



CITY OF CLEVELAND
 Mayor Frank G. Jackson

City Planning Commission
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Ord. No. 573-18.

By Council Member Brancatelli (by departmental request).

An ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Sections 356.01 and 356.02, relating to the Central Business District (CBD); and to amend various sections of Chapters 355 and 357.

Be it ordained by the Council of the City of Cleveland:

Section 1. That the Codified Ordinances of Cleveland, Ohio, 1976, are supplemented by enacting new Sections 356.01 and 356.02 to read as follows:

CHAPTER 356

Central Business District (CBD)

Section 356.01 Properties within the Central Business District

Notwithstanding the provisions of Chapters 355 and 357 to the contrary, any property within the boundary of the Central Business District as defined in 325.12, shall conform to the requirements under this Chapter.

Section 356.02 Screening of Structured Parking; Liner Buildings

(a) Where Required within the Central Business District	Street frontages Alleys, Ways & Courts frontages	Required Not required
(b) Height	Height of Liner Building shall be equal to or greater than the Height of the structured parking building.	
(c) Width	Ground floor: The Liner Building shall at minimum equal the width of the parking it screens, less the permitted vehicular access points. Upper floors: The Liner Building shall at minimum equal the width of the structured parking building.	
(d) Depth	Depth of Liner Building shall be a minimum of 15'.	
(e) Active Uses	Required along 70% of all frontages not designated as an alley.	
(f) First Story Glazing, non-residential Liner Buildings, all Frontages except Alleys	70% min. of Building Frontage between 2' 6" and 7' 6" above grade shall be transparent windows and doors	
(g) First Story Glazing, residential Liner Buildings, all Frontages except Alleys	30% min. of Building Frontage between 3' and 8' above grade shall be transparent windows and doors	
(h) Parking and service access	Street frontages Alleys, Ways & Courts frontages	Max. openings per frontage: 1 Max. opening width: 24' Max. opening height for parking entrance: 11' Max. opening height for service access: 14' Continuous at-grade sidewalk and apron required Unlimited
(i) Valet zones	Shall not reduce existing sidewalk width, or shall maintain 8' min. through pedestrian sidewalk zone.	

"Liner Building" shall have the same meaning as provided in Section 348.01.

Section 2. That the following sections of the Codified Ordinances of Cleveland, Ohio, 1976:

Section 355.01, as amended by Ordinance No. 2204-A-48, passed December 19, 1949,

Section 355.04, as amended by Ordinance No. 137-2000, passed June 12, 2000,

Section 357.01, as amended by Ordinance No. 2204-A-48, passed December 19, 1949,

Section 357.03, as amended by Ordinance No. 1473-61, passed September 18, 1961,

Sections 357.08, 357.09, 357.11 and 357.12, as amended by Ordinance No. 2204-A-48, passed December 19, 1949, and

Section 357.16, as amended by Ordinance No. 1538-86, passed May 18, 1987

are amended to read as follows:

Section 355.01 Area Districts Established and Exceptions

(a) The City is hereby divided into area districts which are specified in the table of Section 355.04 and are designated on the Building Zone Map.

(b) The provisions of this chapter shall not apply to any property within the boundary of the Central Business District as defined in 325.12.

Section 355.04 Residence Buildings and Other Main Buildings in Residence District

(a) Except as provided in Sections 355.05 to 355.07, in any use district, no residence building shall hereafter be erected, established or altered except in conformity with the limitations and requirements specified in the following table.

