the end points of the primary street boundary line.
5. An alley setback is measured inward from the alley boundary line. When the alley setback is 3 feet or 20 feet minimum, the rear structure must be either be:
- a. 3 feet from the edge of alley pavement; or
  - b. At least 20 feet from the edge of alley pavement.

## D. Exceptions

### 1. Limited

The following are allowed to encroach beyond the building setback up to the minimum distance from the boundary line specified below. The encroachments only apply when the zoning district setbacks are equal to or larger than the setbacks specified below.



	Primary St. / Side St. Setback	Side/Rear Setback	Alley Setback
<b>Architectural Details</b>			
<i>Building elements attached to or integrated into the structure of a building, not intended for human occupation. Examples include: cornices, belt courses, sills, lintels, pilasters, pediments and chimneys.</i>			
Encroachment (max)	2'	1.5	2'
Distance from boundary line (min)	0'	1.5	1.5'
<b>Roof Projections</b>			
<i>Roof elements that overhang or cantilever beyond the footprint of the building. Examples include: eaves, roof overhangs, gutters, awnings and canopies.</i>			
Encroachment (max)	3'	1.5	2'
Distance from boundary line (min)	0'	1.5	1.5'
<b>Unenclosed Structures (ground story)</b>			
<i>Unenclosed structures having all finished floors and ground surfaces more than 2.5 feet above grade and having a total structure height less than 15 feet. Examples include: porches, decks, stoops, landing platforms, gazebos, trellises, arbors, pergolas.</i>			
Encroachment (max)	8'	1.5	0'
Distance from boundary line (min)	0'	1.5	same as district
<b>Unenclosed Structures (above ground story)</b>			
<i>Unenclosed structures having a total structure height of 15 feet or greater. Examples include: balconies, upper-story light shelves, exterior stairways.</i>			
Encroachment (max)	5'	3'	5'
Distance from boundary line (min)	0'	3'	1.5'
<b>Enclosed Structures</b>			
<i>Enclosed structures that overhang or cantilever beyond the footprint of the building that have a cumulative length less than 25% of the width of the building facade, measured individually for each story. Examples include: bay windows, sleeping porches, overhanging volumes.</i>			
Encroachment (max)	2'	3'	0'
Distance from boundary line (min)	0'	3'	same as district
<b>Mechanical/Electrical Equipment</b>			
<i>Examples include: gas meters, electrical meters, water heaters, HVAC equipment, cisterns, wind turbines and solar panels</i>			
Encroachment (max)	0' <sup>(1)</sup>	0'	0'
Distance from boundary line (min)	same as district	1.5	same as district
<b>Waste Receptacle Enclosure</b>			
<i>Examples include: trash compactors, garbage, recycling and food waste and their associated screening</i>			
Encroachment (max)	0' <sup>(1)</sup>	0'	0'
Distance from boundary line (min)	same as district	10'	same as district
<b>Signs</b>	see <a href="#">Chapter 350</a>		

<sup>(1)</sup> Not allowed in a front yard or side street yard

## 2. Unlimited

The following can encroach into a required setback to the extent necessary to perform their proper function.

- a. Handicap ramps/lifts and fire escapes.

- b. Equipment related to public or utility operated systems, including related wires, conduits and pipes. Examples include hydrants, transformers, utility cabinets, water utility devices, cable television or phone boxes.
- c. Covered structures located entirely below grade. Examples include cellars, basements, storm water storage and cisterns.
- d. Sidewalks, multi-use paths, ramps, driveways, patios and decks 2.5 feet in height or less, measured from grade.
- e. Fences and walls - *see Sec 4.3.3*.
- f. Living organisms, absorbing water and organic substances through its roots and synthesizing nutrients. Examples include trees, shrubs, flowers, herbs, vegetables, grasses, ferns, mosses and associated planters and raised planting beds, if applicable.
- g. Natural stormwater devices.
- h. Permanent or movable furniture. Examples include benches, tables and bike and scooter parking racks.

## E. Relief

A reduction in a required setback of up to 20% may be requested in accordance with *Div. 5.1*, provided the resulting setback is at least 1.5 feet.

## 2.2.8. Transitions

*Additional setback, a buffer requirement and reduced height allowance when certain districts abut specifically defined districts with a lower height intensity.*

### A. Intent

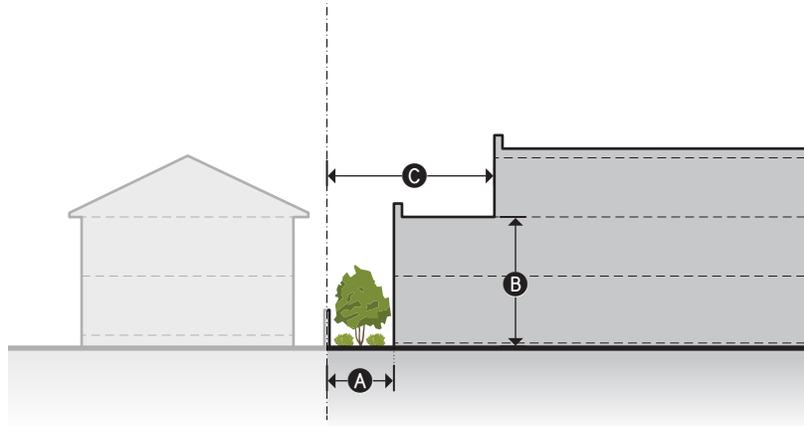
To mitigate negative impacts from subject uses to adjacent uses, promoting visual interest and increasing comfort for users of the subject lot, the public realm and abutting lots.

### B. Applicability

1. A transition district boundary line is any common boundary line of a zoning district that has a maximum height limit of 35 feet or less.
2. All districts that abut a transition district boundary line must meet the transition requirements of this Section.
3. The House 3, House 4, Neighborhood 2.5 and Park districts are exempt from the transition standards.

### C. Standards

An applicable site must meet the following transition requirements.



TRANSITION AREA		HEIGHT SETBACK	
<b>A</b>	Setback from transition district boundary line (min)	10'	<b>B</b> Height without additional setback (max) 24'/2 stories
	Required transition type	Type B2 (Sec. 4.3.2.B.3)	<b>C</b> Additional setback above 24'/2nd story (min) - measured from transition district boundary line 20'

### D. Relief

A required transition dimensional standard may be modified by up to 10% in accordance with Div. 5.1.

## 2.2.9. Street Build-Out

The cumulative building width that occupies the build-to zone. The build-to zone is the area on a site starting at the minimum building setback and continuing inward to the maximum building setback for the full width of the site. A building is required to occupy the build-to zone for the minimum required street build-out.

### A. Intent

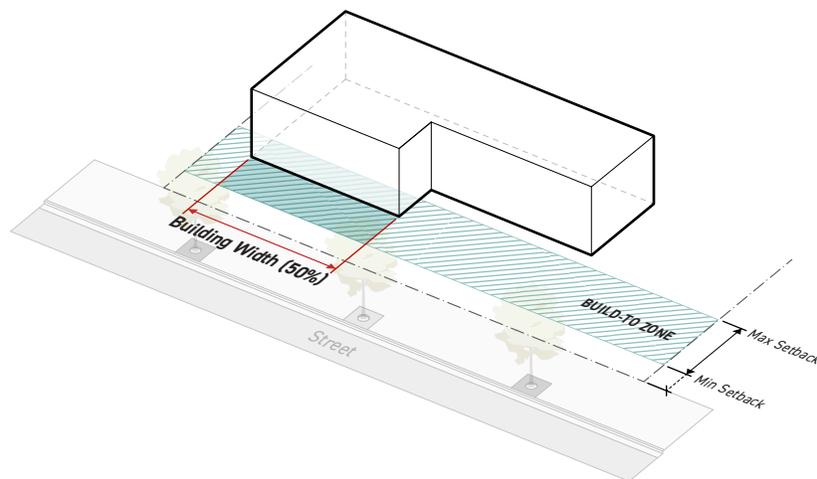
To regulate the placement of buildings along the public realm so that buildings frame the public realm with a consistent street wall.

### B. Applicability

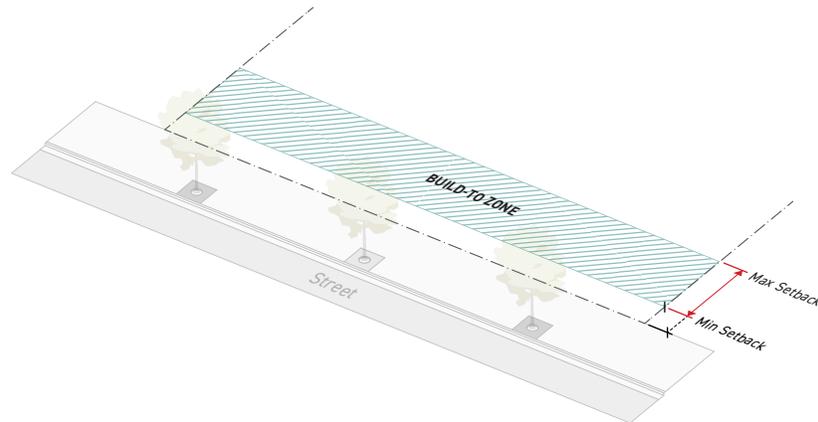
1. The street build-out requirement applies to all sites.
2. The street build-out does not apply to individual lots that are part of the larger site.
3. The street build-out requirement applies to the ground story of a building only.

### C. General

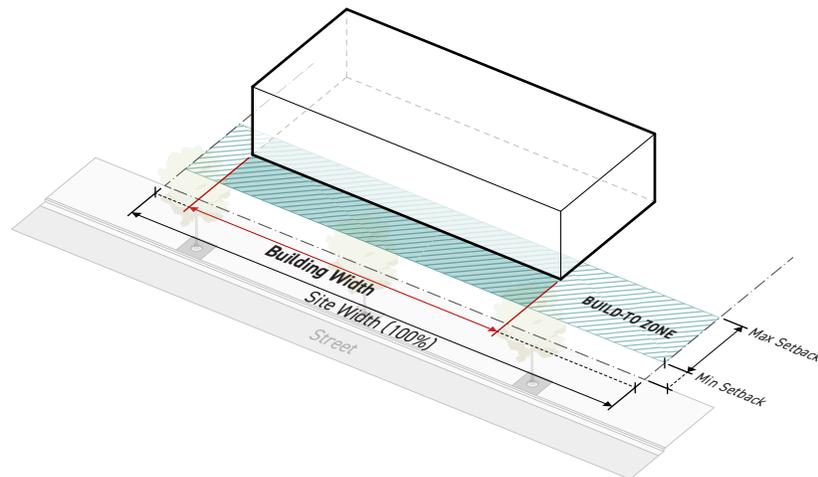
1. No building or portion of a building can be located outside of the build-to zone, until the primary and side street build-out requirements for the site, as specified for the zoning district, have been met. Once the minimum street build-out requirement has been met for the site, buildings and structures may occupy the area outside of the build-to zone.
2. For the Urban Innovation Campus District (UIC), where no street build-out percentage is specified, a minimum of 50% of the total building width, measured for each building on the site, must be located in the build-to zone.



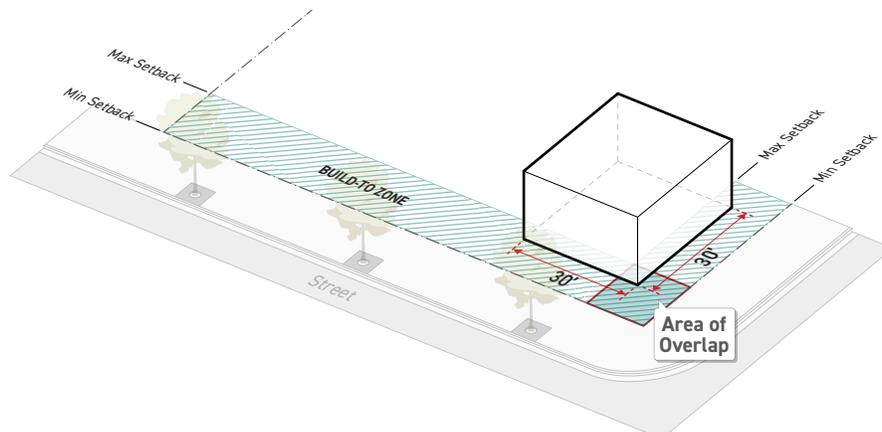
- The build-to zone is measured perpendicular to the primary or side street boundary line from the minimum primary or side street building setback to the maximum primary or side street setback.



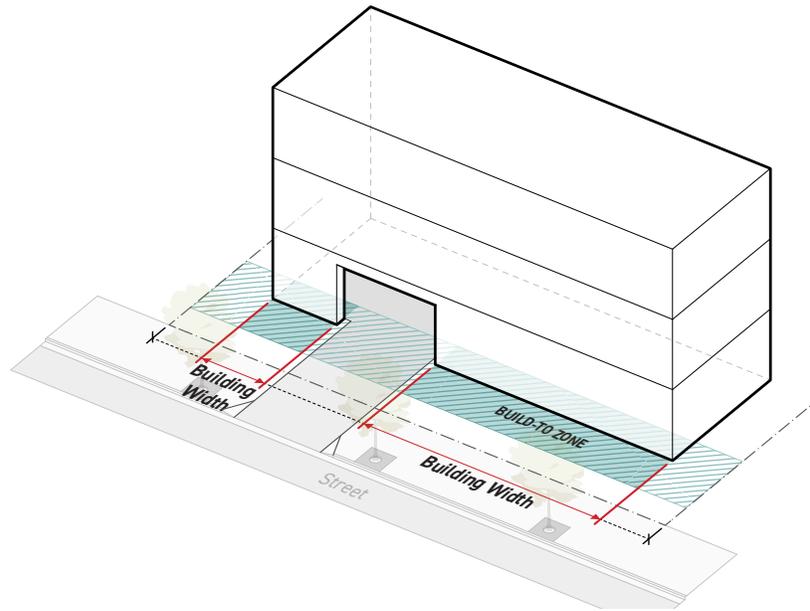
- The street build-out requirement is measured as a percentage as the sum of all building widths occupying the build-to zone, divided by the total width of the site.



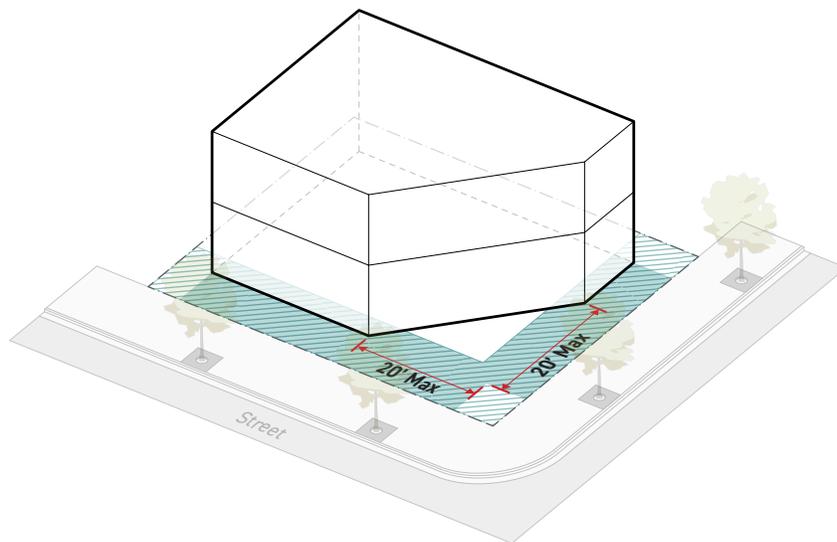
- On a corner site where intersecting street boundary lines both have a street build-out requirement, a building must occupy the portion of the site where the two intersecting build-to zones overlap. The building must occupy the build-to zones for both street boundary lines for a minimum of 30 feet from the corner. Distance is measured away from the corner, starting at the edge of the building occupying the area of overlap, parallel to the street boundary line. This building width counts toward the required street build-out for both street boundary lines.



- Any portion of a building in the build-to zone that includes a vehicular entrance into or through the building does not count towards the street build-out requirement.



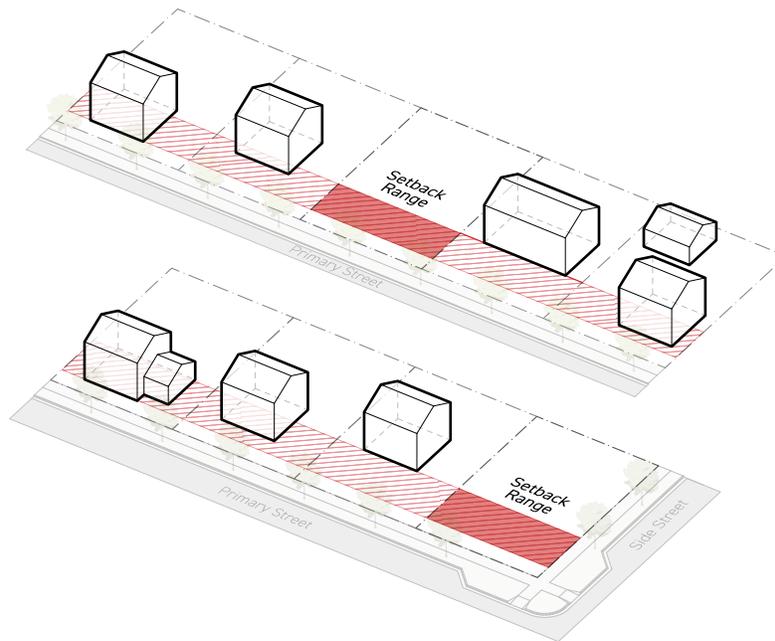
- A chamfered corner no more than 20 feet in width located on the ground story of a building and extending outside of the build-to counts towards the street build-out requirement.



## D. Established Setback Range

When required by the zoning district, the primary street build-to zone is established as follows.

1. The required street build-out must be met within the range of existing primary street setbacks, no closer than the smallest setback in the range and no further than the largest setback in the range.
2. On an interior site, the range of setbacks is measured on the basis of the 2 closest existing lots in either direction along the block face.
3. On a corner site, the range of setbacks is measured on the basis of the 3 closest existing lots along the block face.



4. If any lot included in the setback range calculation has no dwelling unit on the front half of the lot or the lot is vacant, the lot must be disregarded for the purpose of calculating the established setback range.
5. If the Planning Director determines the established setback range cannot be adequately calculated, the setback range specified for the zoning district must be met.

## E. Relief

1. A reduction of up to 10% in the total required building width occupying the build-to zone may be requested in accordance with *Div. 5.1*.
2. A change in the established setback range of up to 10% may be requested in accordance with *Div. 5.1*.

## 2.2.10. Parking Location

Where on-site parking is or is not allowed.

### A. Intent

To minimize the impact of motor vehicle dominated areas on the public realm and to promote a comfortable, safe, engaging and attractive streetscape with active uses and landscaping along the public realm.

### B. Applicability

The parking location limitations apply to all sites.

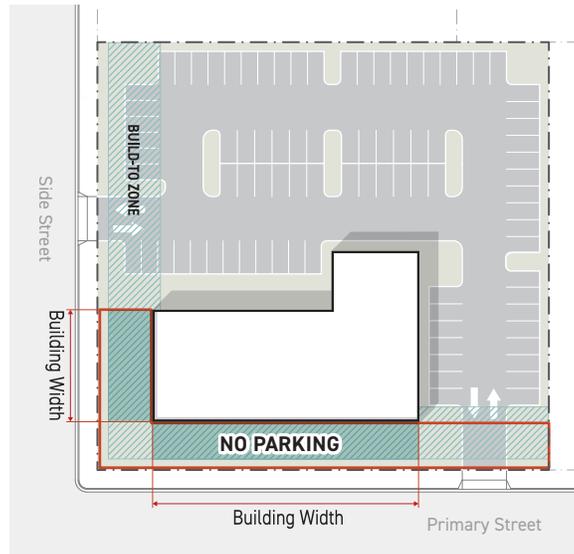
### C. In a Required Yard

1. When required, on-site parking is only allowed in a yard as specified by the zoning district.
2. When no parking is allowed in a front yard, no portion of a designated on-site parking space is allowed in the front yard.
3. When parking is allowed in a side street yard, parking is only allowed on a driveway that meets the requirements of *Sec. 4.2.1, Access*.
4. In a side yard, a driveway is allowed in one side yard only and the continuation of that side yard into the front yard to the property line.
5. In a rear yard, parking is allowed anywhere in that yard.
6. For determination of a front yard, side street yard, side yard or rear yard, see *Sec. 2.2.1.E, Yard Designation*.

### D. Between the Building and Street

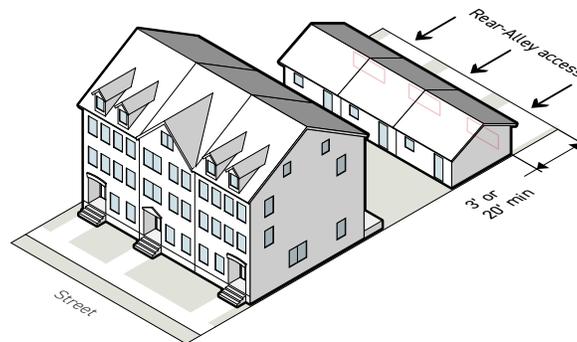
1. No parking or area designed for motor vehicle use, except for driveway access, can be located between the portion of a building used to meet the street build-out requirement and the street. The driveway must follow the most direct route from the street to the designated parking area or vehicle use area.

- Along a primary street, parking spaces must be located at or behind the street-facing building facade.



## E. Townhouses

- Garages must be placed entirely to the rear of each unit and be rear-accessed and cannot front a public street. The garage may be attached or detached.
- Garage doors must face the rear or side alley or easement.
- The garage door must be either:
  - 3 feet from the edge of alley pavement; or
  - At least 20 feet from the edge of alley pavement.



## F. Relief

See *Sec. 329.03, Variance, of the Zoning Code.*

## 2.2.11. Massing

### A. Building Height

The vertical dimension of a building or structure measured from average grade in feet and stories.

#### 1. Intent

To provide adequate light, air, safety, and to protect the character of an area and the interests of the general public.

#### 2. Applicability

The height limitations apply to all sites.

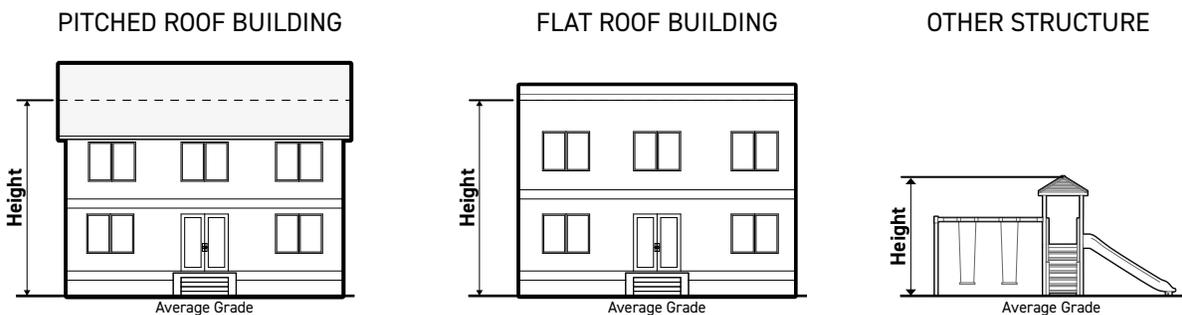
#### 3. General

No building, portion of a building or structure can exceed the maximum number of feet or stories allowed in the zoning district, unless listed as an encroachment in [Sec. 2.2.11.A.8](#).

#### 4. Height in Feet

Height in feet is the number of feet from average grade to:

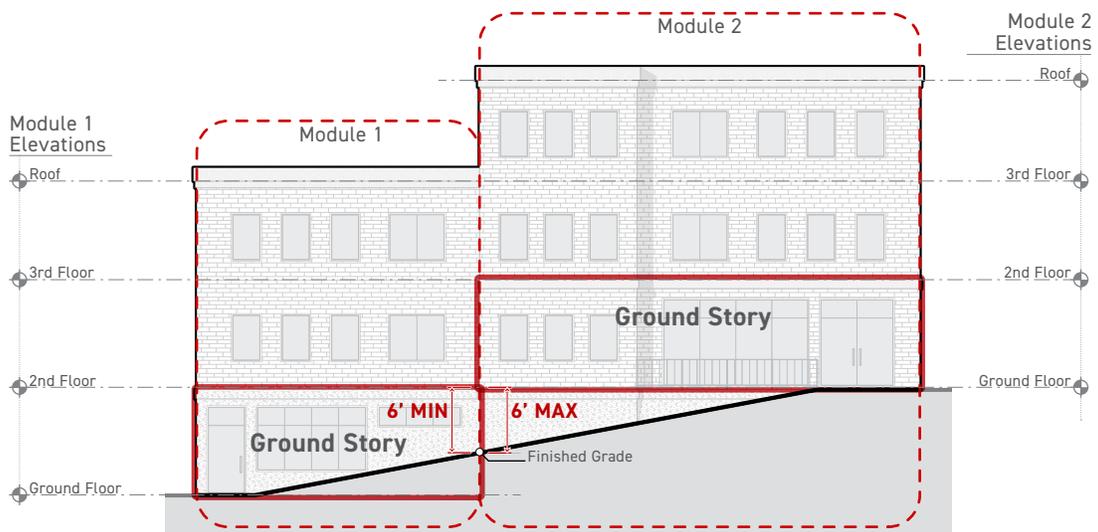
- The mid-point of the roof, for a building with a pitched roof;
- The top of the roof deck, for a building with a flat roof; and
- The topmost point of the structure, for all other structures.



#### 5. Height in Stories

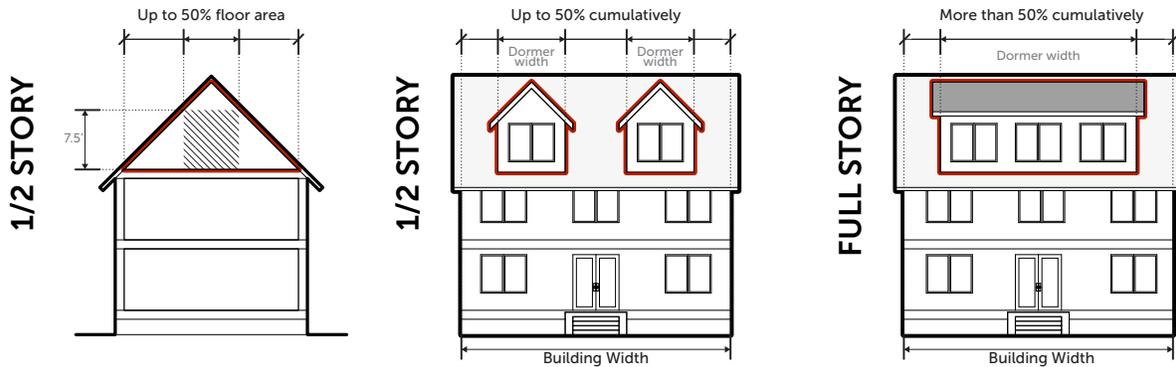
- Height in stories is measured as the number of stories above finished grade. The ground story and all upper stories are included in the calculation of maximum height in stories.
- A story is the part of a building included between the surface of one floor and the surface of the next floor above, or if there is no floor above, then the ceiling next above. A mezzanine does not count as a story.
- The ground story (or first story) of a building is determined as follows:
  - The first (facade) story that is exposed a minimum of 6 feet above finished grade along the full width of the applicable building facade.

- ii. The finished floor of a ground story can be no higher than 6 feet above finished grade for any portion of the building perimeter. This may mean the ground story may change within the same building.



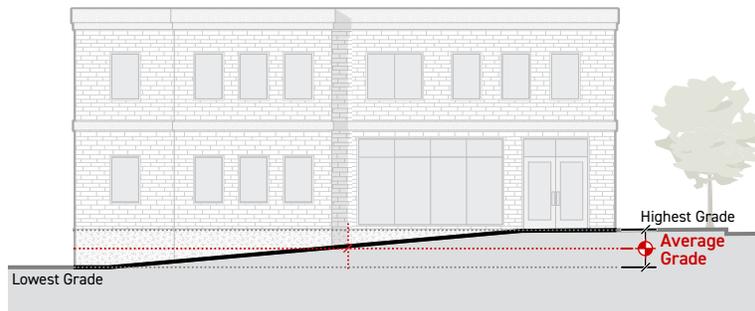
- d. An occupiable space in a building located below the ground story is a basement. Basements are not included in the calculation of maximum height in stories.

- e. Any story located above the ground story is an upper story. The topmost story of a building is not counted as a full story and is counted as a half story when:
  - i. It is completely within the roof form of the building and less than 50% of the floor area has a clear height of more than 7.5 feet, measured from the finished floor to the finished ceiling; or
  - ii. Dormers do not exceed more than 50% of the front, rear or side building length.



## 6. Average Grade

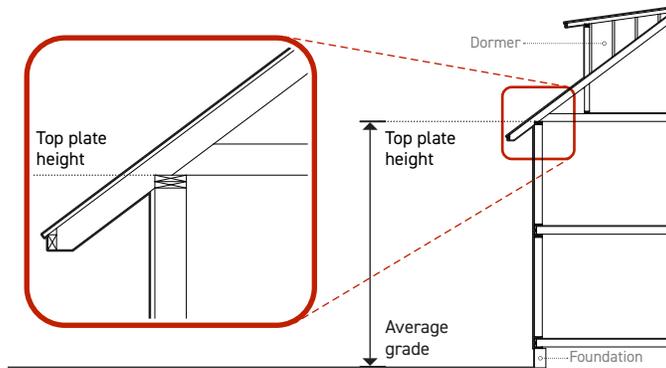
- a. Average grade is calculated by averaging the highest and lowest elevation of the sidewalk in front of the primary street-facing building facade.



- b. Where the sidewalk is more than 5 feet from the primary street-facing building facade, average grade is calculated by averaging of the highest and lowest elevation within 5 feet of the primary street-facing building facade.
- c. Large buildings and those developed on sites with significant topographic variation may calculate average grade independently for each building module that steps up or down the slope.

## 7. Top Plate Height

Top plate height cannot exceed the maximum height specified by the zoning district and is measured from average grade to the top plate of the building.



## 8. Encroachments

The following encroachments are allowed beyond the maximum height limit, as specified below:

	DISTRICT HEIGHT (MAX)		
	<41'	42' TO 68'	>68'
<b>Architectural Elements</b>			
<i>Attached to or integrated onto the top of a building, not intended for human occupation. Examples include steeples, spires, belfries, cupolas, domes, flagpoles and lighting.</i>			
Encroachment (max)	3'	5'	10'
Setback from roof edge (min)	1.5'	3'	5'
<b>Safety Barriers</b>			
<i>Used for safety, screening or protection. Examples include fencing, walls, parapets, railings and stairs.</i>			
Encroachment (max)	6'	6'	6'
Setback from roof edge (min)	0'	0'	0'
<b>Vertical Circulation</b>			
<i>Floor area used only for building circulation and rooftop access. Examples include elevator room (and associated equipment) and stairway access to roof.</i>			
Encroachment (max)	10'	10'	10'
Setback from roof edge (min)	5'	5'	5'
<b>Unenclosed Structures</b>			
<i>Attached to or integrated onto the roof of a building, intended for human shelter or activity. Examples include shade structures, cabanas, pergolas, rooftop bar, outdoor dining, permanent seating, beehives, sports courts and cooking facilities.</i>			
Encroachment (max)	8'	8'	8'
Setback from roof edge (min)	5'	5'	5'
<b>Mechanical/Electrical Equipment</b>			
<i>Supported by a roof related to public or privately-operated systems, including related wires, conduits, pipes and visual screens. Examples include HVAC equipment, cisterns, water tanks, wind turbines, solar panels, solar water heaters, exhaust ducts, smokestacks, satellite dishes, ventilation fans, chimney, flues, vent stacks, generators)</i>			
Encroachment (max)	3'	5'	10'
Setback from roof edge (min)	3'	3'	5'

	DISTRICT HEIGHT (MAX)		
	<41'	42' TO 68'	>68'
<b>Flatwork</b>			
<i>Objects 2.5 feet in height or less. Examples include decking, walkways, patios.</i>			
Encroachment (max)	2.5'	2.5'	2.5'
Setback from roof edge (min)	1'	1'	1'
<b>Vegetation</b>			
<i>Living organisms, absorbing water and organic substances through its roots and synthesizing nutrients. Examples include trees, shrubs, flowers, herbs, vegetables, grasses, ferns, mosses and associated planters and raised planting beds, if applicable.</i>			
Encroachment (max)	unlimited	unlimited	unlimited
Setback from roof edge (min)	1'	1'	1'
<b>Signs</b>	see <a href="#">Chapter 350</a>		

## 9. Relief

- a. An increase in maximum height in feet of up to 20% may be requested in accordance with [Div. 5.1](#).
- b. An increase to an encroachment dimension of up to 20% may be requested in accordance with [Div. 5.1](#).

## B. Building Width

*The horizontal dimension of a building on a site.*

### 1. Intent

- a. To promote fine-grained patterns of development and prevent long buildings that are significantly out of context with traditional patterns by breaking wide buildings into multiple, clearly distinguished, building widths.
- b. To encourage larger projects to provide open space for pedestrians and recreation.

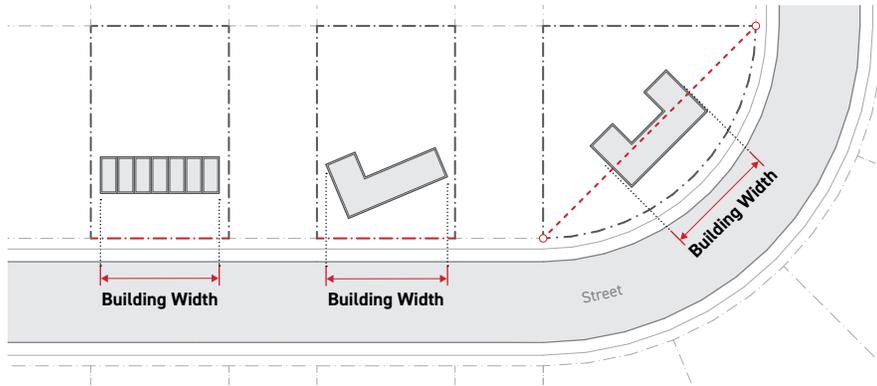
### 2. Applicability

- a. Building width requirements apply to all street-facing building facades.
- b. Building width requirements apply only to portions of buildings located above the maximum ground floor elevation ([Sec. 2.2.12.B](#)) required by the zoning district.
- c. Building width requirements do not apply to the exceptions listed in [Sec. 2.2.11.B.4](#).

### 3. Standards

- a. No building can be wider than the maximum building width allowed by the zoning district.
- b. Two buildings can abut one another provided that they have no shared components and are structurally independent from one another.

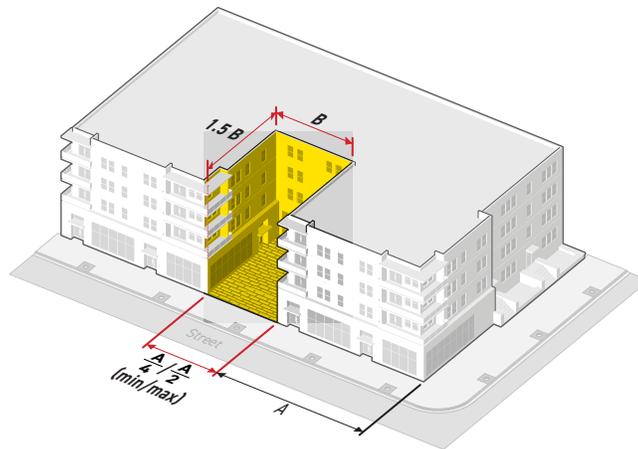
- c. Building width is measured horizontally and parallel to each abutting primary street or side street boundary line from one end of an applicable building or collection of connected buildings to the opposite end.



#### 4. Exceptions

An open space meeting the following standards may be used to establish a continuous structure as separate buildings for the purpose of meeting a maximum building width requirement:

- a. The width of the open space can be no more than 1/2 the width of the widest adjacent building width provided and no less than 1/4 the width of widest adjacent building width provided.
- b. The depth of the open space must be at least 1.5 times the width of the open space.
- c. A maximum of 1 open space exception can be used for each building.
- d. The open space must meet *Sec. 2.2.4.D, Common Outdoor Amenity Space*.



#### 5. Relief

Increased building width of up to 20% may be requested in accordance with *Div. 5.1*.

## C. Active Depth

The horizontal depth of a building that must contain active uses.

### 1. Intent

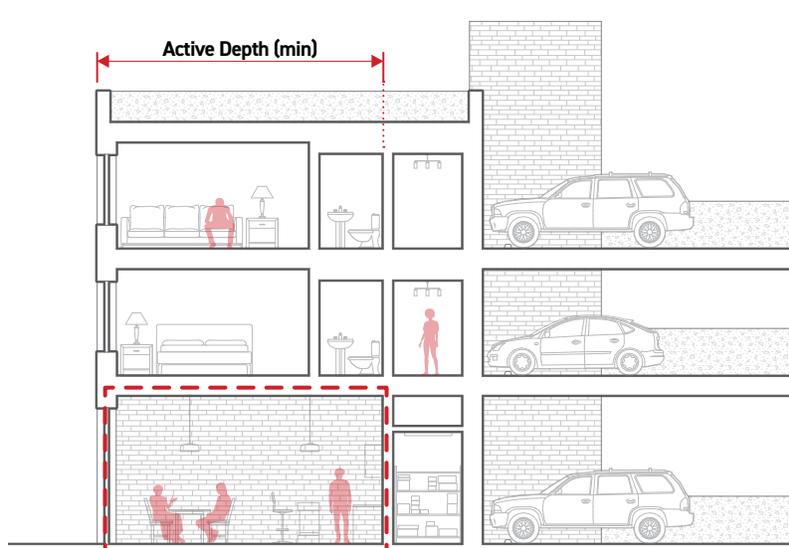
To help minimize the impact of dead space on the public realm and to promote a comfortable, safe, engaging and attractive built environment with active uses along the public realm.

### 2. Applicability

- a. The active depth requirement applies to all portions of a building used to meet a street build-out requirement - see [Sec. 2.2.9](#).
- b. The active depth requirement applies to the ground story only - see [Sec. 2.2.11.A.5](#).

### 3. Standards

- a. Applicable portions of a building must provide the minimum active depth required by the zoning district. Active depth is measured from the front building facade inward to the interior of the building.
- b. No more than 20% of the floor area of the required active depth can be used for inactive uses, such as storage, hallways, stairwells, elevators and equipment rooms. Parking spaces are not allowed in any applicable portion of the required minimum active depth.



### 4. Relief

Reduced active depth of up to 20% may be requested in accordance with [Div. 5.1](#).

## D. Dwelling units per Building

*The maximum number of dwelling units allowed in a building.*

### 1. Intent

To help ensure that the size and scale of buildings are generally consistent with the traditional patterns of the neighborhood.

### 2. Applicability

The limitation on the number of dwelling units in a building applies to all buildings on the site.

### 3. Standards

A single building cannot have more than the maximum number of dwelling units allowed by the zoning district.

### 4. Relief

See *Sec. 329.03, Variance, of the Zoning Code*.

## 2.2.12. Story Height

### A. Ground Story Height

The floor-to-floor height of the story of a building having its finished floor elevation nearest to the finished ground surface.

#### 1. Intent

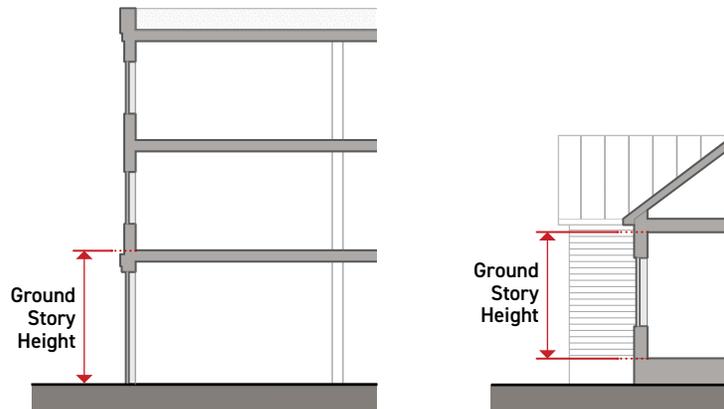
To promote high-quality ground-story spaces that are adaptable and appropriate to their intended use and surrounding context.

#### 2. Applicability

The ground story height standards apply to all buildings that contain habitable space on the ground story.

