



**CITY OF CLEVELAND**  
Mayor Frank G. Jackson

City Planning Commission  
601 Lakeside Avenue, Room 501  
Cleveland, Ohio 44114-1071  
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## Ordinance 1536-14

**By Council Members Brancatelli and Kelley (by departmental request).**

***An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Section 348.01, relating to the Urban Form Overlay District; and to name Chapter 348 "Form Based Districts".***

Whereas, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

**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 Section 348.01 and to read as follows:

### **Section 348.01 Urban Form Overlay (UF Overlay) District**

(a) **Purpose.** The Urban Form Overlay (UF Overlay) District is established to foster a high level of walkability and design quality for Cleveland's urban streets. The UF Overlay will do this by requiring pedestrian-oriented building features, preserving and enhancing the architectural character of new and existing buildings and protecting public safety by minimizing conflicts between vehicles and pedestrians.

(b) **Mapping.** The UF Overlay District shall be mapped as an overlay district by an ordinance of Council. Areas designated as UF Overlay Districts are planned to be densely developed areas characterized by a preponderance of buildings set relatively close to the street with parking located behind the main building. In every UF Overlay District, any street frontage to be considered an "Urban Frontage Line," as defined in this section, shall be marked on the Zoning Map, with either one or both sides of a street designated as such.

(c) **Applicability.** In a UF Overlay District, the regulations of the underlying zoning district shall govern except where in conflict with the regulations of the UF Overlay District, in which case the regulations of the UF Overlay District shall govern.

(d) **Definitions.** As used in this section, the following terms shall be defined as stated below:

(1) "Urban Frontage Line" means that side or sides of a public street frontage that is specifically designated on the Zoning Map.

(2) "Urban Street Space" means that portion of a building or property located at or closest to the level of the public sidewalk and within forty (40) feet of an Urban Frontage Line.

(3) "Open Sales Lot" means a property or portion of a property used for the sale of merchandise stored in outdoor, unenclosed locations.

(4) "Streetscreen" means a freestanding wall built along the Urban Frontage Line, or coplanar with the main building facade. It may mask a Parking Lot from the Thoroughfare, provide privacy to a side yard, and/or strengthen the spatial definition of the public realm. (Syn: streetwall)

(5) "Liner Building" means a building specifically designed to mask a parking lot or a Parking Structure from a Frontage.

(6) "Stoop" means an entrance wherein the facade of the main building is aligned close to the Urban Frontage Line with the first story elevated from the sidewalk for privacy, with an exterior stair and landing at the entrance.

(7) "Balcony" means an exterior space or platform that projects from the wall of a building and includes a railing or balustrade.

(e) **Use Regulations.** All uses permitted in the underlying zoning district shall be permitted in the UF Overlay District, except that within Urban Street Spaces, as defined in this section, the following uses are regulated as follows:

(1) Open sales lots, as defined in this section, are prohibited;

(2) Car washes are prohibited;

- (3) Gas station pump islands are prohibited;
- (4) Any business served by a drive-thru shall have all points of customer interaction located outside of the Urban Street Space; and
- (5) A parking lot as a main use is prohibited.

(f) **New construction or Additions**

**Setbacks**

Front Yard Principal Depth	0ft. min., 8ft. max.
Front Yard Secondary Yard Depth	0ft. min., 5ft. max.
Interior Side Yard Depth	0ft. min.
Rear Yard Depth	3ft. min.
Frontage Build-out	80% min.; Up to 20% street screen wall permitted

**Building Configuration**

Principal Building height	18ft. min.
Ground floor Non-residentials paces	Each space shall provide a main pedestrian entrance to primary street frontage and shall be recessed so not to swing over the public right-of-way or patio space
Ground floor Residential units	Each unit shall provide a main pedestrian entrance to street frontage; porch or stoop required
Height of finished floor above grade	Non-residential:0ft.min.;Residential:2ft.min.,5.5ft.max

**Building Design Features**

Ground floor front façade non-residential	70% min. transparent windows & doors
Ground floor front façade residential	60% min.transparentwindows
Balconies; primary or secondary frontage	Required on 60% of units min.;1.0ft. min. depth
Firstfloormaterials	Human scaled; ex. brick, stone, lapsiding, wood, terra cotta or similar

**Required Private Frontage types** See figure F(1)

Porch	Permitted;12 sq.ft. min.
Terraceor Light well	Permitted
Forecourt	Permitted
Stoop	Permitted;12 sq.ft. min.
Shop front & Awning	Permitted

Gallery	Permitted
Arcade	Permitted; 6ft. min. depth

### Signage

Wall mounted and blade	Permitted
Freestanding	Not permitted
Electronic changeable copy	Not permitted

### Transition Strips & Screening

Front secondary	3ft. min., 6ft. max. deep landscape screening strip, and street screen required
Interior side	Not required
Rear abutting a less intensive use	6ft. high screen element, 100% opacity

### Garages & Driveways

Garage doors fronting principal or secondary frontage	Not Permitted
Garage doors perpendicular to secondary frontage	Permitted; 3.5ft. tall streetscreen required
Curb cuts per lot	1 max.
Single residential unit driveway width	10 ft. max.
One-way vehicular driveway width	12 ft. max.
Two-way vehicular driveway width	16 ft. max.
Parking lot aisle width	21 ft. max.