(b) In a Residence District, no main building, irrespective of occupancy classification, shall hereafter be erected, established or altered except in conformity with the maximum gross floor area limitation specified in the following table:

Area Regulations for Residence Buildings in All Use Districts and for All Main Buildings in Residence Districts

Area District	Maximum Gross Floor Area	Minimum Lot Width**		Minimum Frontage*** (feet)	Minimum Lot Area Street (square feet)		Row House: per Dwelling Unit	Class A Multiple District per Dwelling Unit	Minimum Floor Area per Primary Residential Building (square feet)
		One Family Dwelling	Two Family Dwelling		One Family and Two Family Dwelling	One Family Dwelling			
AA	1/2 lot area 60	-	-	50	7200	-	-	-	1400
A	1/2 lot area 50	-	-	30	4800	-	-	-	1250
B	1/2 lot area 40	-	50	25	4800	6000	2400	2400	950
C*	1/2 lot area 40	-	50	25	4800	6000	2400	-	950
D*	lot area 40	40	50	25	4800	6000	2100	-	950
E*	1-1/2 lot area 40	40	50	25	4800	6000	2100	-	950
F*	2 lot area 40	40	50	25	4800	6000	2100	-	950
G*	3 lot area 40	40	50	25	4800	6000	2100	-	950
H*	4 lot area 40	40	50	25	4800	6000	2100	-	950
J*	5 lot area 40	40	50	25	4800	6000	2100	-	950
K*	6 lot area 40	40	50	25	4800	6000	2100	-	950

* Shall not apply to alterations made to an existing building in a Residence district nor to an existing residence building in another use district, which building exceeds the maximum gross floor area limitation, provided the gross floor area of such existing building is not increased.

** Measured at "building line".

*** Lot width measured at front street line.

Section 357.01 Application of Yard Regulations

The provisions of this chapter establish required yards in various use districts as follows:

(a) *Residence Districts.* Front, rear and side yards for all main buildings. A main building other than a residence permitted in a Residence District shall observe the same yard requirements as a residence;

(b) *Local Retail Business Districts.* Front yards for all main buildings and premises, and side street yards for all main buildings and premises on corner lots;

(c) *Local Retail Business Districts, Retail Business Districts, Semi-Industry Districts and General Industry Districts.* Rear and side yards for all residence buildings and buildings of Institutional H Occupancy Classification. Residence buildings in General Industry Districts and in certain parts of Semi-Industry Districts are permitted only on special permit from the Board of Zoning Appeals;

(d) *Any Use District.* Front yards when established by specific building lines shown on the Building Zone Map;

(e) The provisions of Chapter 357 shall not apply to any property within the boundary of the Central Business District as defined in Section 325.12.

(f) Other Special Yard Requirements. As hereinafter established.

Section 357.03 Yards for Mixed Occupancy Buildings Used in Part for Residential or Institutional H

Whenever any building of mixed occupancy is used or occupied in part for Residential Occupancy or Institutional H Occupancy, the part of the building so used shall be so located in respect to lot lines as to provide the yard spaces required by this chapter. Any building of mixed occupancy occupied in part as a dwelling house shall have side yards and a rear yard as required for dwelling houses.

Section 357.08 Required Rear Yards

(a) *Where Required.*

(1) Buildings of Residential Occupancy and Institutional H Occupancy Classification. Rear yards conforming to the provisions of this section shall be provided and maintained at the rear of all buildings or parts of buildings of Residential Occupancy or Institutional H Occupancy Classification irrespective of the use district in which they are located. A rear yard provided for a Class B Multiple Dwelling in the Central Business District shall conform to the provisions of Section 357.11.

(2) *Main buildings in Residence Districts.* Rear yards conforming to the provisions of this section shall be provided and maintained at the rear of all main buildings in Residence Districts, irrespective of the occupancy classification of the building.

(b) *Depth of Required Rear Yards.*

(1) *Residence Districts.* In a Residence District the depth of a rear yard shall be not less than fifteen percent (15%) of the depth of the lot but in no case less than twenty (20) feet; provided that in a Limited One-Family District, One-Family District or Two-Family District, such depth shall be not less than the height of the main building, and in a Multi-Family District such depth shall be not less than one-half (1/2) the height of the main building.

(2) *Use districts other than Residence Districts.* In a use district other than a Residence District the depth of a required rear yard in connection with a building of Residential Occupancy or Institutional H Occupancy Classification shall be not less than fifteen percent (15%) of the depth of the lot but in no case less than twenty (20) feet or less than one-half (1/2) the height of the main building.