#### 3. Standards

- a. Applicable ground story space can be no less than the minimum ground story height required by the zoning district.
- b. Ground story height is measured from the top of the finished floor of the ground story to the top of the finished floor of the story above. Where there is no story above, ground story height is measured from the top of the finished floor to the bottom of the ceiling above.



#### 4. Relief

A reduction in required ground story height of up to 6 inches may be requested in accordance with *Div. 5.1*.

## B. Ground Floor Elevation

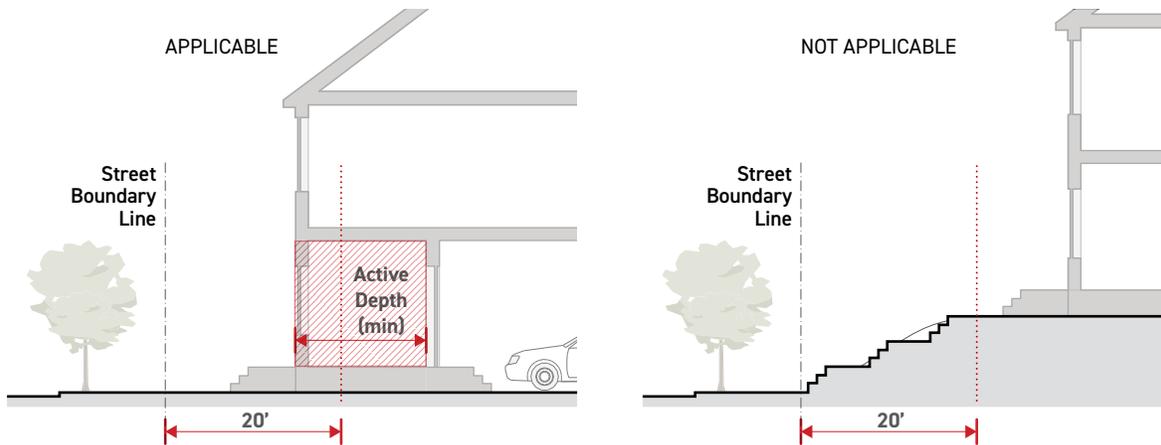
The finished floor height associated with the story of a building having its finished floor elevation nearest to the finished ground surface.

### 1. Intent

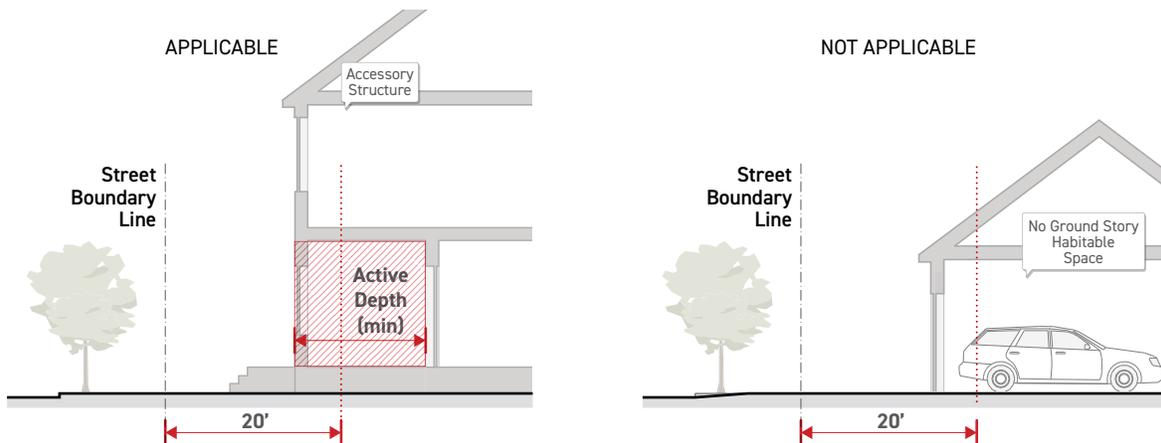
To promote “eyes” on the street, increase the perception of safety and encourage visual connections between the public realm and the exterior of a building.

### 2. Applicability

- a. The ground floor elevation standards apply to all buildings that contain habitable space on the ground story that are located within 20 feet of a primary street or side street boundary line.
- b. The ground floor elevation standards apply only to the required ground floor active depth.

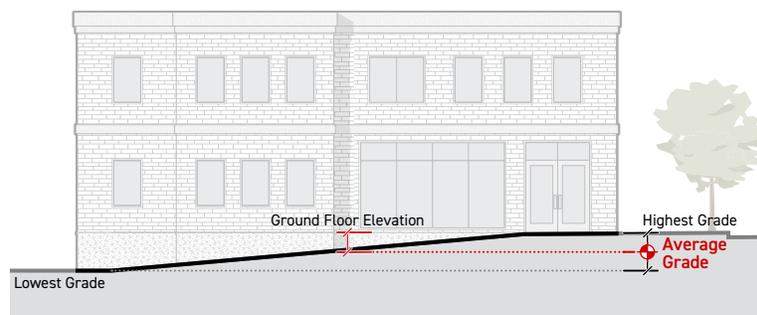


- c. The ground floor elevation standards do not apply to accessory structures, unless the ground story of the accessory structure contains habitable space for a dwelling unit.



### 3. Standards

- a. All applicable ground stories must have a finished floor surface at:
  - i. An elevation no lower than the minimum ground floor elevation required by the zoning district.
  - ii. An elevation no higher than the maximum ground floor elevation required by the zoning district.
- b. Ground floor elevation for nonresidential floor area in a residential building (lobby, gym, office) may be reduced to -2 feet.
- c. Ground floor elevation is measured from average grade to the top of the finished floor of the ground story. On corner sites, for the purpose of determining ground floor elevation, average grade must be established independently for each street-facing building facade.



### 4. Relief

A change in the minimum or maximum ground floor elevation requirement of up to 10% may be requested in accordance with *Div. 5.1*.

## 2.2.13. Windows

### A. Transparency

*The amount of transparency on a building facade.*

#### 1. Intent

To provide visual interest along the public realm by encouraging visual connections between the public realm and the interior of a building.

#### 2. Applicability

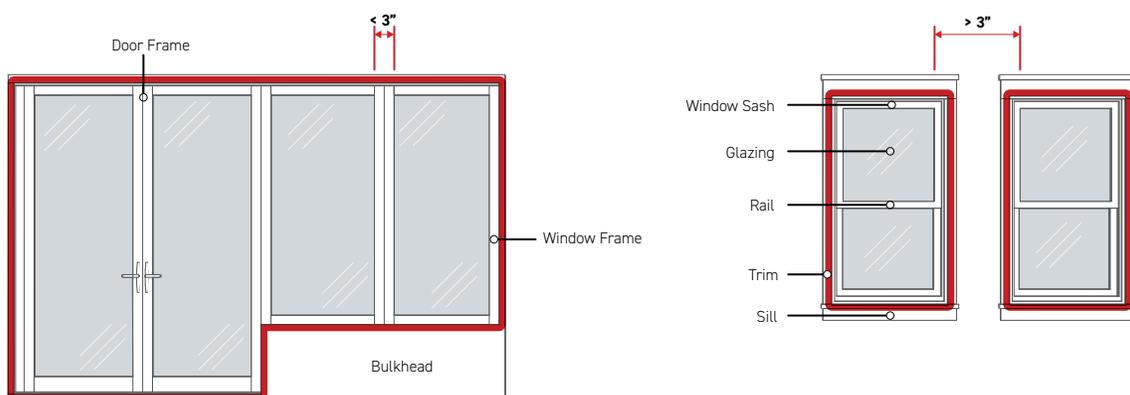
Transparency requirements apply to all street-facing building facades.

#### 3. General

- Applicable ground and upper story building facades must meet the minimum transparency of the zoning district.
- To meet the transparency requirements, window and door glazing must meet the following:

	Visible Light Transmittance	External Reflectance
Ground story	More than 60%	Less than 20%
Upper story	More than 30%	Less than 40%

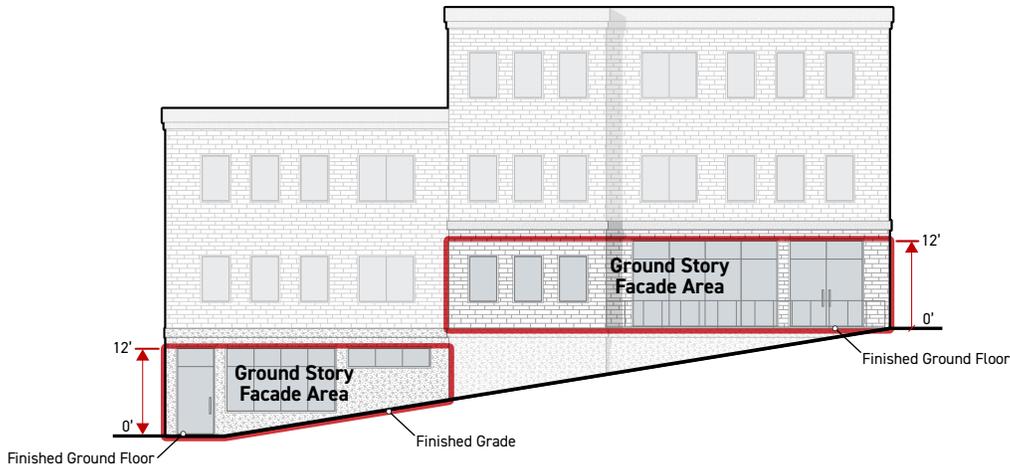
- Windows and doors used to meet the transparency requirements may be temporarily covered by operable window treatments, such as curtains or blinds.
- Muntins, mullions, window sashes, window frames and door frames that are integral to window and door assemblies that are less than 3 inches in width may be considered transparent when calculating required percentages.



## 4. Ground Story

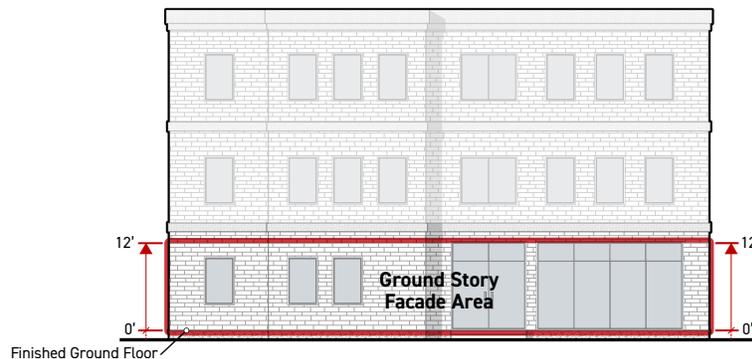
### a. General

- i. Ground story transparency is measured as a percentage, calculated as the sum of all ground story facade area meeting the standards for transparency divided by the total facade area for the ground story.
- ii. No portion of a ground story located below finished grade is included in ground story facade area.



### b. Commercial Ground Story Facade Area

- i. Ground story facade area is measured between 0 and 12 feet above the top of the finished floor of the ground story.



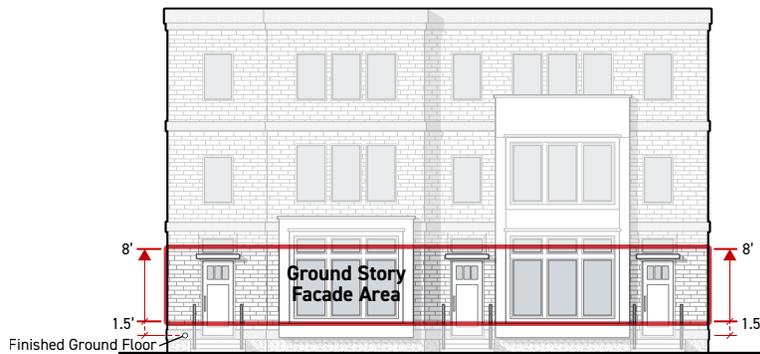
- ii. If the ground story height is less than 12 feet, ground story facade area is measured between the top of the finished floor of the ground story and the top of the finished floor above. When there is no story above, it is measured to the top of the wall plate.

- iii. Interior walls and other permanent interior visual obstructions cannot be located within 5 feet of the window or door opening used to meet the transparency requirement, except for window signs that meet *Sec. 350.12 Temporary Signs*.



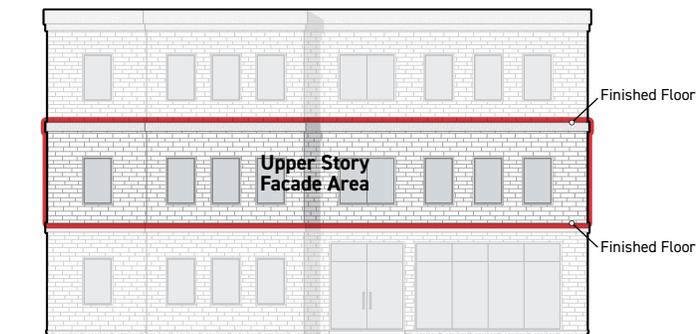
### c. Residential/Public/Industrial Ground Story Facade Area

Ground story facade area is measured between 1.5 and 8 feet above the top of the finished floor of the ground story.



## 5. Upper Stories

- a. Each upper story facade must meet the required transparency standard independently. All facade area associated with an upper story having the same story designation (for example: 4th story) is considered part of the same upper story facade.
- b. For the purpose of calculating upper story transparency, upper story facade area is measured as the portion of a facade area between the top of the finished floor for that story to the top of the finished floor above. When there is no story above, it is measured to the top of the wall plate.



## 6. Relief

A reduction to the total amount transparency required for a story of up to a 10% may be requested in accordance with *Div. 5.1*.

## B. Blank Wall Width

The distance between widths of ground story facade and foundation wall without window or door openings.

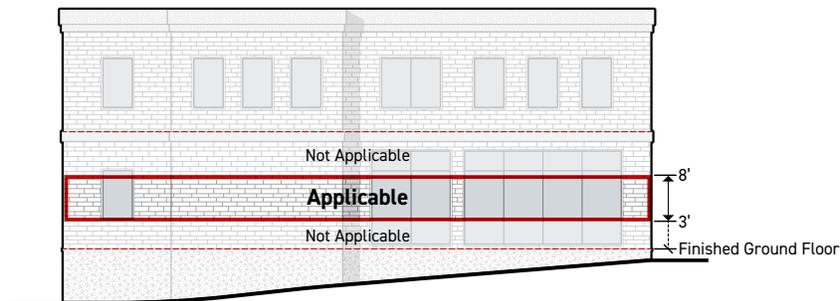
### 1. Intent

To provide visual interest along the public realm by limiting the area without visual or physical connections between the public realm and the interior of a building.

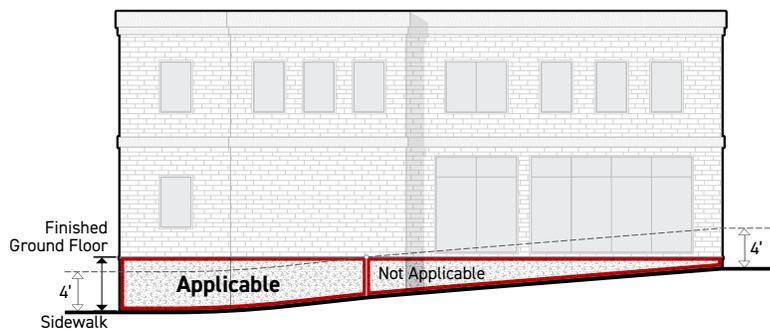
### 2. Applicability

Blank wall width applies to the following:

- a. Street-facing building facades between 3 feet and 8 feet from the finished ground floor elevation, measured vertically.



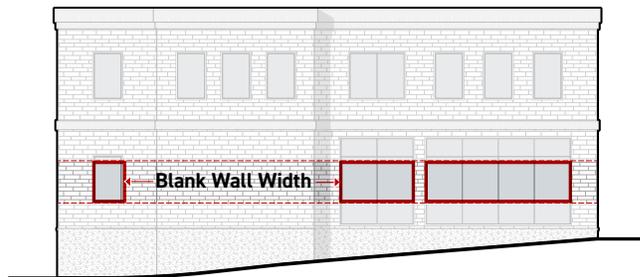
- b. All portions of foundation walls on street-facing building facades that are exposed 4 feet in height or greater above finished grade. If foundation walls are set back more than 10 feet from a sidewalk, exposed height is measured from the lowest elevation of finished grade within 5 feet, measured from and perpendicular to the foundation wall.



### 3. Ground Story Facade Blank Wall Width

#### a. Standards

- i. Windows and doors meeting *Sec. 2.2.13.A, Transparency*, on applicable ground story facades can be separated by a distance no greater than the maximum blank wall width specified by the zoning district.
- ii. Ground story facade blank wall width is measured horizontally and parallel to the street boundary line from the edge of the window/door to the edge of the window/door, and the edge of the window/door to the edge of ground story facade.

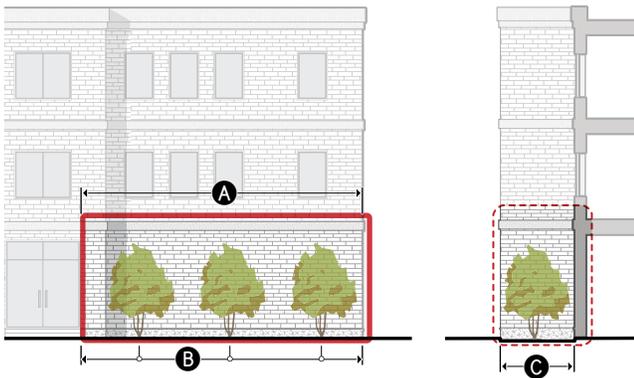


## b. Blank Wall Treatments

Facades that exceed the maximum allowed blank wall width may apply one or more of the following blank wall treatment options and increase the blank wall width by 100%.

### Small Trees

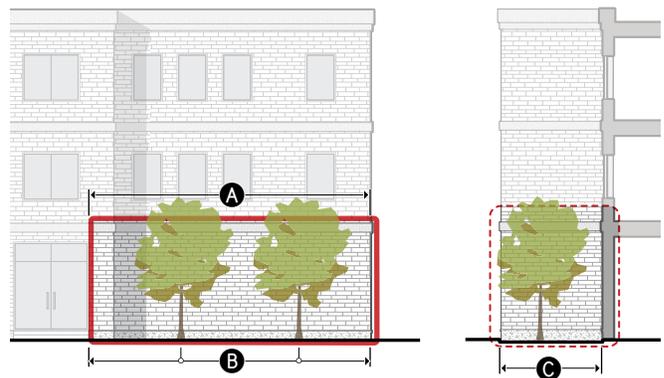
Small trees planted between a ground story facade with no window or door openings and the public realm.



DIMENSIONAL STANDARDS	
<b>A</b> Treatment width (min % of blank wall width)	100%
Tree type	Small
<b>B</b> Planting frequency (min avg.)	5 per 100'
<b>C</b> Planting area depth (min)	7'

### Large Trees

Large trees planted between a ground story facade with no window or door openings and the public realm.



DIMENSIONAL STANDARDS	
<b>A</b> Treatment width (min % of blank wall width)	100%
Tree type	Large
<b>B</b> Planting frequency (min avg.)	3 per 100'
<b>C</b> Planting area depth (min)	15'

## Living Wall

A permanently fixed assembly located between a ground story facade with no window or door openings and the public realm that supports plants, their growing medium, and irrigation.



### DIMENSIONAL STANDARDS

A Treatment area (min % of blank facade area)	75%
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## Mural

A noncommercial image located between a ground story facade with no window or door openings and the public realm.



### DIMENSIONAL STANDARDS

A Treatment area (min % of blank facade area)	75%
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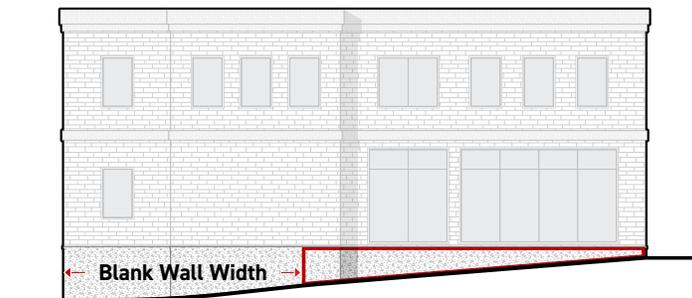
### ADDITIONAL REQUIREMENTS

*For purposes of this section, “noncommercial” means expression that is not related solely to the economic interests of the person or entity displaying the image and the image’s audience or expression that does not otherwise propose a commercial transaction. Also, the image must not convey a message containing obscenity, fighting words, incitement, or defamation. To the extent not in conflict with this provision, all murals must be approved pursuant to the requirements of Sec. 350.161 of the Zoning Code.*

## 4. Blank Foundation Wall Width

### a. Standards

- i. Windows and doors meeting *Sec. 2.2.13.A, Transparency*, on applicable foundations walls can be separated by a distance no greater than the maximum blank wall width specified by the zoning district.
- ii. Blank foundation wall width is measured horizontally and parallel to the street boundary line from the edge of the window/door to the edge of the window/door, and the edge of the window/door to the edge of ground story facade.

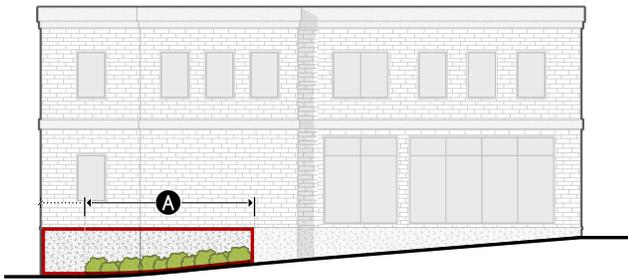


## b. Blank Foundation Wall Treatments

Foundation walls that exceed the maximum allowed blank wall width may apply one or more of the following blank foundation wall treatments and increase the blank wall width by 100%.

### Foundation Planting

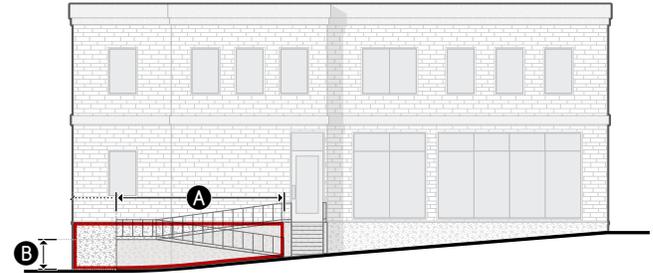
Screening plants located on a foundation wall with no window or door openings and the public realm.



DIMENSIONAL STANDARDS	
A Treatment width (min % of blank wall width)	75%
Plant type	Screening plant
Planting frequency (min avg.)	3 per 10'
Planting area depth (min)	3'

### Pedestrian Access

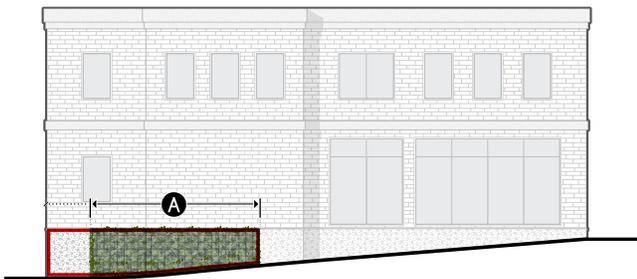
Stairs or ramps providing pedestrian access to a street-facing entrance located between a foundation wall with no window or door openings and the public realm.



DIMENSIONAL STANDARDS	
A Treatment width (min % of blank wall width)	75%
B Height above sidewalk (max)	4'

## Living Wall

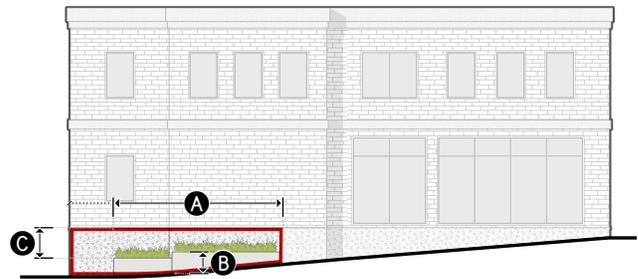
A structure permanently attached to a foundation wall with no window or door openings that supports climbing plants.



DIMENSIONAL STANDARDS	
A Treatment area (min % of blank foundation wall area)	75%
Planting area depth (min)	1.5'

## Planter

Permanent structure containing plants and their growing medium located between a foundation wall with no window or door openings and the public realm.



DIMENSIONAL STANDARDS	
A Treatment area (min % of blank foundation wall area)	75%
Plant coverage of planting area (min)	75%
Planting area depth (min)	2.5'
B Height above sidewalk (min/max)	4'
C Foundation wall reveal (max)	2'

## 5. Measurement of Blank Wall Treatments

### a. Treatment Width

Minimum treatment width is measured as a percentage, calculated as the cumulative width of blank wall treatments divided by the total length of blank wall width.

### b. Treatment Area

Minimum treatment area is measured as a percentage, calculated as the cumulative area of blank wall treatments divided by the total applicable facade area within the blank wall width.

### c. Tree Type

See *Sec. 4.3.4, Plants and Plant Material*, for small or large tree planting requirements.

### d. Plant Type

See *Sec. 4.3.4, Plants and Plant Material*, for screening plant planting requirements.

### e. Plant Coverage

Measured as 70% of the plant's anticipated canopy diameter or spread at maturity.

### f. Planting Frequency

Planting frequency is measured as a ratio of the minimum number of plants required along the total length of the blank wall width. A minimum of one plant of the required plant type must be provided regardless of the width of blank wall treatment.

### g. Planting Area Depth

Minimum planting area depth is measured as the horizontal dimension of growing medium at the narrowest point, measured perpendicular to the applicable street boundary line. The planting area must be open to the sky for at least the required planting area depth.

### h. Height Above Sidewalk

- i. Height above sidewalk is measured vertically from adjacent finished grade to the topmost point of the blank wall treatment.
- ii. If foundation walls are set back more than 10 feet from a sidewalk, maximum height is measured from the lowest elevation of finished grade within 5 feet, measured from and perpendicular to the foundation wall, to the topmost point of the blank wall treatment.

### i. Foundation Wall Reveal

Foundation wall reveal is measured vertically from the top of an inactive wall treatment to the finished ground floor elevation along the entire treated portion of a blank foundation wall.

## 6. Relief

A change to any blank wall dimensional standard of up to 15% may be requested in accordance with *Div. 5.1*.

## 2.2.14. Doors

### A. Street-Facing Entrances

*A street-facing door providing access from the public realm to the interior of a building.*

#### 1. Intent

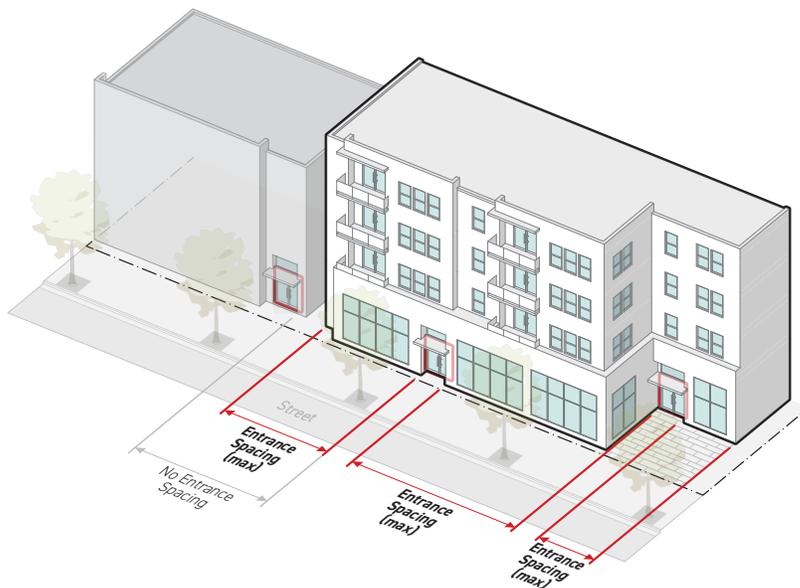
To provide visual interest along the public realm, orient buildings to the public realm and promote greater use and activation of the public sidewalk by limiting distance without physical connections between the public realm and the interior of a building.

#### 2. Applicability

Street-facing entrance requirements apply to all ground story street-facing building facades.

#### 3. General

- a. A street-facing entrance must be provided to meet the street-facing entrance spacing requirements of the zoning district.
- b. A street-facing entrance cannot be located farther apart than the maximum entrance spacing requirement of the zoning district.
- c. Entry spacing is measured as the horizontal distance from edge of door to edge of door and edge of door to edge of the building.
- d. The entry spacing requirement must be met for each building and abutting buildings on the site, but are not applicable to buildings unrelated to the project.
- e. Accessory structures do not have to provide a street-facing entrance and are not included in the calculation of the maximum street-facing entry spacing requirement.

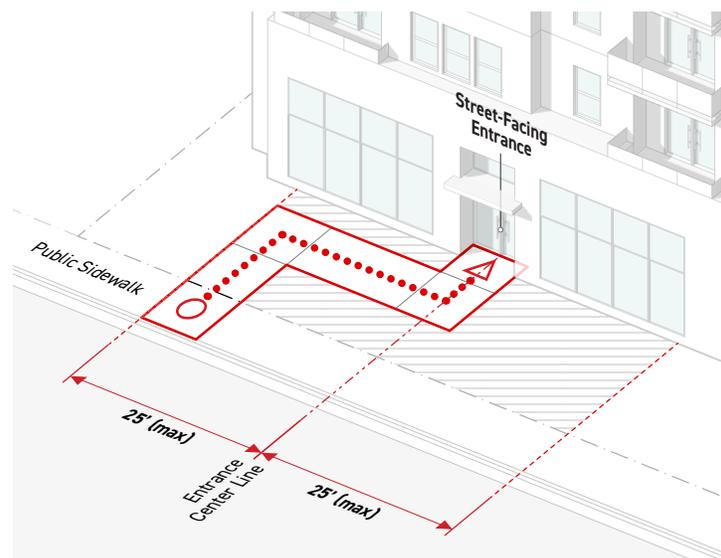


- f. A required street-facing entrance must meet the following.
  - i. Be located on a ground story facade.
  - ii. Provide both ingress and egress pedestrian access to the ground story of the building.
  - iii. Must access an occupiable space.
  - iv. Remain operable at all times. Access may be controlled and limited to residents or tenants.
- g. A primary street-facing entrance must front onto a primary street.
- h. A side street-facing entrance must front onto a side street.
- i. If a building provides a primary street-facing entrance, a side street-facing entrance is only required when the building width along the side street is greater than the maximum entry spacing requirement for the zoning district.
- j. On a corner lot, an angled entrance may be used to meet the requirement for a street-facing entrance along both streets.
- k. Non-required entrances are allowed in addition to required entrances.

#### 4. Entry Features

##### a. General

- i. One of the following entry features is required for every entrance provided to meet the street-facing entry spacing requirement.
- ii. The entry feature must face and be directly accessible from the applicable primary street or side street and must connect to the public sidewalk within 25 feet of the center of the entrance, measured parallel to the applicable street boundary line.

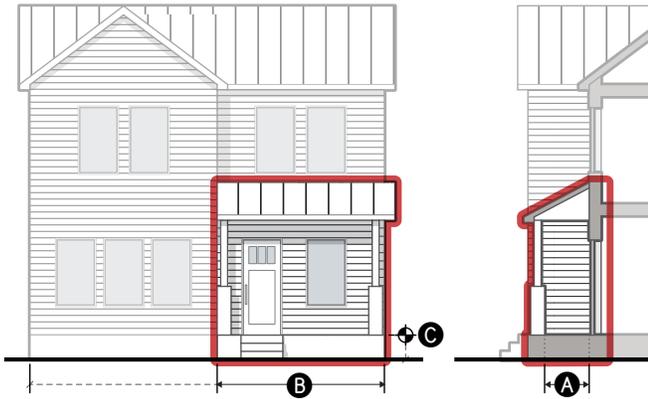


- iii. An entrance directly accessed from an entry features counts as a street-facing entrance, regardless if it faces the street.

## b. Entry Feature Options

### Porch

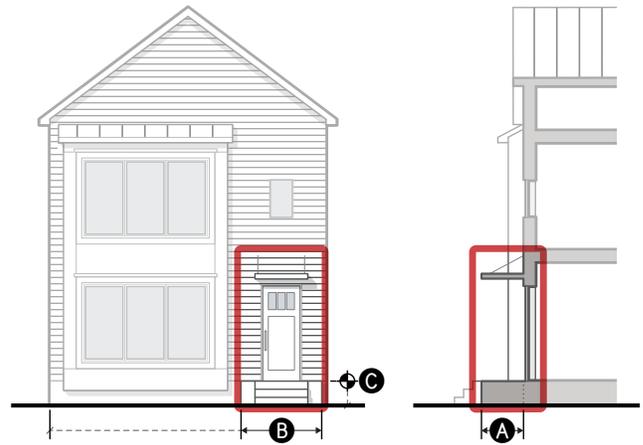
A wide, raised platform, projecting in front of a street-facing entrance, that is entirely covered but not enclosed.



DIMENSIONAL STANDARDS	
<b>A</b> Depth (min)	6'
<b>B</b> Width (min % of building width)	30%
Roofed	Required
<b>C</b> Finished floor elevation (min/max)	2'/5.5'
Fully enclosed	Not allowed

### Raised Entry

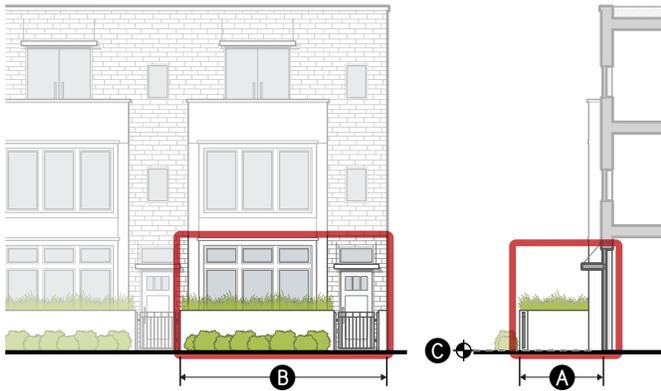
A raised platform accessed from an exterior staircase, providing covered access to a street-facing entrance.



DIMENSIONAL STANDARDS	
<b>A</b> Depth (min)	3'
<b>B</b> Width (min)	4'
Covered entrance	Required
<b>C</b> Finished floor elevation (min/max)	2'/5.5'
Fully enclosed	Not allowed

## Forecourt

A yard screened with a short wall, fence or hedge that provides significant privacy for tenants located on the ground story, near finished grade.

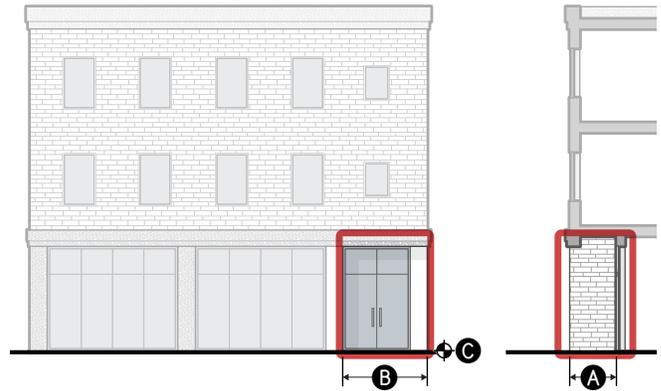


### DIMENSIONAL STANDARDS

<b>A</b> Depth (min)	8'
<b>B</b> Width (min)	10'
Covered entrance	Required
<b>C</b> Finished floor elevation (min/max)	-2'/5.5'
Wall/fence height (min/max)	2.5'/4'
Fully enclosed	Not allowed

## Recessed Entry

A space set behind the primary facade plane providing sheltered access to a street-facing entrance.

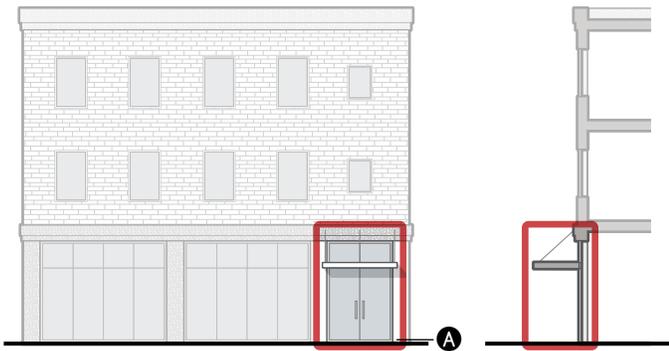


### DIMENSIONAL STANDARDS

<b>A</b> Depth (min)	3'
<b>B</b> Width (min)	5'
Covered entrance	Required
<b>C</b> Finished floor elevation (min/max)	-2'/5.5'
Fully enclosed	Not allowed

## Covered Entry

A space that provides sheltered access to an at-grade street-facing entrance with an overhead projecting structure.



DIMENSIONAL STANDARDS	
Covered entrance	Required
<b>A</b> Finished floor elevation (min/max)	-2'/5.5'
Fully enclosed	Not allowed

## c. Measurement

### i. Depth

Minimum depth is measured as the horizontal dimension where the occupiable portion of the entry feature is at its narrowest, measured perpendicular to the applicable primary or side street boundary line.

### ii. Width

1. When specified as a percentage, width is measured as the total width of the occupiable portion of entry feature divided by the total width of the building that the entry provides access to, measured parallel to the applicable primary or side street boundary line.
2. When specified in feet, width is measured as the total width of the occupiable portion of the entry feature, as measured parallel to the applicable primary or side street boundary line.

### iii. Roofed

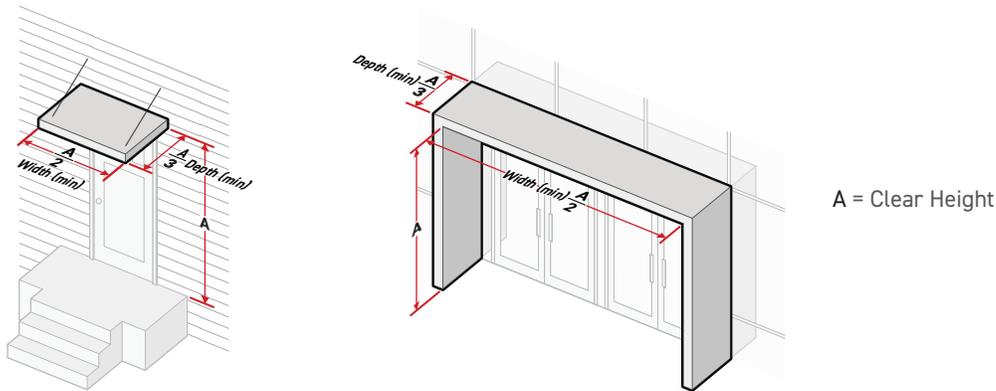
See *Div. 6.1, Defined Terms*.

### iv. Fully Enclosed

See *Div. 6.1, Defined Terms*.

### v. Covered Entrance

1. When required, a roofed structure must cover the occupiable portion immediately abutting the associated street-facing entrance.
2. The minimum depth of the covered area must be the clear height of the covered area divided by 3.
3. The minimum width of the covered area must be the clear height of the covered area divided by 2.



### vi. Finished Floor Elevation

Finished floor elevation is measured from the finished grade along the adjacent sidewalk to the top of the finished floor surface or ground surface of the entry feature. Where no

sidewalk exists within 10 feet of the entry feature, finished floor elevation is measured from the finished grade within 5 feet of the entry feature, measured perpendicular to the entry feature area.

**vii. Wall or Fence Height**

See *Sec. 4.3.3.D.4, Measurement of Height*, for measurement of wall or fence height.

**5. Relief**

A change to an entry feature dimensional standard of up 15% may be requested in accordance with *Div. 5.1*.