### Off-Street Parking & Loading

Number of spaces; surface	Min: 50% of total required by 349.04, Max: 100% of total required by 349.04
Surface parking; location	Behind main building <sup>1</sup>
Number of spaces; structured or enclosed	Min: 50% of total required by 349.04, Max: no limitation
Structured or enclosed parking; screening	Liner building along Principal and Secondary frontages required

<sup>1</sup> Where no alley abuts the property, off-street parking between the main building actual front setback and the rear wall of the main building shall be permitted, however limited to one row of 45° parking spaces adjacent to the main building. A streetscreen 3.5 ft. min. in height shall be required between the main building and the drive isle.

**Required Frontage Features**

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

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

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

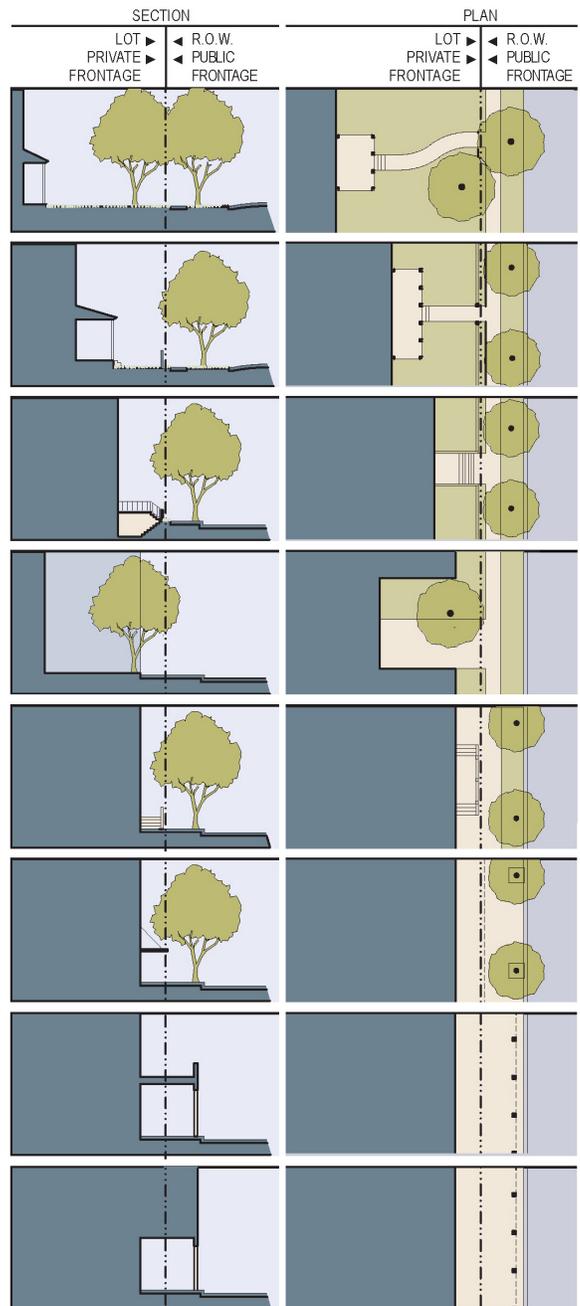
**d. Forecourt:** A Frontage wherein a portion of the building façade is set back from the right of way line, and the rest of the facade is set close to or at the right of way line. This frontage feature is often used in apartment buildings. This frontage feature is usually used in conjunction with other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

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

**f. Shopfront:** A Frontage wherein the building façade is close to the right of way line, and the building entrance is at sidewalk grade. This frontage is typical of Retail uses. This frontage feature has substantial glazing at the sidewalk level. This frontage may have an awning. Where permitted, the awning may encroach over the sidewalk.

**g. Gallery:** A Frontage wherein the façade is close to or at the right of way line, with an attached roof or lightweight colonnade overlapping the sidewalk. This frontage is typical of Retail uses. Where encroachment of the Gallery over the public right of way is permitted, the Gallery shall extend to within 2 feet of the curb.

**h. Arcade:** A Frontage wherein the façade at sidewalk level is close to or at the right of way line, with a colonnade supporting habitable space above the sidewalk. This frontage is typical of Retail uses. Where encroachment of the Arcade over the public right of way is permitted, the Arcade shall extend to within 2 feet of the curb.



**(g) Variances.**

(1) Building Heights. The Board of Zoning Appeals shall have no power to authorize a variance for a single story building with a height of less than fifteen (15) feet in an Urban Street Space.

(2) Parking Requirements. The Board may grant a variance above the maximum number of parking spaces permitted by this section, where the applicant has shown a good faith effort to first utilize: district parking, on- street parking and /or secure shared-use agreements with adjacent property owners, or has agreed to make its parking lot available for shared parking with neighboring businesses. However, the Board shall have no power to authorize a variance for a total number of parking spaces that exceeds 120% of the maximum amount of spaces permitted by this section.

**Section 2.** That new Chapter 348 of the Codified Ordinances of Cleveland, Ohio, 1976, is entitled "Form Based Districts.

**Section 3.** That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

**Passed January 26, 2015. Effective January 28, 2015.**