(3) *Irregularly Shaped Lots.* In the case of an irregular, triangular or segment-shaped lot, the required depth of a required rear yard shall be interpreted to mean the average depth, provided that no required rear yard on any lot in a Residence District or in connection with buildings of Residential Occupancy or Institutional H Occupancy Classification shall be less than ten (10) feet in depth at any point.

(4) *Rear Yards Abutting Alleys.* Where the rear yard abuts and is parallel to an alley, one-half (1/2) the width of such alley may be assumed to be a portion of such rear yard.

Section 357.09 Required Interior Side Yards

(a) *Where Required.*

(1) Interior side yards conforming to the provisions of this section shall be provided and maintained along the interior side lot lines of all buildings or parts of buildings of Residential Occupancy or Institutional H Occupancy Classification irrespective of the use district in which they are located.

(2) Interior side yards conforming to the provisions of this Zoning Code shall be provided and maintained along the interior side lot lines of all main buildings in Residence Districts irrespective of the occupancy classification of the building.

(b) *Width.*

(1) *Limited One-Family Districts.* In a Limited One-Family District the minimum width of an interior side yard shall be five (5) feet and the aggregate width of side yards on the same premises shall be not less than twenty (20) feet. No building shall be erected less than twenty (20) feet from a main building on an adjoining lot within such District, nor less than ten (10) feet from a main building on an adjoining lot in other Residence Districts.

(2) *Other Residence Districts.*

A. In Residence Districts other than Limited One-Family Districts the aggregate width of side yards on the same premises shall be not less than one-half (1/2) the height of the main building but in no case less than ten (10) feet. No building shall be erected less than ten (10) feet from a main building on an adjoining lot within such Residence Districts.

B. In a One-Family District or in a Two-Family District no interior side yard, and except as provided in subsection (b)(1) hereof, in any use district no interior side yard on a lot occupied by a dwelling house shall be less than five (5) feet in width for a corner lot, nor less than three (3) feet in width for an interior lot, nor shall the aggregate width of side yards on the same premises be less than ten (10) feet. However, the width of any such interior side yard shall in no case be less than one-fourth (1/4) the height of the main building on the premises.

C. In Multi-Family Districts no interior side yard, and in any use district not a Residence District no required interior side yard in connection with multiple dwellings or buildings of Institutional H Occupancy Classification shall be less in width than one-fourth (1/4) the height of the main building on the premises nor less than eight (8) feet. However, when the length of such main building measured parallel to an adjoining interior lot line exceeds forty (40) feet, the area of that part of the interior side yard abutting the building, including the area of any outer court opening on such interior side yard, shall be not less than one-third (1/3) the height of the building multiplied by the length of the building measured parallel to the adjoining interior lot line; provided further that when the side yard provides all required light and ventilation for all the habitable rooms of any dwelling unit, such area shall be not less than one-half (1/2) the height of the building multiplied by the length of the building.

(3) *Irregularly Shaped Lots.* In the case of an irregular, triangular or segment-shaped lot, the required width of a required interior side yard shall be interpreted to mean the average width, provided that no such required interior side yard on any lot shall be less than three (3) feet in width at any point.

(4) *Interior Side Yards Adjoining Alleys.*

A. An alley line at the side of a lot shall be deemed to be an interior side lot line.

B. The half-width of an alley abutting and parallel to the side line of a lot may be considered as part of an interior side yard required on that side. However, in all cases a setback from the alley line of not less than three (3) feet shall be provided.

(5) *Interior Side Yards Adjoining Nonconforming Side Yards.* For a period of one (1) year from and after January 29, 1950, in Multi-Family Districts on any lot where the adjoining interior side yard of an existing building does not conform to the provisions of subsection (b)(2)C. hereof, the minimum width and area of the interior side yard on that side may be the average between the requirements specified in subsection (b)(2)C. hereof, and such existing adjoining side yard, but if such existing side yard is less in width than one-sixth (1/6) its building height (the ordinance requirement in effect prior to the adoption of Ordinance 2204-A-48) then the existing side yard shall be figured at one-sixth (1/6) the height of its building.