## Div. 2.3. House-Scale



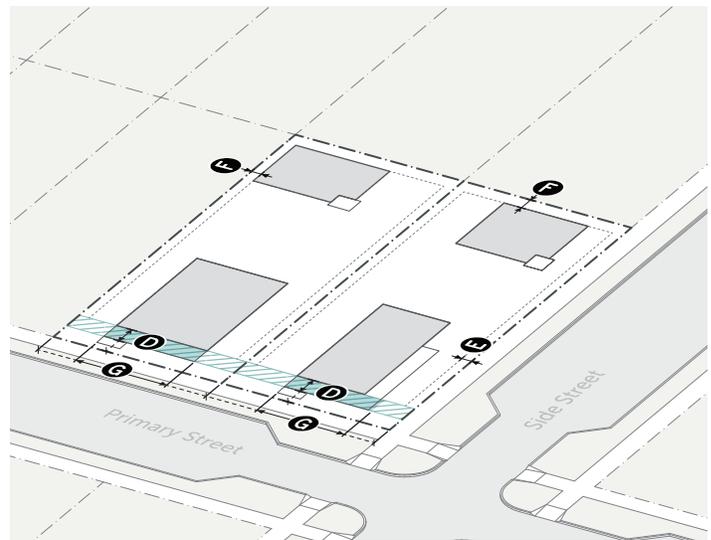
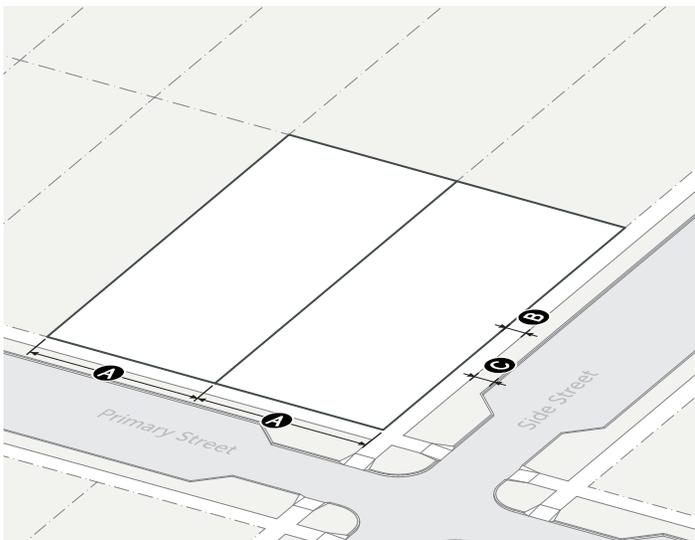
### 2.3.1. Intent

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

## 2.3.2. H3 HOUSE 3

### A. SITE

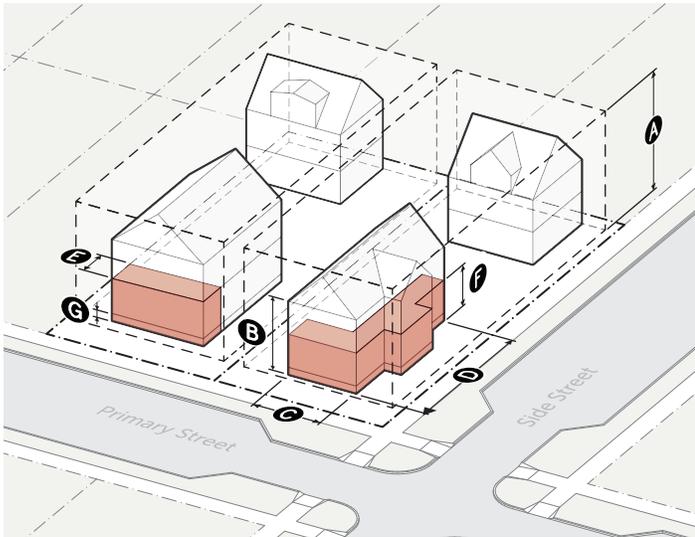


<b>1. Size</b>	Sec. 2.2.2
<b>A</b> Width (min)	
Front access	35'
Side/rear access	20'
<b>2. Dwelling Units</b>	Sec. 2.2.3
Max per site	3
<b>3. Amenity</b>	Sec. 2.2.4
Outdoor amenity space (min)	n/a
<b>4. Walls &amp; Fences</b>	Sec. 2.2.5
Front yard height (max)	Type C2   4'
Side street yard height (max)	
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'
<b>5. Streetscape</b>	Sec. 2.2.6
<b>B</b> Pedestrian zone (min)	6'
<b>C</b> Furniture zone (min)	6'
Planting strip type	Tree lawn
Trees in planting strip	30' avg. on center

<b>6. Setbacks</b>	Sec. 2.2.7
<b>D</b> Primary street boundary line (min/max)	Established setback range or 10'/20'
<b>E</b> Side street boundary line (min)	3'
<b>F</b> 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
<b>7. Transitions</b>	Sec. 2.2.8
Setback from transition boundary line	n/a
<b>8. Street Build-Out</b>	Sec. 2.2.9
<b>G</b> Primary street (min)	50%
Side street (min)	n/a
<b>9. Parking Location</b>	Sec. 2.2.10
Front yard	Not allowed
Side street yard	Allowed
Side yard	Allowed
Rear yard	Allowed

H3

B. BUILDING

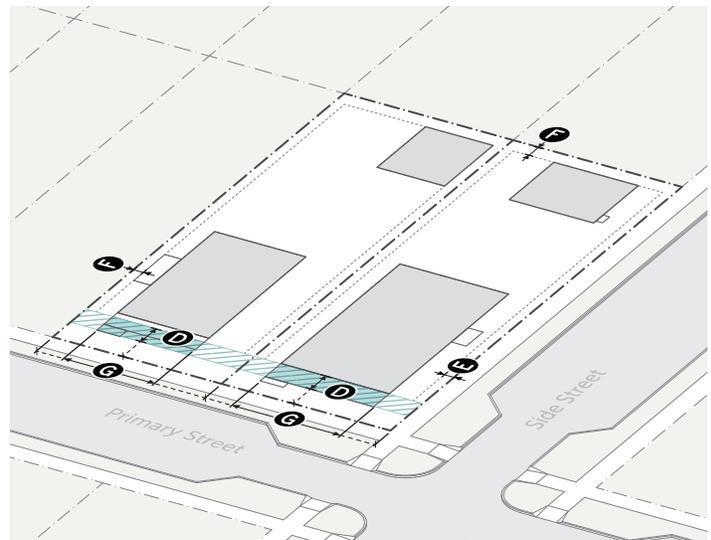
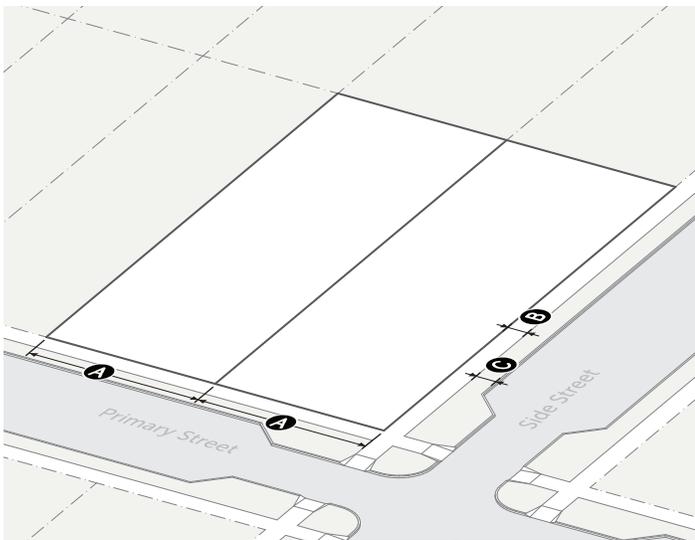


1. Massing		Sec. 2.2.11
	Height (max)	
A	Stories/feet	2.5/32'
B	Top plate	25'
	Width (max)	
C	Primary street	35'
D	Side street	70'
E	Active depth (min)	9'
	Dwelling units per building (max)	3
2. Story Height		Sec. 2.2.12
F	Ground story height (min)	9'
G	Ground floor elevation (min/max)	2'/5.5'

	Primary St.	Side St.
3. Windows		
Sec. 2.2.13		
H	Ground story (min)	35% 30%
I	Upper story (min)	15% 15%
J	Blank wall width (max)	10' 20'
4. Doors		
Sec. 2.2.14		
K	Street-facing entry spacing (max)	30' 50'

### 2.3.3. H4 HOUSE 4

#### A. SITE

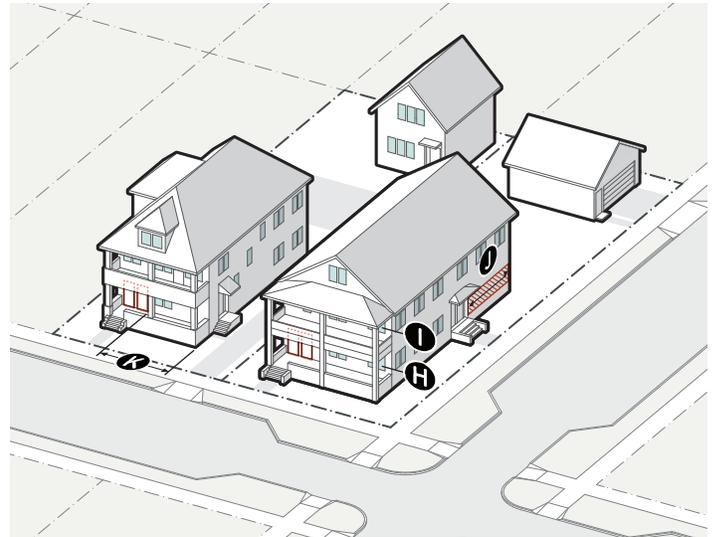
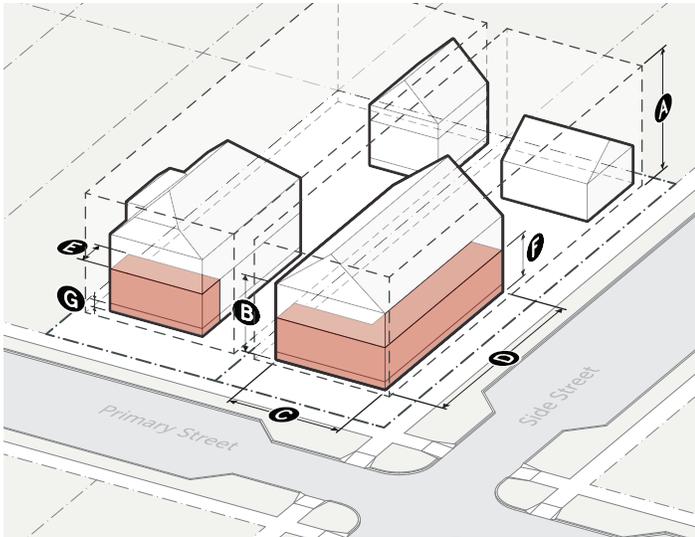


<b>1. Size</b>	<b>Sec. 2.2.2</b>
<b>A</b> Width (min)	
Front access	35'
Side/rear access	20'
<b>2. Dwelling Units</b>	<b>Sec. 2.2.3</b>
Max per site	4
<b>3. Amenity</b>	<b>Sec. 2.2.4</b>
Outdoor amenity space (min)	n/a
<b>4. Walls &amp; Fences</b>	<b>Sec. 2.2.5</b>
Front yard height (max)	Type C2   4'
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'
<b>5. Streetscape</b>	<b>Sec. 2.2.6</b>
<b>B</b> Pedestrian zone (min)	6'
<b>C</b> Furniture zone (min)	6'
Planting strip type	Tree lawn
Trees in planting strip	30' avg. on center

<b>6. Setbacks</b>	<b>Sec. 2.2.7</b>
<b>D</b> Primary street boundary line (min/max)	Established setback range or 10'/20'
<b>E</b> Side street boundary line (min)	3'
<b>F</b> 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
<b>7. Transitions</b>	<b>Sec. 2.2.8</b>
Setback from transition boundary line	n/a
<b>8. Street Build-Out</b>	<b>Sec. 2.2.9</b>
<b>G</b> Primary street (min)	50%
Side street (min)	n/a
<b>9. Parking Location</b>	<b>Sec. 2.2.10</b>
Front yard	Not allowed
Side street yard	Allowed
Side yard	Allowed
Rear yard	Allowed

H4

B. BUILDING



1. Massing	Sec. 2.2.11
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. 2.2.12
F Ground story height (min)	9'
G Ground floor elevation (min/max)	2'/5.5'

	Primary St.	Side St.
3. Windows	Sec. 2.2.13	
H Ground story (min)	35%	30%
I Upper story (min)	15%	15%
J Blank wall width (max)	10'	20'
4. Doors	Sec. 2.2.14	
K Street-facing entry spacing (max)	30'	50'

### 2.3.4. Summary of Allowed Uses

		Summary of Use Standards		Add. Stds.
<b>1. Residential</b>				
Household Living	<b>P</b>			
Group Living	<b>C*</b>	Residents:	10 max	3.2.3.B
Social Services	--			
<b>2. Open</b>				
Parks & Open Space	<b>P</b>			
Urban Agriculture	<b>P*</b>			3.2.3.C
<b>3. Public</b>				
Community Service	<b>P*</b>	Building size:	5,000 SF max	3.2.3.D
Day Care	--			
Education	<b>P*</b>	Parcel size:	4 acres max	3.2.3.E
Government	<b>P</b>			
Religious Assembly	<b>P*</b>	Building size:	5,000 SF max	3.2.3.F
Transit Station	--			
<b>4. Commercial</b>				
Adult Entertainment	--			
Animal Care	--			
Auto-Related	--			
Eating & Drinking	--			
Indoor Entertainment	--			
Lodging	<b>P*</b>	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	--			
<b>5. Industrial</b>				
Heavy Industrial	--			
Light Industrial	--			
Makerspace	--			
Research & Development	--			
Warehouse & Distribution	--			

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

## Div. 2.4. Neighborhood-Scale



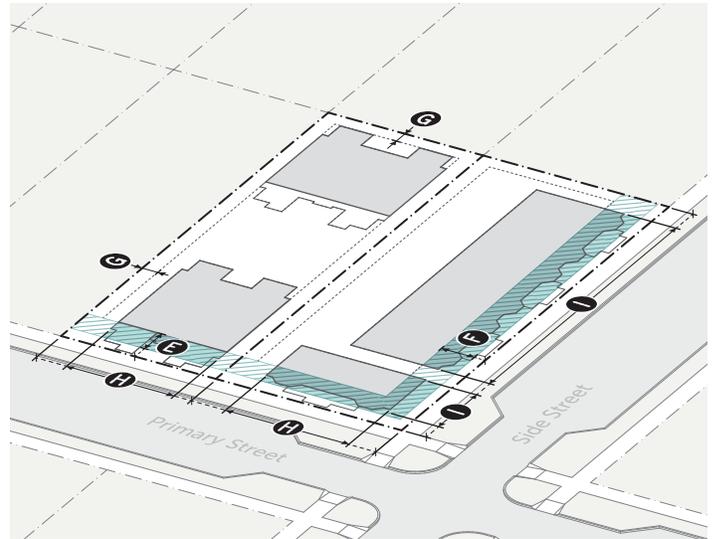
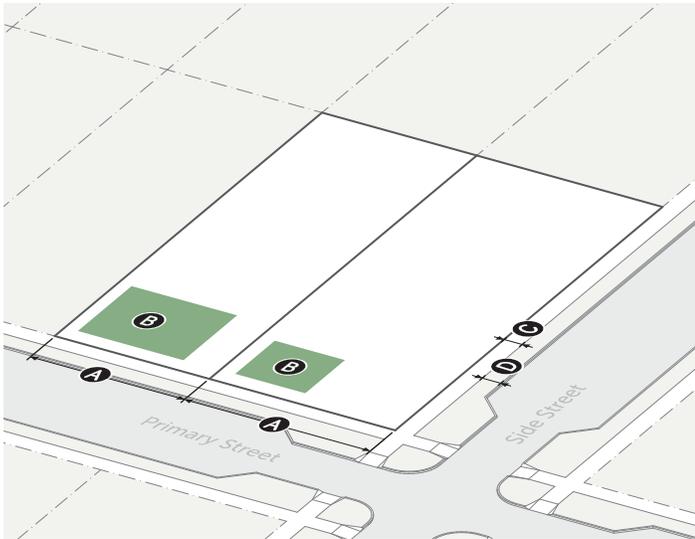
### 2.4.1. Intent

A walkable neighborhood environment intended to accommodate a variety of low-intensity housing options including single-family homes, duplexes, triplexes, fourplexes, townhouses and small apartments, supporting and within walking distance of neighborhood-serving retail, food and service uses. The Neighborhood-Scale Flex districts allow for additional neighborhood-serving commercial uses that are limited in scale and extent.

N2.5	NX3
8 dwellings units	8 dwellings units
15' site width	15' site width
2.5 stories/32' in height	3 stories/42' in height
40' building width	40' building width
	Allows limited small-scale commercial

## 2.4.2. N2.5 NEIGHBORHOOD 2.5

### A. SITE

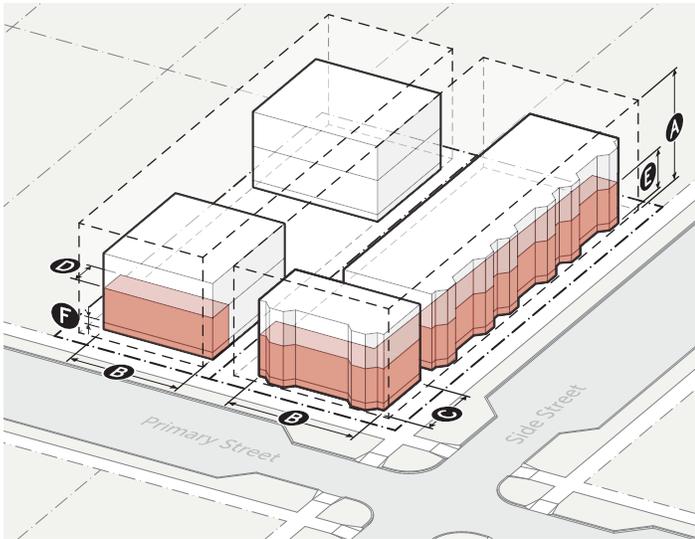


<b>1. Size</b>	Sec. 2.2.2
<b>A</b> Width (min)	
Front access	35'
Side/rear access	15'
<b>2. Dwelling Units</b>	Sec. 2.2.3
Max per site	Unlimited
<b>3. Amenity</b>	Sec. 2.2.4
<b>B</b> Outdoor amenity space (min)	10%
<b>4. Walls &amp; Fences</b>	Sec. 2.2.5
Front yard height (max)	Type C2   4'
Side street 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'
<b>5. Streetscape</b>	Sec. 2.2.6
<b>C</b> Pedestrian zone (min)	6'
<b>D</b> Furniture zone (min)	6'
Planting strip type	Tree lawn
Trees in planting strip	30' avg. on center

<b>6. Setbacks</b>	Sec. 2.2.7
<b>E</b> Primary street boundary line (min/max)	5'/15'
<b>F</b> Side street boundary line (min/max)	3'/15'
<b>G</b> 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
<b>7. Transitions</b>	Sec. 2.2.8
Setback from transition boundary line	n/a
<b>8. Street Build-Out</b>	Sec. 2.2.9
<b>H</b> Primary street (min)	65%
<b>I</b> Side street (min)	40%
<b>9. Parking Location</b>	Sec. 2.2.10
Front/side street yard	Not allowed
Side yard	Allowed
Rear yard	Allowed

N2.5

B. BUILDING

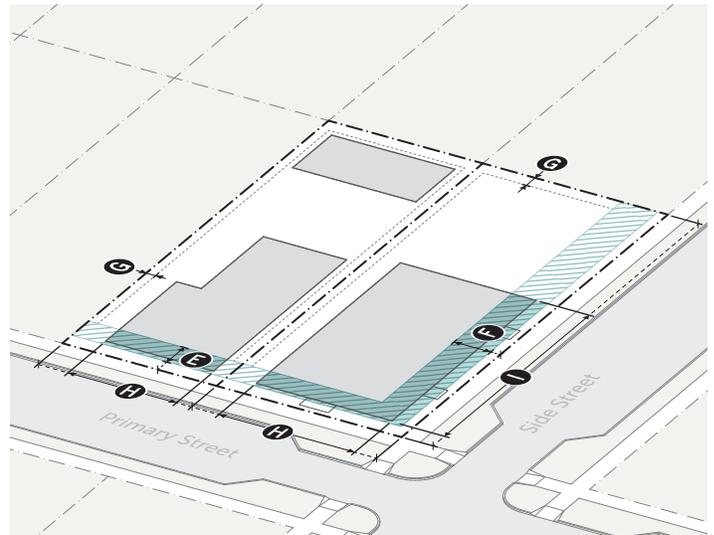
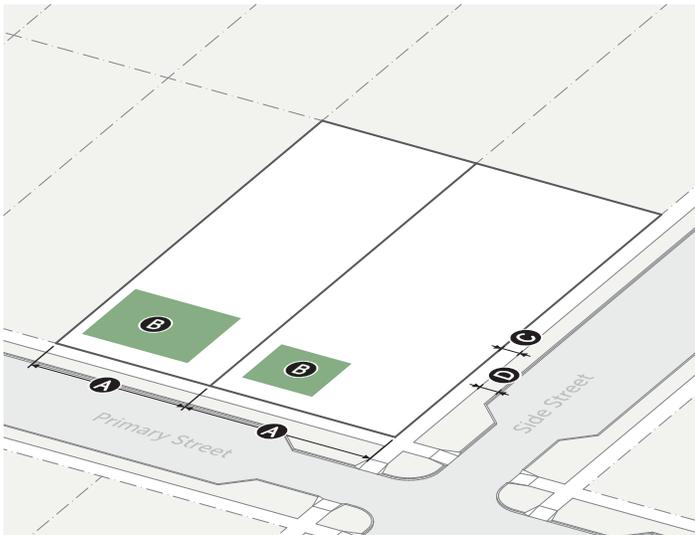


1. Massing		Sec. 2.2.11
A	Height (max stories/feet)	2.5/32'
	Width (max)	
B	Primary street	40'
C	Side street	90'
D	Active depth (min)	9'
	Dwelling units per building (max)	8
2. Story Height		Sec. 2.2.12
E	Ground story height (min)	10'
F	Ground floor elevation (min/max)	2'/5.5'

	Primary St.	Side St.
3. Windows		
Sec. 2.2.13		
G	Ground story (min)	35% 30%
H	Upper story (min)	15% 15%
I	Blank wall width (max)	15' 25'
4. Doors		
Sec. 2.2.14		
J	Street-facing entry spacing (max)	30' 50'

## 2.4.3. NX3 NEIGHBORHOOD FLEX 3

### A. SITE

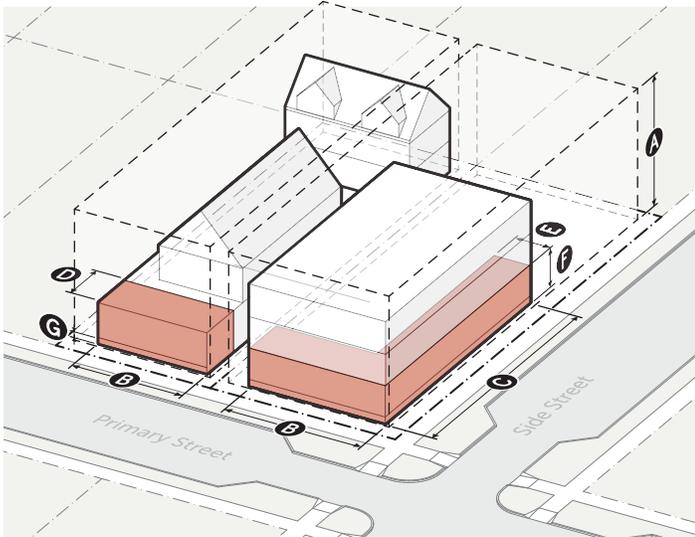


<b>1. Size</b>	Sec. 2.2.2
<b>A</b> Width (min)	
Front access	35'
Side/rear access	15'
<b>2. Dwelling Units</b>	Sec. 2.2.3
Max per site	Unlimited
<b>3. Amenity</b>	Sec. 2.2.4
<b>B</b> Outdoor amenity space (min)	10%
<b>4. Walls &amp; Fences</b>	Sec. 2.2.5
Front yard height (max)	Type C2   4'
Side street 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'
<b>5. Streetscape</b>	Sec. 2.2.6
<b>C</b> Pedestrian zone (min)	6'
<b>D</b> Furniture zone (min)	6'
Planting strip type	Tree lawn/ grates
Trees in planting strip	30' avg. on center

<b>6. Setbacks</b>	Sec. 2.2.7
<b>E</b> Primary street boundary line (min/ max)	5'/15'
<b>F</b> Side street boundary line (min/ max)	3'/15'
<b>G</b> 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
<b>7. Transitions</b>	Sec. 2.2.8
Setback from transition boundary line	10'
<b>8. Street Build-Out</b>	Sec. 2.2.9
<b>H</b> Primary street (min)	65%
<b>I</b> Side street (min)	40%
<b>9. Parking Location</b>	Sec. 2.2.10
Front/side street yard	Not allowed
Side yard	Not allowed
Rear yard	Allowed

NX3

B. BUILDING



1. Massing	Sec. 2.2.11
A Height (max stories/feet)	3/42'
Width (max)	
B Primary street	40'
C Side street	90'
Active depth (min)	
D Primary street	15'
E Side street	9'
Dwelling units per building (max)	8
2. Story Height	Sec. 2.2.12
F Ground story height (min)	10'
G Ground floor elevation (min/max)	
Residential	2'/5'
Nonresidential	-1'/5.5'

	Primary St.	Side St.
3. Windows	Sec. 2.2.13	
H Ground story (min)		
Residential	35%	30%
Nonresidential	50%	30%
I Upper story (min)	15%	15%
J Blank wall width (max)	15'	25'
4. Doors	Sec. 2.2.14	
K Street-facing entry spacing (max)	30'	50'

## 2.4.4. Summary of Allowed Uses

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

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

## Div. 2.5. Community-Scale



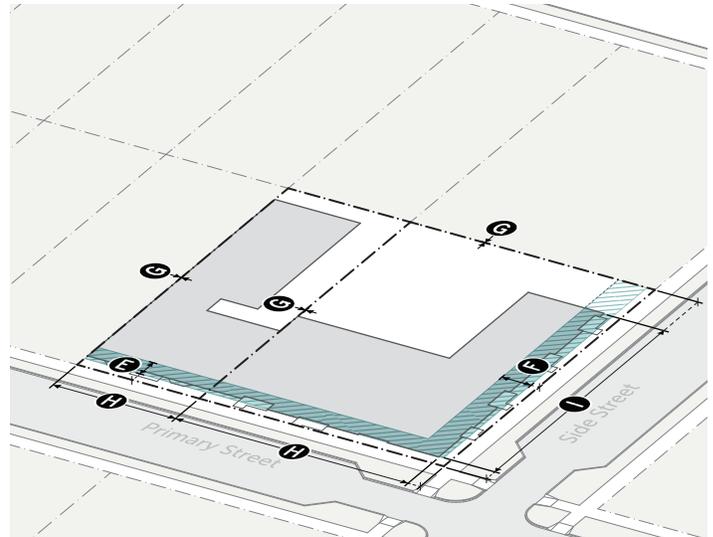
### 2.5.1. Intent

A walkable neighborhood environment intended to accommodate a variety of medium-intensity housing options including single-family homes, duplexes, triplexes, fourplexes, townhouses up to larger apartment complexes supporting and within walking distance of neighborhood-serving retail, food and service uses. The Community-Scale Flex districts allow for additional neighborhood-serving commercial uses that are limited in scale and extent.

C3	CX3	C4	CX4	C5	CX5
No density restrictions	No density restrictions	No density restrictions	No density restrictions	No density restrictions	No density restrictions
15' side width	15' side width	15' side width	15' site width	15' side width	15' side width
3 stories/42' in height	3 stories/42' in height	4 stories/55' in height	4 stories/55' in height	5 stories/68' in height	5 stories/68' in height
175' building width	175' building width	275' building width	275' building width	275' building width	275' building width
	Allows limited small-scale commercial		Allows limited small-scale commercial		Allows limited small-scale commercial

## 2.5.2. C3 COMMUNITY 3

### A. SITE



<b>1. Size</b>	Sec. 2.2.2
<b>A</b> Width (min)	
Front access	35'
Side/rear access	15'
<b>2. Dwelling Units</b>	Sec. 2.2.3
Max per site	Unlimited
<b>3. Amenity</b>	Sec. 2.2.4
<b>B</b> Outdoor amenity space (min)	10%
<b>4. Walls &amp; Fences</b>	Sec. 2.2.5
Front yard height (max)	Type C4   6'
Side street yard height (max)	Type C4   6'
Side/rear yard height (max)	Type C5   6'
<b>5. Streetscape</b>	Sec. 2.2.6
<b>C</b> Pedestrian zone (min)	7'
<b>D</b> Furniture zone (min)	6'
Planting strip type	Tree lawn/ grates
Trees in planting strip	30' avg. on center

<b>6. Setbacks</b>	Sec. 2.2.7
<b>E</b> Primary street boundary line (min/ max)	5'/15'
<b>F</b> Side street boundary line (min/ max)	3'/15'
<b>G</b> Rear/side boundary line (min)	0'
Alley boundary line	3' or 20' min
<b>7. Transitions</b>	Sec. 2.2.8
Setback from transition boundary line (min)	10'
<b>8. Street Build-Out</b>	Sec. 2.2.9
<b>H</b> Primary street (min)	75%
<b>I</b> Side street (min)	45%
<b>9. Parking Location</b>	Sec. 2.2.10
No parking between the building and the street	

B. MASSING

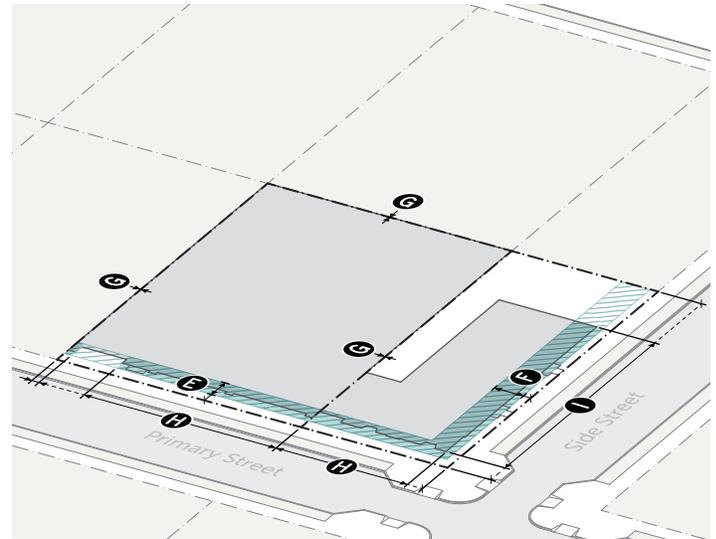


1. Building	Sec. 2.2.11
A Height (max stories/feet)	3/42'
B Width (max)	175'
C Active depth (min)	9'
Dwelling units per building (max)	Unlimited
2. Story Height	Sec. 2.2.12
D Ground story height (min)	10'
E Ground floor elevation (min/max)	2'/5.5'

	Primary St.	Side St.
3. Windows	Sec. 2.2.13	
F Ground story (min)	35%	30%
G Upper story (min)	15%	15%
H Blank wall width (max)	15'	25'
4. Doors	Sec. 2.2.14	
I Street-facing entry spacing (max)	40'	60'

### 2.5.3. CX3 COMMUNITY FLEX 3

#### A. SITE



<b>1. Size</b>	Sec. 2.2.2
<b>A</b> Width (min)	
Front access	35'
Side/rear access	15'
<b>2. Dwelling Units</b>	Sec. 2.2.3
Max per site	Unlimited
<b>3. Amenity</b>	Sec. 2.2.4
<b>B</b> Outdoor amenity space (min)	10%
<b>4. Walls &amp; Fences</b>	Sec. 2.2.5
Front yard height (max)	Type C4   6'
Side street yard height (max)	Type C4   6'
Side/rear yard height (max)	Type C5   6'
<b>5. Streetscape</b>	Sec. 2.2.6
<b>C</b> Pedestrian zone (min)	7'
<b>D</b> Furniture zone (min)	6'
Planting strip type	Tree lawn/ grates
Trees in planting strip	30' avg. on center

<b>6. Setbacks</b>	Sec. 2.2.7
<b>E</b> Primary street boundary line (min/ max)	5'/15'
<b>F</b> Side street boundary line (min/ max)	3'/15'
<b>G</b> Rear/side boundary line (min)	0'
Alley boundary line	3' or 20' min
<b>7. Transitions</b>	Sec. 2.2.8
Setback from transition boundary line (min)	10'
<b>8. Street Build-Out</b>	Sec. 2.2.9
<b>H</b> Primary street (min)	75%
<b>I</b> Side street (min)	45%
<b>9. Parking Location</b>	Sec. 2.2.10
No parking between the building and the street	

CX3

B. MASSING

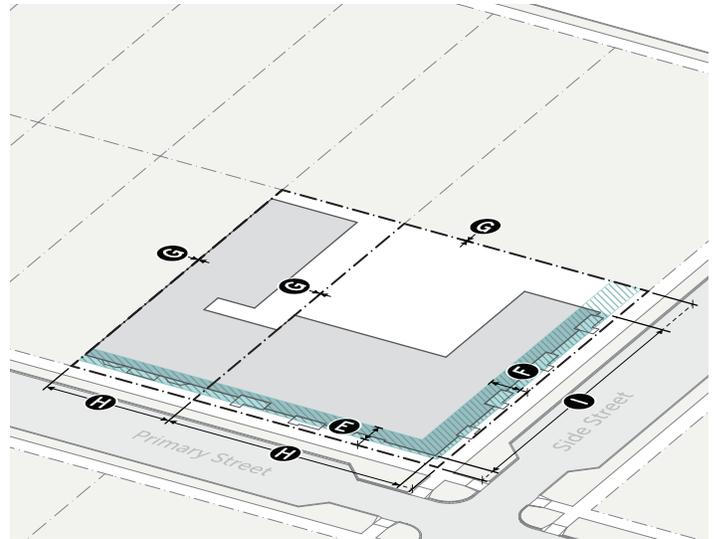


1. Building	Sec. 2.2.11
A Height (max stories/feet)	3/42'
B Width (max)	175'
Active depth (min)	
C Primary street	15'
D Side street	9'
Dwelling units per building (max)	Unlimited
2. Story Height	Sec. 2.2.12
E Ground story height (min)	10'
F Ground floor elevation (min/max)	
Residential	2'/5'
Nonresidential	-2'/5.5'

	Primary St.	Side St.
3. Windows	Sec. 2.2.13	
G Ground story (min)		
Residential	35%	30%
Nonresidential	50%	30%
H Upper story (min)	15%	15%
I Blank wall width (max)	15'	25'
4. Doors	Sec. 2.2.14	
J Street-facing entry spacing (max)	40'	60'

## 2.5.4. C4 COMMUNITY 4

### A. SITE



<b>1. Size</b>	Sec. 2.2.2
<b>A</b> Width (min)	
Front access	35'
Side/rear access	15'
<b>2. Dwelling Units</b>	Sec. 2.2.3
Max per site	Unlimited
<b>3. Amenity</b>	Sec. 2.2.4
<b>B</b> Outdoor amenity space (min)	10%
<b>4. Walls &amp; Fences</b>	Sec. 2.2.5
Front yard height (max)	Type C4   6'
Side street yard height (max)	Type C4   6'
Side/rear yard height (max)	Type C5   6'
<b>5. Streetscape</b>	Sec. 2.2.6
<b>C</b> Pedestrian zone (min)	7'
<b>D</b> Furniture zone (min)	6'
Planting strip type	Tree lawn/ grates
Trees in planting strip	30' avg. on center

<b>6. Setbacks</b>	Sec. 2.2.7
<b>E</b> Primary street boundary line (min/ max)	5'/15'
<b>F</b> Side street boundary line (min/ max)	3'/15'
<b>G</b> Rear/side boundary line (min)	0'
Alley boundary line	3' or 20' min
<b>7. Transitions</b>	Sec. 2.2.8
Setback from transition boundary line (min)	10'
<b>8. Street Build-Out</b>	Sec. 2.2.9
<b>H</b> Primary street (min)	75%
<b>I</b> Side street (min)	45%
<b>9. Parking Location</b>	Sec. 2.2.10
No parking between the building and the street	

C4

B. MASSING

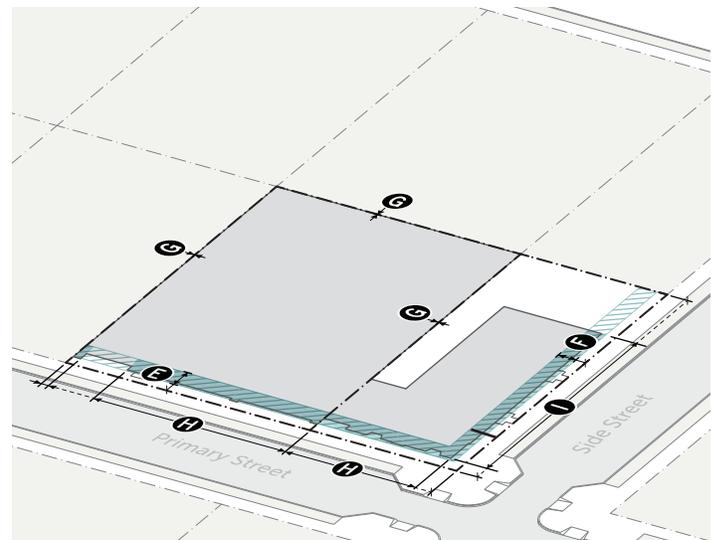


<b>1. Building</b>	<b>Sec. 2.2.11</b>
<b>A</b> Height (max stories/feet)	4/55'
<b>B</b> Width (max)	275'
<b>C</b> Active depth (min)	9'
Dwelling units per building (max)	Unlimited
<b>2. Story Height</b>	<b>Sec. 2.2.12</b>
<b>D</b> Ground story height (min)	10'
<b>E</b> Ground floor elevation (min/max)	2'/5.5'

	Primary St.	Side St.
<b>3. Windows</b>	<b>Sec. 2.2.13</b>	
<b>F</b> Ground story (min)	35%	30%
<b>G</b> Upper story (min)	15%	15%
<b>H</b> Blank wall width (max)	15'	25'
<b>4. Doors</b>	<b>Sec. 2.2.14</b>	
<b>I</b> Street-facing entry spacing (max)	40'	60'

## 2.5.5. CX4 COMMUNITY FLEX 4

### A. SITE



<b>1. Size</b>	Sec. 2.2.2
<b>A</b> Width (min)	
Front access	35'
Side/rear access	15'
<b>2. Dwelling Units</b>	Sec. 2.2.3
Max per site	Unlimited
<b>3. Amenity</b>	Sec. 2.2.4
<b>B</b> Outdoor amenity space (min)	10%
<b>4. Walls &amp; Fences</b>	Sec. 2.2.5
Front yard height (max)	Type C4   6'
Side street yard height (max)	Type C4   6'
Side/rear yard height (max)	Type C5   6'
<b>5. Streetscape</b>	Sec. 2.2.6
<b>C</b> Pedestrian zone (min)	7'
<b>D</b> Furniture zone (min)	6'
Planting strip type	Tree lawn/ grates
Trees in planting strip	30' avg. on center

<b>6. Setbacks</b>	Sec. 2.2.7
<b>E</b> Primary street boundary line (min/ max)	5'/15'
<b>F</b> Side street boundary line (min/ max)	3'/15'
<b>G</b> Rear/side boundary line (min)	0'
Alley boundary line	3' or 20' min
<b>7. Transitions</b>	Sec. 2.2.8
Setback from transition boundary line (min)	10'
<b>8. Street Build-Out</b>	Sec. 2.2.9
<b>H</b> Primary street (min)	75%
<b>I</b> Side street (min)	45%
<b>9. Parking Location</b>	Sec. 2.2.10
No parking between the building and the street	

CX4

B. MASSING

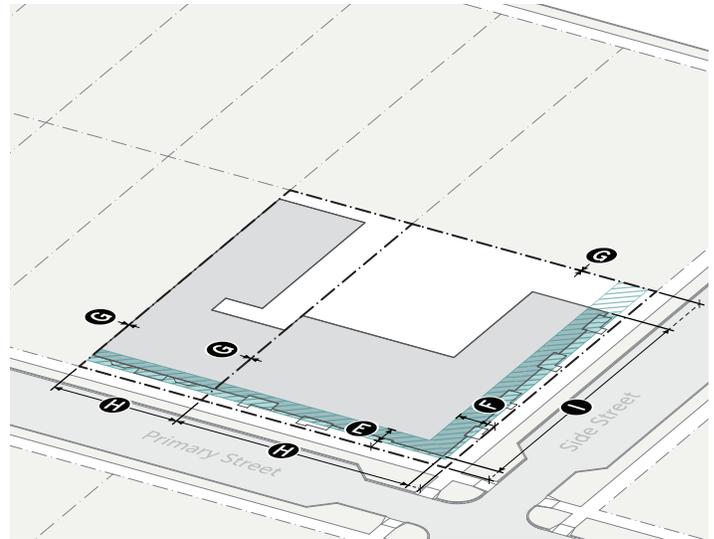


1. Building	Sec. 2.2.11
A Height (max stories/feet)	4/55'
B Width (max)	275'
Active depth (min)	
C Primary street	15'
D Side street	9'
Dwelling units per building (max)	Unlimited
2. Story Height	Sec. 2.2.12
E Ground story height (min)	10'
F Ground floor elevation (min/max)	
Residential	2'/5.5'
Nonresidential	-2'/5.5'

	Primary St.	Side St.
3. Windows	Sec. 2.2.13	
G Ground story (min)		
Residential	35%	30%
Nonresidential	50%	30%
H Upper story (min)	15%	15%
I Blank wall width (max)	15'	25'
4. Doors	Sec. 2.2.14	
J Street-facing entry spacing (max)	40'	60'

## 2.5.6. C5 COMMUNITY 5

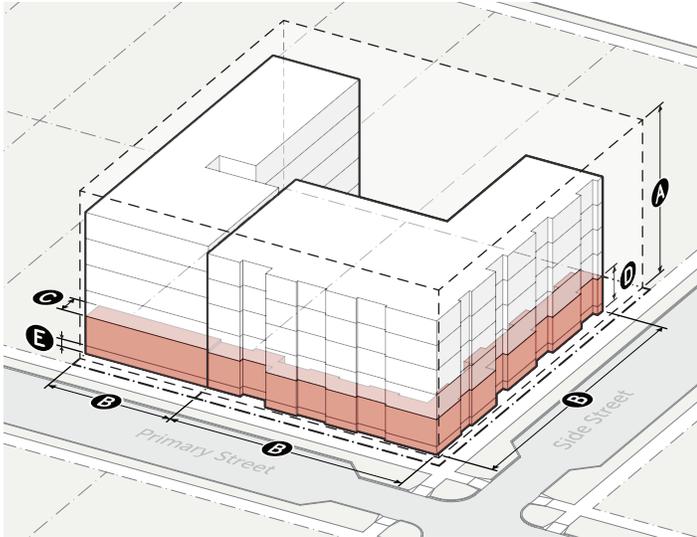
### A. SITE



<b>1. Size</b>	Sec. 2.2.2
<b>A</b> Width (min)	
Front access	35'
Side/rear access	15'
<b>2. Dwelling Units</b>	Sec. 2.2.3
Max per site	Unlimited
<b>3. Amenity</b>	Sec. 2.2.4
<b>B</b> Outdoor amenity space (min)	10%
<b>4. Walls &amp; Fences</b>	Sec. 2.2.5
Front yard height (max)	Type C4   6'
Side street yard height (max)	Type C4   6'
Side/rear yard height (max)	Type C5   6'
<b>5. Streetscape</b>	Sec. 2.2.6
<b>C</b> Pedestrian zone (min)	7'
<b>D</b> Furniture zone (min)	6'
Planting strip type	Tree lawn/ grates
Trees in planting strip	30' avg. on center

<b>6. Setbacks</b>	Sec. 2.2.7
<b>E</b> Primary street boundary line (min/ max)	5'/15'
<b>F</b> Side street boundary line (min/ max)	3'/15'
<b>G</b> Rear/side boundary line (min)	0'
Alley boundary line	3' or 20' min
<b>7. Transitions</b>	Sec. 2.2.8
Setback from transition boundary line (min)	10'
<b>8. Street Build-Out</b>	Sec. 2.2.9
<b>H</b> Primary street (min)	75%
<b>I</b> Side street (min)	45%
<b>9. Parking Location</b>	Sec. 2.2.10
No parking between the building and the street	

B. MASSING

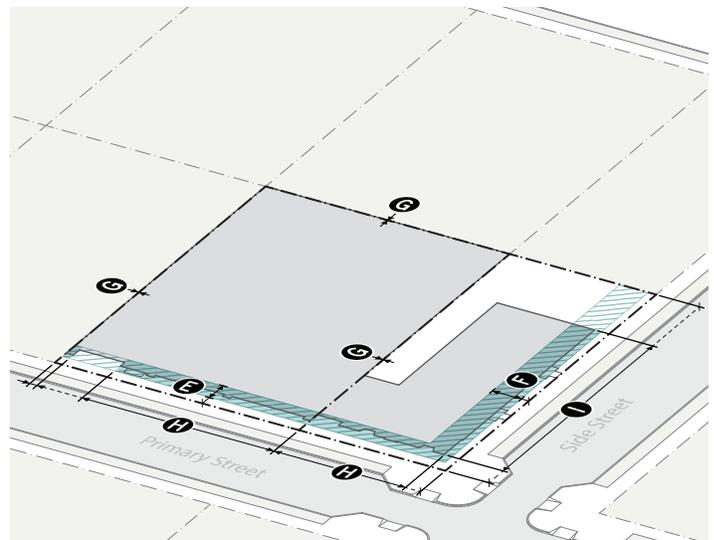


1. Building	Sec. 2.2.11
A Height (max stories/feet)	5/68'
B Width (max)	275'
C Active depth (min)	9'
Dwelling units per building (max)	Unlimited
2. Story Height	Sec. 2.2.12
D Ground story height (min)	10'
E Ground floor elevation (min/max)	2'/5.5'

	Primary St.	Side St.
3. Windows	Sec. 2.2.13	
F Ground story (min)	35%	30%
G Upper story (min)	15%	15%
H Blank wall width (max)	15'	25'
4. Doors	Sec. 2.2.14	
I Street-facing entry spacing (max)	40'	60'

## 2.5.7. CX5 COMMUNITY FLEX 5

### A. SITE

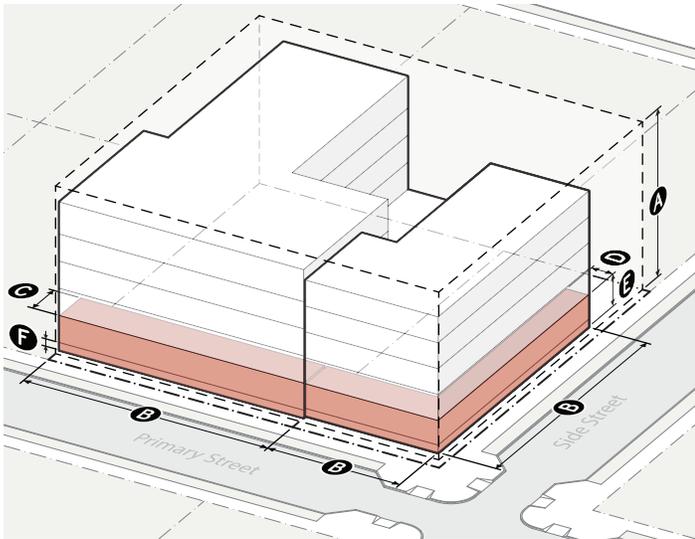


<b>1. Size</b>	Sec. 2.2.2
<b>A</b> Width (min)	
Front access	35'
Side/rear access	15'
<b>2. Dwelling Units</b>	Sec. 2.2.3
Max per site	Unlimited
<b>3. Amenity</b>	Sec. 2.2.4
<b>B</b> Outdoor amenity space (min)	10%
<b>4. Walls &amp; Fences</b>	Sec. 2.2.5
Front yard height (max)	Type C4   6'
Side street yard height (max)	Type C4   6'
Side/rear yard height (max)	Type C5   6'
<b>5. Streetscape</b>	Sec. 2.2.6
<b>C</b> Pedestrian zone (min)	7'
<b>D</b> Furniture zone (min)	6'
Planting strip type	Tree lawn/ grates
Trees in planting strip	30' avg. on center

<b>6. Setbacks</b>	Sec. 2.2.7
<b>E</b> Primary street boundary line (min/ max)	5'/15'
<b>F</b> Side street boundary line (min/ max)	3'/15'
<b>G</b> Rear/side boundary line (min)	0'
Alley boundary line	3' or 20' min
<b>7. Transitions</b>	Sec. 2.2.8
Setback from transition boundary line (min)	10'
<b>8. Street Build-Out</b>	Sec. 2.2.9
<b>H</b> Primary street (min)	75%
<b>I</b> Side street (min)	45%
<b>9. Parking Location</b>	Sec. 2.2.10
No parking between the building and the street	

CX5

B. MASSING



1. Building	Sec. 2.2.11
A Height (max stories/feet)	5/68'
B Width (max)	275'
Active depth (min)	
C Primary street	15'
D Side street	9'
Dwelling units per building (max)	Unlimited
2. Story Height	Sec. 2.2.12
E Ground story height (min)	10'
F Ground floor elevation (min/max)	
Residential	2'/5.5'
Nonresidential	-2'/5.5'

	Primary St.	Side St.
3. Windows	Sec. 2.2.13	
G Ground story (min)		
Residential	35%	30%
Nonresidential	50%	30%
H Upper story (min)	15%	15%
I Blank wall width (max)	15'	25'
4. Doors	Sec. 2.2.14	
J Street-facing entry spacing (max)	40'	60'

### 2.5.8. Summary of Allowed Uses

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

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

## Div. 2.6. Urban Flex



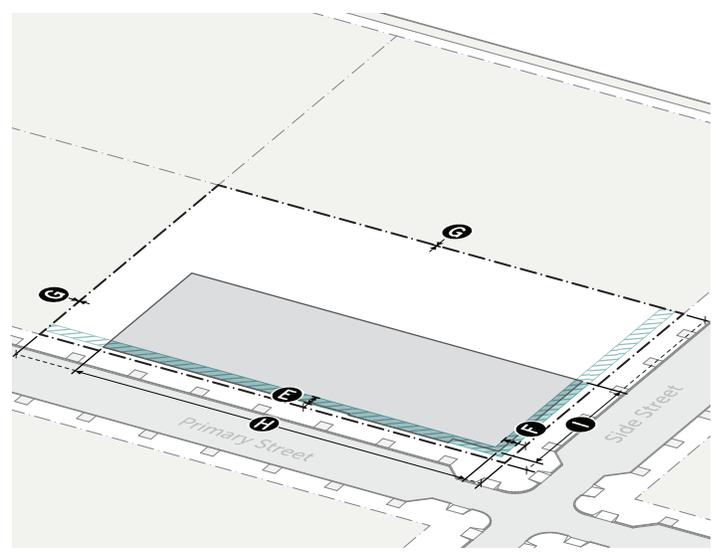
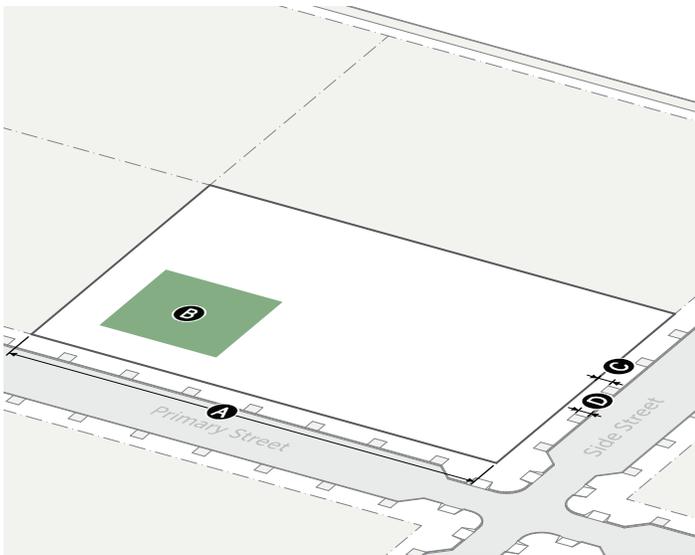
### 2.6.1. Intent

Moderate intensity mixed-use, office and residential buildings intended to accommodate a variety of residential, retail, service and commercial uses in a vibrant, pedestrian-friendly environment.

UX3	UX4	UX5
No density restrictions	No density restrictions	No density restrictions
15' site width	15' site width	15' site width
3 stories/42' in height	4 stories/55' in height	5 stories/68' in height
275' building width	275' building width	275' building width

## 2.6.2. UX3 URBAN FLEX 3

### A. SITE

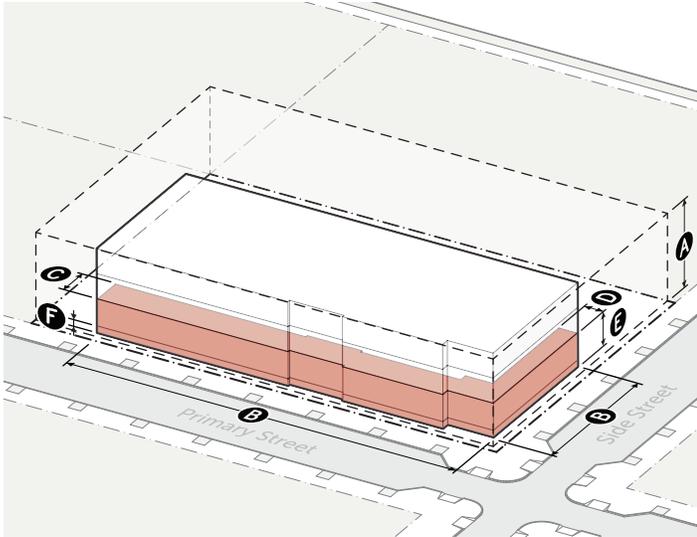


<b>1. Size</b>	<b>Sec. 2.2.2</b>
<b>A</b> Width (min)	
Front access	35'
Side/rear access	15'
<b>2. Dwelling Units</b>	<b>Sec. 2.2.3</b>
Max per site	Unlimited
<b>3. Amenity</b>	<b>Sec. 2.2.4</b>
<b>B</b> Outdoor amenity space (min)	10%
<b>4. Walls &amp; Fences</b>	<b>Sec. 2.2.5</b>
Front yard height (max)	Type C4   6'
Side street yard height (max)	Type C4   6'
Side/rear yard height (max)	Type C6   8'
<b>5. Streetscape</b>	<b>Sec. 2.2.6</b>
<b>C</b> Pedestrian zone (min)	7'
<b>D</b> Furniture zone (min)	6'
Planting strip type	Grates
Trees in planting strip	30' avg. on center

<b>6. Setbacks</b>	<b>Sec. 2.2.7</b>
<b>E</b> Primary street boundary line (min/max)	3'/10'
<b>F</b> Side street boundary line (min/max)	3'/10'
<b>G</b> Rear/side boundary line (min)	0'
Alley boundary line	3' or 20' min
<b>7. Transitions</b>	<b>Sec. 2.2.8</b>
Setback from transition boundary line (min)	10'
<b>8. Street Build-Out</b>	<b>Sec. 2.2.9</b>
<b>H</b> Primary street (min)	75%
<b>I</b> Side street (min)	45%
<b>9. Parking Location</b>	<b>Sec. 2.2.10</b>
No parking between the building and the street	

UX3

B. MASSING

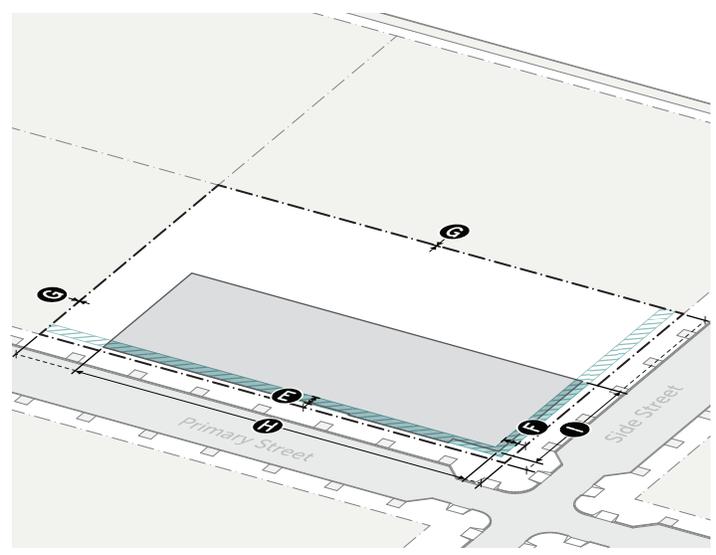
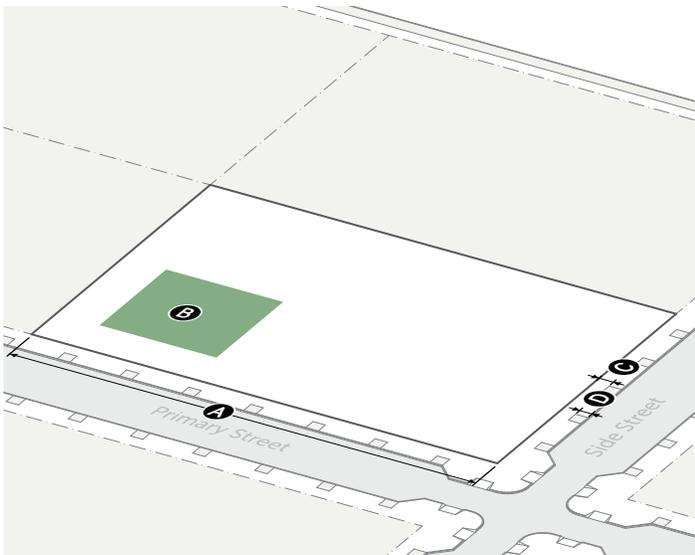


1. Building	Sec. 2.2.11
A Height (max stories/feet)	3/42'
B Width (max)	275'
Active depth (min)	
C Primary street	15'
D Side street	9'
Dwelling units per building (max)	Unlimited
2. Story Height	Sec. 2.2.12
E Ground story height (min)	
Residential	10'
Nonresidential	12'
F Ground floor elevation (min/max)	
Residential	2'/5.5'
Nonresidential	-2'/5.5'

	Primary St.	Side St.
3. Windows	Sec. 2.2.13	
G Ground story (min)		
Residential	35%	30%
Nonresidential	50%	35%
H Upper story (min)	15%	15%
I Blank wall width (max)	20'	30'
4. Doors	Sec. 2.2.14	
J Street-facing entry spacing (max)	75'	100'

## 2.6.3. UX4 URBAN FLEX 4

### A. SITE

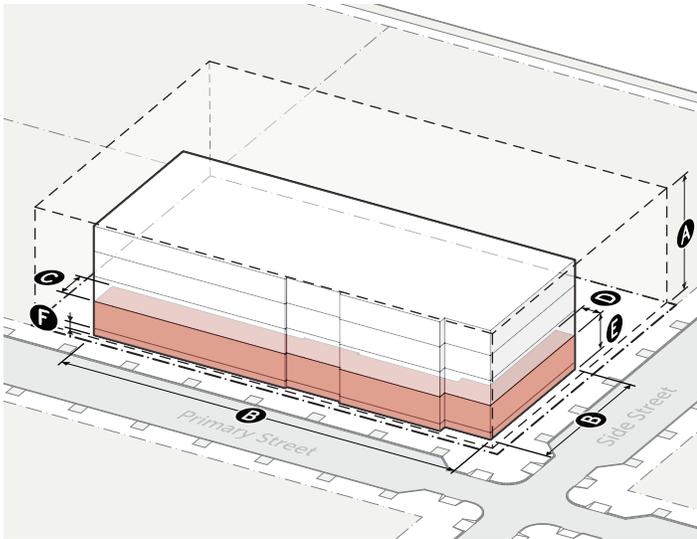


<b>1. Size</b>	<b>Sec. 2.2.2</b>
<b>A</b> Width (min)	
Front access	35'
Side/rear access	15'
<b>2. Dwelling Units</b>	<b>Sec. 2.2.3</b>
Max per site	Unlimited
<b>3. Amenity</b>	<b>Sec. 2.2.4</b>
<b>B</b> Outdoor amenity space (min)	10%
<b>4. Walls &amp; Fences</b>	<b>Sec. 2.2.5</b>
Front yard height (max)	Type C4   6'
Side street yard height (max)	Type C4   6'
Side/rear yard height (max)	Type C6   8'
<b>5. Streetscape</b>	<b>Sec. 2.2.6</b>
<b>C</b> Pedestrian zone (min)	7'
<b>D</b> Furniture zone (min)	6'
Planting strip type	Grates
Trees in planting strip	30' avg. on center

<b>6. Setbacks</b>	<b>Sec. 2.2.7</b>
<b>E</b> Primary street boundary line (min/max)	3'/10'
<b>F</b> Side street boundary line (min/max)	3'/10'
<b>G</b> Rear/side boundary line (min)	0'
Alley boundary line	3' or 20' min
<b>7. Transitions</b>	<b>Sec. 2.2.8</b>
Setback from transition boundary line (min)	10'
<b>8. Street Build-Out</b>	<b>Sec. 2.2.9</b>
<b>H</b> Primary street (min)	75%
<b>I</b> Side street (min)	45%
<b>9. Parking Location</b>	<b>Sec. 2.2.10</b>
No parking between the building and the street	

UX4

B. MASSING

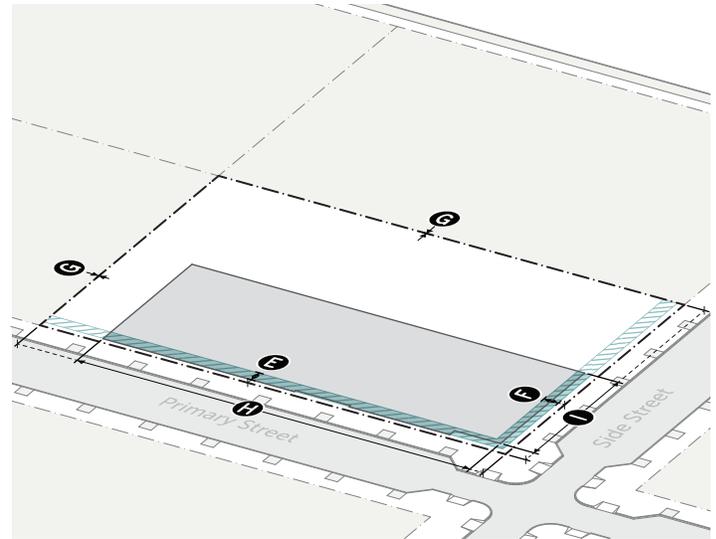
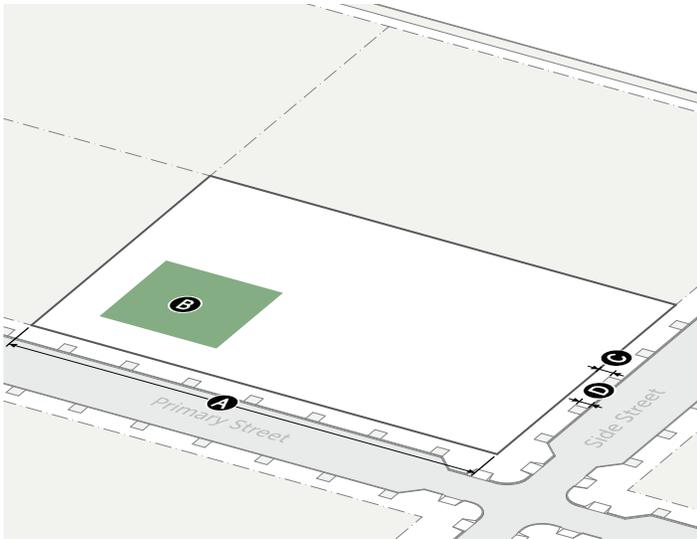


1. Building	Sec. 2.2.11
A Height (max stories/feet)	4/55'
B Width (max)	275'
Active depth (min)	
C Primary street	15'
D Side street	9'
Dwelling units per building (max)	Unlimited
2. Story Height	Sec. 2.2.12
E Ground story height (min)	
Residential	10'
Nonresidential	12'
F Ground floor elevation (min/max)	
Residential	2'/5.5'
Nonresidential	-2'/5.5'

	Primary St.	Side St.
3. Windows	Sec. 2.2.13	
G Ground story (min)		
Residential	35%	30%
Nonresidential	50%	35%
H Upper story (min)	15%	15%
I Blank wall width (max)	20'	30'
4. Doors	Sec. 2.2.14	
J Street-facing entry spacing (max)	75'	100'

## 2.6.4. UX5 URBAN FLEX 5

### A. SITE

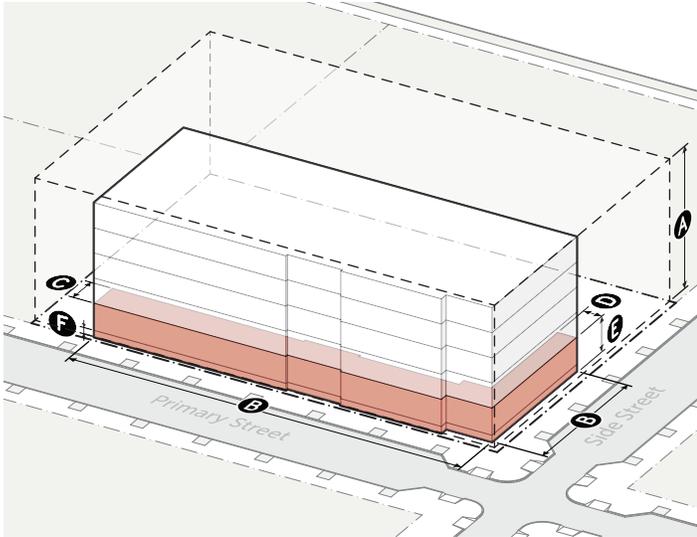


<b>1. Size</b>	<b>Sec. 2.2.2</b>
<b>A</b> Width (min)	
Front access	35'
Side/rear access	15'
<b>2. Dwelling Units</b>	<b>Sec. 2.2.3</b>
Max per site	Unlimited
<b>3. Amenity</b>	<b>Sec. 2.2.4</b>
<b>B</b> Outdoor amenity space (min)	10%
<b>4. Walls &amp; Fences</b>	<b>Sec. 2.2.5</b>
Front yard height (max)	Type C4   6'
Side street yard height (max)	Type C4   6'
Side/rear yard height (max)	Type C6   8'
<b>5. Streetscape</b>	<b>Sec. 2.2.6</b>
<b>C</b> Pedestrian zone (min)	7'
<b>D</b> Furniture zone (min)	6'
Planting strip type	Grates
Trees in planting strip	30' avg. on center

<b>6. Setbacks</b>	<b>Sec. 2.2.7</b>
<b>E</b> Primary street boundary line (min/max)	3'/10'
<b>F</b> Side street boundary line (min/max)	3'/10'
<b>G</b> Rear/side boundary line (min)	0'
Alley boundary line	3' or 20' min
<b>7. Transitions</b>	<b>Sec. 2.2.8</b>
Setback from transition boundary line (min)	10'
<b>8. Street Build-Out</b>	<b>Sec. 2.2.9</b>
<b>H</b> Primary street (min)	75%
<b>I</b> Side street (min)	45%
<b>9. Parking Location</b>	<b>Sec. 2.2.10</b>
No parking between the building and the street	

UX5

B. MASSING



1. Building	Sec. 2.2.11
A Height (max stories/feet)	5/68'
B Width (max)	275'
Active depth (min)	
C Primary street	15'
D Side street	9'
Dwelling units per building (max)	Unlimited
2. Story Height	Sec. 2.2.12
E Ground story height (min)	
Residential	10'
Nonresidential	12'
F Ground floor elevation (min/max)	
Residential	2'/5.5'
Nonresidential	-2'/5.5'

	Primary St.	Side St.
3. Windows	Sec. 2.2.13	
G Ground story (min)		
Residential	35%	30%
Nonresidential	50%	35%
H Upper story (min)	15%	15%
I Blank wall width (max)	20'	30'
4. Doors	Sec. 2.2.14	
J Street-facing entry spacing (max)	75'	100'

### 2.6.5. Summary of Allowed Uses

		Summary of Use Standards	Add. Stds.
<b>1. Residential</b>			
Household Living	P		
Group Living	P		
Social Services	C		
<b>2. Open</b>			
Parks & Open Space	P		
Urban Agriculture	P*		3.2.3.C
<b>3. Public</b>			
Community Service	P		
Day Care	P		
Education	P		
Government	P		
Religious Assembly	P		
Transit Station	P		
<b>4. Commercial</b>			
Adult Entertainment	--		
Animal Care	P*	Location: Indoor only	3.2.3.G
Auto-Related	--		
Eating & Drinking	P		
Indoor Entertainment	P		
Lodging	P		
Medical Hospital	C		
Medical Laboratory	P		
Medical Services	P		
Office	P		
Outdoor Recreation	--		
Personal Service	P		
Retail	P		
Self-Storage	--		
Vehicle Sales & Rental	P*	Location: Indoor only	3.2.3.O
<b>5. Industrial</b>			
Heavy Industrial	--		
Light Industrial	--		
Makerspace	P*	Tenant size: 5,000 SF max	3.2.3.P
Research & Development	--		
Warehouse & Distribution	--		

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

## Div. 2.7. Urban Node



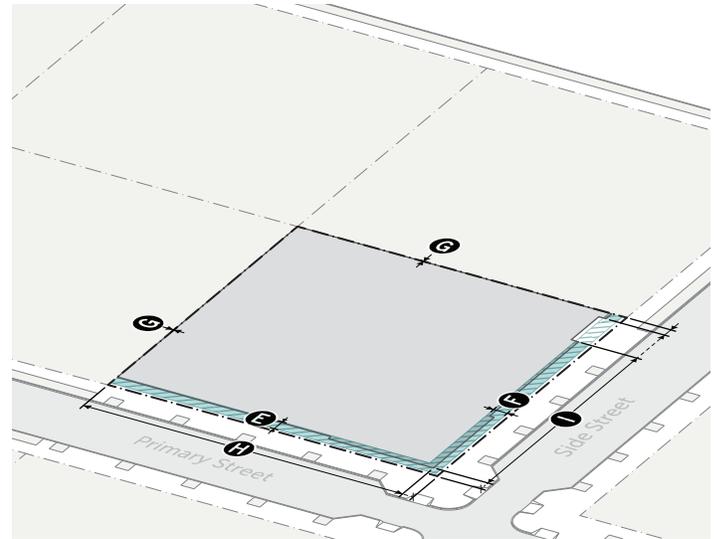
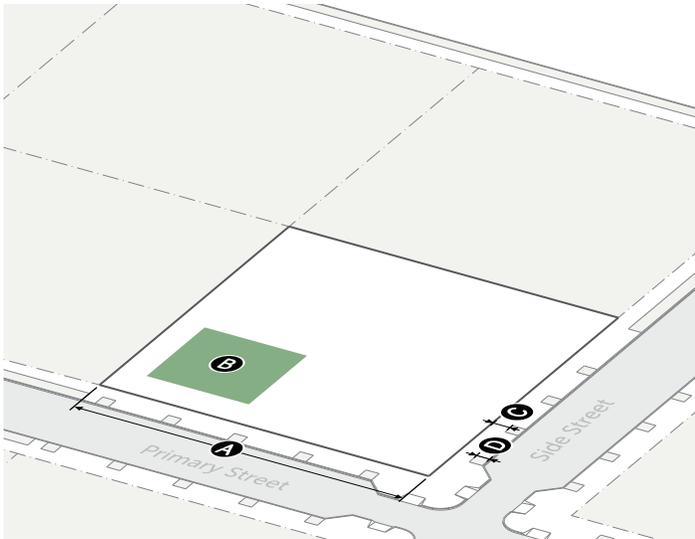
### 2.7.1. Intent

Moderate intensity mixed-use buildings intended to accommodate a variety of residential, retail, service and commercial building uses in a vibrant, pedestrian-friendly storefront environment. Uses are flexible but tall ground floors with large areas of transparent glazing are required to accommodate retail-ready ground stories.

UN3	UN4	UN5
No density restrictions	No density restrictions	No density restrictions
15' site width	15' site width	15' site width
3 stories/42' in height	4 stories/55' in height	5 stories/68' in height
175' building width	175' building width	175' building width

## 2.7.2. UN3 URBAN NODE 3

### A. SITE

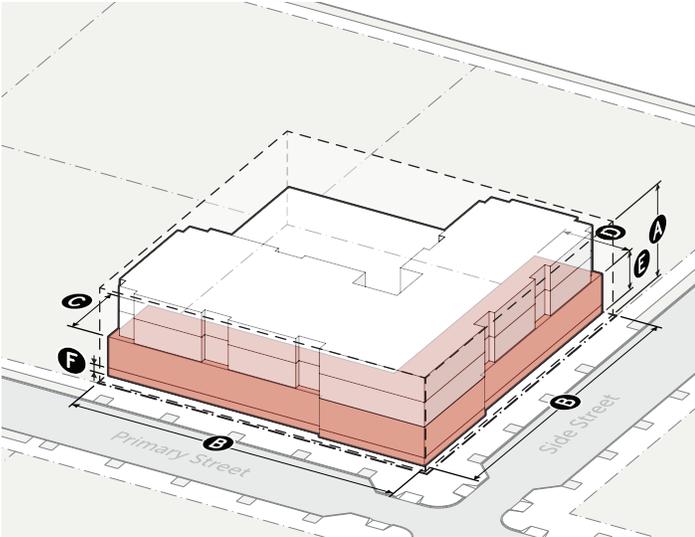


<b>1. Size</b>	Sec. 2.2.2
<b>A</b> Width (min)	
Front access	60'
Side/rear access	15'
<b>2. Dwelling Units</b>	Sec. 2.2.3
Max per site	Unlimited
<b>3. Amenity</b>	Sec. 2.2.4
<b>B</b> Outdoor amenity space (min)	10%
<b>4. Walls &amp; Fences</b>	Sec. 2.2.5
Front yard height (max)	Type C1   0'
Side street yard height (max)	Type C1   0'
Side/rear yard height (max)	Type C6   8'
<b>5. Streetscape</b>	Sec. 2.2.6
<b>C</b> Pedestrian zone (min)	8'
<b>D</b> Furniture zone (min)	6'
Planting strip type	Grates
Trees in planting strip	30' avg. on center

<b>6. Setbacks</b>	Sec. 2.2.7
<b>E</b> Primary street boundary line (min/max)	2'/10'
<b>F</b> Side street boundary line (min/max)	2'/10'
<b>G</b> Rear/side boundary line (min)	0'
Alley boundary line	3' or 20' min
<b>7. Transitions</b>	Sec. 2.2.8
Setback from transition boundary line (min)	10'
<b>8. Street Build-Out</b>	Sec. 2.2.9
<b>H</b> Primary street (min)	85%
<b>I</b> Side street (min)	65%
<b>9. Parking Location</b>	Sec. 2.2.10
No parking between the building and the street	

UN3

B. MASSING

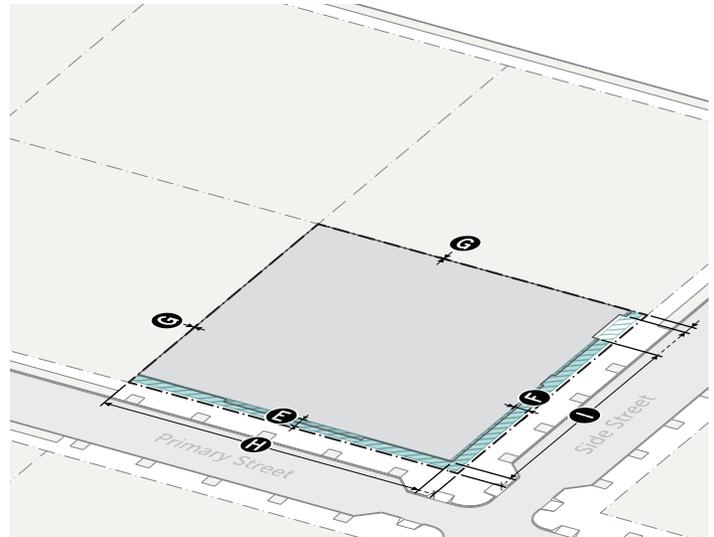
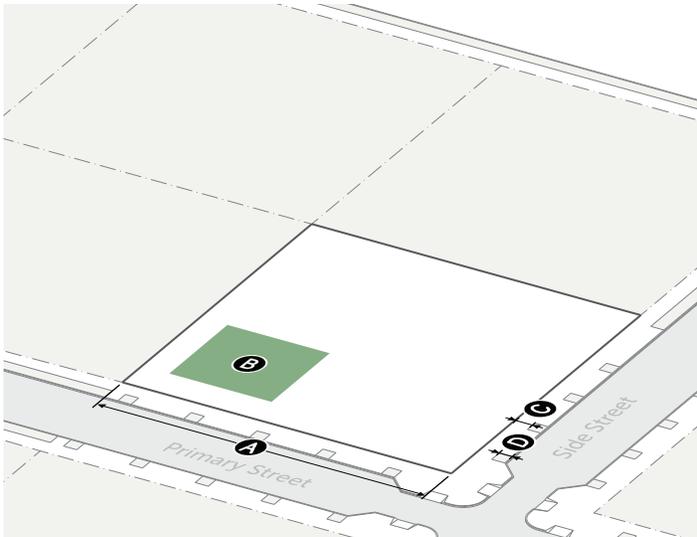


1. Building		Sec. 2.2.11
A	Height (max stories/feet)	3/42'
B	Width (max)	175'
	Active depth (min)	
C	Primary street	30'
D	Side street	15'
	Dwelling units per building (max)	Unlimited
2. Story Height		Sec. 2.2.12
E	Ground story height (min)	
	Residential	10'
	Nonresidential	12'
F	Ground floor elevation (min/max)	-2'/5.5'

	Primary St.	Side St.
3. Windows		
Sec. 2.2.13		
G	Ground story (min)	70% 35%
H	Upper story (min)	15% 15%
I	Blank wall width (max)	10' 20'
4. Doors		
Sec. 2.2.14		
J	Street-facing entry spacing (max)	35' 60'

### 2.7.3. UN4 URBAN NODE 4

#### A. SITE

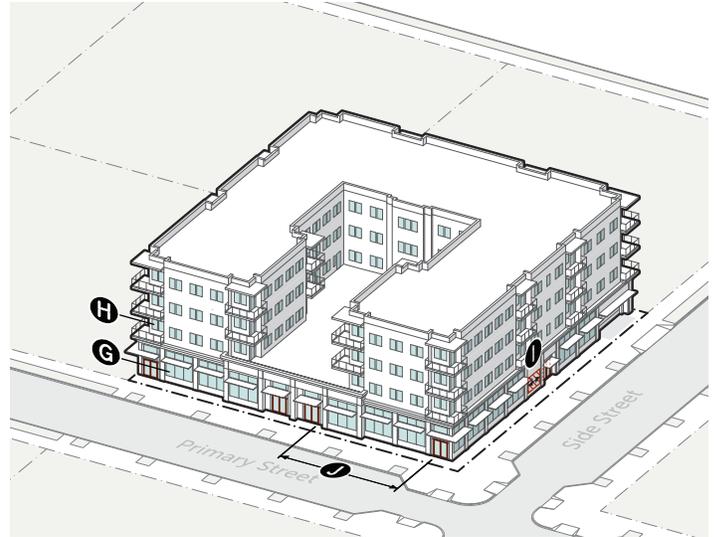
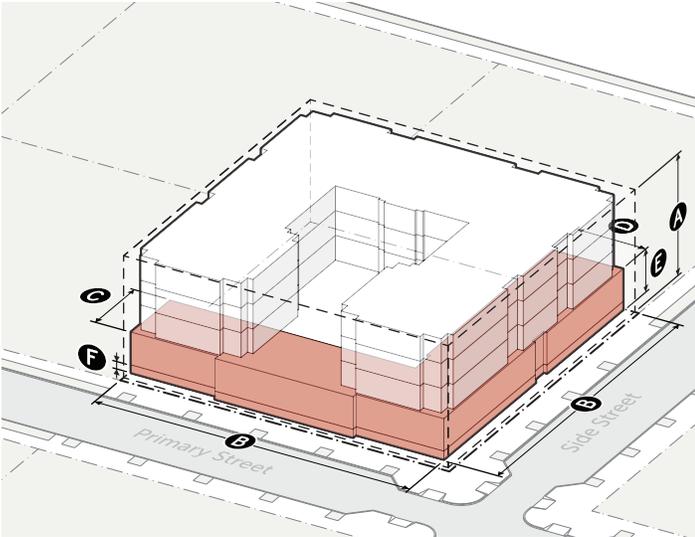