Section 357.11 Yards for Buildings Not of Residential Occupancy or Institutional H Occupancy Classification

(a) Where the provisions of Sections 357.08 to 357.10 do not apply, rear yards and interior side yards extending to rear yards for required windows in buildings or parts of buildings not of Residential Occupancy or Institutional H Occupancy Classification, shall have a width at any given height of not less than three (3) inches for each foot of such height measured from the bottom of such yard as actually constructed, or from the grade level, whichever is higher, but in no case shall any such yard be less than five (5) feet in width. As used in this section "the width of a rear yard" means the distance from the extreme rear wall of the main building to the rear lot line, and "the width of a side yard" means the distance from the extreme side wall of the building to the adjoining side lot line.

(b) In the case of irregular, triangular or segment-shaped lots, the required width of such yard shall be interpreted to mean the average width, provided that no such yard shall be less in width at any point than three (3) feet.

(c) The half-width of an alley abutting and parallel to a lot line may be considered as part of a yard provided along such lot line.

(d) An interior side yard which does not extend to a rear yard of required dimensions shall be deemed to be an outer court and shall conform to the applicable provisions of Section 357.16.

Section 357.12 Yard Heights Regulations

(a) *Level of Bottom of Yard.*

(1) *Residence Districts.*

A. In Limited One-Family Districts, One-Family Districts and Two-Family Districts every rear yard and interior side yard, and in Multi-Family Districts every rear yard and interior side yard for a dwelling house or row house, shall begin at a level not higher than the grade level or, where the grade level of an abutting lot is at a higher level, at a level not higher than the grade level of the abutting lot.

B. In Multi-Family Districts every rear yard and interior side yard shall begin at a level not more than five (5) feet above grade level, except that rear yards and interior side yards for dwelling houses or row houses shall begin at the level specified in subsection (a)(1)A. hereof.

(2) *Use Districts Other than Residence Districts.*

A. In use districts other than Residence Districts every rear yard or interior side yard for a dwelling house or row house shall begin at a level not higher than the grade level, or where the grade level of an abutting lot is at a higher level, at a level not higher than the grade level of the abutting lot.

B. In use districts other than Residence Districts a rear yard or interior side yard for a building other than a dwelling house or row house shall begin at a level not lower than the window sill level of the lowest habitable room or lowest room of human occupancy relying upon natural light or natural ventilation from windows opening thereon, and the height of such yard shall be measured from the bottom of such yard as actually constructed, or from the grade level, whichever is higher.

(b) *Application of Yard Depth or Width Requirements.*

(1) The required depth or width of a yard in a Residence District, or for a residence building or building of Institutional H Occupancy Classification in other use districts, shall be the depth or width required for the full height of such yard shall conform to the provisions of subsection (b)(2) hereof.

(2) The abutting walls of yards provided under the provisions of Section 357.11, may be set back at various levels to provide the required width specified therein.

(3) In establishing the required depth of a rear yard or required width of an interior side yard as determined by the height of a building, such height shall be deemed to be the height of that portion of the building which abuts the yard; provided that such height shall not be required to include any portion of the building which extends above the height limit specified in Section 353.01 and is set back from the required yard lines as prescribed in Section 353.02.

Section 357.16 Courts

(a) *Width and Area of Required Courts.*

(1) *General Provisions.* No court serving a required window shall be less in any part than the minimum sizes prescribed in this section and no court, required or not, shall be less than five (5) feet in width.

(2) *Outer Courts Opening on Alleys.* When an outer court opens directly upon an alley extending parallel to the opening, one-half (1/2) the width of such alley may be assumed to be a portion of such court.

(3) *Widths of Courts Serving Habitable Rooms.*

A. Every outer court required to serve windows in habitable rooms shall have a width at any level of not less than four (4) inches for each foot or fraction thereof of the height of such court at that level, but not less than ten (10) feet; such width at any level shall be not less than three (3) inches for each foot or fraction thereof of the height of such court at that level, but not less than five (5) feet; and except that where the length of an outer court is ten (10) feet or less, the minimum width may be five (5) feet.