<b>1. Size</b>	Sec. 2.2.2
<b>A</b> Width (min)	
Front access	60'
Side/rear access	15'
<b>2. Dwelling Units</b>	Sec. 2.2.3
Max per site	Unlimited
<b>3. Amenity</b>	Sec. 2.2.4
<b>B</b> Outdoor amenity space (min)	10%
<b>4. Walls &amp; Fences</b>	Sec. 2.2.5
Front yard height (max)	Type C1   0'
Side street yard height (max)	Type C1   0'
Side/rear yard height (max)	Type C6   8'
<b>5. Streetscape</b>	Sec. 2.2.6
<b>C</b> Pedestrian zone (min)	8'
<b>D</b> Furniture zone (min)	6'
Planting strip type	Grates
Trees in planting strip	30' avg. on center

<b>6. Setbacks</b>	Sec. 2.2.7
<b>E</b> Primary street boundary line (min/max)	2'/10'
<b>F</b> Side street boundary line (min/max)	2'/10'
<b>G</b> Rear/side boundary line (min)	0'
Alley boundary line	3' or 20' min
<b>7. Transitions</b>	Sec. 2.2.8
Setback from transition boundary line (min)	10'
<b>8. Street Build-Out</b>	Sec. 2.2.9
<b>H</b> Primary street (min)	85%
<b>I</b> Side street (min)	65%
<b>9. Parking Location</b>	Sec. 2.2.10
No parking between the building and the street	

UN4

B. MASSING

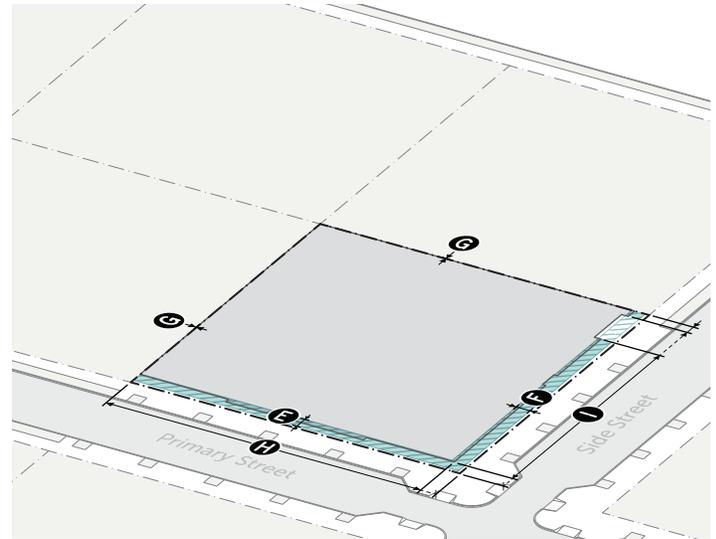
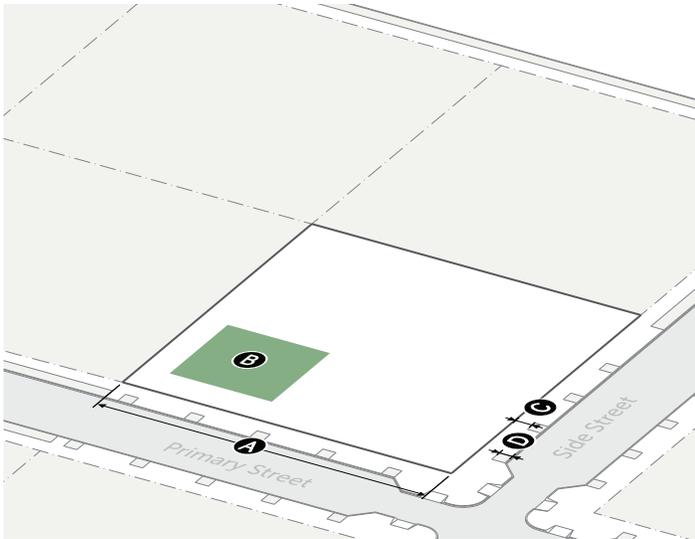


1. Building	Sec. 2.2.11
A Height (max stories/feet)	4/55'
B Width (max)	175'
Active depth (min)	
C Primary street	30'
D Side street	15'
Dwelling units per building (max)	Unlimited
2. Story Height	Sec. 2.2.12
E Ground story height (min)	
Residential	10'
Nonresidential	12'
F Ground floor elevation (min/max)	-2'/5.5'

	Primary St.	Side St.
3. Windows	Sec. 2.2.13	
G Ground story (min)	70%	35%
H Upper story (min)	15%	15%
I Blank wall width (max)	10'	20'
4. Doors	Sec. 2.2.14	
J Street-facing entry spacing (max)	35'	60'

## 2.7.4. UN5 URBAN NODE 5

### A. SITE

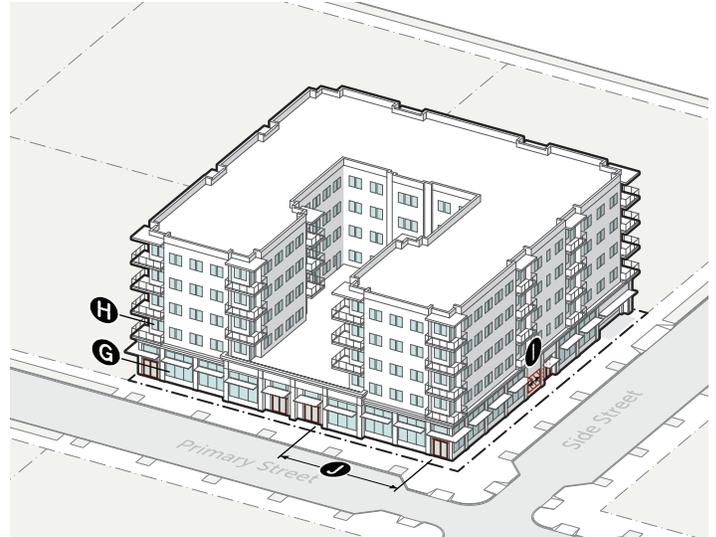
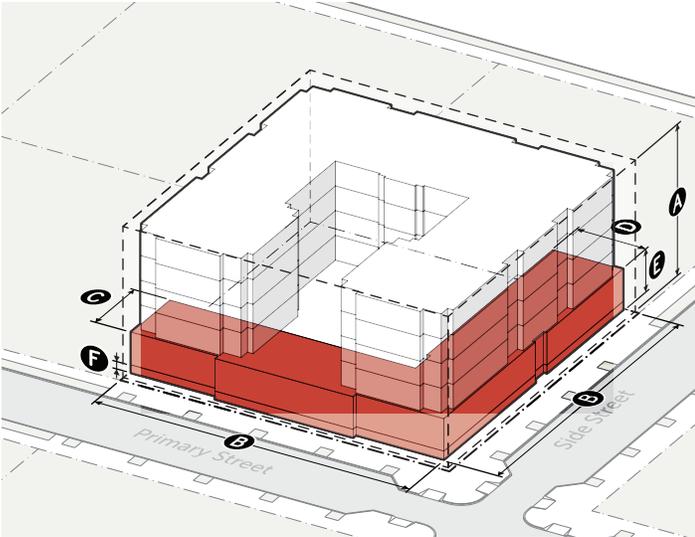


<b>1. Size</b>	Sec. 2.2.2
<b>A</b> Width (min)	
Front access	60'
Side/rear access	15'
<b>2. Dwelling Units</b>	Sec. 2.2.3
Max per site	Unlimited
<b>3. Amenity</b>	Sec. 2.2.4
<b>B</b> Outdoor amenity space (min)	10%
<b>4. Walls &amp; Fences</b>	Sec. 2.2.5
Front yard height (max)	Type C1   0'
Side street yard height (max)	Type C1   0'
Side/rear yard height (max)	Type C6   8'
<b>5. Streetscape</b>	Sec. 2.2.6
<b>C</b> Pedestrian zone (min)	8'
<b>D</b> Furniture zone (min)	6'
Planting strip type	Grates
Trees in planting strip	30' avg. on center

<b>6. Setbacks</b>	Sec. 2.2.7
<b>E</b> Primary street boundary line (min/max)	2'/10'
<b>F</b> Side street boundary line (min/max)	2'/10'
<b>G</b> Rear/side boundary line (min)	0'
Alley boundary line	3' or 20' min
<b>7. Transitions</b>	Sec. 2.2.8
Setback from transition boundary line (min)	10'
<b>8. Street Build-Out</b>	Sec. 2.2.9
<b>H</b> Primary street (min)	85%
<b>I</b> Side street (min)	65%
<b>9. Parking Location</b>	Sec. 2.2.10
No parking between the building and the street	

UN5

B. MASSING



1. Building	Sec. 2.2.11
A Height (max stories/feet)	5/68'
B Width (max)	175'
Active depth (min)	
C Primary street	30'
D Side street	15'
Dwelling units per building (max)	Unlimited
2. Story Height	Sec. 2.2.12
E Ground story height (min)	
Residential	10'
Nonresidential	12'
F Ground floor elevation (min/max)	-2'/5.5'

	Primary St.	Side St.
3. Windows	Sec. 2.2.13	
G Ground story (min)	70%	35%
H Upper story (min)	15%	15%
I Blank wall width (max)	10'	20'
4. Doors	Sec. 2.2.14	
J Street-facing entry spacing (max)	35'	60'

## 2.7.5. Summary of Allowed Uses

		Summary of Use Standards	Add. Stds.
<b>1. Residential</b>			
Household Living	<b>P*</b>	Location: Upper-stories only	3.2.3.A
Group Living	<b>P</b>		
Social Services	<b>C</b>		
<b>2. Open</b>			
Parks & Open Space	<b>P</b>		
Urban Agriculture	<b>P*</b>		3.2.3.C
<b>3. Public</b>			
Community Service	<b>P</b>		
Day Care	<b>P</b>		
Education	<b>P</b>		
Government	<b>P</b>		
Religious Assembly	<b>P</b>		
Transit Station	<b>P</b>		
<b>4. Commercial</b>			
Adult Entertainment	--		
Animal Care	<b>P*</b>	Location: Indoor only	3.2.3.G
Auto-Related	--		
Eating & Drinking	<b>P</b>		
Indoor Entertainment	<b>P</b>		
Lodging	<b>P</b>		
Medical Hospital	--		
Medical Laboratory	--		
Medical Services	<b>P</b>		
Office	<b>P</b>		
Outdoor Recreation	--		
Personal Service	<b>P</b>		
Retail	<b>P</b>		
Self-Storage	--		
Vehicle Sales & Rental	<b>P*</b>	Location: Indoor only	3.2.3.O
<b>5. Industrial</b>			
Heavy Industrial	--		
Light Industrial	--		
Makerspace	<b>P*</b>	Tenant size: 5,000 SF max	3.2.3.P
Research & Development	--		
Warehouse & Distribution	--		

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

## Div. 2.8. Industrial Flex



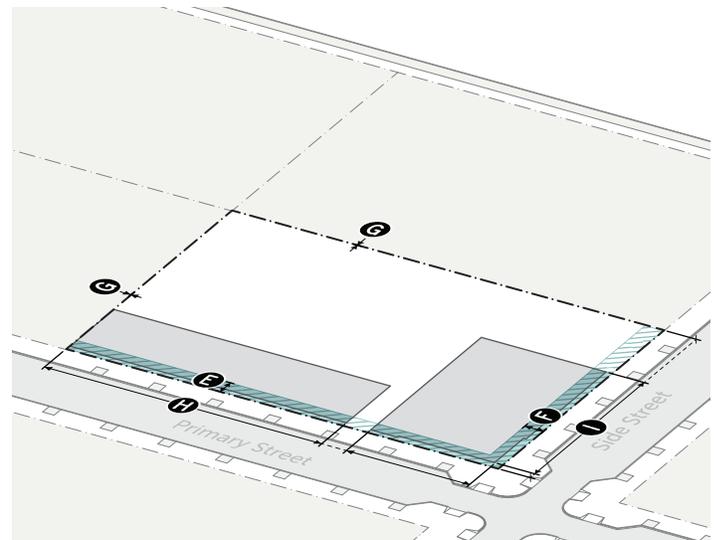
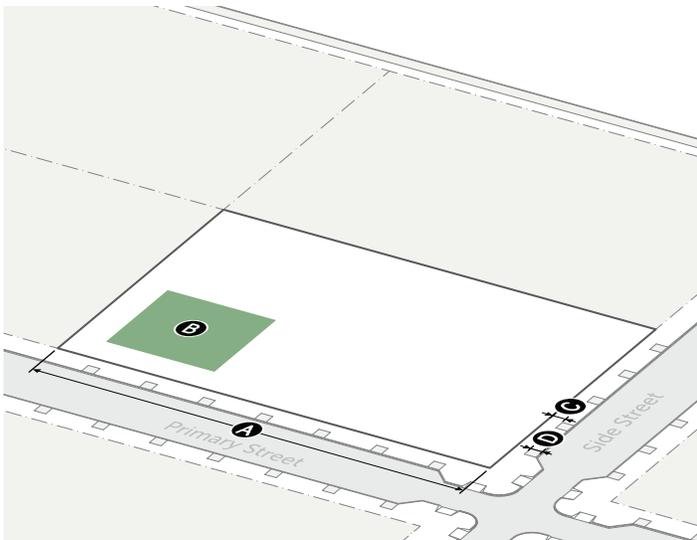
### 2.8.1. Intent

Moderate intensity buildings intended to accommodate a variety of light industrial and manufacturing uses while allowing for retail, service and commercial activity and residential opportunities in a vibrant pedestrian-friendly environment. Uses are flexible but tall ground floors required to accommodate a variety of land use activity.

IX3	IX5	IX7
No density restrictions	No density restrictions	No density restrictions
15' site width	15' site width	15' site width
3 stories/42' in height	5 stories/68' in height	7 stories/94' in height
275' building width	275' building width	275' building width

## 2.8.2. IX3 INDUSTRIAL FLEX 3

### A. SITE

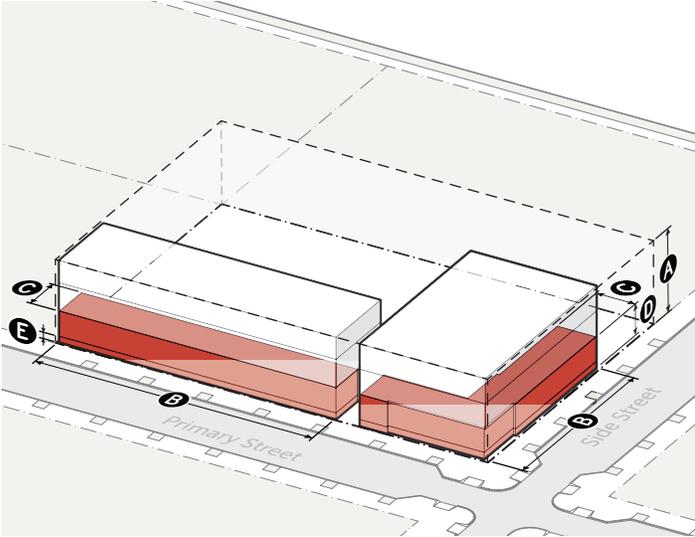


<b>1. Size</b>	<b>Sec. 2.2.2</b>
<b>A</b> Width (min)	
Front access	60'
Side/rear access	15'
<b>2. Dwelling Units</b>	<b>Sec. 2.2.3</b>
Max per site	Unlimited
<b>3. Amenity</b>	<b>Sec. 2.2.4</b>
<b>B</b> Outdoor amenity space (min)	10%
<b>4. Walls &amp; Fences</b>	<b>Sec. 2.2.5</b>
Front yard height (max)	Type C4   6'
Side street yard height (max)	Type C4   6'
Side/rear yard height (max)	Type C6   8'
<b>5. Streetscape</b>	<b>Sec. 2.2.6</b>
<b>C</b> Pedestrian zone (min)	7'
<b>D</b> Furniture zone (min)	6'
Planting strip type	Grates
Trees in planting strip	30' avg. on center

<b>6. Setbacks</b>	<b>Sec. 2.2.7</b>
<b>E</b> Primary street boundary line (min/max)	0'/10'
<b>F</b> Side street boundary line (min/max)	0'/10'
<b>G</b> Rear/side boundary line (min)	0'
Alley boundary line	3' or 20' min
<b>7. Transitions</b>	<b>Sec. 2.2.8</b>
Setback from transition boundary line (min)	10'
<b>8. Street Build-Out</b>	<b>Sec. 2.2.9</b>
<b>H</b> Primary street (min)	75%
<b>I</b> Side street (min)	45%
<b>9. Parking Location</b>	<b>Sec. 2.2.10</b>
No parking between the building and the street	

IX3

B. MASSING

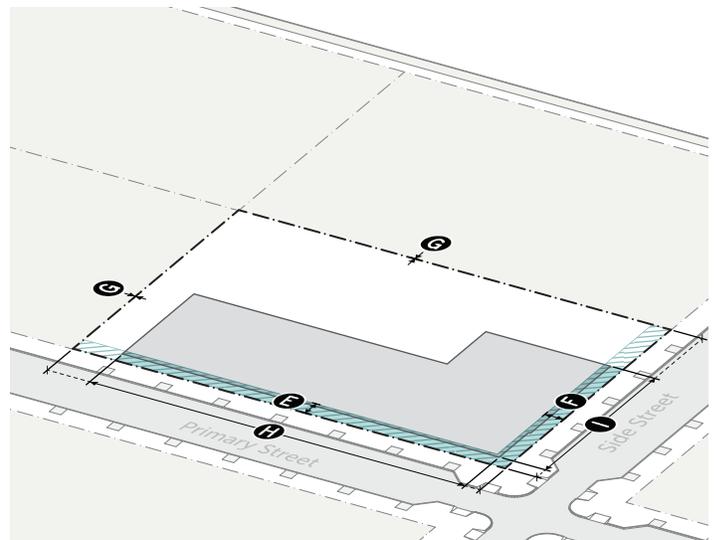
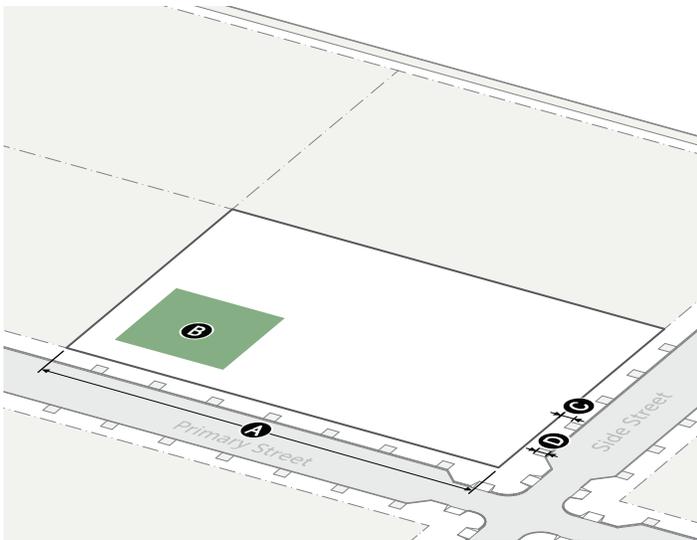


1. Building		Sec. 2.2.11
A	Height (max stories/feet)	3/42'
B	Width (max)	275'
C	Active depth (min)	15'
	Dwelling units per building (max)	Unlimited
2. Story Height		Sec. 2.2.12
D	Ground story height (min)	13'
E	Ground floor elevation (min/max)	-2'/5.5'

	Primary St.	Side St.
3. Windows		
Sec. 2.2.13		
F	Ground story (min)	50% / 35%
G	Upper story (min)	15% / 15%
H	Blank wall width (max)	20' / 40'
4. Doors		
Sec. 2.2.14		
I	Street-facing entry spacing (max)	50' / 75'

### 2.8.3. IX5 INDUSTRIAL FLEX 5

#### A. SITE

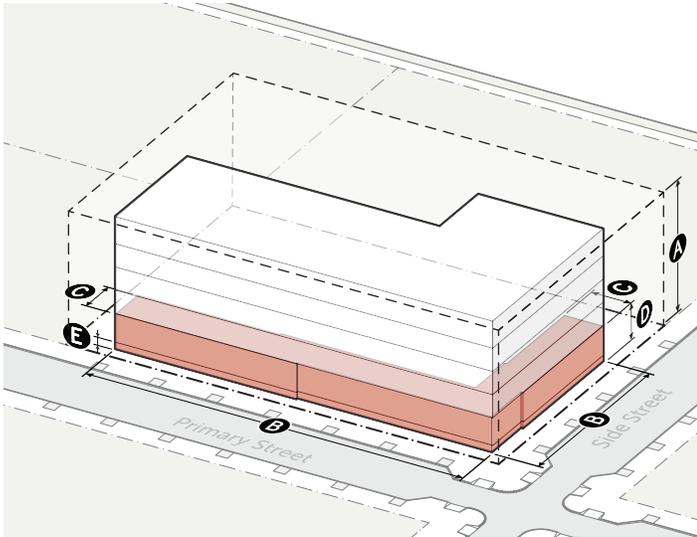


<b>1. Size</b>	<b>Sec. 2.2.2</b>
<b>A</b> Width (min)	
Front access	60'
Side/rear access	15'
<b>2. Dwelling Units</b>	<b>Sec. 2.2.3</b>
Max per site	Unlimited
<b>3. Amenity</b>	<b>Sec. 2.2.4</b>
<b>B</b> Outdoor amenity space (min)	10%
<b>4. Walls &amp; Fences</b>	<b>Sec. 2.2.5</b>
Front yard height (max)	Type C4   6'
Side street yard height (max)	Type C4   6'
Side/rear yard height (max)	Type C6   8'
<b>5. Streetscape</b>	<b>Sec. 2.6.6</b>
<b>C</b> Pedestrian zone (min)	7'
<b>D</b> Furniture zone (min)	6'
Planting strip type	Grates
Trees in planting strip	30' avg. on center

<b>6. Setbacks</b>	<b>Sec. 2.2.7</b>
<b>E</b> Primary street boundary line (min/max)	0'/10'
<b>F</b> Side street boundary line (min/max)	0'/10'
<b>G</b> Rear/side boundary line (min)	0'
Alley boundary line	3' or 20' min
<b>7. Transitions</b>	<b>Sec. 2.2.8</b>
Setback from transition boundary line (min)	10'
<b>8. Street Build-Out</b>	<b>Sec. 2.2.9</b>
<b>H</b> Primary street (min)	75%
<b>I</b> Side street (min)	45%
<b>9. Parking Location</b>	<b>Sec. 2.2.10</b>
No parking between the building and the street	

IX5

B. MASSING

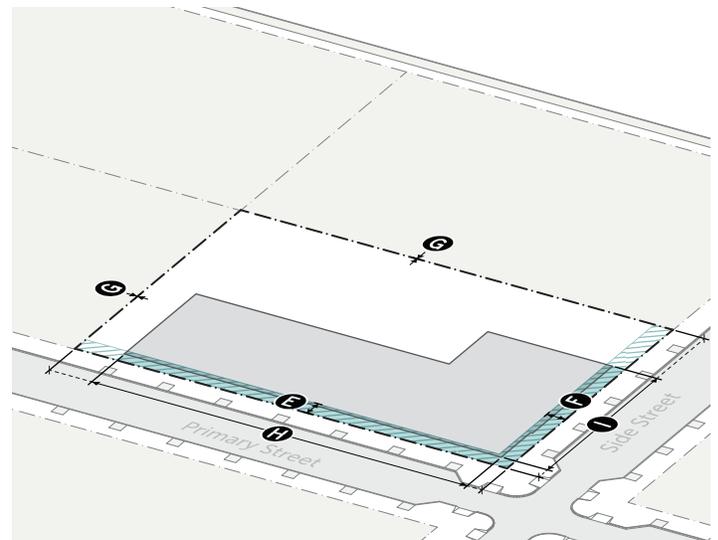
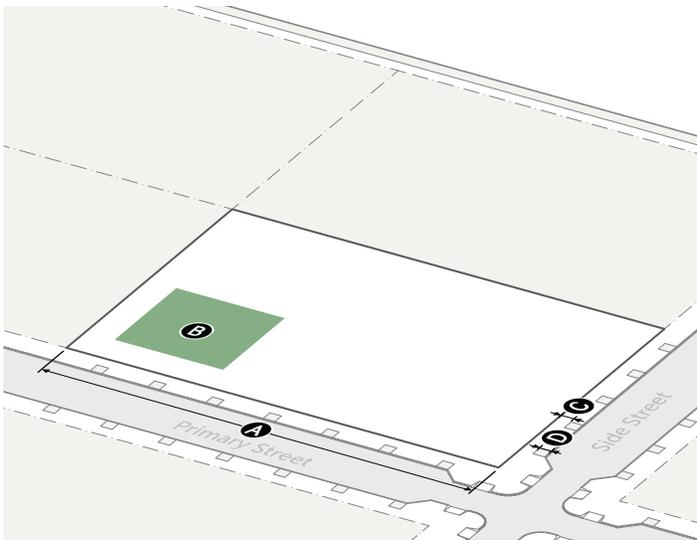


1. Building	Sec. 2.2.11
A Height (max stories/feet)	5/68'
B Width (max)	275'
C Active depth (min)	15'
Dwelling units per building (max)	Unlimited
2. Story Height	Sec. 2.2.12
D Ground story height (min)	13'
E Ground floor elevation (min/max)	-2'/5.5'

	Primary St.	Side St.
3. Windows	Sec. 2.2.13	
F Ground story (min)	50%	35%
G Upper story (min)	15%	15%
H Blank wall width (max)	20'	40'
4. Doors	Sec. 2.2.14	
I Street-facing entry spacing (max)	50'	75'

## 2.8.4. IX7 INDUSTRIAL FLEX 7

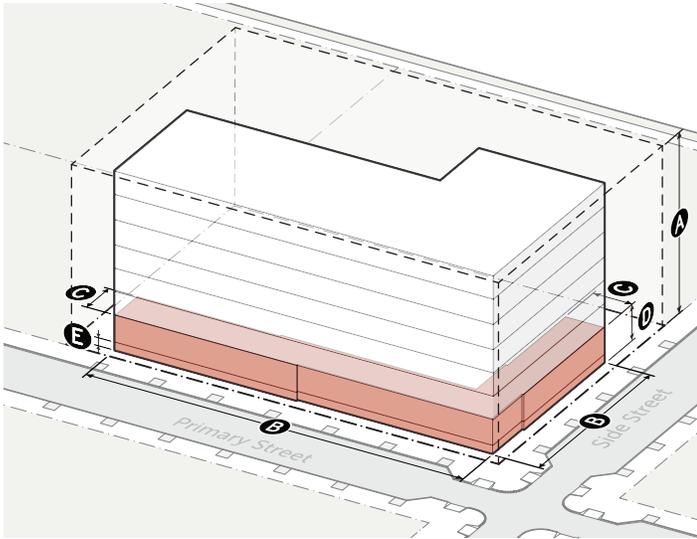
### A. SITE



<b>1. Size</b>	<b>Sec. 2.2.2</b>
<b>A</b> Width (min)	
Front access	60'
Side/rear access	15'
<b>2. Dwelling Units</b>	<b>Sec. 2.2.3</b>
Max per site	Unlimited
<b>3. Amenity</b>	<b>Sec. 2.2.4</b>
<b>B</b> Outdoor amenity space (min)	10%
<b>4. Walls &amp; Fences</b>	<b>Sec. 2.2.5</b>
Front yard height (max)	Type C4   6'
Side street yard height (max)	Type C4   6'
Side/rear yard height (max)	Type C6   8'
<b>5. Streetscape</b>	<b>Sec. 2.2.6</b>
<b>C</b> Pedestrian zone (min)	7'
<b>D</b> Furniture zone (min)	6'
Planting strip type	Grates
Trees in planting strip	30' avg. on center

<b>6. Setbacks</b>	<b>Sec. 2.2.7</b>
<b>E</b> Primary street boundary line (min/max)	0'/10'
<b>F</b> Side street boundary line (min/max)	0'/10'
<b>G</b> Rear/side boundary line (min)	0'
Alley boundary line	3' or 20' min
<b>7. Transitions</b>	<b>Sec. 2.2.8</b>
Setback from transition boundary line (min)	10'
<b>8. Street Build-Out</b>	<b>Sec. 2.2.9</b>
<b>H</b> Primary street (min)	75%
<b>I</b> Side street (min)	45%
<b>9. Parking Location</b>	<b>Sec. 2.2.10</b>
No parking between the building and the street	

B. MASSING



1. Building	Sec. 2.2.11
A Height (max stories/feet)	7/94'
B Width (max)	275'
C Active depth (min)	15'
Dwelling units per building (max)	Unlimited
2. Story Height	Sec. 2.2.12
D Ground story height (min)	13'
E Ground floor elevation (min/max)	-2'/5.5'

	Primary St.	Side St.
3. Windows	Sec. 2.2.13	
F Ground story (min)	50%	35%
G Upper story (min)	15%	15%
H Blank wall width (max)	20'	40'
4. Doors	Sec. 2.2.14	
I Street-facing entry spacing (max)	50'	75'

### 2.8.5. Summary of Allowed Uses

		Summary of Use Standards	Add. Stds.
<b>1. Residential</b>			
Household Living	P		
Group Living	P		
Social Services	C		
<b>2. Open</b>			
Parks & Open Space	P		
Urban Agriculture	P*		3.2.3.C
<b>3. Public</b>			
Community Service	P		
Day Care	P		
Education	P		
Government	P		
Religious Assembly	P		
Transit Station	P		
<b>4. Commercial</b>			
Adult Entertainment	--		
Animal Care	P*	Location: Indoor only	3.2.3.G
Auto-Related	--		
Eating & Drinking	P		
Indoor Entertainment	P		
Lodging	P		
Medical Hospital	C		
Medical Laboratory	P		
Medical Services	P		
Office	P		
Outdoor Recreation	--		
Personal Service	P		
Retail	P		
Self-Storage	--		
Vehicle Sales & Rental	P*	Location: Indoor only	3.2.3.O
<b>5. Industrial</b>			
Heavy Industrial	--		
Light Industrial	P		
Makerspace	P		
Research & Development	P		
Warehouse & Distribution	P		

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

## Div. 2.9. Urban Innovation



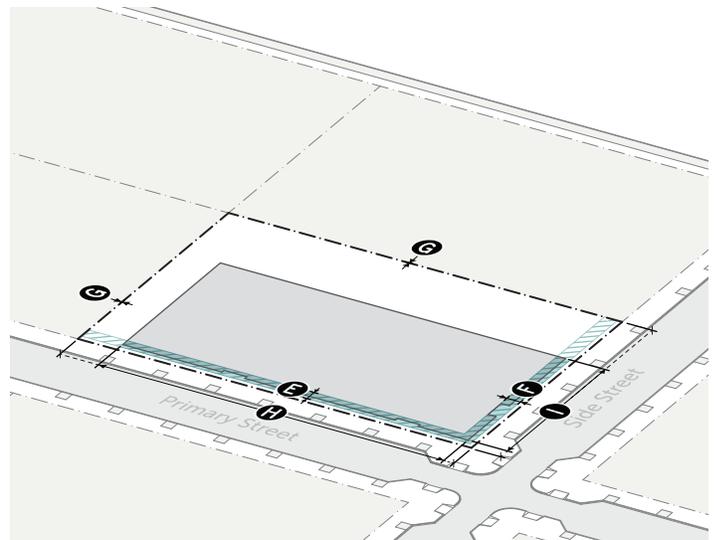
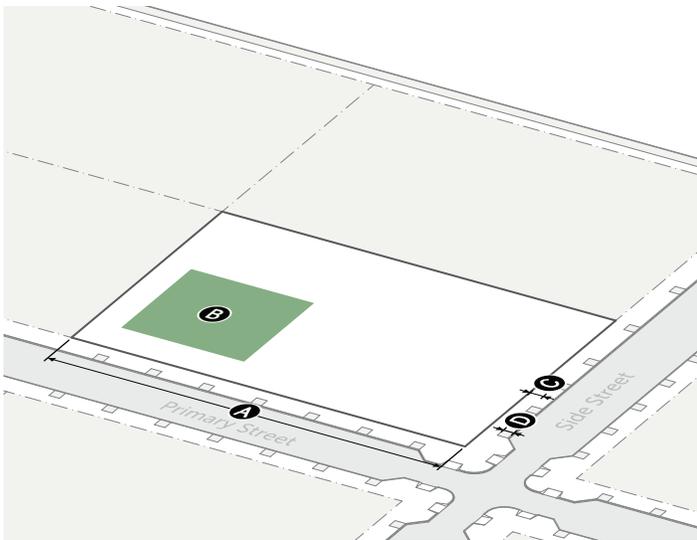
### 2.9.1. Intent

Intended to create mixed employment and technology hubs with research and collaboration activity in a vibrant pedestrian-friendly environment. The Urban Innovation districts are intended to attract leading-edge anchor institutions and foster company clusters, start-ups, business incubators, and accelerators. The Urban Innovation districts come in two types - UI4 is intended for more walkable places with tighter blocks and narrower streets in a more urban configuration and UIC is intended for campus-like settings with larger lots, more open space, and larger buildings.

UI4	UIC
Residential not allowed	Residential not allowed
15' site width	75' site width
4 stories/55' in height	Unlimited
275' building width	Unlimited

## 2.9.2. UI4 URBAN INNOVATION 4

### A. SITE

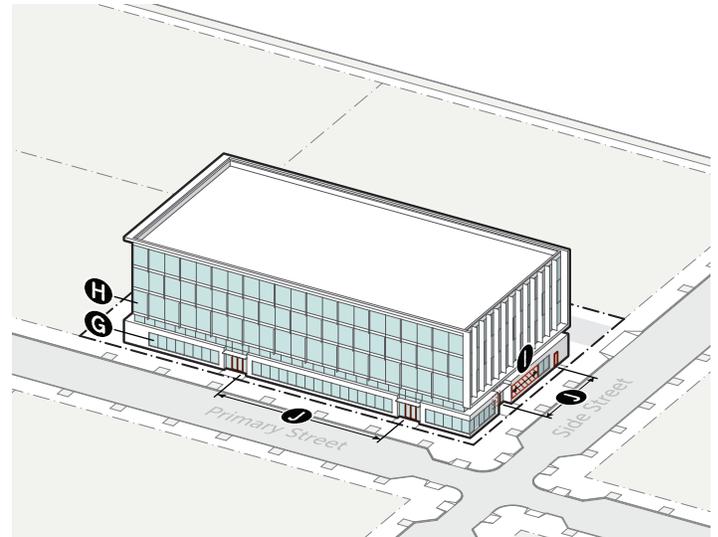
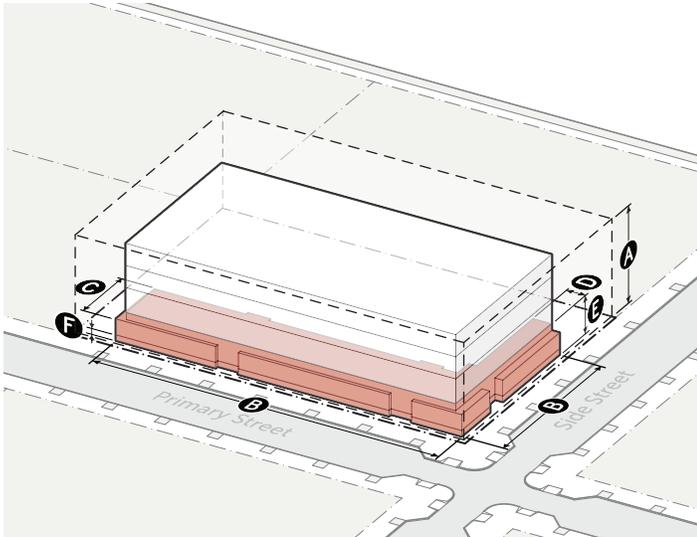


<b>1. Size</b>	Sec. 2.2.2
<b>A</b> Width (min)	
Front access	60'
Side/rear access	15'
<b>2. Dwelling Units</b>	Sec. 2.2.3
Max per site	Not allowed
<b>3. Amenity</b>	Sec. 2.2.4
<b>B</b> Outdoor amenity space (min)	15%
<b>4. Walls &amp; Fences</b>	Sec. 2.2.5
Front yard height (max)	Type C4   6'
Side street yard height (max)	Type C4   6'
Side/rear yard height (max)	Type C6   8'
<b>5. Streetscape</b>	Sec. 2.2.6
<b>C</b> Pedestrian zone (min)	8'
<b>D</b> Furniture zone (min)	6'
Planting strip type	Grates
Trees in planting strip	30' avg. on center

<b>6. Setbacks</b>	Sec. 2.2.7
<b>E</b> Primary street boundary line (min/max)	2'/10'
<b>F</b> Side street boundary line (min/max)	2'/10'
<b>G</b> Rear/side boundary line (min)	0'
Alley boundary line	3' or 20' min
<b>7. Transitions</b>	Sec. 2.2.8
Setback from transition boundary line (min)	10'
<b>8. Street Build-Out</b>	Sec. 2.2.9
<b>H</b> Primary street (min)	85%
<b>I</b> Side street (min)	65%
<b>9. Parking Location</b>	Sec. 2.2.10
No parking between the building and the street	

UI4

B. MASSING

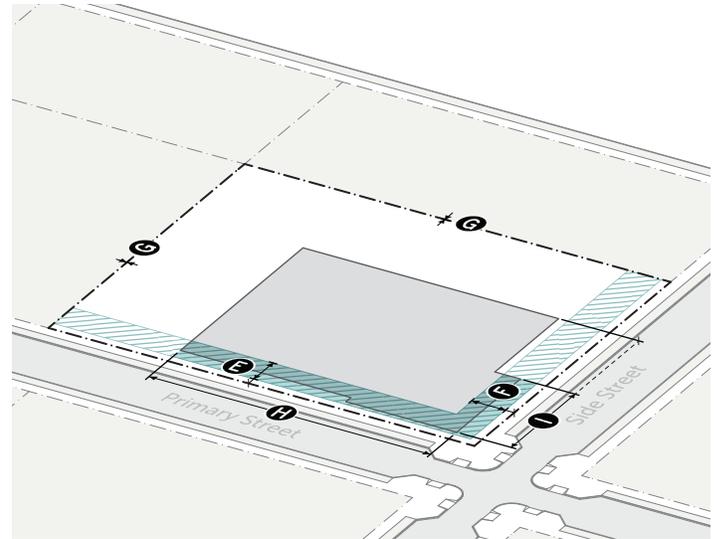
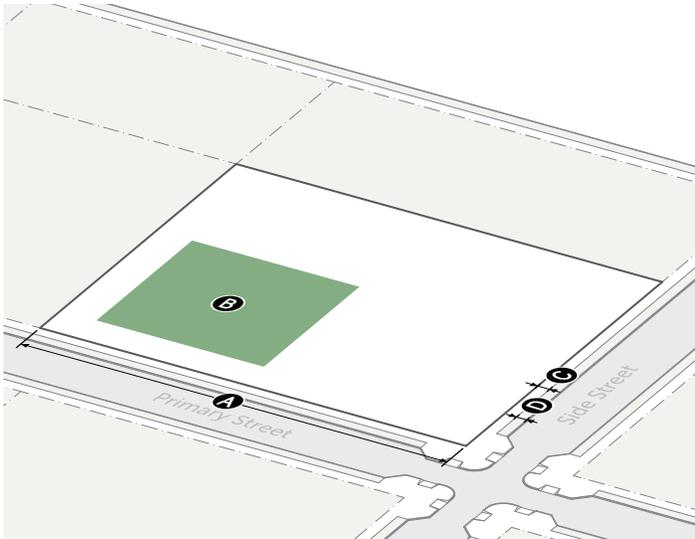


1. Building	Sec. 2.2.11
A Height (max stories/feet)	4/55'
B Width (max)	275'
Active depth (min)	
C Primary street	30'
D Side street	15'
Dwelling units per building (max)	Not allowed
2. Story Height	Sec. 2.2.12
E Ground story height (min)	12'
F Ground floor elevation (min/max)	-2'/5.5'

	Primary St.	Side St.
3. Windows	Sec. 2.2.13	
G Ground story (min)	60%	30%
H Upper story (min)	15%	15%
I Blank wall width (max)	15'	25'
4. Doors	Sec. 2.2.14	
J Street-facing entry spacing (max)	75'	100'

## 2.9.3. UIC URBAN INNOVATION CAMPUS

### A. SITE

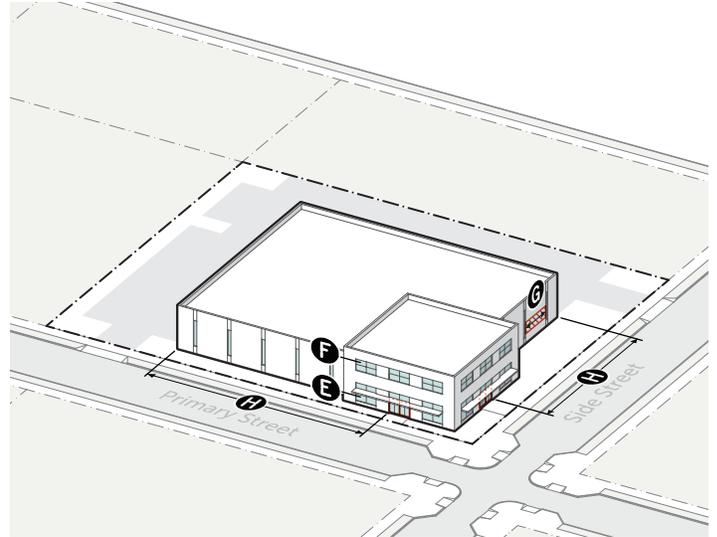
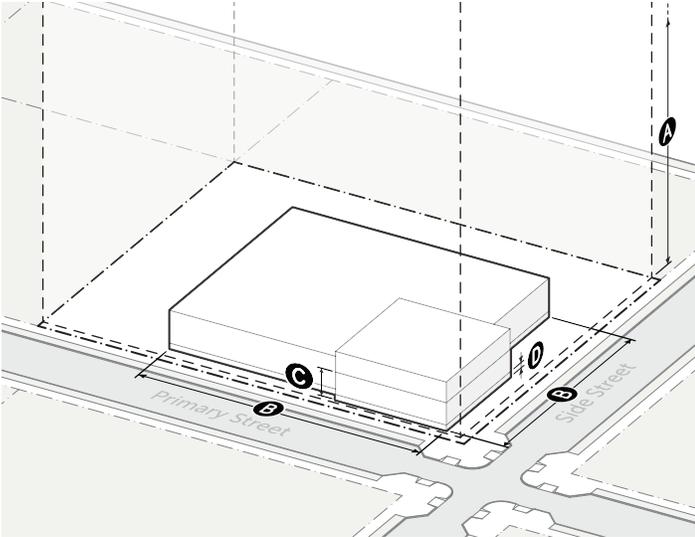


<b>1. Size</b>	Sec. 2.2.2
<b>A</b> Width (min)	75'
<b>2. Dwelling Units</b>	Sec. 2.2.3
Max per site	Not allowed
<b>3. Amenity</b>	Sec. 2.2.4
<b>B</b> Outdoor amenity space (min)	20%
<b>4. Walls &amp; Fences</b>	Sec. 2.2.5
Front yard height (max)	Type C4   6'
Side street yard height (max)	Type C4   6'
Side/rear yard height (max)	Type C6   8'
<b>5. Streetscape</b>	Sec. 2.2.6
<b>C</b> Pedestrian zone (min)	6'
<b>D</b> Furniture zone (min)	6'
Planting strip type	Tree lawn/ grates
Trees in planting strip	30' avg. on center

<b>6. Setbacks</b>	Sec. 2.2.7
<b>E</b> Primary street boundary line (min/ max)	5'/25'
<b>F</b> Side street boundary line (min/ max)	5'/25'
<b>G</b> Rear/side boundary line (min)	0'
<b>7. Transitions</b>	Sec. 2.2.8
Setback from transition boundary line (min)	10'
<b>8. Street Build-Out</b>	Sec. 2.2.9
<b>H</b> Primary street (min)	see Sec. 2.2.9.C.2
<b>I</b> Side street (min)	
<b>9. Parking Location</b>	Sec. 2.2.10
No parking between the building and the street	

UIC

B. MASSING



<b>1. Building</b>	<b>Sec. 2.2.11</b>
<b>A</b> Height (max stories/feet)	Unlimited
<b>B</b> Width (max)	Unlimited
Active depth (min)	n/a
Dwelling units per building (max)	Not allowed
<b>2. Story Height</b>	<b>Sec. 2.2.12</b>
<b>C</b> Ground story height (min)	12'
<b>D</b> Ground floor elevation (min/max)	-2'/5.5'

	Primary St.	Side St.
<b>3. Windows</b>	<b>Sec. 2.2.13</b>	
<b>E</b> Ground story (min)	30%	30%
<b>F</b> Upper story (min)	15%	15%
<b>G</b> Blank wall width (max)	25'	50'
<b>4. Doors</b>	<b>Sec. 2.2.14</b>	
<b>H</b> Street-facing entry spacing (max)	200'	250'

## 2.9.4. Summary of Allowed Uses

		Summary of Use Standards	Add. Stds.
<b>1. Residential</b>			
Household Living	--		
Group Living	--		
Social Services	--		
<b>2. Open</b>			
Parks & Open Space	P		
Urban Agriculture	P*		3.2.3.C
<b>3. Public</b>			
Community Service	P		
Day Care	P		
Education	P		
Government	P		
Religious Assembly	P		
Transit Station	P		
<b>4. Commercial</b>			
Adult Entertainment	--		
Animal Care	--		
Auto-Related	--		
Eating & Drinking	P*	Tenant size: 3,000 SF max	3.2.3.H
Indoor Entertainment	P*	Tenant size: 3,000 SF max	3.2.3.I
Lodging	P		
Medical Hospital	P		
Medical Laboratory	P		
Medical Services	P		
Office	P		
Outdoor Recreation	--		
Personal Service	P*	Tenant size: 3,000 SF max	3.2.3.M
Retail	P*	Tenant size: 3,000 SF max	3.2.3.N
Self-Storage	--		
Vehicle Sales & Rental	--		
<b>5. Industrial</b>			
Heavy Industrial	--		
Light Industrial	P		
Makerspace	P		
Research & Development	P		
Warehouse & Distribution	P		

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

## Div. 2.10. Special



### 2.10.1. Intent

#### A. CV Civic

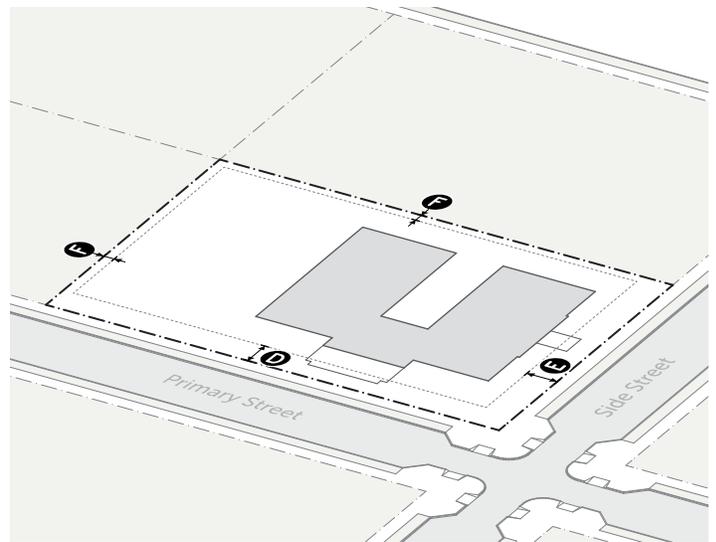
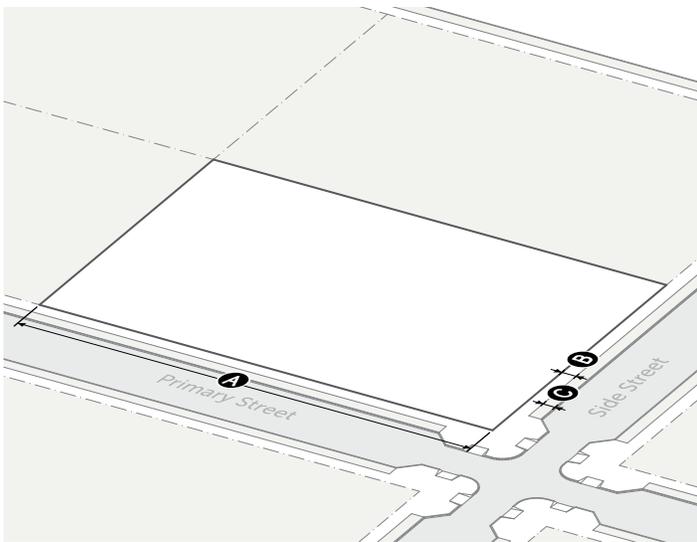
Intended to accommodate civic and institutional uses that serve the surrounding neighborhoods and produce activities that do not readily assimilate into other zoning districts.

#### B. PK Park

Intended to create, preserve and enhance parkland to meet the active and recreational needs of the City. Intended to provide for both improved and unimproved parkland. Activities may include, but are not limited to, structures or other active, player-oriented facilities such as playgrounds, recreational fields, ballfields, sport courts, dog parks and associated accessory facilities such as parking areas and restrooms.

## 2.10.2. CV CIVIC

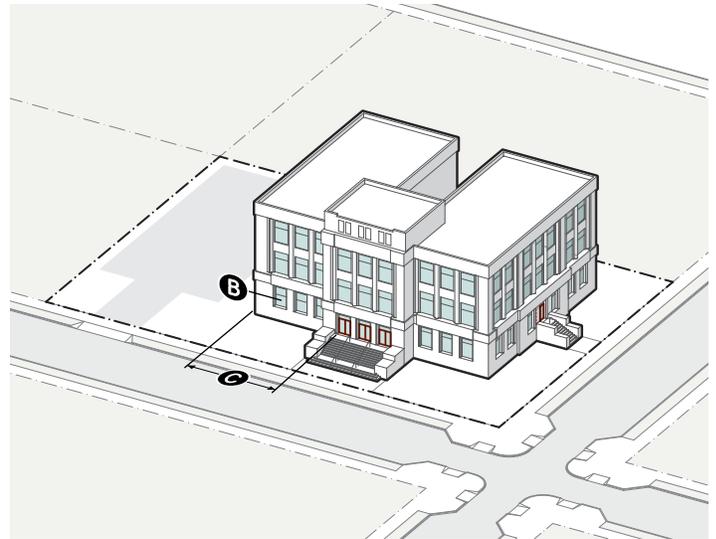
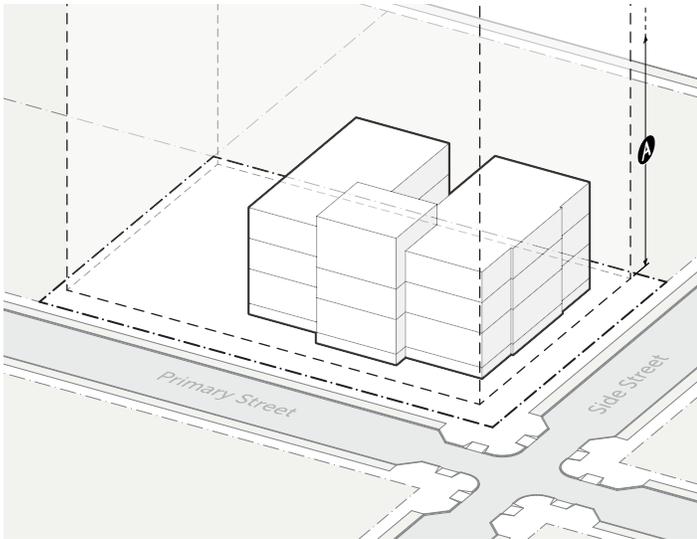
### A. SITE



<b>1. Size</b>	<b>Sec. 2.2.2</b>
<b>A</b> Width (min)	60'
<b>2. Dwelling Units</b>	<b>Sec. 2.2.3</b>
Max per site	Not allowed
<b>3. Amenity</b>	<b>Sec. 2.2.4</b>
Outdoor amenity space (min)	n/a
<b>4. Walls &amp; Fences</b>	<b>Sec. 2.2.5</b>
Front yard height (max)	Type C4   6'
Side street yard height (max)	Type C4   6'
Side/rear yard height (max)	Type C6   8'
<b>5. Streetscape</b>	<b>Sec. 2.2.6</b>
<b>B</b> Pedestrian zone (min)	6'
<b>C</b> Furniture zone (min)	6'
Planting strip type	Tree lawn/ grates
Trees in planting strip	30' avg. on center

<b>6. Setbacks</b>	<b>Sec. 2.2.7</b>
<b>D</b> Primary street boundary line (min)	5'
<b>E</b> Side street boundary line (min)	3'
<b>F</b> Rear/side boundary line (min)	5'
Alley boundary line	3' or 20' min
<b>7. Transitions</b>	<b>Sec. 2.2.8</b>
Setback from transition boundary line (min)	10'
<b>8. Street Build-Out</b>	<b>Sec. 2.2.9</b>
Primary street (min)	n/a
Side street (min)	n/a
<b>9. Parking Location</b>	<b>Sec. 2.2.10</b>
No parking between the building and the street	

B. MASSING

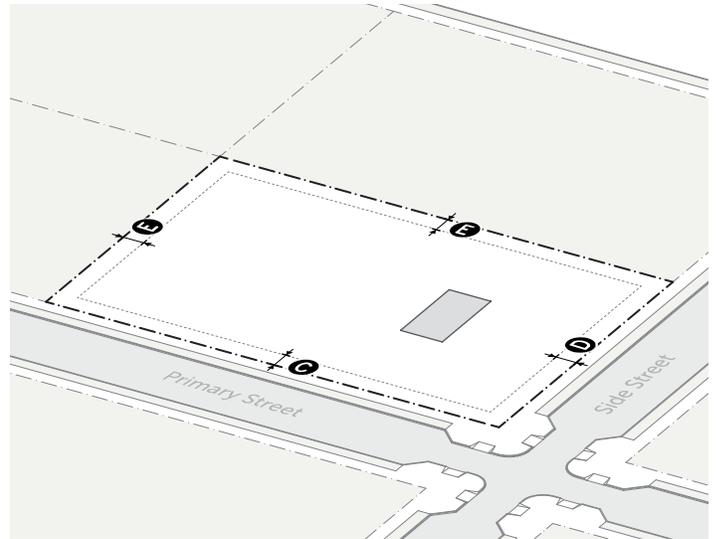
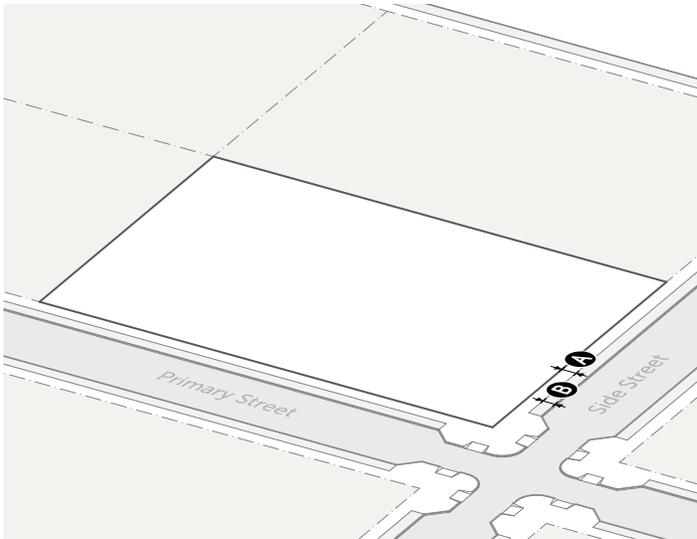


1. Building	Sec. 2.2.11
Ⓐ Height (max stories/feet)	n/a
Width (max)	n/a
Active depth (min)	n/a
2. Story Height	Sec. 2.2.12
Ground story height (min)	n/a
Ground floor elevation (min/max)	n/a

	Primary St.	Side St.
3. Windows	Sec. 2.2.13	
Ⓑ Ground story (min)	20%	n/a
Upper story (min)	n/a	n/a
Blank wall width (max)	n/a	n/a
4. Doors	Sec. 2.2.14	
Ⓒ Street-facing entry spacing (max)	200'	n/a

### 2.10.3. PK PARK

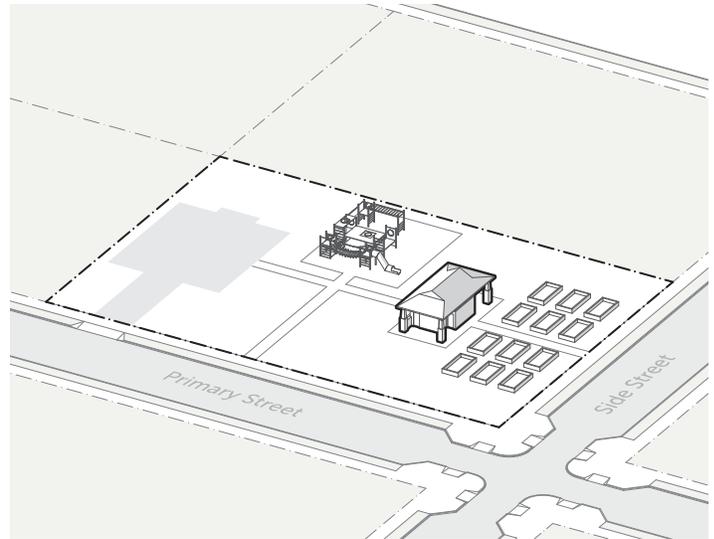
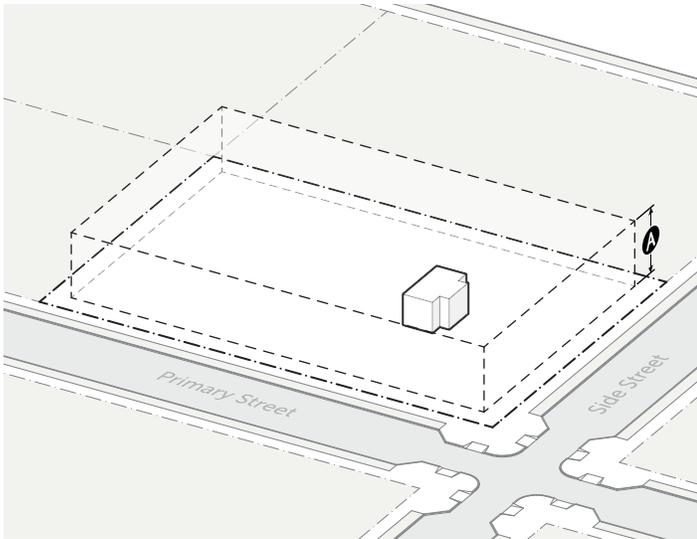
#### A. SITE



<b>1. Size</b>	<b>Sec. 2.2.2</b>
Width (min)	n/a
<b>2. Dwelling Units</b>	<b>Sec. 2.2.3</b>
Max per site	Not allowed
<b>3. Amenity</b>	<b>Sec. 2.2.4</b>
Outdoor amenity space (min)	n/a
<b>4. Walls &amp; Fences</b>	<b>Sec. 2.2.5</b>
Front yard height (max)	Type C4   6'
Side street yard height (max)	Type C4   6'
Side/rear yard height (max)	Type C6   8'
<b>5. Streetscape</b>	<b>Sec. 2.2.6</b>
<b>A</b> Pedestrian zone (min)	6'
<b>B</b> Furniture zone (min)	6'
Planting strip type	Tree lawn/ grates
Trees in planting strip	30' avg. on center

<b>6. Setbacks</b>	<b>Sec. 2.2.7</b>
<b>C</b> Primary street boundary line (min)	10'
<b>D</b> Side street boundary line (min)	10'
<b>E</b> Rear/side boundary line (min)	10'
Alley boundary line	3' or 20' min
<b>7. Transitions</b>	<b>Sec. 2.2.8</b>
Setback from transition boundary line (min)	n/a
<b>8. Street Build-Out</b>	<b>Sec. 2.2.9</b>
Primary street (min)	n/a
Side street (min)	n/a
<b>9. Parking Location</b>	<b>Sec. 2.2.10</b>
No parking between the building and the street	

B. MASSING



1. Building	Sec. 2.2.11
Ⓐ Height (max)	32'
Width (max)	n/a
Active depth (min)	n/a
2. Story Height	Sec. 2.2.12
Ground story height (min)	n/a
Ground floor elevation (min/max)	n/a

	Primary St.	Side St.
3. Windows	Sec. 2.2.13	
Ground story (min)	n/a	n/a
Upper story (min)	n/a	n/a
Blank wall width (max)	n/a	n/a
4. Doors	Sec. 2.2.14	
Street-facing entry spacing (max)	n/a	n/a

### 2.10.4. Summary of Allowed Uses

	CV	PK	Summary of Use Standards	Add. Stds.
<b>1. Residential</b>				
Household Living	--	--		
Group Living	--	--		
Social Services	<b>C</b>	--		
<b>2. Open</b>				
Parks & Open Space	<b>P</b>	<b>P</b>		
Urban Agriculture	<b>P*</b>	<b>P*</b>		3.2.3.C
<b>3. Public</b>				
Community Service	<b>P</b>	--		
Day Care	<b>P</b>	--		
Education	<b>P</b>	--		
Government	<b>P</b>	--		
Religious Assembly	<b>P</b>	--		
Transit Station	<b>P</b>	--		
<b>4. Commercial</b>				
Adult Entertainment	--	--		
Animal Care	--	--		
Auto-Related	--	--		
Eating & Drinking	--	--		
Indoor Entertainment	--	--		
Lodging	--	--		
Medical Hospital	--	--		
Medical Laboratory	--	--		
Medical Services	--	--		
Office	--	--		
Outdoor Recreation	--	--		
Personal Service	--	--		
Retail	--	--		
Self-Storage	--	--		
Vehicle Sales & Rental	--	--		
<b>5. Industrial</b>				
Heavy Industrial	--	--		
Light Industrial	--	--		
Makerspace	--	--		
Research & Development	--	--		
Warehouse & Distribution	--	--		

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

# CHAPTER 3.

# USE REGULATIONS

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## 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 3.1.4*.

### 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.

10. How the proposed use is advertised.

11. The likely impact on surrounding properties.

## Div. 3.2. **Allowed Uses**

No certificate of occupancy may be issued for a use that is not allowed by this Division. No building, lot or site may be used except for a purpose permitted in the zoning district in which it is located.

### 3.2.1. **Use Table Key**

#### A. **Ministerial Uses**

P = A by-right permitted use.

P\* = A by-right permitted use subject to additional use regulations (link provided in right-hand column of table).

#### B. **Discretionary Uses**

C = A use that requires an approved Conditional Use Permit.

C\* = A use that requires an approved Conditional Use Permit that is also subject to additional use regulations (link provided in right-hand column of table).

#### C. **Uses Not Permitted**

-- = A use that is not permitted.

## 3.2.2. Permitted Use Table

	H	N	NX	C	CX	UX	UN	IX	UI	CV	PK	Use Stds
<b>A. Residential</b>												
Household Living	P	P	P	P	P	P	P*	P	--	--	--	3.2.3.A
Group Living	C*	P*	P	P*	P	P	P	P	--	--	--	3.2.3.B
Social Services	--	--	C	--	C	C	C	C	--	C	--	
<b>B. Open</b>												
Parks & Open Space	P	P	P	P	P	P	P	P	P	P	P	
Urban Agriculture	P*	3.2.3.C										
<b>C. Public</b>												
Community Service	P*	P*	P	P*	P	P	P	P	P	P	--	3.2.3.D
Day Care	--	--	P	--	P	P	P	P	P	P	--	
Education	P*	P*	P	P*	P	P	P	P	P	P	--	3.2.3.E
Government	P	P	P	P	P	P	P	P	P	P	--	
Religious Assembly	P*	P*	P	P*	P	P	P	P	P	P	--	3.2.3.F
Transit Station	--	--	--	--	--	P	P	P	P	P	--	
<b>D. Commercial</b>												
Adult Entertainment	--	--	--	--	--	--	--	--	--	--	--	
Animal Care	--	--	--	--	--	P*	P*	P*	--	--	--	3.2.3.G
Auto-Related	--	--	--	--	--	--	--	--	--	--	--	
Eating & Drinking	--	--	P*	--	P*	P	P	P	P*	--	--	3.2.3.H
Indoor Entertainment	--	--	--	--	--	P	P	P	P*	--	--	3.2.3.I
Lodging	P*	P*	P*	P*	P*	P	P	P	P	--	--	3.2.3.J
Medical Hospital	--	--	--	--	--	C	--	C	P	--	--	
Medical Laboratory	--	--	--	--	--	P	--	P	P	--	--	
Medical Services	--	--	P*	--	P*	P	P	P	P	--	--	3.2.3.K
Office	--	--	P*	--	P*	P	P	P	P	--	--	3.2.3.L
Outdoor Recreation	--	--	--	--	--	--	--	--	--	--	--	
Personal Service	--	--	P*	--	P*	P	P	P	P*	--	--	3.2.3.M
Retail	--	--	P*	--	P*	P	P	P	P*	--	--	3.2.3.N
Self-Storage	--	--	--	--	--	--	--	--	--	--	--	
Vehicle Sales & Rental	--	--	--	--	--	P*	P*	P*	--	--	--	3.2.3.O
<b>E. Industrial</b>												
Heavy Industrial	--	--	--	--	--	--	--	--	--	--	--	
Light Industrial	--	--	--	--	--	--	--	P	P	--	--	
Makerspace	--	--	P*	--	P*	P*	P*	P	P	--	--	3.2.3.P
Research & Development	--	--	--	--	--	--	--	P	P	--	--	
Warehouse & Distribution	--	--	--	--	--	--	--	P	P	--	--	

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

### 3.2.3. Additional Use Standards

#### A. Household Living

*All Urban Node (UN) Districts* - dwelling units are allowed only in the upper stories of a mixed use building. A lobby and shared facilities (such as a gym, lounge area, meeting space or mail room) are allowed on the ground floor.

#### B. Group Living

1. *All House (H), Neighborhood (N) Districts* - up to 10 unrelated residents, not including resident managers or supervisors, are allowed.
2. *All Community (C) Districts* - by-right up to 10 residents, not including resident managers or supervisors, are allowed. Additional residents may be permitted by the Planning Commission as a conditional use.

#### C. Urban Agriculture

1. *All Districts*
  - a. For the keeping of farm animals or bees see *Sec. 347.02 of the Zoning Code*.
  - b. Any equipment or supplies kept on-site must be enclosed or screened from the street and any adjacent residential uses.
2. *Additional Rules for All House (H), Neighborhood (N), Community (C), Urban Innovation (UI) Civic (CV), Park (PK) Districts*
  - a. Activities and operations must be conducted between the hours of 7:00 am and 7:00 pm.
  - b. Mechanized equipment similar in scale to that designed for household use must be used. Use of larger mechanized equipment is not allowed; provided, however, that during the initial preparation of the land heavy equipment may be used.
  - c. The on-site sale of food crops and/or non-food, ornamental crops grown on-site is allowed up to 12 days per year.

#### D. Community Service

1. *All House (H), Neighborhood (N) Districts*- cannot exceed 5,000 square feet in floor area.
2. *All Community (C) Districts* - by-right cannot exceed 5,000 square feet in floor area. Additional floor may be permitted by the Planning Commission as a conditional use.

#### E. Education

1. *All House (H), Neighborhood (N) Districts* - site cannot exceed 4 acres in size.
2. *All Community (C) Districts* - by-right site cannot exceed 4 acres in size. Additional site area may be permitted by the Planning Commission as a conditional use.

## F. Religious Assembly

1. *All House (H), Neighborhood (N) Districts* - cannot exceed 5,000 square feet in floor area.
2. *All Community (C) Districts* - by-right cannot exceed 5,000 square feet in floor area. Additional floor may be permitted by the Planning Commission as a conditional use.

## G. Animal Care

1. *All Urban Flex (UX), Urban Node (UN) Districts* - 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.
2. *All Industrial Flex (IX) Districts* - by-right 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. Outdoor overnight care of animals may be permitted by the Planning Commission as a conditional use.

## H. Eating and Drinking

*All Neighborhood Flex (NX), Community Flex (CX), Urban Innovation (UI) Districts* - cannot exceed 3,000 square feet in floor area and at least 50% of the floor area must be located on the ground floor.

## I. Indoor Entertainment

*All Urban Innovation (UI) Districts* - cannot exceed 3,000 square feet in floor area and at least 50% of the floor area must be located on the ground floor.

## J. Lodging

1. *All House (H), Neighborhood (N), Community (C) Districts* - up to 5 lodging units or 10 beds allowed for the use of overnight lodging and the operator must live on the premises.
2. *All Neighborhood Flex (NX), Community Flex (CX) Districts* - up to 10 rooms or 20 beds allowed for the use of overnight lodging.

## K. Medical Services

*All Neighborhood Flex (NX), Community Flex (CX) Districts* - cannot exceed 3,000 square feet in floor area and at least 50% of the floor area must be located on the ground floor.

## L. Office

*All Neighborhood Flex (NX), Community Flex (CX) Districts* - cannot exceed 3,000 square feet in floor area.

## M. Personal Services

*All Neighborhood Flex (NX), Community Flex (CX), Urban Innovation (UI) Districts* - cannot exceed 3,000 square feet in floor area and at least 50% of the floor area must be located on the ground floor.

## N. Retail

*All Neighborhood Flex (NX), Community Flex (CX), Urban Innovation (UI) Districts* - cannot exceed 3,000 square feet in floor area and at least 50% of the floor area must be located on the ground floor.

## O. Vehicles Sales and Rental

*All Urban Flex (UX), Urban Node (UN), Industrial Flex (IX) Districts* - all activity associated with the sales, rental, leasing or cleaning of vehicles must take place in a fully enclosed building.

## P. Makerspace

1. *All Neighborhood Flex (NX), Community Flex (CX) Districts* - cannot exceed 3,000 square feet in floor area and at least 50% of the floor area must be located on the ground floor.
2. *All Urban Flex (UX), Urban Node (UN) Districts* - cannot exceed 5,000 square feet in floor area and at least 50% of the floor area must be located on the ground floor.

## Div. 3.3. Use Categories

### 3.3.1. Residential Uses

#### A. Household Living

##### 1. Definition

A facility providing occupancy of a dwelling unit by a household on a monthly or longer basis.

##### 2. Examples of Included Uses

- One-family dwelling
- Two-family dwelling
- Townhouse/rowhouse
- Multi-family dwelling
- Senior/independent living

#### B. Group Living

##### 1. Definition

A facility providing residential occupancy on a monthly or longer basis that does not meet the definition of household living. Group living facilities have common eating and cooking areas for residents, and residents may receive care or training.

##### 2. Examples of Included Uses

- Assisted living
- Boarding/rooming house
- Dormitory
- Fraternity/sorority house
- Hospice
- Nursing home

#### C. Social Services

##### 1. Definition

A facility that provides treatment for persons whose status is not protected by either the federal Fair Housing Act (and analogous state laws) or the federal Americans with Disabilities Act (and analogous state laws) or for persons who present a direct threat to persons or property of others. Those persons being treated by a facility include persons convicted for illegal manufacture or distribution of a controlled substance, sex offenders, and juvenile offenders. Also, this use includes facilities that provide transient housing for persons who are homeless, post incarceration offenders, and those involved in other social service programs

## 2. Examples of Included Uses

- Adult rehabilitation center
- Group shelter
- Overnight general purpose shelter
- Social service facility, soup kitchen, transient lodging, homeless shelter
- Transitional home, halfway house

### 3.3.2. Public Uses

#### A. Community Service

##### 1. Definition

A facility providing ongoing public safety, educational training, or counseling to the general public on a regular basis, without a residential component.

##### 2. Examples of Included Uses

- Community center
- Library, museum, aquarium
- Neighborhood arts center or similar public community facility

#### B. Day Care

##### 1. Definition

A facility providing care and supervision for compensation during part of a 24 hour day, for children or adults not related by blood, marriage or legal guardianship to the person or persons providing the care.

##### 2. Examples of Included Uses

- Adult day care center
- Child care center
- Drop-in child care
- Nursery school, preschool
- Recreational program, before- and after-school

#### C. Education

##### 1. Definition

Public and private (including charter or religious) schools at the primary, elementary, middle, junior high, or high school level that provide basic academic education. This use also includes colleges and other institutions of higher learning that offer courses of general or specialized study leading to a degree.

## **2. Examples of Included Uses**

- Academy (special training)
- Charter, trade, vocational, or business school
- College, community college, university, or seminary
- Public or private (preK-12) school
- Training of medical students

## **D. Government**

### **1. Definition**

A facility, building, structure, or use owned or operated by the federal government, State of Ohio, Cuyahoga County or other county, the City of Cleveland or other municipality, or any authority, agency, board, or commission of the above governments, that is necessary to serve a public purpose.

### **2. Examples of Included Uses**

- City, county, state, federal, or government office
- Police, fire and EMS station
- Post office
- Public health facility
- Public works facility

## **E. Parks and Open Space**

### **1. Definition**

A facility focusing on natural areas consisting mostly of vegetation, passive or active outdoor recreation areas, and having few structures.

### **2. Examples of Included Uses**

- Cemetery
- Conservation area
- Greenway, recreational trail, multi-use path
- Park, playground
- Plaza, square, green

## **F. Religious Assembly**

### **1. Definition**

A facility providing meeting areas for religious activities. Affiliated preschools are classified as day care. Affiliated schools are classified as schools.

## 2. Examples of Included Uses

- Church
- Chapel
- Mosque
- Temple
- Synagogue

## G. Transit Station

### 1. Definition

A facility or stop for a public transit system.

### 2. Examples of Included Uses

- Bus station
- Light rail station
- Multi-modal facility
- Rail/train station

## H. Urban Agriculture

### 1. Definition

A facility for the growing and harvesting of food crops and/or non-food, ornamental crops, such as flowers.

### 2. Examples of Included Uses

- Community garden
- Market garden

## 3.3.3. Commercial Uses

### A. Adult Entertainment

For adult entertainment see *Sec. 347.07 of the Zoning Code*.

### B. Animal Care

#### 1. Definition

A facility providing care or boarding of domesticated animals for compensation.

#### 2. Examples of Included Uses

- Animal hospital
- Doggy day care
- Kennel, animal shelter

- Pet boarding
- Pet grooming
- Pet training facility
- Veterinary office

## C. Assembly

### 1. Definition

A facility that draws members of the general public to specific events or shows.

### 2. Examples of Included Uses

- Banquet hall
- Private club or lodge
- Rental hall
- Theater/movie theater

## D. Auto-Related

### 1. Definition

A facility providing services related to vehicles generally weighing less than 10,000 pounds.

### 2. Examples of Included Uses

- Audio/alarm installation
- Body and paint shop
- Brake repair
- Car wash
- Drive-thru or drive in
- Emissions testing
- Engine repair
- Gas station, service station
- Inspection station
- Minor scratch and dent repair
- Muffler shop
- Quick lubrication facilities
- Tire shop
- Transmission repair
- Windscreen repair or replacement

## E. Eating and Drinking

### 1. Definition

A facility that prepares and sells food and drink for on- or off-premise consumption. Also includes facilities licensed by the Ohio Division of Liquor Control that produce no more than 10,000 barrels of beer or cider, or no more than 50,000 gallons of wine, or no more than 60,000 gallons of spirits, in one calendar year.

### 2. Examples of Included Uses

- Bakery, cake shop
- Bar/tavern/pub/nightclub
- Brewpub
- Coffee, tea shop
- Juice bar, smoothie shop
- Hookah lounge
- Ice cream, yogurt shop
- Mobile food shops meeting the standards provided in *Sec. 241.36-38 of the Zoning Code*
- Micro-brewery, micro-distillery, micro-winery
- Restaurant

## F. Indoor Entertainment

### 1. Definition

A facility that offers entertainment or games of skill to the general public in a primarily indoor setting.

### 2. Examples of Included Uses

- Amusement center, game/video arcade
- Billiard, pool hall
- Bowling alley
- Extreme sports facility, such as BMX, skateboarding or roller blading
- Escape room
- Ice or roller skating rink
- Indoor sports facility
- Inflatable playground/jump house facility
- Mini-golf
- Motor track
- Shooting range

## G. Lodging

### 1. Definition

A facility providing for transient accommodation of short term stays of generally less than 30 days.

### 2. Examples of Included Uses

- Bed and breakfast
- Extended-stay facility
- Hostel
- Hotel, motel, inn

## H. Medical Hospital

### 1. Definition

A facility providing primarily in-patient, intensive, medical, or surgical care, including emergency care services. Includes facilities for extended care, intermediate care and out-patient care, living facilities for staff, research and educational facilities, doctor's offices and any administrative offices necessary for operation of the facility.

### 2. Examples of Included Uses

- Hospital
- Skilled nursing facility

## I. Medical Laboratory

### 1. Definition

A facility conducting medical research or testing and examining of materials derived from the human body, such as fluid, tissue or cells, for the purpose of providing information on diagnosis, treatment, mitigation, cure or prevention of disease.

### 2. Examples of Included Uses

- Medical or dental laboratory

## J. Medical Services

### 1. Definition

A facility providing out-patient medical or surgical care.

### 2. Examples of Included Uses

- Acute care
- Blood plasma donation center
- Birthing center
- Chiropractor

- Compounding pharmacy
- Doctors office/dentist
- Kidney dialysis
- Medical office or clinic
- Physical therapist
- Orthodontist
- Optician, optometrist
- Surgical out-patient facility
- Therapeutic massage
- Urgent care, emergency medical office

## K. Office

### 1. Definition

A facility used for activities conducted in an office setting and generally focusing on business, professional or financial services.

### 2. Examples of Included Uses

- Business and professional services in a private or co-working setting including, accounting, advertising, architecture, auditing, banking, bookkeeping, consulting, design, employment, engineering, insurance, investment, landscape architecture, real estate, security or technology services
- Bail bonds, collection agency
- Call center
- Counseling in an office setting
- Data storage center
- Radio, TV station, recording studio

## L. Outdoor Recreation

### 1. Definition

A facility providing entertainment or recreation activities primarily in an outdoor setting.

### 2. Examples of Included Uses

- Amusement park
- ATV/motocross park
- Drive-in theater
- Campground, travel trailer park, or recreational vehicle park
- Extreme sports such as paintball, BMX, or skateboarding facility
- Golf course, country club, or executive par three golf course

- Outdoor entertainment activity such as batting cage, golf driving range, mini-amusement park,
- Horse stable, riding academy, or equestrian center
- Mini-golf
- Outdoor shooting range
- Sports academy for active recreational or competitive sports
- Stadium, arena, or commercial amphitheater
- Water park

## M. Personal Service

### 1. Definition

A facility involved in providing personal or repair services to the general public.

### 2. Examples of Included Uses

- Beauty, hair, nail, tanning salon
- Catering service
- Cleaning establishment, dry cleaning, laundry, laundromat
- Dance, martial arts, music studio or classroom
- Funeral home, mortuary and undertaking establishment, pet funeral home (not including crematory)
- Locksmith
- Gym, fitness studio, pilates, yoga studio, climbing gym, health spa
- Palmist, psychic, or medium, fortune telling
- Photocopy, blueprint, package shipping and quick-sign service, printing, mailbox
- Repair of appliances, bicycles, canvas product, clocks, computers/tablets, jewelry, mobile phones, musical instruments, office equipment, shoes, televisions, watches or similar items.
- Tailor, milliner, upholsterer
- Tattoo parlor, body piercing
- Tutoring
- Wedding chapel

## N. Retail

### 1. Definition

A facility involved in the sale, lease or rental of new or used products.

### 2. Examples of Included Uses

- a. Alcohol (off-site), antiques, appliances, art supplies, art gallery, batteries, bicycles, books, building supplies, cameras, carpet and floor coverings, crafts, clothing, computers, convenience goods, dry goods, electronics, fabric, flowers, furniture, garden supplies, gifts or novelties, groceries, hardware, home improvement, household products, jewelry, medical

supplies, music, musical instruments, office supplies, pets, pet supplies, pharmaceuticals, phones, picture frames, plants, pottery, printed materials, produce, seafood, shoes, souvenirs, sporting goods, stationery, tobacco, toys, vehicle parts and accessories, vape/smoke store, video games and related products.

- b. Check cashing businesses, short-term loan lenders, small loan lenders and mortgage loan lenders see *Sec. 347.17 of the Zoning Code*.
- c. State-licensed Medical Marijuana Cultivators, Processors, Retail Dispensaries and Testing Laboratories see *Sec. 347.19 of the Zoning Code*.

## O. Self-Service Storage

### 1. Definition

A facility that provides separate storage areas for personal or business use designed to allow private access by the tenant for storing or removing personal property. May include accessory sales of boxes, tape and other packing-related materials. Includes truck and equipment rental.

### 2. Examples of Included Uses

- Fully enclosed indoor multi-story storage
- Mini-warehouse
- Warehouse, self-service

## P. Vehicle Sales and Rental

### 1. Definition

A facility that sells, rents or leases vehicles generally weighing less than 10,000 pounds.

### 2. Examples of Included Uses

- ATVs
- Boats
- Cars
- Motorbikes, scooters
- Pick up trucks, vans, minivans

## 3.3.4. Industrial Uses

### A. Heavy Industrial

#### 1. Definition

A facility that involves heavy or intensive uses that may cause excessive smoke, odor, noise, glare, fumes or vibration, and may include uses that are unsightly, noxious or offensive.