B. Every inner court required to serve windows in habitable rooms shall have a width at any level of not less than one (1) foot for each foot or fraction thereof of the height of such court at that level, but not less than ten (10) feet; such width at any level shall be not less than eight (8) inches for each foot or fraction thereof of the height of such court at that level, but not less than ten (10) feet.

(4) *Widths of Courts Serving Other than Habitable Rooms.* Every outer or inner court required to serve windows in other than habitable rooms shall have a width at any level of not less than three (3) inches for each foot or fraction thereof of the height of such court at that level, but not less than five (5) feet.

(5) *Widths of Irregular Shaped Courts.* In the case of irregular or segment-shaped courts, the average width of such court shall be not less than the required width of such court, provided that no such court shall be less than five (5) feet in width at any point.

(6) *Area of Courts.*

A. The cross-sectional area of a required inner court at any level shall be not less than one and one-half (1-1/2) times the square of its required width.

B. The cross-sectional area of a required outer court at any level shall not be greater than three (3) times the square of its width; for outer courts greater in length than three (3) times the required width, the width shall be increased so that the cross-sectional area shall be not greater than three (3) times the square of its width.

(b) *Application of Court Width and Area Requirements.*

(1) In Residence Districts, and for buildings of Residential Occupancy or Institutional H Occupancy Classification in other use districts, the required width and cross-sectional area of a court at its highest level shall be the width and cross-sectional area required for its full height.

(2) Except as provided in subsection (b)(1) hereof, walls of courts may be set back at various levels to provide the width and cross-sectional area specified in this section.

(c) *Air Intakes for Courts Serving Habitable Rooms.* Every court serving one (1) or more habitable rooms that does not open for its full height on one (1) or more sides on a street, alley or other permanent open public space, or upon a yard conforming to the provisions of this Zoning Code, shall be connected, at or near the bottom, with a street, alley or other permanent open public space, or with a yard conforming to the provisions of this Zoning Code, by an intake or passage. Such intake or passage shall have a cross-sectional area of not less than twenty-one (21) square feet, and shall be maintained fully open at both ends and unobstructed for its full size and length, except that grilles may be permitted at the ends.

(d) *Encroachments upon Required Courts.*

(1) Every court shall remain unobstructed for its required width and full height, except that for outer courts, cornices, eaves and downspouts projecting not more than twelve (12) inches from a wall, ordinary window sills or belt courses projecting not more than four (4) inches from a wall, and fixed or retractable awnings as limited by Sections 3109.10 and 3109.11 respectively, shall be permitted to encroach upon such required court dimensions; and except that clothes poles, arbors, garden trellises and other similar accessories shall be permitted.

(2) In inner courts no projections of more than four (4) inches into the required dimensions shall be permitted, except that downspouts may project to the extent required for their installation, and except that fixed and retractable awnings may project to the extent permitted by Sections 3109.10 and 3109.11, respectively.

(e) *Drainage and Accessibility of Court Bottoms.*

(1) The bottom of every court shall be properly graded and drained and shall be roofed, paved or suitably grassed over or landscaped. Courts shall be maintained in a clean and sanitary condition.

(2) Every court that is not otherwise accessible at the bottom shall be made accessible by a door or other means to enable it to be properly cleaned.

Section 3. That the following existing sections of the Codified Ordinances of Cleveland, Ohio, 1976:

Section 355.01, as amended by Ordinance No. 2204-A-48, passed December 19, 1949,

Section 355.04, as amended by Ordinance No. 137-2000, passed June 12, 2000,

Section 357.01, as amended by Ordinance No. 2204-A-48, passed December 19, 1949,

Section 357.03, as amended by Ordinance No. 1473-61, passed September 18, 1961,

Sections 357.08, 357.09, 357.11, and 357.12, as amended by Ordinance No. 2204-A-48, passed December 19, 1949, and

Section 357.16, as amended by Ordinance No. 1538-86, passed May 18, 1987

are repealed.

Section 4. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed July 18, 2018.

Effective August 17, 2018.