#### 2. Examples of Included Uses

- Automobile, vehicle, boat manufacturing

- Acetylene or oxygen manufacture
- Acid manufacture including all corrosive acids and materials
- Ammonia, chlorine, or bleaching powder manufacture
- Animal processing, packing, treating and storage, livestock or poultry slaughtering
- Bottling plant
- Building materials storage yard
- Bulk fuel sales
- Bulk storage of flammable liquids, chemical, cosmetics, drug, soap, paints, fertilizers and abrasive products
- Celluloid or proxylene products
- Coal, petroleum, inflammable liquid products
- Coke ovens
- Compost manufacture or storage
- Concrete batch plant
- Contractor storage yard
- Crematorium
- Creosoting
- Extraction, stockpiling of sand or gravel, borrow pit
- Explosives, fireworks
- Fertilizer manufacturing
- Fleet storage
- Fish curing, smoking or packing
- Fish oil manufacture or refining
- Forging plants and drop hammers
- Glue manufacture
- Graphite manufacture
- Hazardous waste
- Landfill or incinerator
- Livestock feeding yards or market
- Lumberyard, building materials sales and storage
- Metal, sand, stone, gravel, clay mining
- Petroleum, liquefied petroleum gas and coal products and refining
- Recycling processing
- Rock crushing
- Towing/impounding of vehicles
- Trailer storage, drop off lot

- Resource extraction
- Rubber and plastic products
- Waste transfer station
- Wrecking, junk, or salvage yard

## **B. Heavy Vehicle/Equipment Sales and Service**

### **1. Definition**

A facility that sells, rents, leases, repairs or services heavy equipment, or vehicles generally weighing more than 10,000 pounds.

### **2. Examples of Included Uses**

- Agriculture equipment
- Box truck, refuse truck
- Buses, boats, recreation vehicles
- Construction equipment
- Industrial machinery and heavy equipment
- Semi-trailer truck
- Tankers
- Trailers

## **C. Light Industrial**

### **1. Definition**

A facility conducting light manufacturing and repair operations within a fully-enclosed building.

### **2. Examples of Included Uses**

- Baking, wholesale
- Brewery, distillery, winery
- Clothing, textile or apparel, shoes
- Construction trades and contractor office
- Consumer electronics , appliances, computers
- Food manufacturing and processing
- Furniture upholstery installation or re-upholstery
- Laundry and dry cleaning plant, linen supply/diaper services
- Measuring instruments; semiconductor devices including integrated circuits
- Pharmaceutical or medical supplies, medical equipment
- Plumbing and heating supplies
- Publishing facility
- Recreational equipment

- Renewable energy equipment
- Toys
- Scientific measuring instruments; semiconductor and related devices, including but not limited to clocks, integrated circuits, jewelry, medical, musical instruments, photographic or optical instruments or timing instruments
- Sheet metal, welding, machine shop, tool repair
- Woodworking, cabinet, furniture making

## D. Makerspace

### 1. Definition

A facility for small-scale, craft production, that produces or makes items that by their nature, are designed or made by an artist or craftsman by using hand skills.

### 2. Examples of Included Uses

- Blacksmith, metalwork
- 3D printing, laser cutting, software, computers, electronics
- Clothing, textile or apparel, shoes
- Ceramics, pottery
- Glass blowing
- Jewelry, silverware and plated ware
- Printing, screening
- Woodworking, cabinet, furniture making

## E. Research and Development

### 1. Definition

A facility focused primarily on the research and development of new products.

### 2. Examples of Included Uses

- Laboratories, offices and other facilities used for research and development by or for any individual, organization or concern, whether public or private.
- Prototype production facilities that manufacture a limited amount of a product in order to fully investigate the merits of such a product.
- Pilot plants used to test manufacturing processes planned for use in production elsewhere.

## F. Warehouse and Distribution

### 1. Definition

A facility involved in the storage or movement of goods for themselves or other firms. Goods are generally delivered to other firms or the final consumer with little on-site sales activity to customers.

## 2. Examples of Included Uses

- Distribution center, parcel services
- Furniture transfer and storage
- Enclosed storage (includes bulk storage, cold storage plants, frozen food lockers, ice, and general freight storage)
- Warehouse
- Wholesale sales of food, clothing, auto parts, building hardware and similar products

## 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 use or structure may be established on a site prior to the establishment of a permitted principal use.
- 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* and the relevant Ohio Administrative Code provisions. A family day care home caring for up to 12 children at any given time must meet the standards for a Type A day care home in *Ohio Revised Code, Chapter 5104* and the relevant Ohio Administrative Code provisions. A Type A family day care home may be permitted by the City through the conditional use process.
5. Signage is limited to one unlit, permanent, exterior wall or projecting sign that is no larger than 6 square feet in area, attached to the structure housing the family day care home.
6. Day cares, as defined in *Sec. 3.3.2 B* and not located in a dwelling unit that are located 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 visible 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. Signage is limited to one unlit, permanent, exterior wall or projecting sign that is no larger than 6 square feet in area, attached to the structure housing the home-based business.

### 3. Allowed Uses

- a. The nonresidential use in the dwelling unit is limited to (as defined in *Div. 3.3*):
  - i. Retail.
  - ii. Personal service.
  - iii. Office.
  - iv. Makerspace.
- b. Family home day care is subject to *Sec. 3.4.3.A*.

### 4. Employees and Customers

- a. Up to 3 nonresident persons engaged in the home-based business are allowed on site at any given time.
- b. Customer or clients associated with the home-based business may visit the site only during the hours of 8 am to 8 pm.
- c. A maximum of 4 customers or clients may be present at the home-based business at any one time.
- d. A maximum of 15 customers or clients may visit the home-based business between 8 am and 8pm in a single day.

## C. Live-Work

Live-work is intended to promote living and working opportunities in the same physical space. A live-work unit is a building or space within a building used jointly for commercial and residential purposes where the nonresidential use of the space is accessory to the principal use as dwelling unit. Live-work combines nonresidential activity allowed in a district with a residential living space for the owner of the business, or the owner's employee, and that person's household. The following requirements only apply in a Neighborhood Flex (NX) or Community Flex (CX) district.

- 1. A maximum of 1 live-work use is allowed per dwelling unit.
- 2. Live-work dwelling units are not allowed in a House (H) or Neighborhood (N) district.
- 3. At least 1 person engaged in the live-work use must reside in the dwelling unit in which the live-work use is located as their primary place of residence.
- 4. A live-work dwelling unit cannot exceed 3,000 square feet in floor area.

5. Within each live-work dwelling unit, the designated work area cannot exceed 50% of the total floor area of the unit.
6. Live-work is only permitted in units with street level access.
7. The nonresidential area is limited to the ground floor only of the live-work dwelling unit.
8. Not more than 5 nonresidential workers or employees are allowed to occupy the live-work dwelling at any one time.
9. Excluding area used for bathrooms and storage, a minimum of 70% of the floor area of each live-work unit must be open, with no fixed interior separation wall.
10. Live-work units are subject to the district story height and window standards for a ground-floor nonresidential use.
11. Nonresidential uses are limited to the nonresidential uses permitted in the district.

#### **D. Outdoor Dining**

Outdoor dining is intended to allow for outdoor seating areas specifically designed for the consumption of food or drink, typically associated with an eating and drinking establishment use.

1. Outdoor dining is only permitted with an allowed principal use.
2. Outdoor dining cannot encroach upon any public right-of-way, sidewalk or parking areas unless a temporary expansion area for an outdoor dining (TEA) permit has been approved.
3. Outdoor dining cannot impair the ability of pedestrians or cyclist to use the sidewalk. There must be a minimum of 6 feet of clear distance of sidewalk at all times.
4. The hours of operation for the outdoor dining area may be no greater than that of the principal use.

#### **E. Outdoor Display**

Outdoor display is intended to allow for the display of products actively available for sale outside of the building.

1. Outdoor display is only allowed with a permitted ground floor nonresidential use.
2. Outdoor display must abut the primary facade with the principal customer entrance, cannot extend more than 6 feet from the facade and cannot exceed 6 feet in height.
3. Outdoor display must be removed and placed inside a fully-enclosed building at the end of each business day.
4. Outdoor display cannot encroach upon any public right-of-way or sidewalk. Outdoor display cannot impair the ability of pedestrians or cyclists to use the sidewalk. There must be a minimum of 6 feet of clear distance of sidewalk at all times.

## F. Outdoor Storage, Limited

Limited outdoor storage is intended to allow for the outdoor storage of less intense activity such as merchandise or material in boxes, in crates, on pallets or shipping containers, and other similar merchandise, material or equipment.

1. Limited outdoor storage is only permitted in the Industrial Flex districts as an accessory use.
2. Limited outdoor storage cannot be more than 10 feet in height.
3. Limited outdoor storage must be located in the rear yard only.
4. Where an outdoor storage area abuts a street or common boundary line, the outdoor storage area must be screened in accordance with *Sec. 4.3.2.B, Street and Boundary Line Screening*.

## G. Outdoor Storage, General

General outdoor storage is intended to allow for the outdoor storage of more intense activity such as contractors' equipment, fleet vehicles, soil, mulch, stone, lumber, pipe, steel, salvage or recycled materials, and other similar merchandise, material or equipment.

1. General outdoor storage is not allowed.

# CHAPTER 4.

# DEVELOPMENT STANDARDS

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# Div. 4.1. Applicability

All applications filed for activities regulated by this Code 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*.

## Div. 4.2. Parking and Access

### 4.2.1. Access

#### A. Intent

To ensure vehicle access to sites is designed to support the safety of all users by minimizing conflicts with pedestrians, cyclists, transit vehicles, micro-mobility devices, and automobile traffic on the abutting public right-of-way, and to avoid detrimental effects on the surrounding public realm, while providing sufficient access to automobile parking and motor vehicle use areas.

#### B. Applicability

Any site that provides access to motor vehicles.

#### C. General Provisions

1. All existing and proposed development that provides on-site parking or loading must provide a satisfactory means of vehicle access to and from a street or alley.
2. Unless otherwise modified by the Planning Director, every site is allowed at least one driveway.
3. When an improved alley exists, vehicle access must take place from the alley.

#### D. Driveway Spacing

##### 1. Applicability

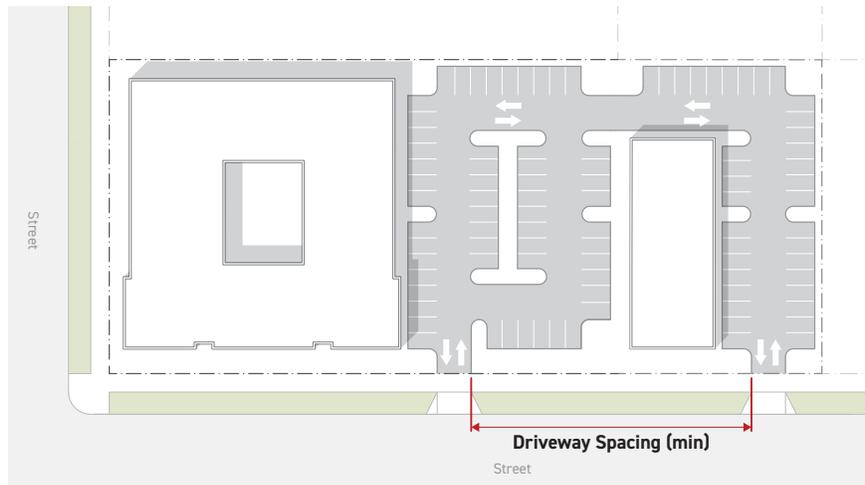
All driveway access from or to a street serving an on-site parking area with 6 or more parking spaces.

##### 2. Standards

- a. No driveway should be located closer to any other driveway than the minimum driveway spacing listed below. The table is intended to provide criteria that will be used in making a determination. Additional driveways may be considered by the Planning Director.

ROADWAY CLASSIFICATION	MIN. SPACING
Major Arterial	250'
Minor Arterial	200'
Collector	150'
Local	100'
Alley	Unlimited

- b. Driveway spacing is measured along the primary or side street boundary line from edge of pavement to edge of pavement from all existing and proposed driveways located on-site and on adjacent lots.



## E. Driveway Design

### 1. Applicability

- a. All new driveways from or to a street serving an on-site parking area of any size.
- b. The driveway design standards do not apply to driveways that take access from an improved alley.

### 2. All Driveways

- a. All applicable driveways must meet the following standards.

	Number of driveways per site (max)	Number of lanes per driveway (max)	Lane width (min/max)	
			Primary St.	Side St.
Driveway serving up to 6 on-site parking spaces	1	1	8'/10'	8'/20'
Driveway serving 7 to 50 on-site parking spaces	1	2	8'/11'	8'/11'
Driveway serving more than 50 on-site parking spaces	2	2	8'/12'	8'/12'
Driveway serving an Industrial use (of any size parking lot)	2	2	12'/20'	12'/20'

- b. Lane width is measured separately for each driveway lane.
- c. Lane width is measured for each driveway lane from edge of designated lane to edge of designated lane along the street boundary line.

## F. Relief

A vehicle access dimensional standard may be modified by up to 15% in accordance with *Div. 5.1*.

## 4.2.2. Parking

### A. Intent

1. To reduce parking demand, support the use of alternative forms of transportation, promote reuse and redevelopment of existing buildings, reduce the overall cost of construction and development and increase the overall efficiency and use of taxable land within the city.
2. If provided, to help ensure parking lots are designed to create safe, comfortable and attractive environments for users and pedestrians, while also mitigating negative environmental effects through landscaping and surface design.

### B. On-site Parking

#### 1. Required Parking

There are no provisions that establish a minimum number of on-site parking spaces for development. Where provided, on-site parking must comply with the standards of this Division.

#### 2. Reserved Parking

On-site parking spaces may be reserved for a specific tenant or unit, provided that the following standards are not exceeded.

##### a. Residential

- i. 1 space per efficiency or 1-bedroom dwelling unit.
- ii. 2 spaces per 2-bedroom or greater dwelling unit.

##### b. Nonresidential

No more than  $\frac{1}{3}$  of the total provided spaces may be reserved.

### C. Parking Lot Design

#### 1. Applicability

Any site that provides on-site parking.

#### 2. Design

- a. All portions of a parking lot must be accessible by automobiles to all other portions of the parking lot without requiring the use of a street (except for an alley).
- b. Each parking space must be located so that no automobile is required to back onto any street (except for an alley) or sidewalk to leave the parking space.
- c. Full and permanent parking space delineation is required. Delineation may include striping, wheel stops, curbing, or other similar permanent materials which can clearly define and delineate parking space. Full parking space delineation means clear markings for all three sides of a space.

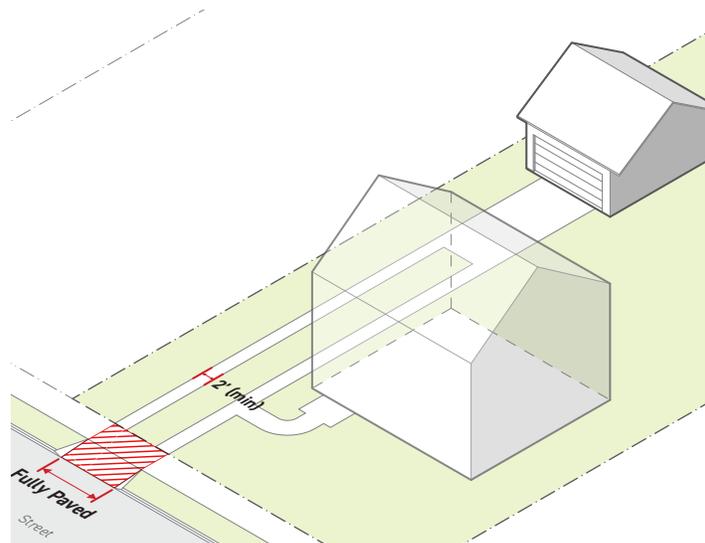
### 3. Surfacing

- a. All parking areas including drive aisles and driveways must be fully paved and constructed with concrete, asphalt, paving blocks, brick, other similar materials, or pervious surfacing intended for outdoor automobile use.
- b. All parking areas must be graded and drained to collect, retain and infiltrate surface water on-site.
- c. Continuous curbing that is at least 6 inches in height in must be installed around the edge of all parking and landscaped areas. Curbing must be constructed of continuous concrete, granite, or other approved material of similar durability and appearance and must contain inlets at appropriate intervals to allow stormwater infiltration from the open parking area. Where wheel stops are used interior to the parking area, they must be placed a minimum of 2½ feet from the head of parking spaces.

### 4. Ribbon Driveways Serving up to 6 Spaces

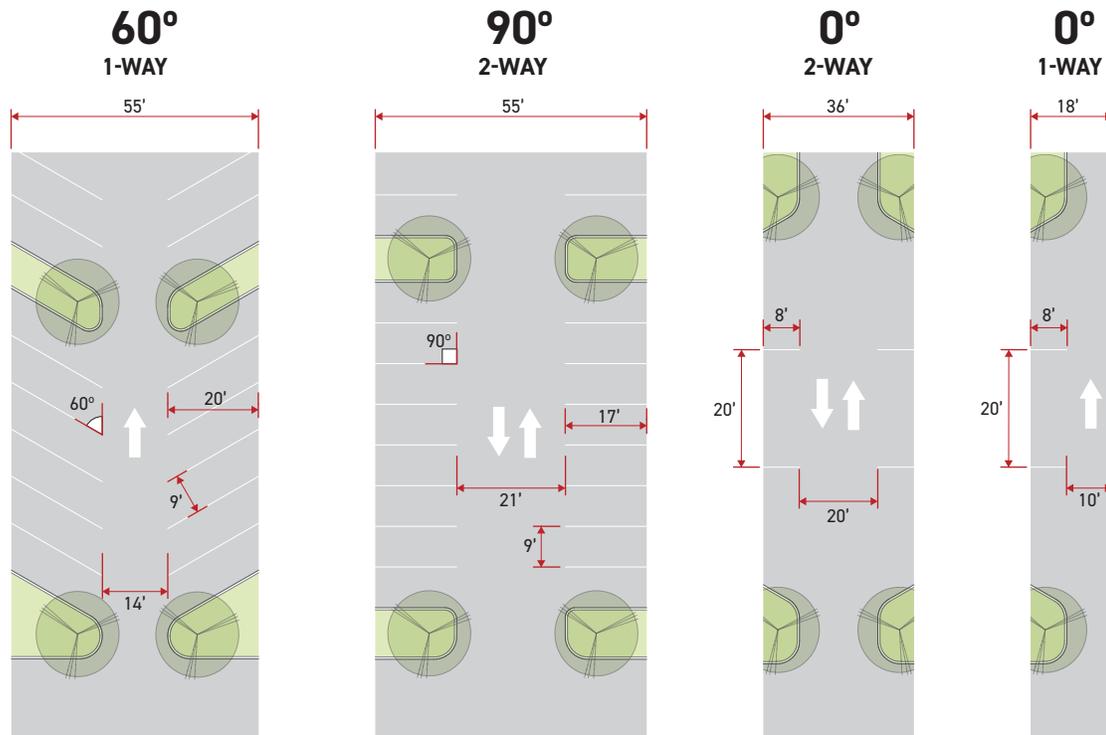
For driveways serving up to 6 on-site parking spaces, the Planning Director may allow the following surfacing modification.

- a. A ribbon driveway may be allowed as an alternative to a fully paved driveway.
- b. The concrete strips in a ribbon driveway must be at least 2 feet in width. When the ribbon is also used as a walkway, the width of strips must be increased to at least 3 feet.
- c. Within the right-of-way, the driveway must be fully paved along its total width.



## 5. Dimensions

Parking spaces and drive aisles must meet the following minimum dimensions.



## 6. Lighting

Parking lots must be illuminated in accordance with *Sec. 4.4.1.E, Parking and Pedestrian Area Lighting*.

## 7. Landscaping

Parking lots must be landscaped and screened in accordance with *Sec. 4.3.1, Parking Lot Landscaping*.

## D. Loading Areas

1. With the exception of alleys and areas specifically designated by the City, loading and unloading activities are not allowed on a street.
2. Loading and unloading activities may not encroach on or interfere with the use of sidewalks, drive aisles or queuing areas.
3. Loading areas must be located to the rear or side of buildings.
4. Where a loading area faces a street or common boundary line, the loading area must be screened in accordance with *Sec. 4.3.2.B, Street and Boundary Line Screening*.

## E. Relief

A parking lot dimensional standard may be modified by up to 15% in accordance with *Div. 5.1*.

## 4.2.3. Bicycle Parking

### A. Intent

To promote bicycling as an alternative to automobile transportation and to help ensure safe, secure, accessible, and convenient storage of bicycles for all users.

### B. Applicability

1. All allowed uses in *Chapter 3, Use Regulations*.
2. Projects with no more than 4 dwelling units are not required to provide short or long-term bicycle parking.
3. Dwelling units with individually accessed private garages are not required to provide long-term bicycle parking.

### C. Required Bicycle Parking Spaces

1. Bicycle parking must be provided in accordance with the following table.

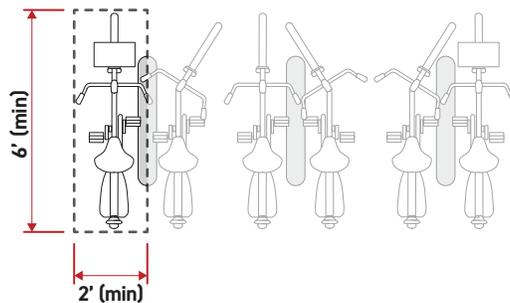
	Required Short-Term Spaces (min)	Required Long-Term Spaces (min)
<b>RESIDENTIAL USES</b>		
Household Living	1/10 units, 2 min	1/du
Group Living	1/6 beds, 2 min	1/3 beds
Social Services	1/6 beds, 2 min	1/3 beds
<b>OPEN USES</b>		
All uses	1/2,000 SF of site area	None
<b>PUBLIC USES</b>		
All uses	1/5,000 SF of gross floor area, 2 min	1/10,000 SF of gross floor area, 2 min
<b>COMMERCIAL USES</b>		
All uses	1/2,500 SF of gross floor area, 2 min	1/5,000 SF of gross floor area, 2 min
<b>INDUSTRIAL USES</b>		
All uses	1/10,00 SF of gross floor area, 2 min	1/5,000 SF of gross floor area, 2 min

2. When the application of the bicycle parking requirements results in the requirement of a fractional bicycle parking space, fractions of  $\frac{1}{2}$  or more are counted as 1 space.

## D. Bicycle Facilities

### 1. General

- a. Bicycle parking must consist of bicycle racks that support the bicycle frame at two points.
- b. Racks must allow for the bicycle frame and at least one wheel to be locked to the rack.
- c. If bicycles can be locked to each side of the rack, each side can be counted as a required space.
- d. Spacing of bicycle racks must provide clear and maneuverable access.
- e. Bicycle parking spaces must be located on paved or pervious, dust-free surface with a slope no greater than 3%. Surfaces cannot be gravel, landscape stone, or wood chips. Racks must be securely anchored to a permanent surface.
- f. Bicycle parking spaces must be a minimum of 2 feet wide and 6 feet long.



- g. Bicycle parking must be provided in a well-lit area.

### 2. Short-Term Bicycle Parking

- a. Short-term bicycle parking must be publicly accessible and be located on-site and cannot be located further away than the closest non-accessible parking space. If no parking is provided on-site then the short-term bicycle parking can be no further than 100 feet from the building it serves.
- b. Short-term bicycle parking may be located within the public right-of-way subject to approval of a license for use of public right-of-way.
- c. Business operators or property owners who choose to install bicycle parking within the public right-of-way are responsible for maintaining the racks.
- d. Any site located within 500 feet of a City-funded bicycle corral may count up to 2 bicycle parking spaces within the bicycle corral towards their required short-term bicycle parking.

### 3. Long-Term Bicycle Parking

- a. Long-term bicycle parking offers a secure and weather protected place to park bicycles for employees, residents, commuters, and other visitors who generally stay at a site for several hours.

- b. Long-term bicycle parking is required to be covered and must include use of one of the following:
  - i. A locked room;
  - ii. A bicycle locker;
  - iii. A roof area enclosed by a fence with a locked gate;
  - iv. A roof area within view of an attendant or security guard or monitored by a security camera; or
  - v. A roofed area visible from employee work areas.
  - vi. The bicycle parking area must be located on-site or in an area within 200 feet of the building it serves.

## E. Relief

- 1. A bicycle parking requirement may be reduced by up to 10% in accordance with *Div. 5.1*, in no case can the requirement be less than 2 spaces.
- 2. A bicycle parking dimensional standard may be modified by up to 15% in accordance with *Div. 5.1*.

## Div. 4.3. Landscaping & Screening

### 4.3.1. Parking Lot Landscaping

#### A. Intent

To ensure parking lots are designed to create safe, comfortable and attractive environments for users and pedestrians, while also mitigating heat island effects, absorbing noise pollution, managing stormwater runoff, sequestering carbon emissions and supporting urban biodiversity through landscaping and surface design.

#### B. Applicability

Parking lot landscaping is required on all applicable on-site surface parking lots with more than 20 spaces. Multiple parking lots contained on a single site plan and any separate parking areas connected with drive aisles are considered a single parking area.

#### C. Perimeter Screening

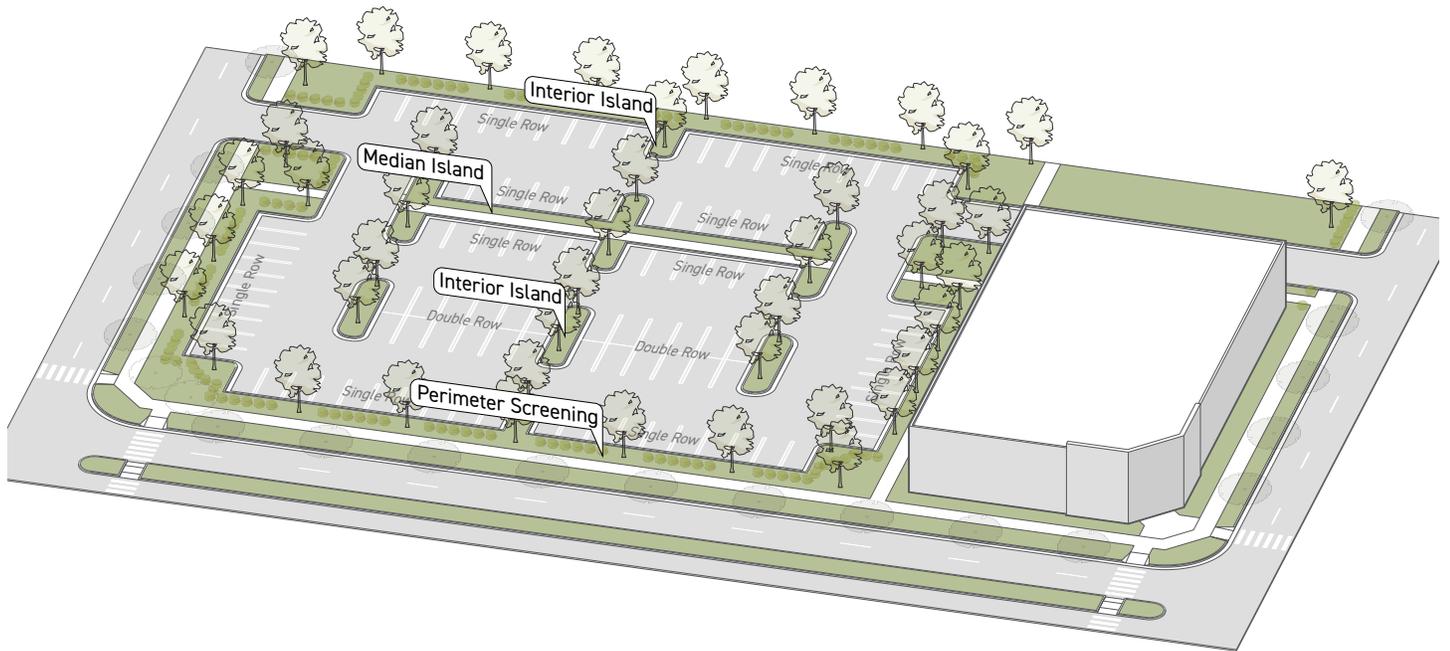
Where a parking lot abuts a street boundary line, the parking lot must be screened in accordance with *Sec. 4.3.2.B, Street and Boundary Line Screening*.

#### D. Interior Islands

1. A landscaped interior island must be provided every 10 parking spaces. 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.
2. An interior island abutting a single row of parking spaces must be a minimum of 9 feet in width and 150 square feet in area. Each island must include 1 large tree.
3. An interior island abutting a double row of parking spaces must be a minimum of 9 feet in width and 300 square feet in area. Each island must include 2 large trees.
4. Interior islands must be installed below the level of the parking lot surface to allow for runoff capture.

## E. Median Islands

1. A landscaped median island must be provided between every 4 single parking rows. Intervals may be expanded to preserve existing trees on the lot.
2. A landscaped median island must be at least 6 feet wide. A median island with a pedestrian walkway must be a minimum of 12 feet wide.



## F. Relief

A parking lot landscaping dimensional standard may be modified by up to 15% in accordance with *Div. 5.1*.

## 4.3.2. Screening

### A. Intent

To mitigate negative impacts of uses with significant impacts from the public realm, promoting visual interest and increasing comfort for users of the public realm.

### B. Street and Boundary Line Screening

#### 1. General Provisions

- a. Required walls and fences including their sub-grade elements, such as footings or foundations, must be located entirely on site.
- b. Planting required to meet a screening standard that conflicts spatially with any existing vegetation is not required.
- c. No buildings, structures or parking areas are allowed in the transition area.
- d. All walls and fences provided must meet *Sec. 4.3.3.D, Design & Installation*.
- e. All plants provided must meet *Sec. 4.3.4, Plants and Plant Material*.

#### 2. Street Boundary Lines

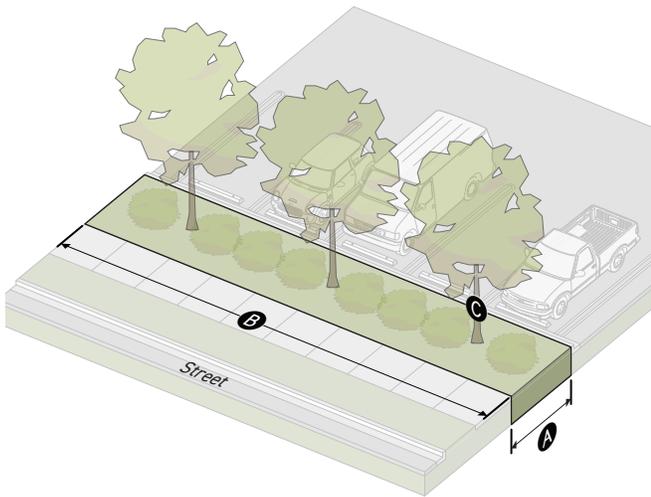
##### a. Applicability

- i. Where a parking lot (or drive aisle or other type of area designed for motor vehicles) abuts a street boundary line, a Type A1 or A2 screen is required along the applicable street boundary line.
- ii. Where a loading area faces a street boundary line, a Type A3 screen is required along the applicable street boundary line.
- iii. Where an outdoor storage area abuts a street boundary line, a Type A3 screen is required along the applicable street boundary line.
- iv. Where a wall or fence is required, the required planting must be installed between the wall or fence and the street.
- v. Screens must be located along the street boundary line for the perimeter of the use subject to the screening requirements. Breaks for pedestrian, bicycle and vehicle access are allowed, provided the break in the screen is the minimum practical width. Driveways or walkways must cross at or near a perpendicular angle.

## b. Street Screening Types

### Type A1

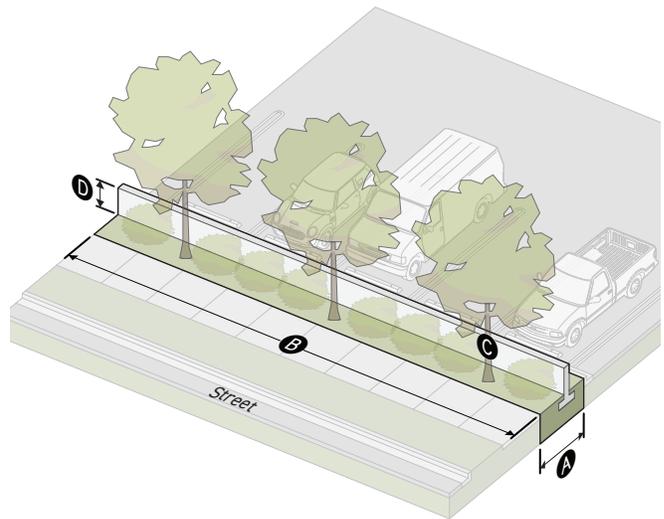
Landscape buffer intended for parking lot perimeters (including drive aisles, maneuvering areas and fire lanes) that face a street boundary line.



TRANSITION AREA	
A Depth (min)	10'
B % of perimeter screened (min)	80%
Required plant type	Screening plants
C Large trees (min per 50')	3
WALLS & FENCES	
Height (min)	n/a
Height (max)	6'   Type C4 Sec. 4.3.3.C.1
Opacity	n/a

### Type A2

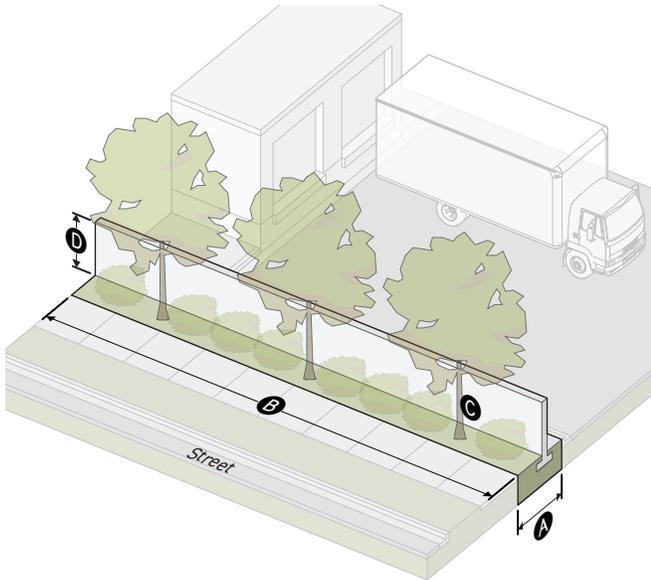
Landscape buffer with a low wall or fence intended for parking lot perimeters (including drive aisles, maneuvering areas and fire lanes) that face a street boundary line.



TRANSITION AREA	
A Depth (min)	7'
B % of perimeter screened (min)	80%
Required plant type	Screening plants
C Large trees (min per 50')	3
WALLS & FENCES	
D Height (min)	3.5'
Height (max)	6'   Type C4 Sec. 4.3.3.C.1
Opacity	
Below 3.5' (min)	90%
3.5' and above (max)	50%
Setback from boundary line (min)	4'

## Type A3

Landscape buffer with a high wall or fence intended for screening outdoor storage and loading areas that face a street boundary line.



TRANSITION AREA	
Ⓐ Depth (min)	7'
Ⓑ % of perimeter screened (min)	80%
Required plant type	Screening plants
Ⓒ Large trees (min per 50')	3
WALLS & FENCES	
Ⓓ Height (min)	6'
Height (max)	8'   Type C6 Sec. 4.3.3.C.2
Opacity (min)	90%
Setback from boundary line (min)	4'

### 3. Common Boundary Lines

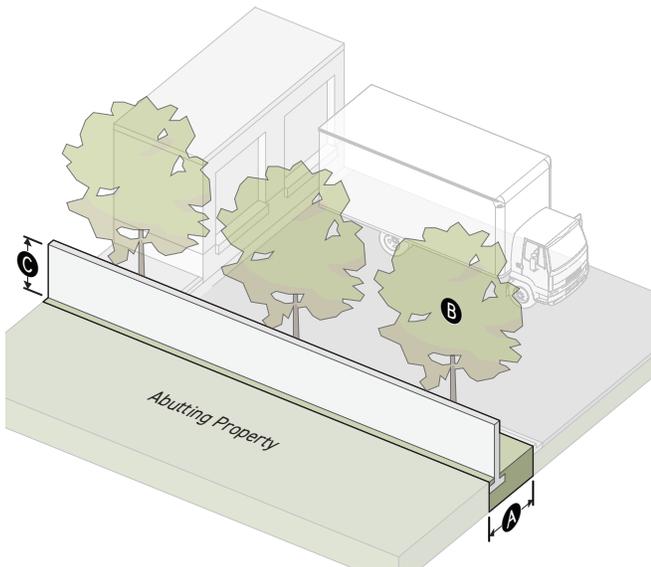
#### a. Applicability

- i. Where a loading area faces a common boundary line, a Type B1 screen is required along the applicable common boundary line.
- ii. Where an outdoor storage area abuts a common boundary line, a Type B1 screen is required along the applicable common boundary line.
- iii. Where a parking lot (or drive aisle or other type of area designed for motor vehicles) abuts a street boundary line, a Type A1 or A2 screen is required along the applicable street boundary line.
- iv. When required by *Sec. 2.2.8, Transitions*.
- v. To allow for access for maintenance, the required plantings must be located on the inside of the wall or fence.
- vi. Required common boundary line screens must be located along the common boundary line for the length of the use or zoning district boundary line subject to the screening requirement. Breaks for pedestrian, bicycle and vehicle access are allowed, provided the break in the screen is the minimum practical width. Driveways or walkways must cross at or near a perpendicular angle.

## b. Common Boundary Screening Type

### Type B1

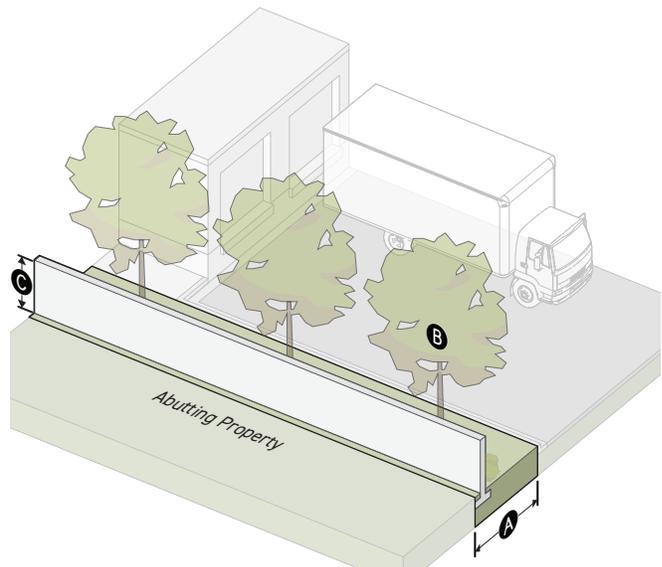
Medium landscape buffer with a high wall or fence intended for screening outdoor storage and loading areas that face a common boundary line.



TRANSITION AREA	
<b>A</b> Depth (min)	7'
<b>B</b> Large trees (min per 50')	3
WALLS & FENCES	
<b>C</b> Height (min)	6'
Height (max)	8'   Type C6 Sec. 4.3.3.C.2
Opacity (min)	90%
Setback from property line (min)	0'

### Type B2

Wide landscape buffer with a high wall or fence intended for buffering incompatible uses.



TRANSITION AREA	
<b>A</b> Depth (min)	10'
<b>B</b> Large trees (min per 50') add shrubs	3
Shrubs (min per 50)	15
WALLS & FENCES	
<b>C</b> Height (min)	6'
Height (max)	8'   Type C6 Sec. 4.3.3.C.2
Opacity (min)	90%
Setback from property line (min)	0'

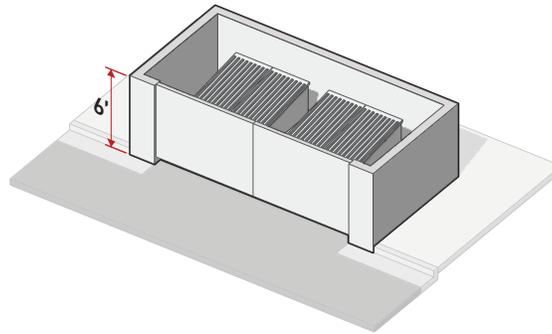
## C. Waste Receptacle Screening

### 1. Applicability

All outdoor waste receptacle enclosures.

### 2. Standards

- a. Waste receptacles cannot be located in a side street yard or front yard. Waste receptacles must be located to the side and rear of buildings and must meet the encroachment requirements of *Sec. 2.2.7.D, Exceptions*.
- b. Outdoor waste receptacles must be screened on three sides by a wall or fence a minimum height of 6 feet.
- c. Access gates must be provided on the fourth side and must also be a minimum height of 6 feet.
- d. The wall or fence and access gate screening must be a least 90% opaque.
- e. The screening enclosure must meet *Sec. 4.3.3.D, Design & Installation*.



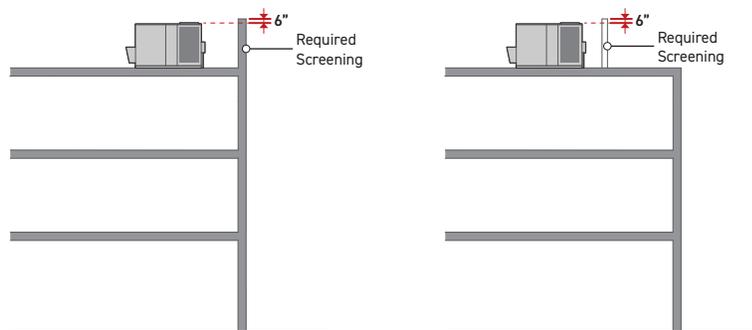
## D. Roof-Mounted Mechanical/Electrical Equipment Screening

### 1. Applicability

All outdoor mechanical/electrical equipment located on a roof of building.

### 2. Standards

- Equipment must be screened on the roof edge side by parapet wall or other type of screen that is at least height 6 inches higher than the topmost point of the equipment being screened.
- The screening must be at least 75% opaque.
- Screening must meet the standards of *Sec. 4.3.3.D, Design & Installation*.



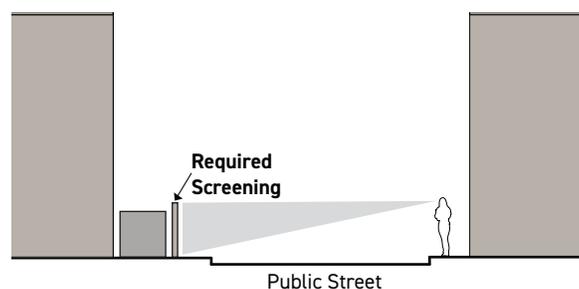
## E. Ground-Mechanical/Electrical Equipment Screening

### 1. Applicability

All outdoor mechanical/electrical equipment located on the ground.

### 2. Standards

- Equipment cannot be located in a side street yard or front yard. Equipment must be located in the side or rear yard and must meet the encroachment requirements of *Sec. 2.2.7.D, Exceptions*.
- Equipment visible from a street (not including an alley) must be fully screened by an opaque wall or fence or other type of screen that is at least height 6 inches higher than the topmost point of the equipment being screened.
- The screening must be at least 75% opaque.
- Screening must meet *Sec. 4.3.3.D, Design & Installation*.



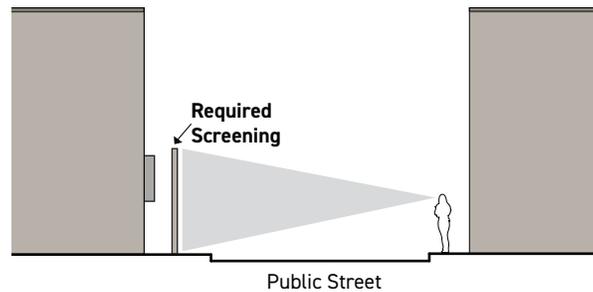
## F. Wall-Mounted Mechanical/Electrical Equipment Screening

### 1. Applicability

All outdoor mechanical/electrical equipment attached to the wall of a building or structure.

### 2. Standards

- a. Equipment cannot be located in a side street yard or front yard. Equipment must be located in the side or rear yard must meet the encroachment requirements of *Sec. 2.2.7.D, Exceptions*.
- b. Equipment visible from a street (not including an alley) must be fully screened by an opaque wall or fence or other type of screen that is at least height 6 inches higher than the topmost point of the equipment being screened.
- c. The screening must be at least 75% opaque.
- d. Screening must meet *Sec. 4.3.3.D, Design & Installation*.



## G. Relief

A screening dimensional standard may be modified by up to 20% in accordance with *Div. 5.1*.

### 4.3.3. Walls and Fences

#### A. Intent

To balance the needs for natural surveillance and visual interest along the public realm and security and privacy for private ground story uses in a manner appropriate to context.

#### B. Applicability

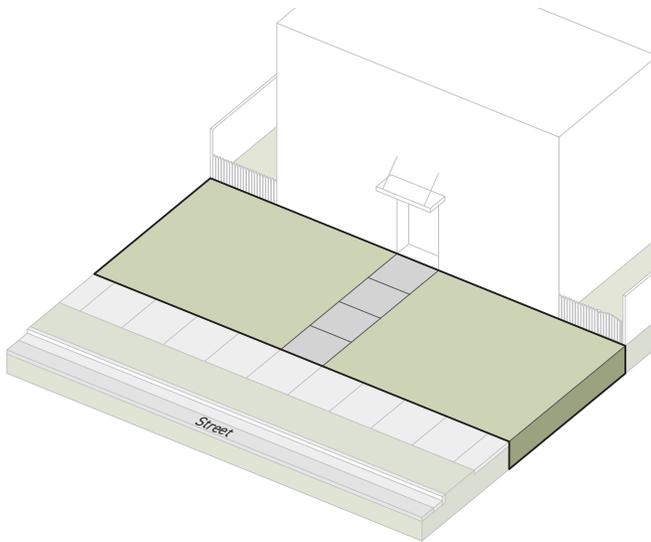
1. The wall and fence height limitations apply to all sites.
2. Allowed wall and fences types are set in *Chapter 2, Zoning Districts*.
3. Where a screening requirement requires a taller wall or fence, the screening requirements supersede.

## C. Wall and Fence Standards

### 1. Front/Side Street Yard Wall and Fence Types

#### Type C1

Intended for front and side street yards where buildings engage directly with sidewalks to provide natural surveillance and visual interest. Especially where ground floor uses are commercial.



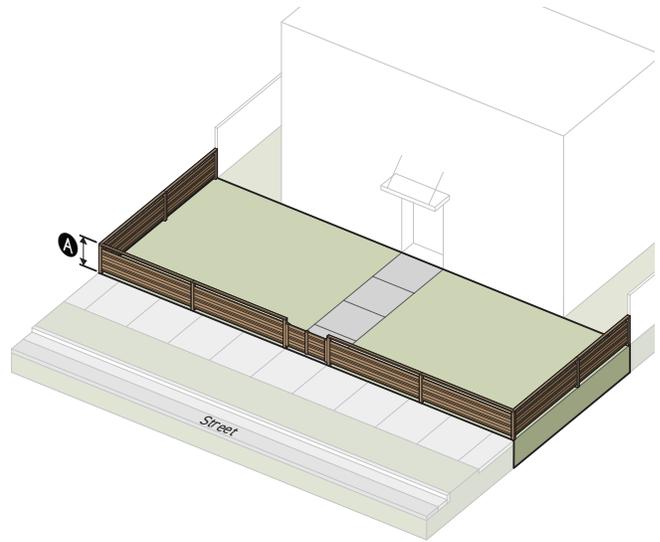
#### STANDARDS

Wall/fence height*	Not allowed
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\* A wall or fence of a maximum of 4 feet in height is allowed if required for outdoor consumption of alcohol.

#### Type C2

Intended for front yards and side street yards where the need for natural surveillance, and visual interest is balanced with the need for separation between private ground floor uses and sidewalks.

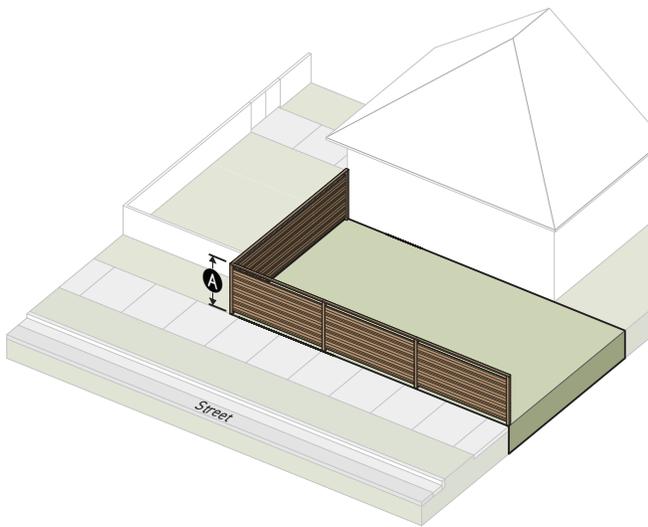


#### STANDARDS

A Wall/fence height (max)	4'
Setback from boundary line (min)	0'

## Type C3

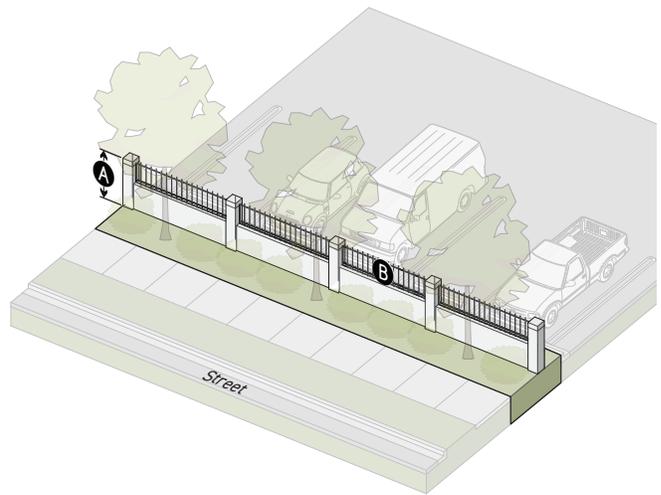
Intended for side street yards where natural surveillance and visual interest along the public realm is less critical than the need to mitigate impacts on private ground floor uses.



STANDARDS	
A	Wall/fence height (max) 6'
	Setback from boundary line (min) 0'

## Type C4

Intended for front/side street yards that face a street and parking lot edges where the need for natural surveillance and visual interest along the public realm is balanced with the need for security between private uses and the public realm.

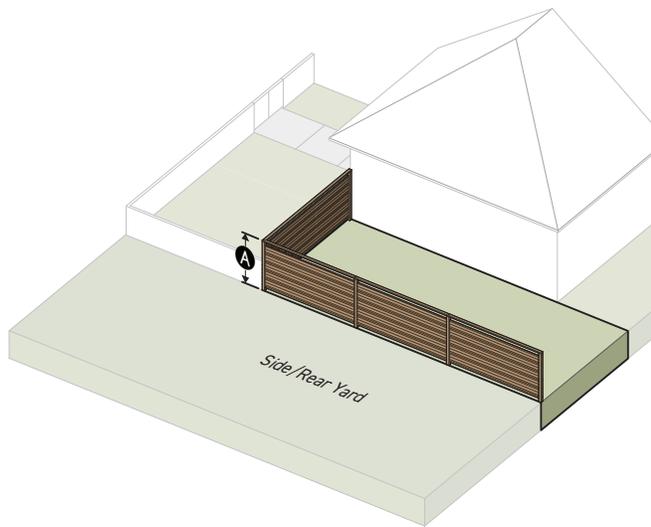


STANDARDS	
A	Wall/fence height (max) 6'
	Setback from boundary line (min) 3'
B	Opacity above 4' in height (max) 50%

## 2. Side/Rear Yard Wall and Fence Types

### Type C5

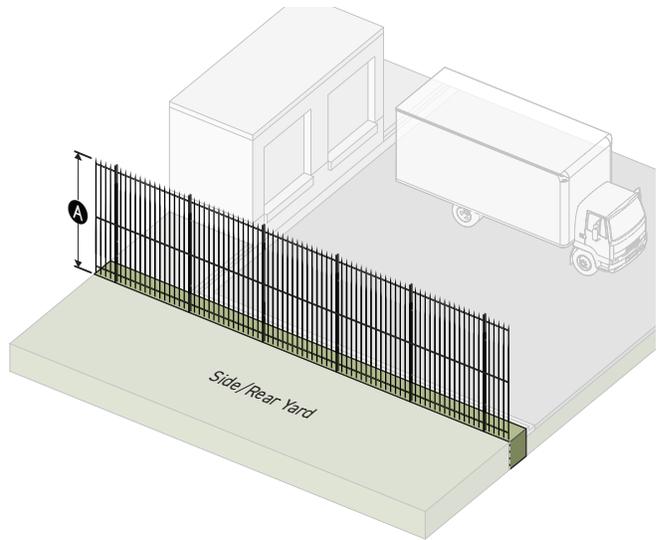
Intended for residential side and rear yards.



STANDARDS	
Ⓐ Wall/fence height (max)	6'
Setback from boundary line (min)	0'

### Type C6

Intended for commercial and industrial side and rear yards.



STANDARDS	
Ⓐ Wall/fence height (max)	8'
Setback from boundary line (min)	0'

## D. Design and Installation

### 1. Material

- a. Walls, fences and screens must be constructed of a durable, low maintenance material that has a long life expectancy.
- b. No wall, fence or screen may be constructed of tires, junk, or other discarded materials.
- c. Chain-linked fences are not allowed except in an Industrial Flex (IX) district. When allowed, chain-linked fences are not allowed in a front yard or side street yard.
- d. Barbed wire or concertina wire is not allowed.

### 2. Location

- a. Walls, fences and screens must be set back from the property line in accordance with [Sec. 4.3.2.B, Street and Boundary Line Screening](#) and [Sec. 4.3.3.C, Wall and Fence Standards](#).
- b. No wall or fence is allowed within any required drainage or utility easement.
- c. All walls, fences and screens including their sub-grade elements, such as footings or foundation, must be located on-site.
- d. No wall or fence can interfere with visibility at intersections or driveways.

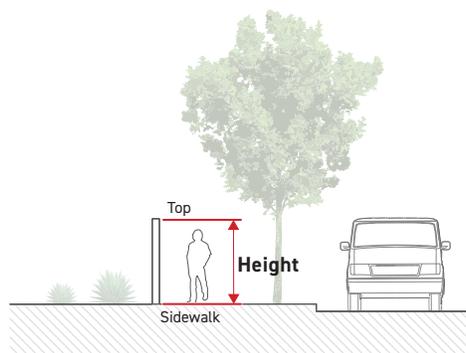
### 3. Maintenance

All walls, fences and screens must be maintained in good repair and must be kept vertical, structurally sound and protected from deterioration.

### 4. Measurement of Height

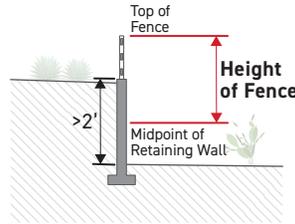
#### a. Front/Side Street Yards

- i. Wall or fence height is measured from the adjacent sidewalk to the topmost point of the wall or fence.



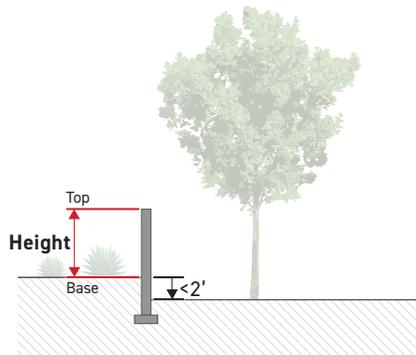
- ii. Where no sidewalk exists within 20 feet of the wall or fence, height is measured from the base of the wall or fence to the topmost point of the wall or fence, on the exterior side of the wall or fence.

- iii. When a wall or fence is located within 3 feet of the exterior face of a retaining wall and the retaining wall is 2 feet in height or greater, height is measured from the top of the wall or fence to the midpoint of the retaining wall.

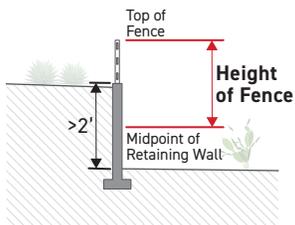


**b. Side/Rear Yards**

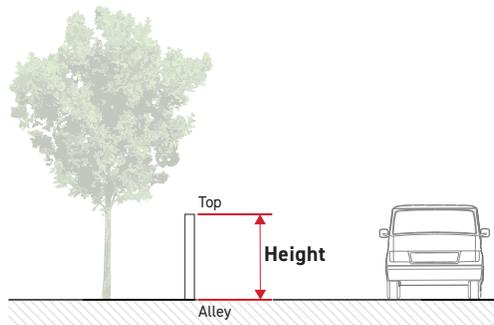
- i. Where the difference in grade on either side of a wall or fence is less than 2 feet, height is measured from at the base of the wall or fence on the side with the highest grade.



- ii. When a wall or fence is located within 3 feet of the exterior face of a retaining wall and the retaining wall is 2 feet in height or greater, height is measured from the top of the wall or fence to the midpoint of the retaining wall.

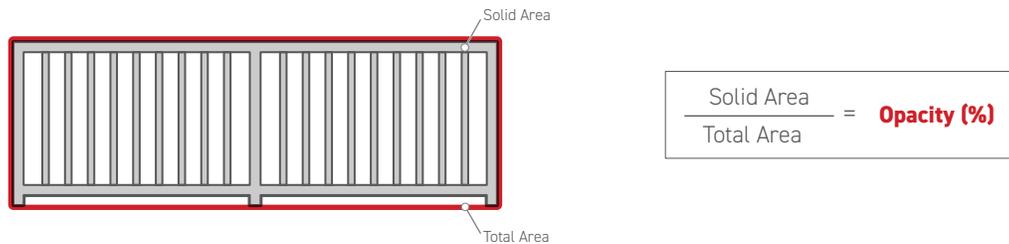


- iii. Fences and walls located in a rear or side yard abutting an alley are measured from the surface of the adjacent alley, vertically to the topmost point of the wall or fence.



## 5. Opacity

- a. Opacity is measured as a percentage, calculated by dividing the solid portion of the fence or wall by the total area of the fence or wall.
- b. The total area of the fence or wall is measured as the smallest regular shape containing all elements of the fence or wall.



## E. Relief

A wall or fence standard may be modified by up to 10% in accordance with *Div. 5.1*.

## 4.3.4. Plants and Plant Material

### A. Intent

To provide the necessary supplemental information for all applicable planting and landscaping requirements throughout this Code, in support of a healthy urban ecological system.

### B. Applicability

All plants and plant material used to meet a requirement of this Code.

### C. General Provisions

1. Plants listed as an invasive species by the Ohio Invasive Plants Council may not be installed.
2. No artificial plants, trees, or other plants may be installed.
3. Plant materials must be locally hardy to their specific planting location.
4. Plant materials must be able to survive on natural rainfall once established with no loss of health, or an irrigation system must be provided.

### D. Maintenance

1. Plant materials must be maintained in good and healthy condition.
2. Planting areas must be kept free of weeds and trash.

## E. Trees

1. All trees must be in a minimum 24-inch box container size and be a minimum caliper of 1.5 inches at time of planting.
2. Large trees must have a minimum canopy spread at maturity of least 30 feet.
3. Small trees must have a minimum canopy spread at maturity between 15 feet and 30 feet.
4. Where a required large tree cannot be provided due to existing spatial conflicts, 2 small trees may be provided as an alternative to meet the requirement.

## F. Screening Plants

1. Screening plants must be perennial.
2. Screening plants must be planted so as to form a continuous screen within the transition area except for breaks for required trees.
3. Screening plants must be at least 18 inches in height at time of planting.
4. Screening plants must be able to reach at least 3 feet in height at maturity.
5. Screening plants must be maintained at no less than their height at maturity.

## G. Shrubs

1. A minimum of 75% of required shrubs installed must be evergreen.
2. All shrubs must be at least 2 feet in height at time of planting.
3. All shrubs installed must be able to reach at least 4 feet in both height and spread at maturity.

## H. Measurement

For the measurement of caliper, height and canopy spread, see the "Methods of Measurement" section of the latest version of the American Standard for Nursery Stock (ANSI).

## I. Relief

A planting specification may be modified by up to 10% in accordance with *Div. 5.1*.

## Div. 4.4. Lighting

### 4.4.1. Outdoor Site Lighting

#### A. Intent

To provide lighting standards to support a variety of environments and to minimize the negative impacts of lighting on adjacent uses and users of the public realm.

#### B. Applicability

##### 1. New Fixtures

All lighting fixtures installed after the effective date of this Code must meet the outdoor lighting requirements of this Section.

##### 2. Existing Fixtures

- a. Routine maintenance, including changing the lamp, ballast, starter, photo control, fixture housing, lens and other required components, is allowed for all existing fixtures.
- b. The installation of site lighting, replacement of site lighting and changes to existing light fixture wattage, type of fixture, mounting or fixture location must be made in compliance with this Division.

#### C. Prohibited Lighting Sources

The following light fixtures and sources cannot be used:

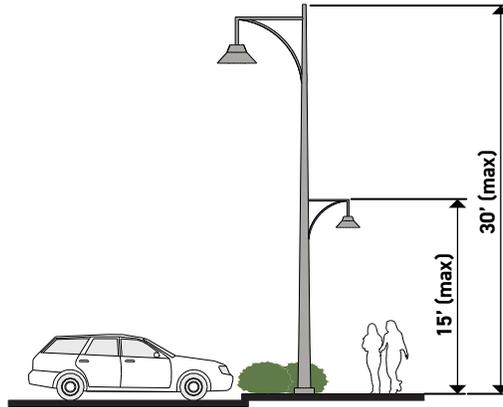
1. Cobra-head-type fixtures having dished or drop lenses or refractors, which contain sources that are not incandescent.
2. Temporary searchlights and other high-intensity narrow-beam, moving fixtures that shine light directly up to the sky.

#### D. Design and Installation

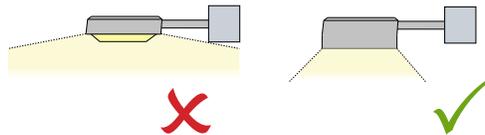
1. The maximum light level of any light fixture measured at the right-of-way line of a street cannot exceed an average of 2.5 footcandles. The uniformity ratio should be no more than 4:1.
2. Light sources must have a Color Rendering Index (CRI) value of 80 or higher.
3. Lighting must not be oriented onto adjacent properties, streets or sidewalks.
4. Service connections for all freestanding lighting fixtures must be installed underground.

## E. Parking and Pedestrian Area Lighting

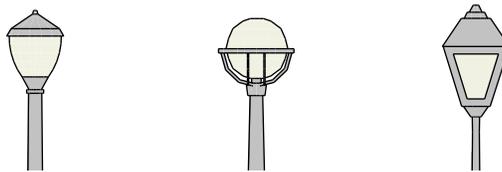
1. Light fixtures within parking lots and motor vehicle use areas can be no higher than 30 feet.
2. Light fixtures within pedestrian areas mounted on poles may be no higher than 15 feet.



3. All light fixtures must be full cutoff (shielded), except as listed below.

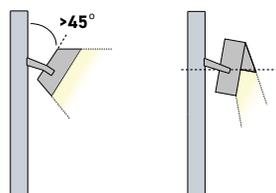


4. Non-cutoff (unshielded) fixtures can be used when the maximum initial lumens generated by each fixture is less than 9,500. These fixtures generally feature globes or vertical glass planes and must be coated with an internal white frosting to diffuse light.

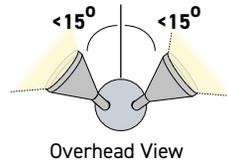


## F. Flood Lights and Flood Lamps

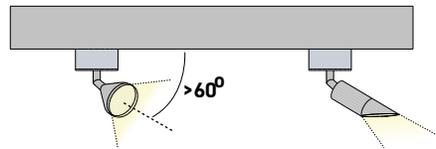
1. Flood light fixtures must either be aimed down at least 45 degrees from vertical or the front of the fixture shielded so that no portion of the light bulb extends below the bottom edge of the shield.



- Any flood light fixture located within 50 feet of a street must be mounted and aimed perpendicular to the right-of-way, with a side-to-side horizontal aiming tolerance not to exceed 15 degrees.



- All flood lamps emitting 1,000 or more lumens must be aimed at least 60 degrees down from horizontal or shielded so that the main beam is not visible from adjacent properties or the street right-of-way.



## G. Building Lighting

- Lighting fixtures must be selected, located, aimed and shielded so that direct illumination is focused exclusively on the building facade, plantings and other intended site features and away from adjoining properties and the street right-of-way.
- All wall pack fixtures must be full cutoff fixtures.



- Only lighting used to accent architectural features, landscape or art may be directed upward, provided that the fixture is located, aimed or shielded to minimize light spill into the night sky.

## H. Relief

A lighting specification may be modified by up to 10% in accordance with *Div. 5.1*.



CHAPTER 5.

# ADMINISTRATION

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# Div. 5.1. Approval Process

## 5.1.1. Common Approval Procedures

### A. Summary of Review Authority

The following table provides a summary of the review authority established for all Neighborhood Form-Based Code Districts.

	Administrator	ARC	PC	Appeal Body
Level 1: Zoning Clearance Review (up to 4 units/5,000 SF)	■			[BZA]
Level 2: Administrative Plan Review (5 to 20 units/5,001-20,000 SF)	■	□		[BZA]
Level 3: Planning Commission Review (20+ units/20,000+ SF)	□	□	[■]	[BZA]
Written Interpretations	■			[BZA]

■ = Decision

□ = Recommendation

[ ] = Public Hearing

BZA = Board of Zoning Appeals

PC = Planning Commission

ARC = Administrative Review Committee

### B. Administrator

#### 1. Authority

The Administrator of this Code is the Director of the Cleveland Planning Commission. The Administrator is responsible for the day-to-day administration of this Code.

#### 2. Delegation of Authority

The Administrator may designate any City of Cleveland Planning Commission staff member to represent the Administrator in any function assigned by this Code. The Administrator remains responsible for any final action.

### C. Administrative Review Committee

#### 1. Authority

The Planning Commission has delegated review and approval authority over certain projects to the Administrative Review Committee. The Administrator will serve as chair of the Administrative Review Committee and is responsible for all final actions.

## 2. Composition

In addition to the Administrator, the Administrative Review Committee must consist of a representative from the following departments:

- a. Planning (Neighborhood Planner of specific project);
- b. Building and Housing;
- c. Community Development;
- d. Economic Development;
- e. Law;
- f. Public Safety - Police and Fire;
- g. Public Utilities - Water, Water Pollution Control;
- h. Department of Construction & Engineering;
- i. Sustainability; and
- j. Other departments or agencies as deemed appropriate by the Administrator to advise on a given case.

## D. Procedures of General Applicability

### 1. Pre-Application Conference

- a. Prior to formal submittal of an application, an applicant must schedule a pre-application conference with the Administrator to discuss the procedures, standards and regulations of this Code.
- b. The Administrator will inform the applicant of requirements as they apply to the proposed project, and may provide a preliminary list of issues that will likely be of concern during formal application review, suggest possible modifications to the project, and identify any technical studies that may be necessary for the review process when a formal application is submitted. Any discussions held are not binding for either the applicant or the City.

### 2. Application Requirements

#### a. Forms

Applications must be submitted to the Administrator on forms and in such numbers as required by the Administrator.

#### b. Fees

Filing fees have been established to defray the cost of processing an application. Before review of an application, all associated fees must be paid in full.

### **c. Completeness Review**

- i. All applications must be sufficient for processing before the Administrator is required to review the application. Within 10 working days of the receipt of the application, the Administrator must notify the applicant in writing whether or not the application is complete or whether additional information is required.
- ii. An application is sufficient for processing when it contains all of the information necessary to decide whether or not the development as proposed will comply with all of the requirements of this Code.
- iii. The presumption is that all of the information required in the application form is necessary to satisfy the requirements of this Code. However, it is recognized that each application is unique, and therefore more or less information may be required according to the needs of the particular case. The applicant may rely on the recommendations of the Administrator as to whether more or less information should be submitted.
- iv. Upon receipt of a complete application, the Administrator must review the application and may confer with the applicant to ensure an understanding of the applicable requirements; that the applicant has submitted all of the information they intend to submit; and that the application represents precisely and completely what the applicant proposes to do.

## **5.1.2. Level I: Zoning Clearance Review**

### **A. Applicability**

1. Zoning Clearance Review is required for applications that include up to 4 dwelling units or up to 5,000 square feet of total gross floor area.
2. Applicability requirements also apply based on the type of activity proposed, see *Div. 2.1* and *Div. 4.1*.

### **B. Authority**

1. The Administrator is authorized to approve or deny applications for Zoning Clearance Review.
2. The Administrator may send any application for Zoning Clearance Review to Administrative Plan Review (*Sec. 5.1.3*) if they feel the application needs additional oversight.

### **C. Pre-Application Conference**

An applicant requesting Zoning Clearance Review must schedule a pre-application conference pursuant to *Sec. 5.1.1.D.1*.

### **D. Application Requirements**

An application for Zoning Clearance Review must be submitted pursuant to *Sec. 5.1.1.D.2*.

## E. Administrator Action

1. Within 10 working days after the application has been determined complete, the Administrator must approve or deny the application.
2. The Administrator must review the application in light of the approval criteria in *Sec. 5.1.2.G*.

## F. Relief

1. During the review process, the Administrator is authorized to approve limited adjustments to certain provisions of this Code.
2. This optional process may occur only where the applicant requests an adjustment to a standard specifically authorized in *Div. 2.2. Rules of Interpretation* or *Chapter 4. Development Standards*.
3. When approving a request for an adjustment, the Administrator cannot modify a standard beyond the percentage specified in the applicable section.

## G. Approval Criteria

In approving an application for Zoning Clearance Review, the Administrator must determine the application:

1. Meets all applicable requirements of this Code;
2. Meets all applicable requirements of *Title VII, Zoning Code*; and
3. Meets all other applicable technical requirements of the City.

## H. Effect of Approval

After the approval of Zoning Clearance Review, the applicant may apply for any other permits and approvals including, but not limited to, those permits and approvals required by the Building Code.

## I. Modifications to Approved Applications

Modifications to an approved Zoning Clearance application can be approved by the Administrator. The approved application must be amended pursuant with the procedures and standards that governed its original approval.

## J. Appeals

Any applicant aggrieved by any decision of the Administrator may appeal the decision pursuant to *Chapter 329, Board of Zoning Appeals*.

## 5.1.3. Level II: Administrative Plan Review

### A. Applicability

1. Administrative Plan Review is required for applications that include between 5 and 20 dwelling units or between 5,001 and 20,000 square feet of total gross floor area.

2. Applicability requirements also apply based on the type of activity proposed, see *Div. 2.1* and *Div. 4.1*.

## B. Authority

1. The Administrator, with recommendation by the Administrative Review Committee, is authorized to approve or deny applications for Administrative Plan Review.
2. The Administrator may send any application for Administrative Plan Review to Planning Commission Review (*Sec. 5.1.4*) if they feel the application needs additional oversight.

## C. Pre-Application Conference

An applicant requesting Administrative Plan Review must schedule a pre-application conference pursuant to *Sec. 5.1.1.D.1*.

## D. Application Requirements

An application for Administrative Plan Review must be submitted pursuant to *Sec. 5.1.1.D.2*.

## E. Administrative Review Committee Action

1. Upon submission of a completed application, the Administrator must schedule the application for review by the Administrative Review Committee.
2. Within 30 working days after the application has been determined complete, the Administrator must approve or deny the application.
3. The Administrator, in consultation with the Administrative Review Committee, must review the application in light of the approval criteria in *Sec. 5.1.3.H*.

## F. Relief

1. During the review process, the Administrator, with review by the Administrative Review Committee, is authorized to approve limited adjustments to certain provisions of this Code.
2. This optional process may occur only where the applicant requests an adjustment to a standard specifically authorized in *Div. 2.2. Rules of Interpretation* or *Chapter 4. Development Standards*.
3. When approving a request for an adjustment, the Administrator cannot modify a standard beyond the percentage specified in the applicable section.

## G. Approval Criteria

In approving an application for Administrative Plan Review, the Administrator must determine the application:

1. Meets all applicable requirements of this Code;
2. Meets all applicable requirements of *Title VII, Zoning Code*; and
3. Meets all other applicable technical requirements of the City.

## H. Effect of Approval

After the approval of Administrative Plan Review, the applicant may apply for any other permits and approvals including, but not limited to, those permits and approvals required by the Building Code.

## I. Modifications to Approved Applications

Modifications to an approved Administrative Plan application can be approved by the Administrator. The approved application must be amended pursuant with the procedures and standards that governed its original approval.

## J. Appeals

Any applicant aggrieved by any decision of the Administrator may appeal the decision pursuant to *Chapter 329, Board of Zoning Appeals*.

## 5.1.4. Level III: Planning Commission Review

### A. Applicability

1. Planning Commission Review is required for applications that exceed 20 dwelling units or exceed 20,000 square feet of total gross floor area.
2. Applicability requirements also apply based on the type of activity proposed, see *Div. 2.1* and *Div. 4.1*.

### B. Authority

The Planning Commission is authorized to approve or deny applications for Planning Commission Review.

### C. Pre-Application Conference

An applicant requesting Planning Commission Review must schedule a pre-application conference pursuant to *Sec. 5.1.1.D.1*.

### D. Application Requirements

An application for Planning Commission Review must be submitted pursuant to *Sec. 5.1.1.D.2*.

### E. Administrator Action

Following submission of a completed application, the Administrator, in consultation with the Administrative Review Committee, must review the application in light of the approval criteria in *Sec. 5.1.4.H* and provide a report to the Planning Commission.

### F. Planning Commission Action

1. The Planning Commission must hold a public hearing to discuss the application.

2. The Planning Commission must review the application in light of the approval criteria in *Sec. 5.1.4.H*.
3. Before taking final action, the Planning Commission must consider the recommendations of the Administrator and comments made at the public hearing.
4. The Planning Commission must approve, approve with conditions or deny the application, or send the application back to the Administrator for additional consideration.
5. In the exercise of its approval, the Planning Commission may impose conditions as it may deem advisable in the furtherance of the general purpose and intent of this Code - see *Sec. 1.1.4* and *Sec. 1.1.5*.

## G. Relief

1. During the review process, the Planning Commission is authorized to grant relief to certain provisions of this Code.
2. This optional process may occur only where the applicant requests relief from a standard specifically authorized in *Div. 2.2. Rules of Interpretation* or *Chapter 4. Development Standards*.
3. When approving a request for relief from a specified standard, the Planning Commission may approve changes up to and beyond the percentage stated in *Div 2.2* or *Chapter 4*, however, the Planning Commission must consider the following when granting any type of relief:
  - a. Any applicable design guidelines in *Chapter 341, Design Review*.
  - b. The general purpose and intent of this Code - see *Sec. 1.1.4* and *Sec. 1.1.5*; and
  - c. The intent of the applicable standard for which relief is requested.

## H. Approval Criteria

In approving an application for Planning Commission Review, the Planning Commission must determine the application:

1. Meets all applicable requirements of this Code;
2. Meets all applicable requirements of *Title VII, Zoning Code*;
3. Is in substantial conformance with any applicable design guidelines in *Chapter 341, Design Review*;
4. Meets all other applicable technical requirements of the City;
5. Will not have a substantial or undue adverse effect upon the neighborhood, the character of the area, traffic conditions, parking, public infrastructure, and other matters affecting the public health, safety and general welfare;
6. Will be constructed and operated to be compatible with the neighborhood; and
7. Will not result in the destruction, loss, or damage of any significant natural, scenic, or historical district, site, or feature.

## I. Effect of Approval

After the approval of Planning Commission Review, the applicant may apply for any other permits and approvals including, but not limited to, those permits and approvals required by the Building Code.

## J. Modifications to Approved Applications

### 1. Minor Modifications

- a. The Administrator, with the review of the Administrative Review Committee, has the authority to grant minor modifications to an approved application.
- b. The applicant must file a written application for an amendment with the Administrator. Minor modifications include, but are not limited to the following:
  - i. A less than 10% change to dimensional standard;
  - ii. The minor relocation of any structure, easement, or landscape screen in any direction from the location shown on the approved application unless deemed by the Administrator to significantly alter the approved application.

### 2. Major Modifications

If the proposed amendment is not considered a minor modification, the approved application must be amended pursuant with the procedures and standards that governed its original approval.

## K. Appeals

Any applicant by any decision of the Administrator may appeal the decision pursuant to *Chapter 329, Board of Zoning Appeals*.

## 5.1.5. Written Interpretations

### A. Applicability

When uncertainty exists, the Administrator, is authorized to make all interpretations concerning the provisions of this Code.

### B. Application Requirements

An application for a written interpretation must be submitted pursuant to *Sec. 5.1.1.D.2*.

### C. Administrator Action

1. The Administrator must review and evaluate the request in light of the applicable code provision, including any applicable intent, the Zoning Map and any other relevant information.
2. Within 10 working days after the application has been determined complete, the Administrator must render an opinion. The interpretation must be provided to the applicant in writing.

## D. **Official Record**

The Administrator must maintain an official record of all interpretations. The record of interpretations must be available for public inspection during normal business hours.

## E. **Appeals**

Any applicant aggrieved by any decision of the Administrator may appeal the decision pursuant to *Chapter 329, Board of Zoning Appeals*.

CHAPTER 6.

# DEFINITIONS

Div. 6.1. Defined Terms ..... 6-2

## Div. 6.1. Defined Terms

**Abutting.** To touch or have a common boundary with.

**Addition.** Any substantial expansion or enlargement of an existing building or structure. Includes activity that increases the floor area or the height of an enclosed space within an existing building.

**Boundary Line.** The boundary of a site.

**Building.** A fully-enclosed structure.

**Change of Use.** A change in use or a modification of an area designed and intended for a specific use from the previously approved use. Includes a change in the principal use of any portion of a building, site or lot from one of the uses specified in *Chapter 3, Use Regulations* to another. Includes the expansion of floor area, site area or lot area dedicated to a use or an increase in the intensity of a use, such as an increase in seating capacity or the number of persons in care.

**Dwelling Unit.** A building, or portion of a building, designed, arranged and used for independent living quarters for 1 or more persons living as a household with permanent facilities for living, sleeping, eating, food preparation (heating/cooking element, sink and refrigerator) and sanitation. Dwelling unit does not include a lodging unit associated with a hotel or other structure designed for transient accommodations.

**Facade Modification.** Any substantial change to the exterior envelope of a building. Includes changes to any of the following: the facade of a building; the amount of exterior foundation wall that is exposed above finished grade; or an architectural element (including a balcony, porch or deck) attached to a facade. Includes any change to a facade that goes beyond the definition of maintenance and repair.

**Finished Grade.** The finished ground level adjoining the building at all exterior walls.

**Fully Enclosed.** A permanently located structure having a roof, four walls and doors and windows that close, all of which conform to the Building Code.

**Habitable Space.** Any occupiable space designed and intended for living, sleeping, eating, or cooking. Restrooms, parking, toilet rooms, closets, halls, storage or utility spaces, and similar areas are not considered habitable space.

**Household.** One or more persons, all related by blood, adoption, guardianship, marriage or other duly authorized custodial relationship occupying a dwelling unit or no more than 6 unrelated persons.

**Lodging Unit.** A building, or portion of a building, designed for transient accommodations that does not include permanent facilities for food preparation (heating/cooking element, sink and refrigerator). Lodging unit does not include a dwelling unit.

**Maintenance & Repair.** Activity done to correct the deterioration, decay of, or damage to, any part of a building, structure, or lot, that does not involve a change or modification of the existing design, outward appearance or applicable zoning requirements. In-kind replacement of deteriorated or damaged parts of a building is considered maintenance and repair. Maintenance and repair includes repair of site components such as parking lots or landscaping.

**New Construction.** Any activity that includes the construction of a new building or structure.

**Public Realm.** The publicly-owned street rights-of-way, including the streetscape (pedestrian zone and furniture zone).

**Occupiable Space.** Any area designed and intended for human occupancy with a minimum clear height of 7.5 feet.

**Renovation.** Modification of the interior of any building or structure that does not expand the building or structure, but includes more than 50% of the floor area of any story of the structure. Does not include interior modifications to meet fire, life safety, and handicapped requirements, regardless of the amount of floor area included. Includes any change that goes beyond the definition of maintenance and repair.

**Roofed.** A building or structure is considered roofed when less than 25% of its area is open to the sky. A building or structure is considered open when 25% or more of its area is open to the sky. A building or structure containing overhead, non-solid structures, such as lattice and pergolas, is considered open when 25% or more of its area is open to the sky.

**Site Modification.** Any substantial modification to a site, including landscaping, trees, fencing, walls, lighting, grading, flatwork, and parking lots including resurfacing and restriping of existing parking lots.

**Structure.** Any constructed object more than 30 inches in height.